

AD-18-44

LOCATION: 2841 Doric Avenue

REAL ESTATE NUMBER: 101492-0000

DEVIATION SOUGHT:

1. Reduce required minimum lot area from 9,900 square feet to 9,375 square feet
2. Reduce lot width from 90 feet to 62.5 feet for two lots.

PRESENT ZONING: RLD-90

CURRENT LAND USE: LDR

PLANNING DISTRICT: 4

COUNCILDISTRICT: 14

SIGNS POSTED: 1

OWNER:

Cheryl Laucks
2841 Doric Ave.
Jacksonville, FL 32210

AGENT:

Fred Atwill, Jr.
Atwill LLC
9001 Forest Acres Lane
Jacksonville, FL 32234

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 subject property and surrounding neighborhood are part of the Ortega plat as recorded in 1909 in Plat Book 3, Page 40. The original plat generally contained 90 and 100-foot wide lots. The current zoning of RLD-90 was adopted in 2008 per Ordinance 2008-969-E. The two prior zoning districts in the past 30 years (RLD-D, RS-D) also required a minimum of 90 feet of lot width per residence. The minimum lot area under RLD-D and RS-D was 10,800 square feet. Notwithstanding the historical zoning districts, the pattern of development has been quite different.</p> <p>There are currently 33 residential lots within an area bounded by McGirts Boulevard, Harvard Avenue, Baltic Street, and Ionic Avenue (identified as Blocks 21 and 23 of the Ortega Plat). 15 of the 33 lots have substandard road frontage ranging from 69 feet down to 46 feet. 11 of the 15 substandard lots contain residences built between 1918 and 1940, thereby indicating that this pattern of development has gone on for generations. Further examination of the residential lots on the two platted blocks reveal that 12 of 33 have insufficient lot area and 17 of 33 have insufficient lot width. The road frontage, lot area, and lot width requirements of RLD-90 do not reflect the long established pattern of development.</p>
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	<p>Per 656.109 of the Zoning Code, when the need for the deviation is the result of a condition common to numerous sites so that similar requests are likely, the findings should be based on the cumulative effect of granting the deviation to all who may apply. While there is no indication of similar deviations in the area, the pattern of development began decades ago. The granting of this and similar deviations would be consistent with the area.</p> <p>There is a companion Waiver of Road Frontage Application Ordinance 2019-0018 (WRF-18-25) which is requesting a reduction of the required minimum road frontage from 72 feet to 62.5 feet for both lots. Staff is recommending that the waiver be approved.</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> Yes. It is impractical to strictly impose the RLD-90 lot area and lot width requirement for this property when almost half of the lots on the two blocks referenced above do not meet the RLD-90 requirements. The two proposed 62½-foot wide lots are consistent with and reflective of the established pattern of development.</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> There is no evidence that granting the waiver would reduce the cost of developing the site. The proposed lot split will result in the creation of two single-family lots consistent with the area. It is in the public interest to allow the highest and best use of the property since the result is in keeping with the pattern of development.</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> The proposed deviation will allow the creation of two residential lots similar to the existing and long established patter of development. There is no evidence that granting the deviation would substantially diminish property values nor alter the essential character of the surrounding area.</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> The proposed lots have adequate road frontage and access to allow for City services including first responders. The proposed lots are consistent with the pattern of development and there is no evidence they will be a nuisance or public safety concern.</p>

<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p>Recommendation: Yes. The intent of the Zoning Code is to promote the health and safety of the public while allowing deviations that result in development harmonious with the existing pattern of development. As explained in the foregoing analysis, granting this deviation meets this criteria.</p>
<p>7. The City landscape architect (has/has not) recommended the proposed deviation.</p>	<p>Not applicable. Comments from the City Landscape Architect are required for deviations to reduce landscaping. This deviation seeks to reduce lot area and lot width, not landscaping.</p>
<p>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</p>	<p>There are no zoning violations associated with the subject property.</p>

PLANNING DEPARTMENT RECOMMENDATION: Approve

DATE OF REPORT: February 20, 2019



Aerial View
Source: JaxGIS



The Required Notice of Public Hearing Signs Were Posted

Source: Planning and Development Department, COJ (Date: October 1, 2018)



Property View

Source: Planning and Development Department, COJ (Date: October 1, 2018)



Property to the South: 2840 Doric Ave.

Source: Planning and Development Department, COJ (Date: October 1, 2018)



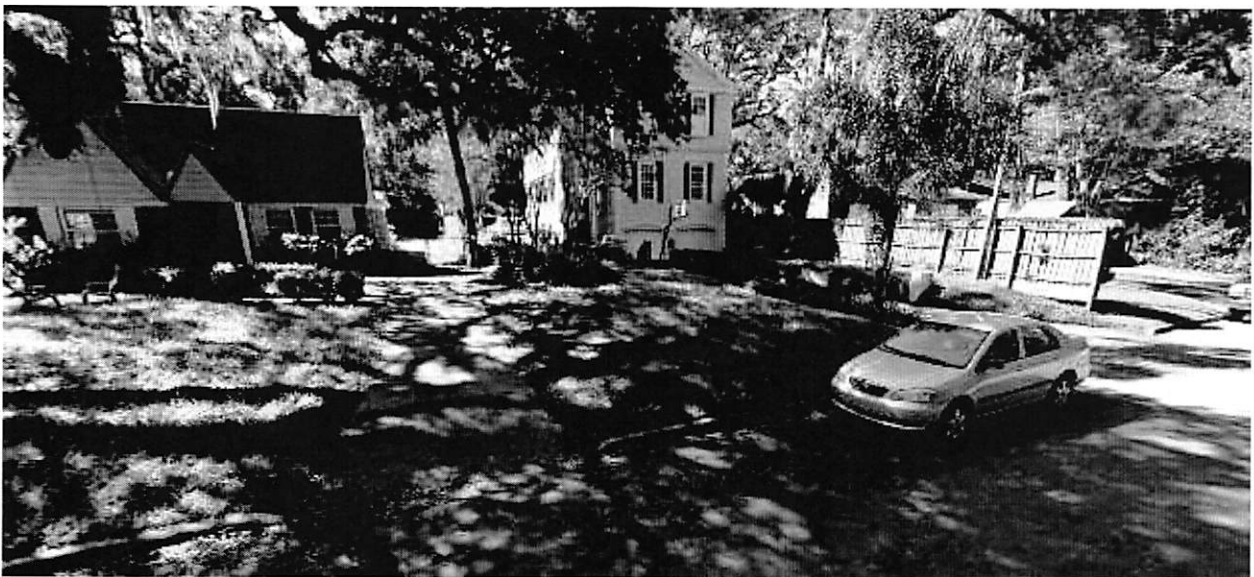
Property to the East: 2847 Doric Ave.

Source: Planning and Development Department, COJ (Date: October 1, 2018)



Property to the West: 2833 Doric Ave.

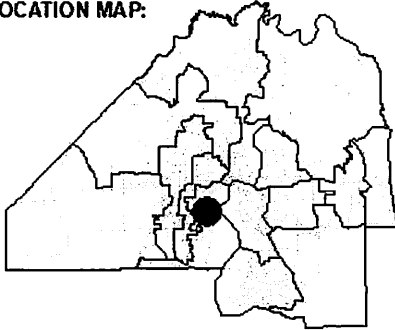
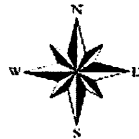
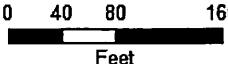
Source: Planning and Development Department, COJ (Date: October 1, 2018)



Properties along Doric Ave. (Widths Approximately 50-60 feet)

Source: Google Maps



<p>REQUEST SOUGHT:</p> <p>REDUCE LOT WIDTH FROM 90 FT TO 62.5 FT FOR TWO LOTS</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER AD-18-44</p>	  <p>COUNCIL DISTRICT: 14</p> <p>EXHIBIT 2</p>
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Legal Map
Source: JaxGIS

Address	Year Built	Lot Area (sq. ft.)	Road Frontage/ Lot Width (feet)	Second Frontage/ Lot Width for Corner Lots	Conforms to RLD-90?
2844 Harvard Av.	1947	12,632	125'	100'	Yes
4034 Baltic St.	1922	12,632	100'		Yes
4046 Baltic St.	1925	12,196	100'	125'	Yes
2847 Doric Av.	2016	10,890	75'		No
2841 Doric Av. SUBJECT PROPERTY	1921	18,731	125'		Yes
2833 Doric Av.	1921	16,988	130'		Yes
4061 McGirts Bv.	1925	14,811	106'	160'	Yes
4055 McGirts Bv.	1972	12,632	106'		Yes
4049 McGirts Bv.	2006	7,841	105'	70'	No
2810 Harvard Av.	1961	4,091	55'		No
2816 Harvard Av.	1919	13,068	60'		No
2820 Harvard Av.	1926	9,148	60'		No
2826 Harvard Av.	1930	16,988	111'		Yes
2860 Doric Av.	1924	10,454	110'	100'	Yes
4124 Baltic St.	2007	13,939	105'		Yes
4134 Baltic St.	1922	12,197	98'	125'	Yes
2855 Ionic Av.	1920	15,246	60'		No
2849 Ionic Av.	1918	9,148	65'		No
2841 Ionic Av.	1963	10,019	114'		Yes
2831 Ionic Av.	1920	16,118	69'		No
2823 Ionic Av.	1920	10,019	73'		No
2817 Ionic Av.	1935	10,454	155'	92'	Yes
4137 McGirts Bv.	1940	18,731	50'		No
4121 McGirts Bv.	1919	6,970	58'		No
4117 McGirts Bv.	1939	3,920	46'	55'	No
2802 Doric Av.	1926	2,614	65'		No
2810 Doric Av.	1922	5,663	60'		No
2816 Doric Av.	1926	8,276	52'		No
2820 Doric Av.	2008	8,712	52'		No
2826 Doric Av.	1976	6,970	50'		No
2832 Doric Av.	1953	9,148	54'		No
2840 Doric Av.	2017	14,810	100'		Yes
2850 Doric Av.	1959	16,553	120'		Yes

Ordinances 2019-17 (AD-18-44) and 2019-18 (WRF-18-25) Neighborhood Analysis (Lot Data Source: Duval County PAO)

Application For Administrative Deviation



Planning and Development Department Info

Application # AD-18-44 Staff Sign-Off/Date N/A / 09/04/2018

Filing Date N/A Number of Signs to Post 1

Current Land Use Category LDR

Deviation Sought N/A

Applicable Section of Ordinance Code N/A

Notice of Violation(s) N/A

Hearing Date 10/05/2018

Neighborhood Association ORTEGA PRESERVATION SOCIETY

Overlay N/A

Application Info

Tracking # 1946

Application Status FILED COMPLETE

Date Started 08/01/2018

Date Submitted 08/01/2018

General Information On Applicant

Last Name

KUPPERMAN

First Name

GREG

Middle Name

S

Company Name

GREEN & KUPPERMAN, INC.

Mailing Address

200 FIRST STREET, SUITE B

City

NEPTUNE BEACH

State

FL

Zip Code

32266

Phone

904

Fax

904

Email

GKUPPERMAN@200FIRSTSTREET.COM

General Information On Owner(s)

Last Name

LAUCKS

First Name

CHERYL

Middle Name

Company/Trust Name

Mailing Address

2841 DORIC AVENUE

City

JACKSONVILLE

State

FL

Zip Code

32210

Phone

Fax

Email

Property Information

Previous Zoning Application Filed?

If Yes, State Application No(s)

Map RE#

Council District Planning District Current Zoning District(s)

Map

Ensure that RE# is a 10 digit number with a space (##### #)

Total Land Area (Nearest 1/100th of an Acre)

In Whose Name Will The Deviation Be Granted

CHERLY LAUCKS

Is transferability requested? Yes No

If approved, the administrative deviation is transferred with the property.

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
<input type="text" value="2841"/>	<input type="text" value="DORIC AVE"/>	<input type="text" value="32210"/>

Between Streets

and

Utility Services Provider

City Water/City Sewer Well/Septic City Water/Septic City Sewer/Well

Deviation sought

Click on a check box to provide details pertaining to the deviation sought.

- Reduce required minimum lot area from to square feet.
- Increase maximum lot coverage from % to %.
- Increase maximum height of structure from to feet.
- Reduce required yard(s)

- Reduce minimum number of off-street parking spaces from to .
- Increase the maximum number of off-street parking spaces from to .
- Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-1 zoning district from a residential zoning district from a minimum of 15 feet to feet.
- Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-2 zoning district from a residential zoning district from a minimum of 25 feet to feet.
- Decrease minimum number of loading spaces from required to loading spaces.

Reduce the dumpster setback from the required 5 feet along:

- North to feet;
- East to feet;

South to feet;

West to feet.

Decrease the minimum number of bicycle parking spaces from required to spaces.

Reduce the minimum width of drive from feet required to feet.

Reduce vehicle use area interior landscape from square feet to square feet.

Increase the distance from the vehicle use area to the nearest tree from **55** feet maximum to feet.

Reduce the number of terminal island trees from terminal islands required to terminal islands.

Reduce the landscape buffer between vehicle use area along from **10** feet per linear feet of frontage and **5** feet minimum width required to feet per linear feet of frontage and feet minimum width.

Reduce the number of shrubs along from required to shrubs.

Reduce the number of trees along from required to trees.

Reduce the perimeter landscape buffer area between vehicle use area and abutting property from **5** feet minimum width required along:

North boundary to feet;

East boundary to feet;

South boundary to feet;

West boundary to feet.

Reduce the number of trees along:

North property boundary from required to trees;

East property boundary from required to trees;

South property boundary from required to trees;

West property boundary from required to trees.

Increase the maximum width of the driveway access from from 24 36 48 feet required to feet.

Decrease the minimum width of the driveway access from from 24 36 48 feet required to feet.

Increase the maximum width of the driveway access to adjoining property from **24** feet required along:

North to feet;

East to feet;

South to feet;

West to feet.

Decrease the minimum width of the driveway access to adjoining property from **24** feet required along:

- North to feet;
- East to feet;
- South to feet;
- West to feet.

Reduce the uncomplimentary land use buffer width from **10** feet wide required along:

- North property boundary to feet wide;
- East property boundary to feet wide;
- South property boundary to feet wide;
- West property boundary to feet wide.

Reduce the uncomplimentary land use buffer trees along:

- North property boundary from required to trees;
- East property boundary from required to trees;
- South property boundary from required to trees;
- West property boundary from required to trees.

Reduce the uncomplimentary land use buffer visual screen from **6** feet tall and **85** % opaque required along:

- North property boundary to feet tall and %;
- East property boundary to feet tall and %;
- South property boundary to feet tall and %;
- West property boundary to feet tall and %.

Required Attachments

The following items must be attached to the application.

- Survey
- Site Plan
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description - may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof Of Property Ownership - may be print-out of property appraiser record card if individual owner, <https://paopropertysearch.coj.net/Basic/Search.aspx>, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

Supplemental Information

- Letter From DCFS, Department of Children and Family Services - day care uses only
- Letter from the applicable Home Owner's Association, stating that the request meets their architectural and aesthetic requirements; or letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association - residential only
- Elevations, must be drawn to scale - height increase requests only

Criteria

Section 656.101(a), Ordinance Code, defines an administrative deviation as "a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in Section 656.109(e) through (j)."

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.

SEE ATTACHED

1. There are practical or economic difficulties in carrying out the strict letter of the regulation;

SEE ATTACHED

2. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.

SEE ATTACHED

3. The proposed deviation will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation;

SEE ATTACHED

4. The proposed deviation will not be detrimental to the public health, safety or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law;

SEE ATTACHED

5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and

SEE ATTACHED

6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.

SEE ATTACHED

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

(i) Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code;

N/A

(ii) The length of time the violation has existed without receiving a citation; and

N/A

(iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.

N/A

Public Hearings

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning

Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

Application Certification

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.

Agreed to and submitted

Filing Fee Information

1) Residential District Base Fee	\$966.00
2) Plus Notification Costs Per Addressee	
41 Notifications @ \$7.00/each:	\$287.00
3) Total Application Cost:	\$1,253.00

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

** The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.