



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, September 20, 2022

6:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

The following Agenda of Business has been prepared for consideration and action at a Regular Meeting of the Board of Adjustment:

CALL TO ORDER

ROLL CALL

Alexi Gonzalez (Chairperson), Owen Curley (Vice-Chairperson), Dan Elmaleh, John Moreland, Jeff Truhlar

Alternates: Todd Smith, Jennifer Williams

APPROVAL OF MINUTES

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#22-100092**

Applicant: Matthew Lents

Agent: N/A

Owner: Matthew Lents

Property Address: 1201 3rd Street North

Parcel ID: 174613-0000

Legal Description: Lot 12, Block 123, *Northern Portion of Pablo Beach*

Current Zoning: C-1

Motion to 34-377, for 6 on-site parking spaces in lieu of 14 required to allow for
Consider: construction of a second story office space addition and a third story
auxiliary dwelling unit to an existing one-story office building

NEW BUSINESS

A. **Case Number(s): BOA#22-100095**

Applicant: Edward Gil

Agent: Steven Ballantyne, Hawkstone Outdoor Design

Owner: Edward Gil

Property Address: 513 17th Avenue North

Parcel ID: 174864-0000

Legal Description: Lot 6, Block 7, *Surf Park Unit One*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for construction of a swimming pool deck and patio at an existing single-family dwelling

B. **Case Number(s): BOA#22-100098**

Applicant: Peter Hill

Agent: N/A

Owner: AB 114 12th, LLC, Joseph Eckstein

Property Address: 114 12th Avenue South

Parcel ID: 176220-0000

Legal Description: Lot 3, Block 122, *Pablo Beach South*

Current Zoning: RM-2

Motion to Consider: 34-340(e)(3)(c)1, for a front yard setback of 15 feet in lieu of 20 feet minimum, 34-340(e)(3)(c)2, for a side yard setback of 5 feet in lieu of 10 feet minimum, and 34-340(e)(3)(c)3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a three-unit multi-family structure

C. **Case Number(s): BOA#22-100100**

Applicant: Eric Kofman

Agent: N/A

Owner: Eric Kofman

Property Address: 529 11th Avenue North

Parcel ID: 175006-0000

Legal Description: Lot 3, Block 4, *Beach Homesites Unit One*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)(c)2, for a side-yard setback of 9 feet on the western side yard in lieu of 10 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required one car garage; 34-336(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; and 35-376(d) for a parking area setback of zero feet in lieu of 5 feet minimum, to rectify existing non-conformities with the primary structure and driveway and to allow for construction of a new swimming pool deck at an existing single-family dwelling

D. **Case Number(s): BOA#22-100101**

Applicant: Robert Twigg

Agent: N/A

Owner: Robert Twigg

Property Address: 517 Patricia Lane

Parcel ID: 175036-0020

Legal Description: A part of Lot 2, Block 6, *Beach Homesites Unit One*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)(c)2, for a side-yard setback of 7.5 feet for the western side yard and 9 feet for the eastern side-yard in lieu of 10 feet minimum; and 34-336 (e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new swimming pool deck and to rectify existing non-conformities at an existing single family dwelling

E. **Case Number(s): BOA#22-100102**

Applicant: Steven Boyer
Agent: N/A
Owner: Steven Boyer
Property Address: 1706 Oakwood Lane
Parcel ID: 179997-7095
Legal Description: Lot 19, Block 1, Oakbreeze Cove
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-373(d), for a zero-foot driveway setback along the south property line in lieu of 5 feet minimum required, to allow for the enlargement and enclosure of an existing screened porch attached to an existing single-family dwelling and rectify a non-conforming driveway

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, October 4, 2022. There are four scheduled cases.

ADJOURNMENT

NOTICE

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting or by sending an e-mail to CityClerk@jaxbchfl.net.

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Agency. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Agency when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Specific Agenda Item(s), and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to the Agency Administrator at planning@jaxbchfl.net, (2) Postal mail to Community Redevelopment Agency Administrator - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Agency and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three (3) minutes of reading time. All comments received are public record.

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

cc: City Manager; City Attorney



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100092

Zoning: C-1
RE: 174613-0000
Legal: Lot 12, Block 123, Pablo Beach North
Address: 1201 N 3rd Street

Request

Section(s): 34-377, for 6 on-site parking spaces in lieu of 14 required to allow for construction of a second story office space addition and a third story auxiliary dwelling unit to an existing one-story office building

Existing Conditions

The subject property is comprised of a lot of record, (circa 1913) located in the Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The Subject lot is 100 feet deep and 62 feet wide, with an overall area of 6,250 square feet. The lot is currently occupied by an existing one story office structure. The existing structure is 1,750 square feet in area, and per the LDC section 34-377 they are required to have 6 parking spaces. The applicant is proposing to add two additional stories to the structure, thus increasing the square footage to 5,250 square feet. The proposed design would turn the second floor into more office area, and the top floor into an accessory dwelling unit, a single dwelling unit in association with an existing commercial use as allowed in the C-1 zoning district. The proposed additional area would add the requirement for another 6 spaces for the additional office use and the third story dwelling would add a required two spaces. This increases the total required parking to 14 spaces, one of which must be ADA compliant.

There are no previous Variances and no active code enforcement cases.

Staff Analysis

The subject lot is an existing office structure owned and operated by a tax preparation office. The proposed additions would triple the square footage of the structure, but would only double the office space, as the third floor would be used and an accessory dwelling unit / residential space. The existing structure is conforming to all current zoning codes, even though it was built in 1973. The proposed new additions would mirror the footprint of the existing structure, adding a second and third floor on top of the existing structure, thus not adding any additional



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setback encroachments. The site currently has six parking spaces, though none are currently striped for ADA space designs. Based on staff's review, there is enough room to turn one of the existing parking spaces into an ADA accessible space. The applicant has stated that they currently only have the ability to serve three customers at once and that would not change with the additional office space. The owner has not stated what the total number of employees are. There are several on street parking spaces adjacent to the property that, although do not count towards required parking, are available for public use and certainly could and likely are used by customers of the existing structure.

Minimum development and parking standards

- Minimum lot area: None.
- Minimum lot width: None.
- Minimum yards:
 - Front yard: Ten (10) feet.
 - Side yard: None, except where adjacent to streets. If adjacent to a street ten (10) feet, for a corner lot, the side yard on the corner shall be ten (10) feet.
 - Rear yard: None. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- (4) Floor area: None.
- (5) Maximum lot coverage: Eighty-five (85) percent.
- (6) Height: Thirty-five (35) feet.
- Other professional or business offices: one (1) space per three hundred (300) sq. ft. of floor area.
- Dwelling: (two) 2 spaces per dwelling unit.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**

Staff does not find that there are circumstances unique to the subject parcel of land. The site is zone C-1 and has no minimum lot size requirement, but is rather small for any type of commercial use. As is common in the C-1 zoning both north and south on 3rd Street, existing commercial lots are very small and difficult to bring into compliance with the current parking demand. Unlike other



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properties in the area, this structure currently meets the demand for required onsite parking based on its current square footage.

2. Special circumstances and conditions do not result from the actions of the applicant

Staff **does** find that circumstances are a result of the applicant. The lot is a lot of record, platted in 1913. As the property exists today, it meets the parking requirement based on square footage. The request to add additional square footage is the reason for the parking request and is not caused by the existing condition of the property.

3. Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district

Staff finds that the proposed variance **will not** confer special privileges. Throughout the C-1 zoning district, there are many small commercial properties in the area that are unable to meet the onsite parking demand based on the existing structures. This property is unique in that it currently does meet the required parking demand based on its small square footage, but it is a common need for existing structures to require parking variances.

4. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Without relief from the parking standards in both number and design, the viability of many redevelopment projects would be unlikely, as most smaller commercial lots cannot accommodate all the required infrastructure and not need some relief from the code.

5. Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The proposed use, as described would not have the maximum need for parking required in the LDC, and may have less of an impact to on street parking, however, it is unlikely it will have



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no impact, but the requested relief is the minimum needed to address the three story request.

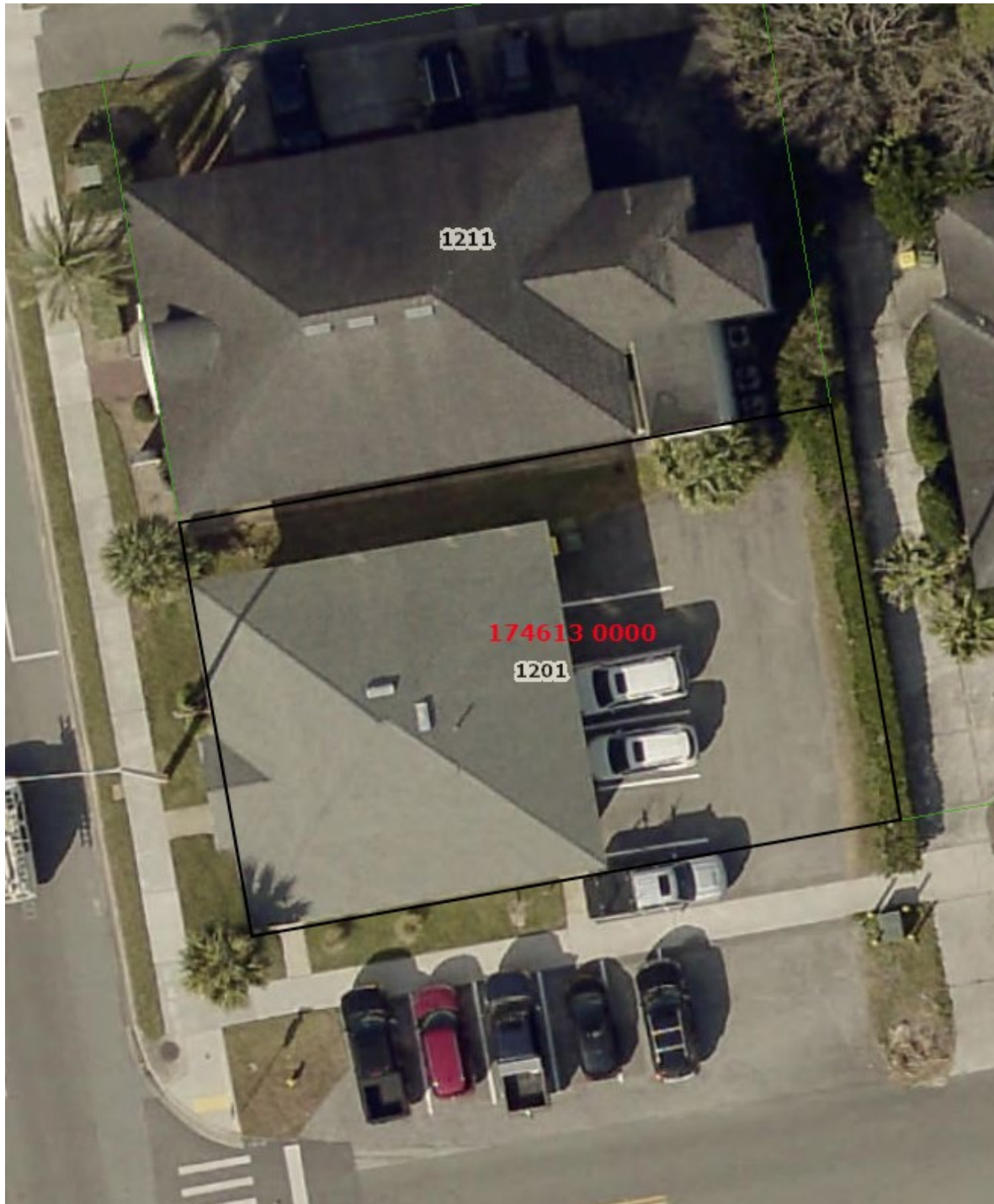
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

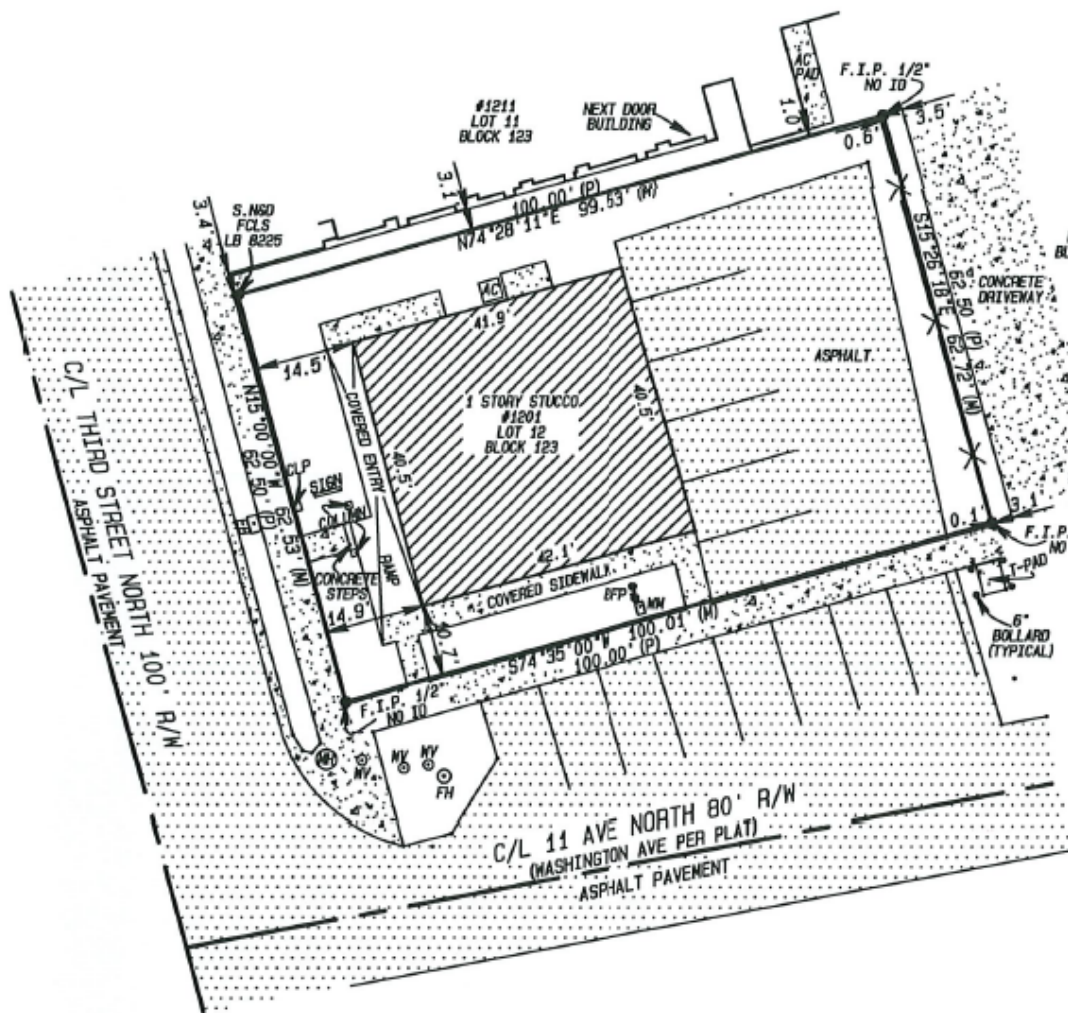
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Denial of BOA#22-100092**

Location Map (property boundaries are representative only)



Existing Survey



PLA



APPLICATION FOR VARIANCE

BOA No. 22-100092
HEARING DATE 9.7.22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

JUL 14 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: MATTHEW LENTS Telephone: 904-315-1408
Mailing Address: 1201 NORTH THIRD STREET E-Mail: mlents@taxadvantage.org
JACKSONVILLE, FL 32250 mattlents@gmail.com
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: SAM AS ABOVE Telephone: _____
Mailing Address: _____ E-Mail: _____

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 1201 N 3RD ST, JACKSONVILLE BEACH, FL 32250 Re # 174613-0000
Legal description of property (Attach copy of deed): DEED INCORPORATED
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
ADDING A SECOND (COMMERCIAL) AND THIRD (RESIDENTIAL) FLOOR TO EXISTING BUILDING. PLEASE SEE SUMMARY ATTACHED. - AND THEREFORE PARKING VARIANCE IS REQUESTED.

AFFIDAVIT

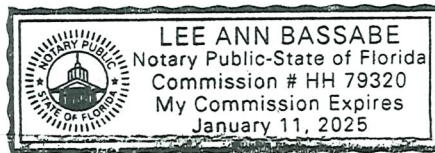
I, MATTHEW RYAN LENTS, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

APPLICANT SIGNATURE: [Signature] PRINT APPLICANT NAME: MATTHEW RYAN LENTS DATE: 7/5/2022

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of July, 2022, by Matthew R. Lents, who is personally known to me or produced FL Drivers License as identification.

NOTARY PUBLIC SIGNATURE: [Signature]
PRINT NOTARY NAME: Lee Ann Bassabe



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):
34-377, for 6 on-site parking spaces in lieu of 14 required to allow for construction of a second story office space addition and a third story auxiliary dwelling unit to an existing one-story office building

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-160092

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.		PLEASE SEE ATTACHMENT
Special circumstances and conditions do not result from the actions of the applicant.		
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.		
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.		
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.		
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.		

Answers to Questions listed in Application for Variance:

- 1) Yes – It is an existing building. There is currently no extra room to add parking spaces based on the current structure and layout.
- 2) Yes – Existing building was purchased “as is”. We have no room for left expansion on the current lot, hence, leaving no real alternative, absent building upwards.
- 3) Yes - Nothing we are asking for is out of the ordinary, or egregious in nature. We are currently restricted respective of the aforementioned structural restraints we have, and hence must respectfully request a variance to obtain additional parking spaces.
- 4) Yes – there would be cost prohibitive restraints, for other alternatives outside of expansion. Further, even if we removed the building, and built a garage as the first floor, it still would not be enough spaces predicated on the current promulgated parking regulations set forth by the city of Jacksonville Beach
- 5) Yes – as discussed in the general summery – our expansion would be sufficiently served by the current parking arrangements as is – for several reasons, however, we aim to be fully compliant in all of our affairs.
- 6) Yes – We will be obtaining a lease arrangement with a neighboring business owner within 50 feet of our property which will include the required number of spaces set forth as the direction from the decision the board communicates from the variance meeting.

RECEIVED

22-100092

JUL 14 2022

PLANNING & DEVELOPMENT

To the Relevant Parties Intended-

PLANNING & DEVELOPMENT

Thank you for taking time and consideration in the matter relating to the variance request for 1201 North Third Street, Jacksonville Beach, FL 32250. We hope you find the enclosed information along with the summary below to be sufficient for your processing. We look forward to working with you throughout this process.

General Summary

Tax Advantage has been a local business staple in the Jacksonville community since 1998. We are excited that we have grown to the point where we are in search of extra office space. Our location and our traditional building holds a special place in our heart and our hope and dream is to grow through expansion by adding space to our existing structure. We desire to remain a local staple in the Jacksonville Beach community.

Our goal is to add two floors to the existing building structure. The first floor being for commercial use and the second floor being a small loft/studio apartment. As suggested, I am listing a few relevant notes below that could potentially help:

- 1) We currently utilize twelve parking spaces (not consistently) – six of which are part of our property (east side of the building structure) and six of which have been used regularly for business by Tax Advantage customers only for 25 years (on the south side of the building).
- 2) There is also one parking space directly in front of our building which is used primarily by Tax Advantage customers
- 3) It is our understanding that adding a commercial floor of equivocal size and a residential floor would elicit the need of potentially 2 more parking spaces in addition to the aforementioned currently utilized (and owned) spaces.
- 4) We have agreed with neighboring business that they are receptive to leasing the spots needed in order to be compliant with Jacksonville Beach parking regulations. The number of such spaces will be determined by the direction of the board reviewing this variance notice. We will await direction as such.
- 5) Please note the following:
 - a. Never have we seen all of the current 12 (or 13) spots filled to capacity historically
 - b. Because we only have three offices which are client serving – the maximum amount of clients in our building at one time is three vehicles.
 - c. Our busy season (as we are tax professionals) runs from February 2-April 18. It is only during this ten week period that we see the aforementioned number of clients in meeting at one time
 - d. As the year progress we are seeing many clients move away from the traditional “in person” tax meetings/consultation and more to a virtual friendly environment (COVID - 19 actually had a significant impact on seeing an uptick away from in person meetings.

- e. Although the Jacksonville Beach rules stipulate two spaces required for each 300 sq foot (or perhaps one space per office is a possible approach as well) – we will be using the second floor of the building for back office (non-client facing employees) so there will not be an increase in customer car flow related to the new offices on the second floor.
- f. The third floor is being erected with the goal of safety in mind. As the owner of this business, during the ten-week period of tax season, and sporadically through the course of the year, there are some weeks which hours are worked that are pretty rigorous. Having the option to reside upstairs in this building would provide the comfort of 1) saving myself a few hours a day of a commute home and back 2) relieve the stress of driving in the late night/early morning hours, under slept and over worked, putting myself, and other drivers at risk of possible sleep fatigue.
- g. In relation to parking and the impact of the third floor – please note that I would be the only occupant of this floor (one vehicle). Further, the only time it would be parked in would be after hours and/or weekends. Lastly – as an employee/owner of the business, this vehicle would effectively be double counted as it would be taking a space during the day for office hours, and also a space at night. We are excited to be compliant with all rules – but effectively with this in mind – the two extra spaces required by a residential piece of this project would be negated by a single car – which is mine as the owner.
- h. In reviewing the calendar appointments and document drop off list and tax return pick ups occurring in the business for the prior ten weeks – coupled with observing our spaces since our meeting with Christian on June 17 – we are very comfortable in saying that there have not been more than three spots utilized by clients during the “off season” which constitutes 42 weeks of the year. This leaves four total spaces unutilized (albeit some of them being outside of our ownership) as a reserve margin of spaces as options consistently.
- i. Our current ADA compliant parking space which is on the south side of the building for the last 20+ years provides access to our ADA compliant ramp we built to the front door and has been sufficient with no issues to serve all customer base clients whom have the need for ADA compliant amenities as such.

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JUL 14 2022

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22-100092

JUL 14 2022

Prepared by and return to:

Megan Staples

Paralegal

FOGEL LAW GROUP

2500 North Military Trail Suite 200

Boca Raton, FL 33431

561-393-9111

File Number: 19-1438.57

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 15th day of November, 2019 between Tax Advantage, Inc., a Florida corporation, whose post office address is 1201 N. 3rd Street, Jacksonville Beach, Florida, 32250, grantor, and Lents & Associates, PLLC, a Florida limited liability company, whose post office address is 2380 Companion Circle W., Jacksonville, FL 32224, grantee:

(Whenever used herein the terms 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County, Florida**, to-wit:

Lot 12, Block 123 of NORTHERN PORTION OF PABLO BEACH, according to the Plat thereof as recorded in Plat Book 5, Page(s) 66, of the Public Records of Duval County, Florida.

Parcel Identification Number: 174613-0000

Subject to taxes for the year 2020 and all subsequent years; covenants, conditions, reservations, restrictions and easements of record, if any,

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 claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Tax Advantage, Inc., a Florida corporation

By:

James K. Reese, President

Name:

Kameron Knowlton

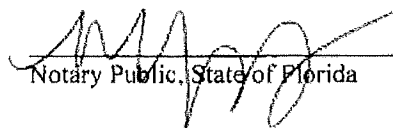
Name:

Megan Staples

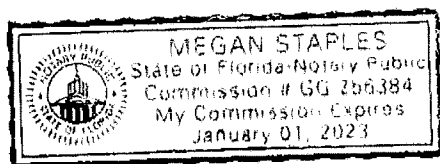
STATE OF FLORIDA)
) ss.:
COUNTY OF Duval)

The foregoing instrument was acknowledged before me this 15 day of November, 2019, by James K. Reese, as the President of Tax Advantage, Inc., a Florida corporation, who is personally known to me or has produced a FL driver's license as identification.

My Commission Expires:



Notary Public, State of Florida





RECEIVED
22-100092
JUL 14 2022

PLANNING & DEVELOPMENT

Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

Florida Limited Liability Company
LENTS & ASSOCIATES, PLLC

Filing Information

Document Number L19000229016
FEI/EIN Number 84-3465900
Date Filed 09/12/2019
Effective Date 09/21/2019
State FL
Status ACTIVE

Principal Address

2380 COMPANION CIRCLE WEST
JACKSONVILLE, FL 32224

Mailing Address

2380 COMPANION CIRCLE WEST
JACKSONVILLE, FL 32224

Registered Agent Name & Address

LENTS, MATTHEW R
2380 COMPANION CIRCLE WEST
JACKSONVILLE, FL 32224

Authorized Person(s) Detail

Name & Address

Title MGR

LENTS, MATTHEW R
2380 COMPANION CIRCLE WEST
JACKSONVILLE, FL 32224

Annual Reports

Report Year	Filed Date
2020	01/16/2020
2021	05/04/2021
2022	01/18/2022

Document Images

ALTA/NSPS LAND TITLE SURVEYS

DESCRIPTION:

LOT 12, BLOCK 123, NORTHERN PORTION OF PABLO BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5 PAGE(S) 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



TO FOGEL LAW GROUP, FIRSTAMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS NONE OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 11/04/2019.

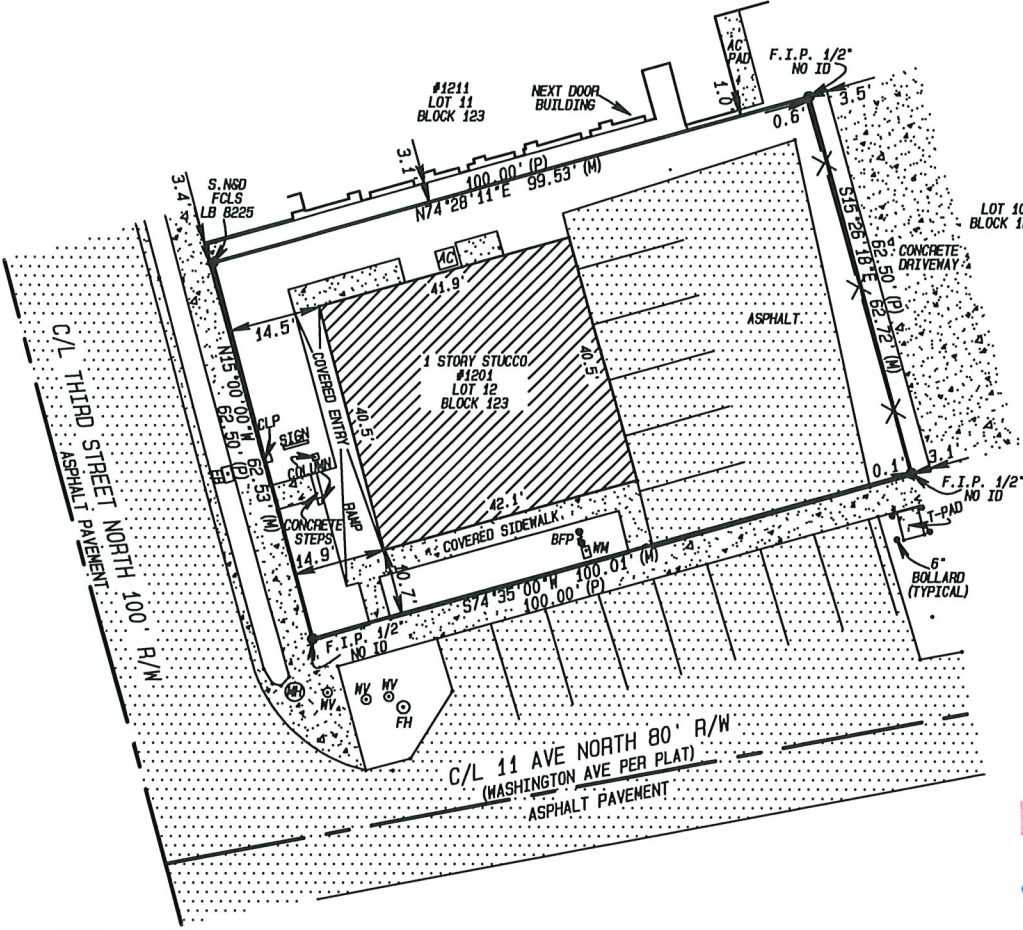
DATE OF PLAT OR MAP: 11/04/2019

SCALE: 1" = 30'

SURVEY NOTES:

- #1 PLAT PROVIDES NO ANGLES OR BEARINGS THEREFORE THE BEARING OF THE SOUTHWEST LINE LOT 12, BLOCK 123 WAS SCALED FROM THE RECORD MAP AS BEING N15°00'00"W.
- #2 UNDERGROUND UTILITIES, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED BY THIS SURVEY.
- #3 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM MAP PANEL NO. 12031C 0417 J, EFFECTIVE 11/02/2018, THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN ZONE "AE".
- #4 THIS SURVEY PERFORMED WITH BENEFIT OF AN ABSTRACT, TITLE SEARCH, TITLE OPINION OR TITLE INSURANCE. FILE NO. 1062-4530071 OCTOBER 30, 2019 08:00AM
- #5 DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF AND ARE PLAT AND MEASURED UNLESS SHOWN OTHERWISE.
- #6 ALL EASEMENTS ARE PER PLAT UNLESS SHOWN OTHERWISE.
- #7 THERE MAY BE ADDITIONAL RESTRICTIONS THAT APPLY WHICH ARE NOT SHOWN ON THIS SURVEY WHICH CAN BE FOUND IN PUBLIC RECORDS OF SAID COUNTY.
- #8 THIS SURVEY DOES NOT GUARANTEE OWNERSHIP.
- #9 TEMPORARY, NON-PERMANENT IMPROVEMENTS AND/OR MAN-MADE ITEMS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: BUILDING MATERIAL, STORAGE PODS, PAVER BLOCKS, RUBBERMAID OR PLASTIC UTILITY BUILDINGS, VEHICLES ON BLOCKS MAY BE ON THIS PROPERTY BUT NOT LOCATED OR SHOWN.
- #10 LEGAL DESCRIPTION PROVIDED BY CLIENT.

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN ON THE FACE THEREOF. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY, WITHOUT EXPRESS WRITTEN CONSENT OF THE SURVEYOR.



CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:
FOGEL LAW GROUP
CENTERSTATE BANK, N.A., ISAOA, ATIMA
LENTS & ASSOCIATES, LLC
FIRST AMERICAN TITLE INSURANCE COMPANY
STREET ADDRESS:
1201 3RD STREET NORTH
JACKSONVILLE, FLORIDA

RECEIVED
22-100092
JUL 14 2022

PLANNING & DEVELOPMENT

CLYDE O. VAN KLEECK
FLORIDA REGISTERED SURVEYOR AND MAPPER NO. 2546
NOT VALID WITHOUT THE SIGNATURE & THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

F.C.M. - FOUND CONCRETE MONUMENT
F.I.R.C. - FOUND IRON ROD AND CAP
F.I.R. - FOUND IRON ROD
F.I.P. - FOUND IRON PIPE
S.I.R.C. - SET IRON ROD AND CAP
F.N&D - FOUND NAIL AND DISK
(M) - FIELD MEASUREMENT
(C) - CALCULATED MEASUREMENT
6' W.F. - 6' WIDE FENCE
4' C.L.F. - 4' CHAIN LINK FENCE

C.M. - CONCRETE MONUMENT
P.T. - POINT OF TANGENCY
P.C. - POINT OF CURVATURE
U.E. - UTILITY EASEMENT
D.E. - DRAINAGE EASEMENT
C & G - CURB & GUTTER
R/W - RIGHT OF WAY
C/L - CENTERLINE

D - DEED
P.I. - POINT OF INTERSECTION
A/C - AIR CONDITIONING UNIT
R - RADIUS
L - ARC LENGTH
PB - PHONE BOX
CB - CABLE BOX
EB - ELECTRIC BOX

F/H - FIRE HYDRANT
BVR - BURIED VALVE
FND - FOUND
(P) - PLAT
EL - ELEVATION
CONC. - CONCRETE
ESMT - EASEMENT
COR - CORNER

OHE - OVERHEAD ELECTRIC
C.L.F. - CHAIN LINK FENCE
W.F. - WOOD FENCE
C.B. - CHORD BEARING
WM - WATER METER
WP - WOOD POLE
C - CURVE
LP - LIGHT POLE

FIELD SURVEY DATE

PLOT PLAN
BOUNDARY : 11/04/2019
FORMBOARD
FOUNDATION
FINAL

FIRST COAST LAND SURVEYORS, INC.

3161-4 ST JOHNS BLUFF ROAD S, JACKSONVILLE, FL. 32246
PHONE (904) 779-2062 FAX (904) 779-7784
CERTIFICATE NO. LB 8225
WWW.FIRSTCOASTLANDSURVEYING.COM

PROJECT INFORMATION

ORDER NO: 30587
DRAWN BY: KMP
REVIEWED BY: HF
CHECKED BY: VAN



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100095

Zoning: RS-1
RE: 174864-0000
Legal: Lot 6, Block 7, Surf Park Unit 1
Address: 513 17th Avenue North

Request

Section(s): 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for construction of a swimming pool deck and patio at an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1946) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject lot is currently 75 feet in width, with a depth of 140 feet, and an overall area of 10,500 square feet. The subject property was cleared of an original home and a new home was constructed between April 2021 and November 2021, when the property sold to the current owners. The home was constructed with a lot coverage of 29% at completion. The home currently has a permit for a coping only pool, and is requesting to build a pool deck adjacent to the current lanai. The size of the proposed deck would require a lot coverage of 42%.

No previous variances, no active code enforcement.

Staff Analysis

The applicant purchased the home in 2021, immediately after construction of the new home was completed. The home was constructed at 29% lot coverage. The lot, although nonconforming in width, has an area that exceeds the minimum lot area for the RS-1 zoning district. Although the applicant has shown they have the intent to install an extensive drainage system to accommodate the one site storm water, the applicant has not provided an options for the use of pervious material that might reduce the overall lot coverage. The applicant is proposing to add roughly 1,300 square feet of decking around the pool. If the applicant were to increase the lot coverage to 35%, they would be able to add roughly 580 square feet. If the applicant chose to use a pervious material, they could reduce the lot coverage to 36%, if the pervious material were 50% or more pervious, thus counted at 50% lot coverage by staff. Based on the lot size exceeding the minimum lot coverage



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

required for the RS-1 zoning district and the amount of lot coverage requested, Staff would classify this request as a self-imposed hardship.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width but not area. Typically the hardship must be tied to the request in a logical manner, so a hardship in lot area could be cause for a lot coverage variance. In this case the proposed lot exceeds the minimum lot coverage for RS-1

2. **Special circumstances and conditions do not result from the actions of the applicant**



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Staff **does** find that circumstances are a result of the applicant. The existing home was constructed at 29% lot coverage, leaving the applicant 5% lot coverage for accessory uses such as pool deck. The lot exceeds the minimum lot coverage for the RS-1 zoning district, thus the request to exceed 35% lot coverage would be a self-imposed hardship and would not meet the above criteria.

3. **Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district**

Staff finds that the proposed variance **will** confer special privileges. The approval to exceed lot coverage in a conforming lot with regards to area would be considered a special privilege as there is no need for the relief.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship**

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant can clearly construct a pool with decking and stay within the maximum lot coverage, though the deck would need to be reduced in size, or a pervious material would need to be employed.

5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff **does not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. No variance is needed to build a pool deck around the existing pool, but the size simply needs to be reduced or a pervious material used to reduce the lot coverage to 35%.

6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.



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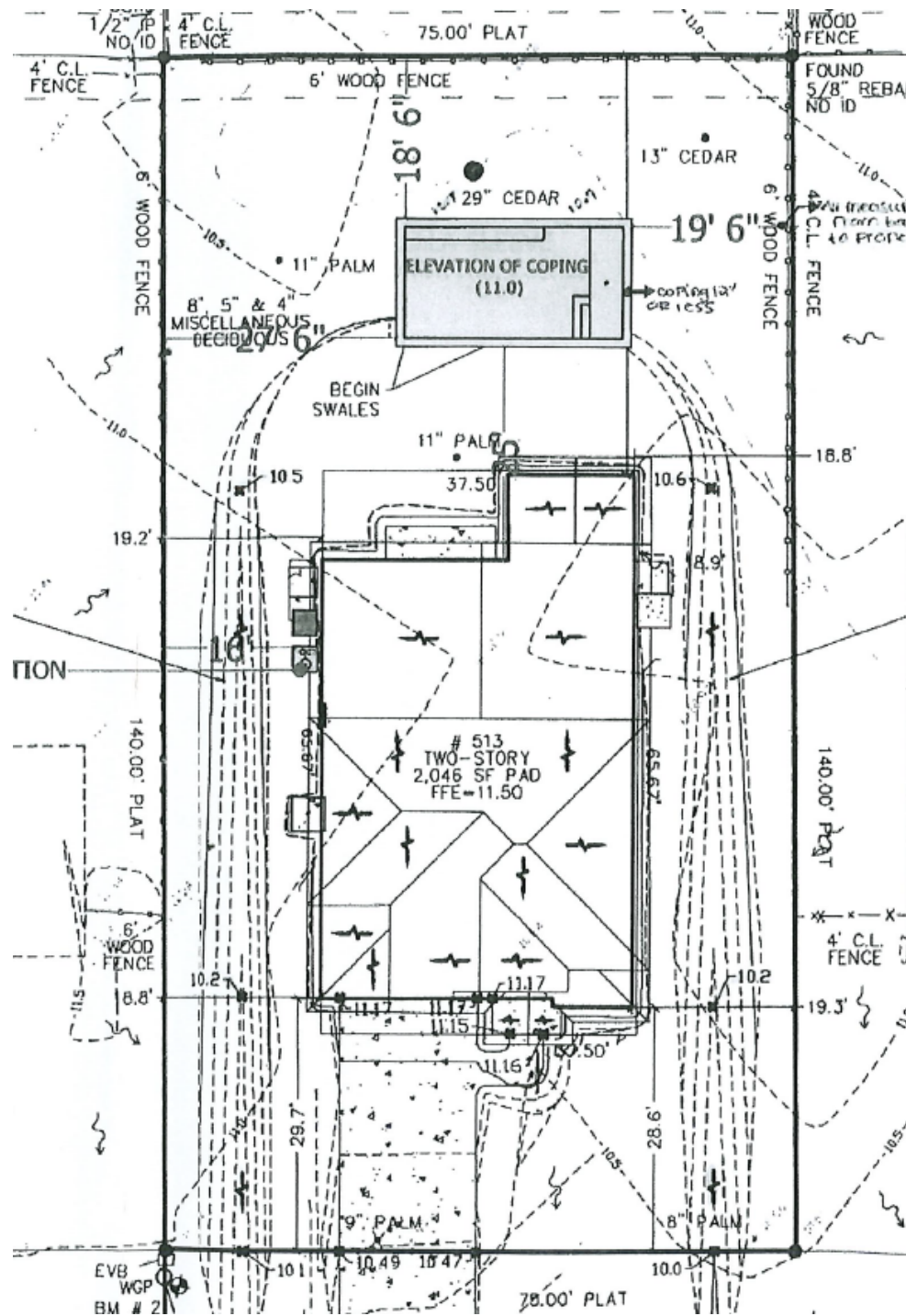
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Denial of BOA#22-100095**

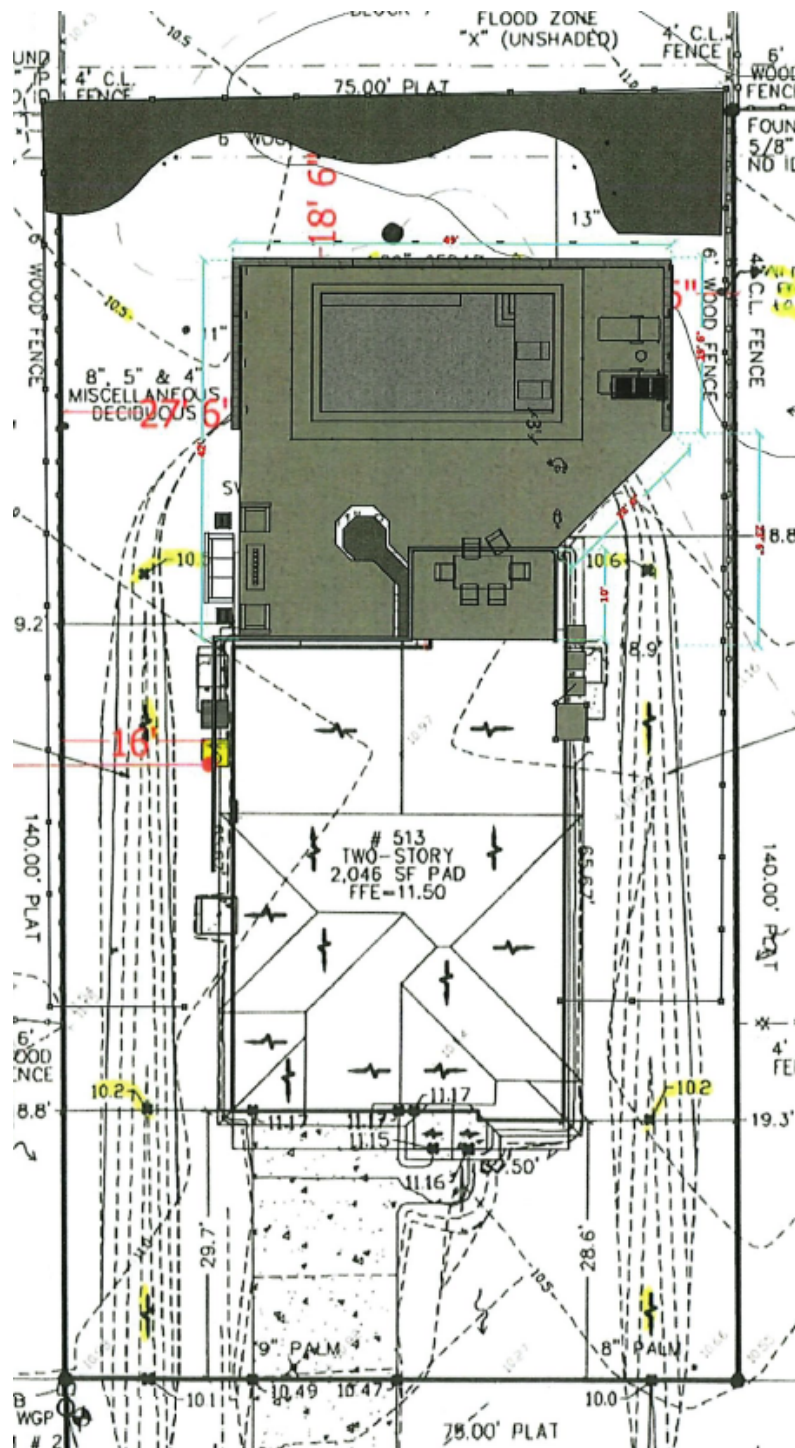
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100093

HEARING DATE 9.20.22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED

JUL 20 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: EDWARD GIL
Mailing Address: 513 17th Ave N
JAX BEACH, FL 32250

Telephone: 904.466.9482
E-Mail: edgil6@gmail.com

Agent Name: Steven Ballantyne
Mailing Address: 322 11th Ave. North Unit 2

Telephone: 904-613-0722
E-Mail: Steven@Hawkstonoutdoor.com

Landowner Name: EDWARD GIL
Mailing Address: 513 17th Ave N
JAX BEACH, FL 32250

Telephone: 904.466.9482
E-Mail: edgil6@gmail.com

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 513 17th Ave N 174864-0000

Legal description of property (Attach copy of deed): ATTACHED

Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

Increase in lot coverage up to 42% for a power pool deck

AFFIDAVIT

I, EDWARD GIL, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

EDWARD GIL
APPLICANT SIGNATURE

EDWARD GIL
PRINT APPLICANT NAME

7/15/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of JULY, 20 22, by ED GIL, who is personally known to me or produced KNOWN as identification.

RACHEL LEDFORD
NOTARY PUBLIC SIGNATURE



RACHEL LEDFORD
Notary Public
State of Florida
Comm# HH169890
Expires 8/26/2025

PRINT NOTARY NAME

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X/X-shaded

CODE SECTION (S):

34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for construction of a swimming pool deck and patio at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

22-100095

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

JUL 20 2022

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Undersized lot, more narrow than standard, by approx. 5'-10'
Special circumstances and conditions do not result from the actions of the applicant.	Yes,	Lot size has not changed since Final Certificate of Occupancy
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	It appears others, both residential & commercial have been approved for additional lot coverage
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	It appears that a variance has been approved at: 534 17th Ave North for a similar project and a couple of other houses, 418 17th Ave North.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	See attached plans. The project will abide by set backs. 400' sqft. Drainage Plan included.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The property in question is at a lower elevation than the surrounding properties by 6"-18". Water run-off will be controlled and contained on property.

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22-100095
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Prepared by and return to:

Bryan C. Goode, III
Attorney at Law
Bryan C. Goode III, P.A.
320 1st Street North Suite 613
Jacksonville Beach, FL 32250
904-247-1755
File Number: 21-0214
Will Call No.:

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 12th day of November, 2021 between DSM Renovations, LLC, a Florida limited liability company whose post office address is 1433 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082, grantor, and Edward A. Gil and Angeles M. Gil, husband and wife whose post office address is 513 N 17th Ave, Jacksonville Beach, FL 32250, grantee:

(Whenever used herein the terms "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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County, Florida** to-wit:

Lot 6, Block 7, Surf Park Unit One, a subdivision according to the plat thereof recorded in Plat Book 19, Page 39 and 39A, of the Public Records of Duval County, Florida.

Parcel Identification Number: 174864-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

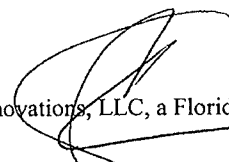
To Have and to Hold, the same in fee simple forever.

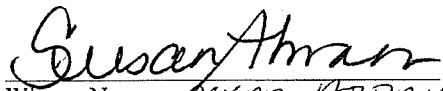
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2020**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness Name: Pamela Rasmussen


DSM Renovations, LLC, a Florida limited liability company
By: Denise McPherson, Managing Member

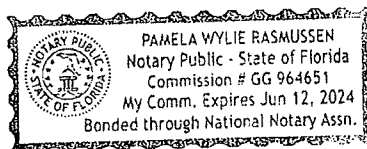

Witness Name: SUSAN ABRAMS

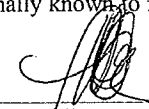
(Corporate Seal)

State of Florida
County of Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of November, 2021 by Denise McPherson, Managing Member of DSM Renovations, LLC, a Florida limited liability company, on behalf of the corporation. He/she ☐ is personally known to me or ☒ has produced a driver's license as identification.

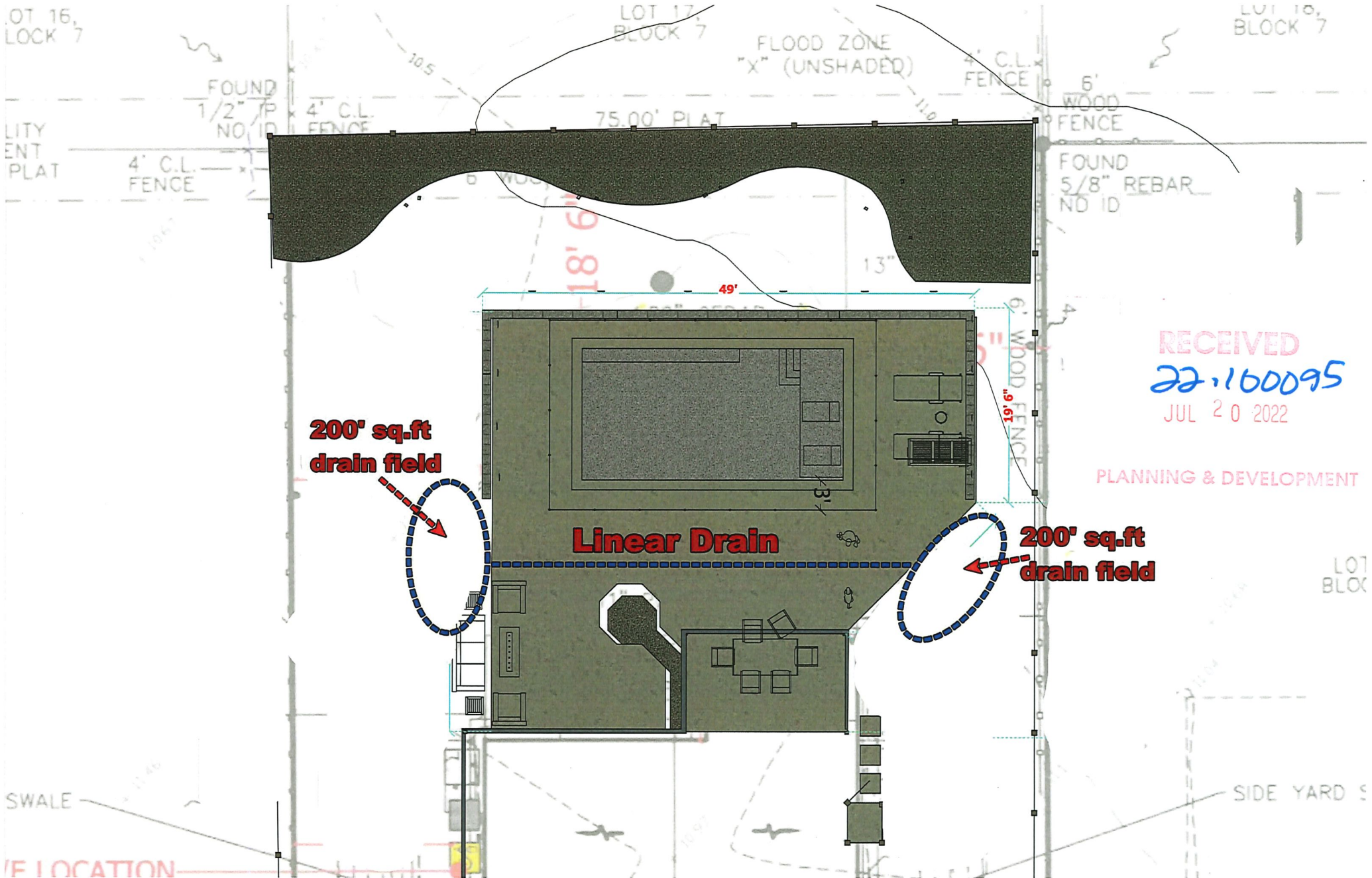
[Notary Seal]





Notary Public, State of Florida
Printed Name: _____
My Commission Expires: _____

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JUL 20 2022

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PROPOSED

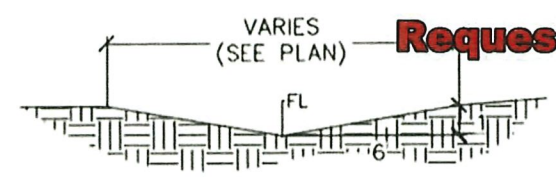
ZONING DATA

1. ZONING DISTRICT = RS-1
2. MINIMUM LOT AREA = 10,000 SF
3. MINIMUM LOT WIDTH = 90' (MIN. OF 35' AT STREET)
4. MINIMUM FLOOR AREA = 1,600 SF (GARAGE NOT INCLD.)
5. MAXIMUM LOT COVERAGE = 35%
6. MAXIMUM STRUCTURE HEIGHT = 35'
7. MINIMUM YARDS:
FRONT = 25'
SIDE = 10' EACH SIDE.
ON CORNER LOTS: 20% LOT WIDTH OR 10'
REAR = 30'

ISA CALCULATIONS

1. TOTAL PROPERTY AREA = 10,484 SF = 0.241 ACRES
2. TOTAL PROPOSED IMPERVIOUS SURFACE AREA (ISA) = 3,083 SF.
3. TOTAL ISA RATIO = 3,083/10,484 = 29.4%
PROPOSED IMPERVIOUS
4. MAXIMUM ISA RATIO ALLOWED UNDER ZONING = 35%
TOTAL LOT: 10,484 SF
EXISTING IMPERVIOUS: 3,083 SF
P/E PAD: 09 SF
TOTAL: 3,092 SF 29%

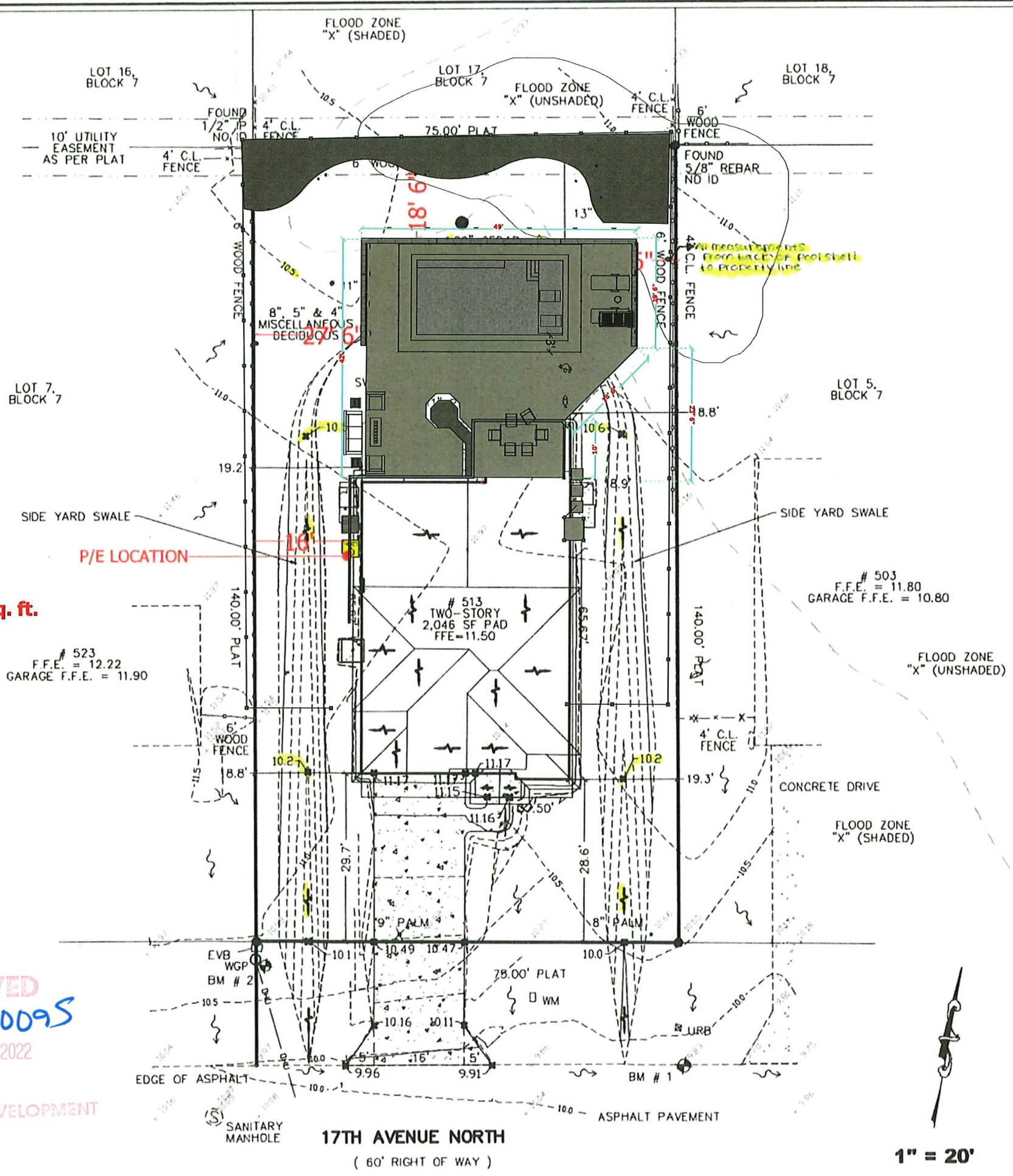
SIDEYARD SWALES



1. SWALES SHALL HAVE A CONTINUOUS POSITIVE SLOPE WITH THE FLOWLINE (FL) ELEVATIONS PER SPOT ELEVATIONS SHOWN ON THE PLANS.
2. SWALES SHALL HAVE 6:1 OR FLATTER SIDESLOPES.
3. ALL DISTURBED AREAS SHALL BE STABILIZED WITH GRASS SOD OR SEED.

GRADING AND DRAINAGE NOTES

1. CONSTRUCT SIDEYARDS SWALES PER THE ELEVATIONS SHOWN ON THIS PLAN WITH 6:1 SIDESLOPES.
2. ROOF DRAIN DOWNSPOUTS SHALL BE DIRECTED INTO SWALES.
3. GARAGE, FRONT PORCH AND REAR OPEN AND ENCLOSED PATIOS ARE 4" BELOW FINISHED GRADE ELEVATION.



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PLANNING & DEVELOPMENT

Tarbox
consulting & design, inc.
3716 Rubin Road, Jacksonville, Florida 32257
T: (904) 399-1785 • www.tarboxinc.com • Florida CA 26132

NEW HOME
513 17TH AVENUE NORTH

DMS RENOVATIONS, LLC
1433 PONTE VEDRA BOULEVARD
JACKSONVILLE BEACH, FL 32082

PROPOSED CONDITIONS

SCALE	1" = 20'	DRAWN BY	TCD
DATE	4/26/2021	DESIGNED BY	TCD
JOB #	DS4210101	CHECKED BY	TVT

DRAWING NO

P1

1" = 20'

M:\PROJECTS\LOTGRADING\JAXBOH\DSM-210101_513_17TH_AVE_N\DSM_513_17TH_AVE_N_BASE.dwg Monday, April 26, 2021



Neighboring lot's are significantly higher grade, forcing water runoff into the homeowners yard, rendering a limited use of backyard. Adding this space will help control and contain the water flow to go underground and percolate naturally.

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JUL 20 2022

PLANNING & DEVELOPMENT

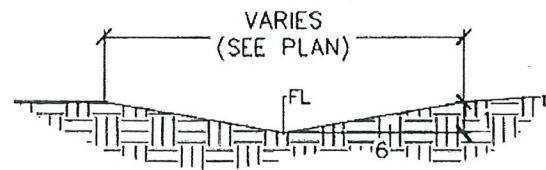
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3. MINIMUM LOT WIDTH = 90' (MIN. OF 35' AT STREET)
4. MINIMUM FLOOR AREA = 1,600 SF (GARAGE NOT INCLD.)
5. MAXIMUM LOT COVERAGE = 35%
6. MAXIMUM STRUCTURE HEIGHT = 35'
7. MINIMUM YARDS:
 - FRONT = 25'
 - SIDE = 10' EACH SIDE.
ON CORNER LOTS: 20% LOT WIDTH OR 10'
 - REAR = 30'

ISA CALCULATIONS

1. TOTAL PROPERTY AREA = 10,484 SF = 0.241 ACRES
2. TOTAL PROPOSED IMPERVIOUS SURFACE AREA (ISA) = 3,083 SF.
3. TOTAL ISA RATIO = $3,083/10,484 = 29.4\%$ PROPOSED IMPERVIOUS
4. MAXIMUM ISA RATIO ALLOWED UNDER ZONING = 35%
 - TOTAL LOT: 10,484 SF
 - EXISTING IMPERVIOUS: 3,083 SF
 - P/E PAD: 09 SF
 - TOTAL: 3,092 SF 29%

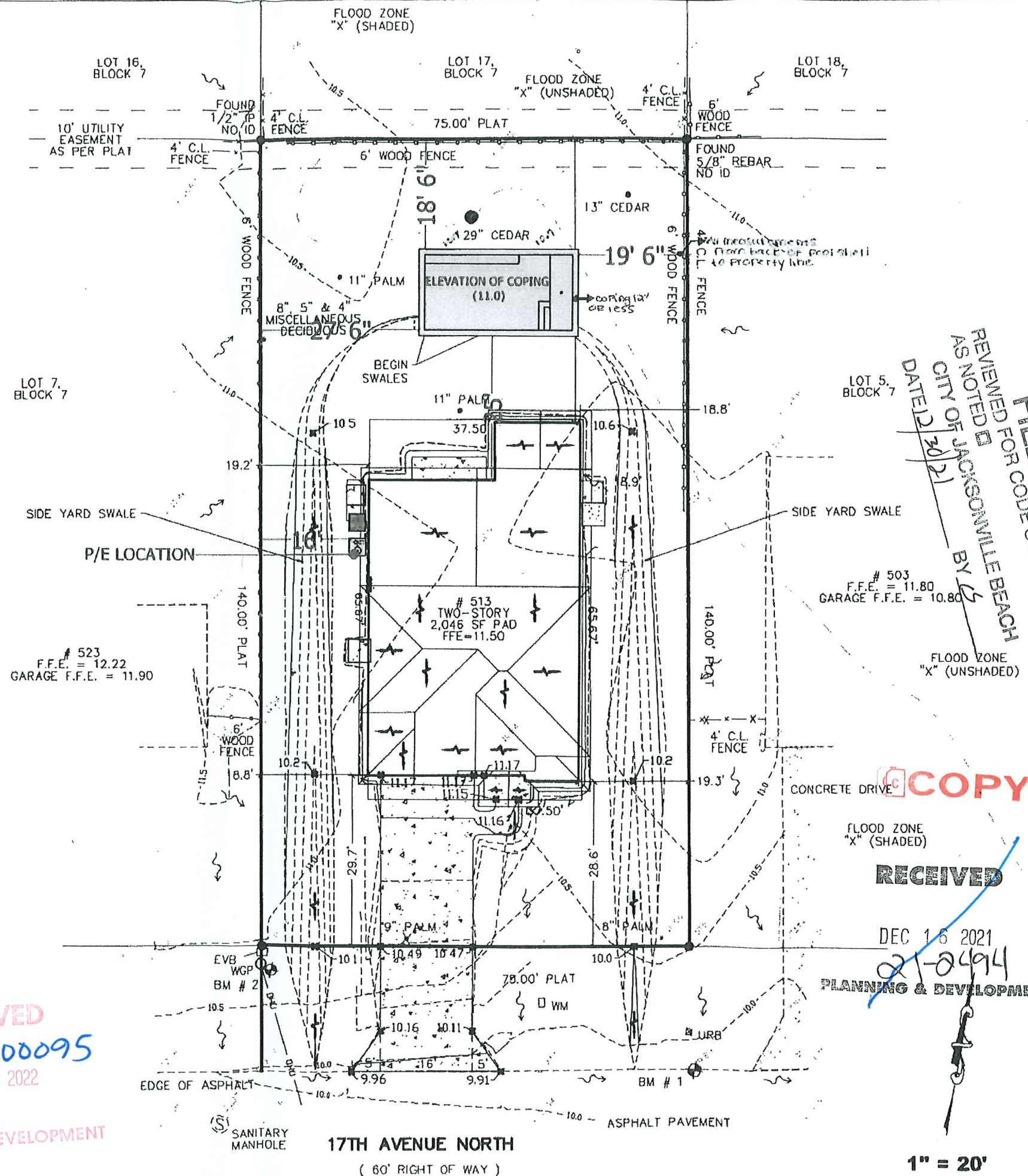
SIDEYARD SWALES



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3. GARAGE, FRONT PORCH AND REAR OPEN AND ENCLOSED PATIOS ARE 4" BELOW FINISHED GRADE ELEVATION.



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JUL 20 2022

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RECEIVED

DEC 16 2021

PLANNING & DEVELOPMENT

1" = 20'

Tarbox
consulting & design, inc.
3716 Rubin Road, Jacksonville, Florida 32257
T: (904) 398-1785 • www.tarboxinc.com • Florida CA 26132

NEW HOME
513 17TH AVENUE NORTH
DMS RENOVATIONS, LLC
1433 PONTE VEDRA BOULEVARD
JACKSONVILLE BEACH, FL 32082

PROPOSED CONDITIONS	
SCALE	1" = 20'
DATE	4/25/2021
JOB #	DS4-2101

DRAWING NO
P1



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100098

Zoning: RM-2
RE: 176220-0000
Legal: Lot 3, Block 122, Pablo Beach
Address: 114 12th Avenue South

Request

Section(s): 34-340(e)(3)(c)1, for a front yard setback of 15 feet in lieu of 20 feet minimum, 34-340(e)(3)(c)2, for a side yard setback of 5 feet in lieu of 10 feet minimum, and 34-340(e)(3)(c)3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a three-unit multi-family structure

Exiting Conditions

The Subject property is an existing lot of records (circa 1909) located in the Residential Medium Density future land use category, and currently zoned Residential Multifamily: RM-2. The Subject lot is 50 feet in width and 125 feet in depth, with an overall area 6,250 square feet. The proposed use of the property as a three unit multifamily is a permitted use, and would require a minimum of 6,000 square feet of lot area to achieve the density of three units, which they have. The minimum lot width is 75 feet per the LDC, and the applicant currently has 50 feet in width.

No previous variance, Past code violation for overgrown lot, since remedied.

Staff Analysis

The subject property is a nonconforming lot of record with regards to minimum lot width. The proposed project is a three unit multifamily structure with three separate garages and driveways. The applicant is requesting relief from front, side and rear yard setbacks to allow for the construction of the proposed structure. The applicants within the maximum lot coverage of 65% by providing paver strip driveways to access two car garages. The rear most unit will have vehicle access off the rear alley, with the front two units accessing from 12th Avenue South. Based on the submitted site plan, staff is unable to determine the overall internal size of each unit, but they appear to meet the minimum square footage in the dimensional standards, but again, without an internal floor plan, staff cannot say for sure. The applicant states that the proposed setbacks for front a rear allow for the additional driveway parking for the units in addition to the proposed two car garage. Although the 15 foot front setback will not met the technical requirement for a parking space



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

of 17 feet deep. Although the lot has adequate space to meet the front and rear setback, the lot width is narrow and would constitute a hardship in meeting the proposed setbacks.

Minimum Dimensional Standards

Multifamily:

- Minimum lot area: Five thousand (5,000) square feet, plus one thousand (1,000) square feet for each unit in excess of two (2), except that the gross density shall not exceed forty (40) units an acre.
- Minimum lot width: Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- Floor area: Multiple family dwelling unit shall contain the following minimum square feet of conditioned living area excluding garages, carports and breezeways.
 - One bedroom unit—Seven hundred (700) square feet.
 - Two bedroom unit—Nine hundred (900) square feet.
 - Three bedroom unit—One thousand one hundred (1,100) square feet.
- Maximum lot coverage: Sixty-five (65) percent.
- Height: Thirty-five (35) feet.

Review of Criteria

- 1. Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**



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Staff **does** find that there are circumstances unique to the subject parcel of land. The lot is substandard in width. The reduction in side yard setbacks is warranted.

2. Special circumstances and conditions do not result from the actions of the applicant

Staff **does not** find that circumstances are a result of the applicant. The lot is a platted lot of record, so the width is not a result of the applicant's actions, however the reduction in front and rear yard setbacks is a result of the design of the structure not the lot itself and therefore are self-imposed.

3. Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district

Staff **does not** find that the proposed variance will confer special privileges. The request for side yard setback reduction is a reasonable request based on the reduced width of the lot. Though this lot is not substandard in length, there have been other variances such as this for front and rear yard setbacks granted within this zoning district, and the surrounding properties do seem to have reduced front yard setbacks.

4. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant is permitted by right to have up to three units based on lot size. The side yard setbacks reduction is warranted given the lot is roughly 15 feet narrower than allowed by code. The front and rear yard setbacks are not a result of the lot, but do seem to be a common feature of the block.

5. Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure

Staff **does not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The request is more than the minimum needed to build the structure, as only side yard setbacks are



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difficult to achieve, however the front and rear yard setbacks could be met if the structure were designed differently.

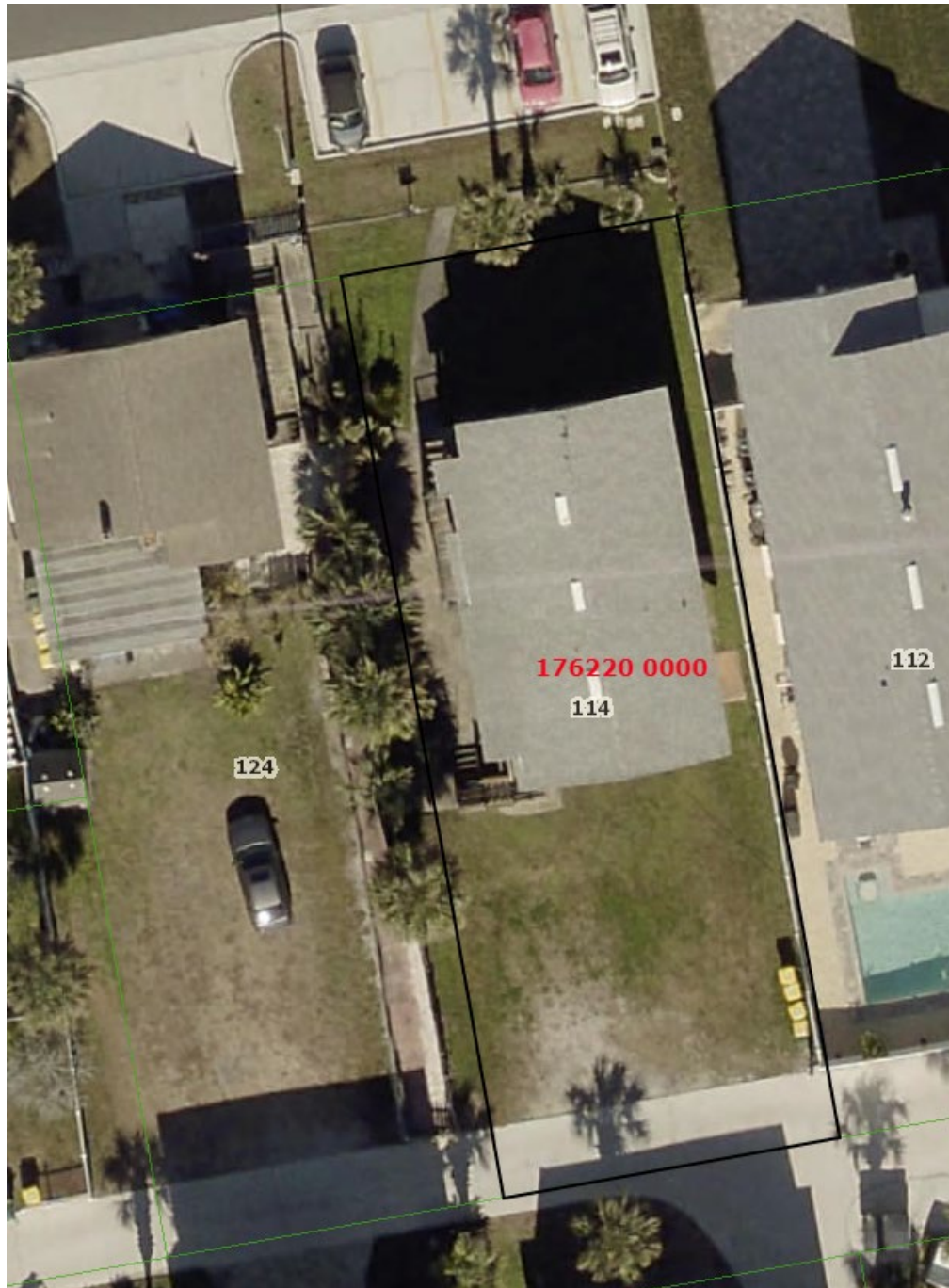
- 6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100098 for side yard setbacks only.**

Location Map (property boundaries are reprehensive only)



Pablo Beach South
PB 3, Pg. 28

Concrete Curb

50.00' (Plat)
50.06' (FM)

4' Wood Fence

6' Wood Fence

6' Vinyl Fence

10' wpp (w/pond)

0.3' (FO)

0.1' (FI)

Fd. 1/2" IP, No Id.

89°59'13" (FM)

89°58'21" (FM)

30.1'

30.0'

0.3' (FO)

18.7'

24.4'

6.9'

46.5'

125.00' (Plat)
124.81' (FM)

1 & 2 Story Block/Wood Frame Residence #114

2nd Story Wood Deck

Concrete Pad

Concrete Stairs

18.9'

24.4'

6.7'

48.2'

48.3'

90°00'47" (FM)

90°01'39" (FM)

50.00' (Plat)
50.00' (FM)

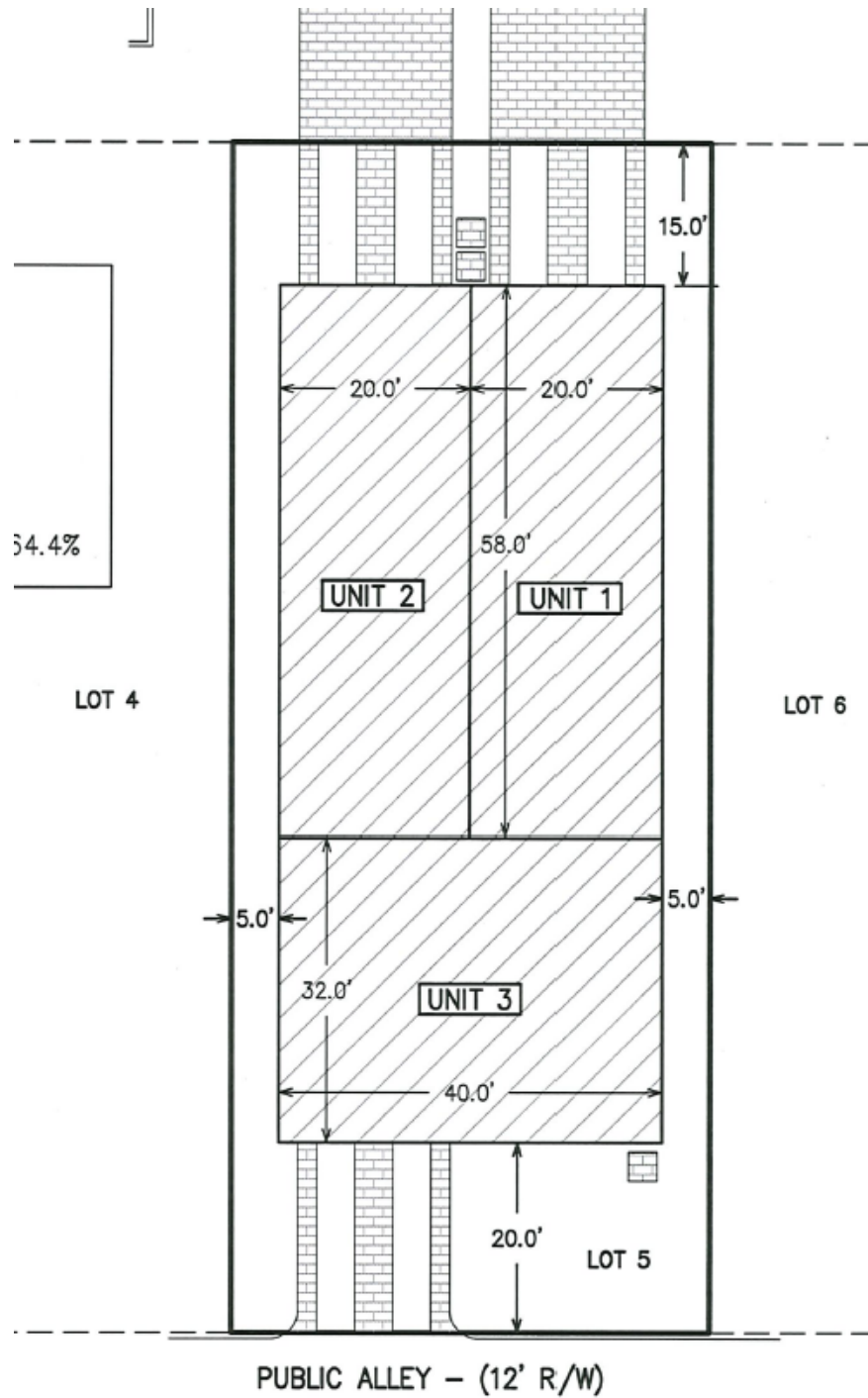
Concrete Drive

Fd. 1/2" IP, No Id.

Fd. X-Cut

ORB 17760, Pg. 481

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100098
HEARING DATE 9-20-22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED

AUG _ 3 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name:	Peter Hill	Telephone:	(904) 838-4088
Mailing Address:	1409 4th Ave. N Jacksonville Beach, FL 32250	E-Mail:	pete@clarsonfl.com
Agent Name:	Peter Hill	Telephone:	(904) 838-4088
Mailing Address:	1409 4th Ave. N Jacksonville Beach, FL 32250	E-Mail:	pete@clarsonfl.com
Landowner Name:	Joseph P. Eckstein (AB 114 12th LLC)	Telephone:	
Mailing Address:	930 3rd Street Neptune Beach, FL 32266	E-Mail:	joe@jbritz.com

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 114 12th Ave. S / RE#: 176220-0000
Legal description of property (Attach copy of deed): Lot 3, Block 122, Pablo Beach South, Duval County
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Side setback of 5 ft in lieu of 10 ft. Rear setback of 20 ft in lieu of 30 ft. Front setback of 15 ft in lieu of 20 ft. Please see attached Justification sheet.

AFFIDAVIT

I, Peter Hill, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

Peter Hill
APPLICANT SIGNATURE

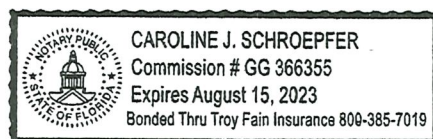
Peter Hill
PRINT APPLICANT NAME

8/3/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of August, 20 22, by Peter Hill, who is personally known to me or produced FLDL: H400-661-88-014-0 as identification.

CJ Schaeffer
NOTARY PUBLIC SIGNATURE
Caroline Schroeffer
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2

FLOOD ZONE: AE

CODE SECTION (S):
34-340(e)(3)(c)1, for a front yard setback of 15 feet in lieu of 20 feet minimum, 34-340(e)(3)(c)2, for a side yard setback of 5 feet in lieu of 10 feet minimum, and 34-340(e)(3)(c)3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a three-unit multi-family structure

VARIANCE APPLICATION STANDARDS AND CONDITIONS

PLANNING & DEVELOPMENT
BOA No. 22-100098

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Platted substandard lot of record. Insufficient lot size of 50 ft wide instead of 75 ft.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	No special circumstances or conditions will result from this action, because it will be conforming with many others in this area with the same zoning.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The parcel behind this property and one west has built the exact same condo that we are proposing to match with the same setbacks. There are various other properties within surrounding blocks with the same layout or with tighter setbacks.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	The parcel behind this property and one west has built the exact same condo that we are proposing to match with the same setbacks. There are various other properties within surrounding blocks with the same layout or with tighter setbacks.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	A 40' wide structure is the only way to allow for adequate garage design to maximize off-street parking.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The zoning classification is JRM-2. The purpose states this is for medium to high density residential development. See attached Justification for Variance.

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22-100098

AUG - 1 2022

Prepared by and return to:

Senida Mujic

Ponte Vedra Title, LLC

50 A1A North, Suite 108

Ponte Vedra Beach, FL 32082

PLANNING & DEVELOPMENT

File Number: 20-1662

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 30th day of July, 2020, between Deborah L. Smith, an unmarried woman, whose post office address is 2800 St Marc Ct, Ponte Vedra Beach, FL 32082, grantor, and AB 114 12TH LLC, a Florida Limited Liability Company, whose post office address is 114 12th Avenue South, Jacksonville Beach, FL 32250, grantee:

(Whenever used herein the terms "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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval County, Florida, to-wit:

Lot 3, Block 122 of PABLO BEACH SOUTH, according to the Plat thereof as recorded in Plat Book 3, Page(s) 28, of the Public Records of Duval County, Florida.

Parcel Identification Number: 176220-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

SUBJECT TO covenants, conditions, restrictions, easements of record and taxes for the current year.

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 as specified herein.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR OR HAS A BENEFICIAL INTEREST IN THE SALE OF THE PROPERTY DESCRIBED IN THIS WARRANTY DEED.

Signed, sealed and delivered in our presence:

[Signature]
 Witness 1 Signature
Heather M. Reynolds
 Witness 1 Printed Name

[Signature]
 Deborah L. Smith

[Signature]
 Witness 2 Signature
Senida Mujic
 Witness 2 Printed Name

State of Florida
 County of St. Johns

The foregoing instrument was acknowledged before me by means of (X) Physical Presence or () Online Notarization, this 27 day of July, 2020, by Deborah L. Smith, an unmarried woman, who () is personally known to me or (X) has produced _____ identification.

A VALID DRIVER'S LICENSE



[Signature]
 NOTARY PUBLIC Heather M. Reynolds
 Printed Name:
 My Commission Expires: _____



22-100098

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company

AB 114 12TH, LLC

Filing Information

Document Number L20000191298**FEI/EIN Number** APPLIED FOR**Date Filed** 07/06/2020**State** FL**Status** ACTIVE

Principal Address

930 3rd St

Neptune Bch, FL 32266

Changed: 04/30/2021

Mailing Address

PO Box 50338

JACKSONVILLE BEACH, FL 32240

Changed: 03/28/2022

Registered Agent Name & Address

ECKSTEIN, JOSEPH P

930 Third St

Neptune Beach, FL 32266

Address Changed: 03/28/2022

Authorized Person(s) Detail

Name & Address

Title MGR

ECKSTEIN, JOSEPH P

814 N. 1ST STREET, #101

JACKSONVILLE BEACH, FL 32250

Annual Reports

Report Year	Filed Date
2021	04/30/2021

2022 03/28/2022

Document Images

<u>03/28/2022 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/30/2021 -- ANNUAL REPORT</u>	View image in PDF format
<u>07/06/2020 -- Florida Limited Liability</u>	View image in PDF format

Florida Department of State, Division of Corporations

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AUG - 1 2022

WRITTEN AUTHORIZATION FROM OWNER

PLANNING & DEVELOPMENT

1. My name is Joseph P Eckstein, MGR for AB 114 12th, LLC and owner of 114 12th Avenue South Jacksonville Beach, FL 32250.
2. Peter Hill, MGR for 114 12th Ave LLC, intends to purchase the property under a contract of sale and wishes to apply for a zoning variance to the City of Jacksonville Beach.
3. Since the applicant is not the owner, this notarized written authorization is required.
4. I hereby grant my authority for him to apply for the variance.

Signature of Owner (Owner's Authorized Officer/Director/Partner Manager)

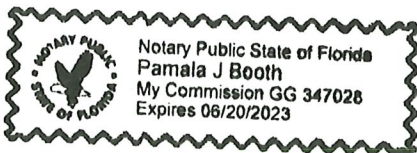

(Signatory's Title/Office)

The foregoing instrument was acknowledged before me this 29th day of July, 20 22

Notary: Pamela J. Booth

Personally Known ☒ or Produced Identification ☐ Type of identification Produced:

My commission expires: 6/20/2023



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22-100098
AUG 3 2022

Justification for Variance (114 12th Ave S)

The subject property is classified as JRM-2 zoning. The current owner has recently cleared the lot. There had previously been a 4-unit multifamily structure on the property. We are attempting to develop this property, again, as a "Multiple Family Dwelling", under one owner, with 3 units.

The code states that JRM-2 Lots, under multiple family dwelling section, must be a minimum of 75 feet wide. According to the recent survey and existing deed/plat, this lot is insufficient and does not meet this requirement. This lot is 50 feet wide. The code also states that side yards must be a minimum of 10 feet. The intent was to allow for a minimum of 55 feet of buildable width ($75 - 10 - 10 = 55$). Currently the 30' of buildable width is not sufficient for a reasonable design to meet the purpose of this zoning. We are simply requesting the minimum side yard requirement change from 10 feet to 5 feet, totaling a 40 feet wide structure, 15 feet less than the intended zoning allowance. Our hardship is the width of this lot meeting zoning standards for its classification.

We are requesting a rear setback of 20 feet instead of 30 feet, which conforms with many of the existing surrounding properties. The ability to build 20 feet from the rear lot line will allow us to include a functional 2-car garage and 2 parking spots in the driveway. With a 30-foot rear setback we are only able to fit 2 cars in the driveway and would have no garage. The 20-foot rear setback allows for 2 additional off-street parking spots.

We are requesting a front setback of 15 feet instead of 20 feet, which conforms with this street. All neighboring lots to the west within our block have approximately 8.5-foot front setbacks. We are asking to split the difference and only extend 5 feet instead of 11.5 feet. See attached "Overall Block Exhibit".

The zoning "Purpose" for RM-2 zoning (Section 34-340a) states "It is intended to classify areas suitable for medium to high density residential development. Maximum density in the RM-2 zoning district is 40 dwelling units per acre". This equates to 5.7 units per our lot's square footage. We are only building 3 units. We are not requesting any additional units or lot coverage that code allows. We believe the requests we are asking for are very minimal and reasonable compared to the rest of this block. See attached "Overall Block Exhibit".

PROPOSED

MAP SHOWING SITE PLAN OF LOT 5, BLOCK 122 AS
SHOWN ON MAP OF PABLO BEACH SOUTH

AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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AUG 3 2022

12TH AVE N - (80' R/W)

PLANNING & DEVELOPMENT

LOT COVERAGE:

TOTAL LOT AREA: 6,250 SF

BUILDING AREA: 3,600 SF

CONCRETE AREA: 428 SF

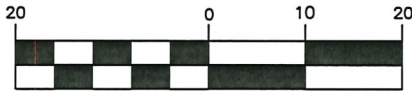
TOTAL LOT COVERAGE: 4,028 SF = 64.4%

LOT 4

LOT 6

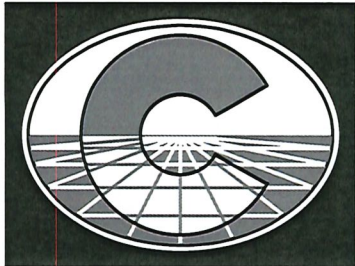
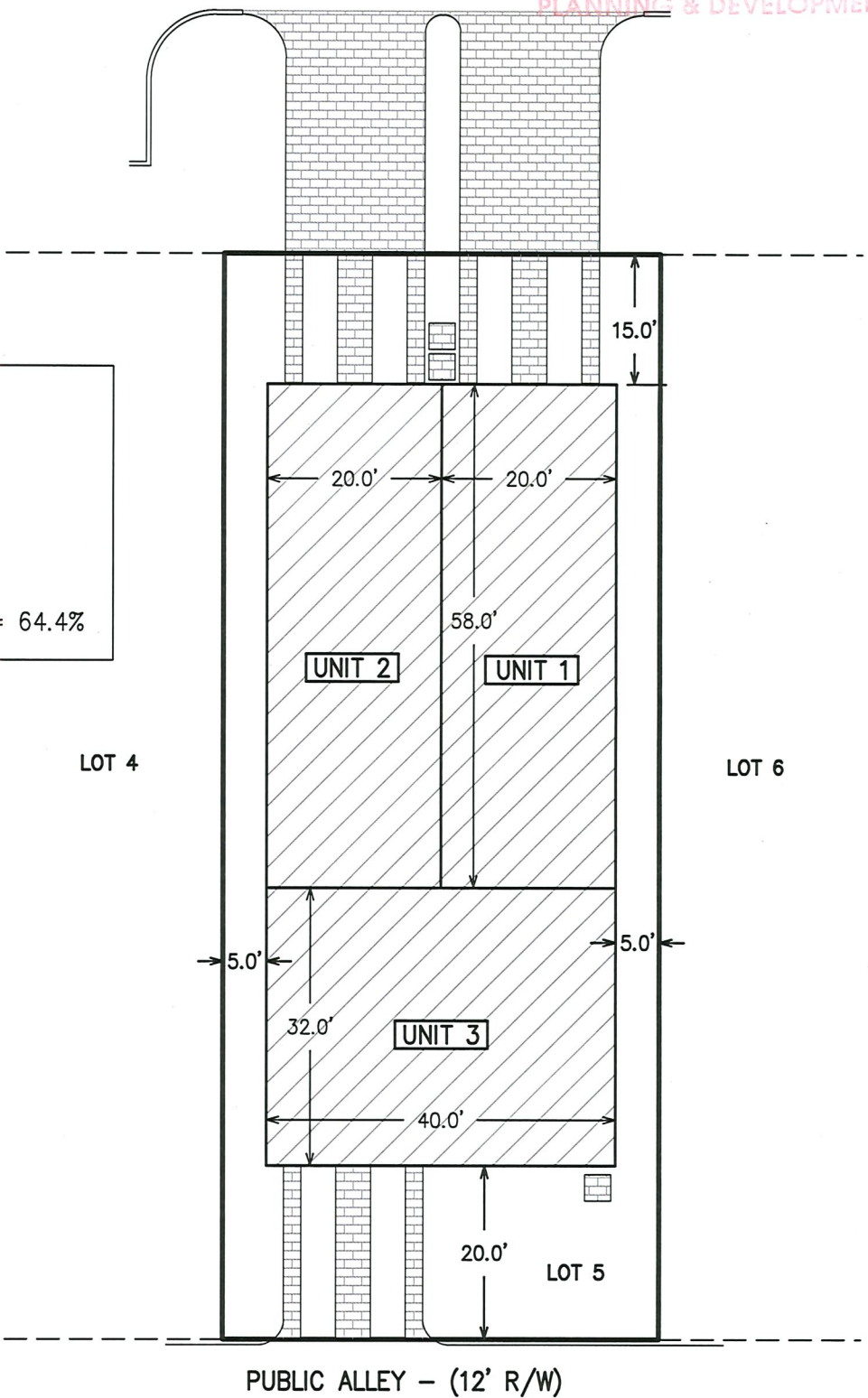


GRAPHIC SCALE



(IN FEET)

SCALE: 1"=20'



Site Plan Prepared By:

RICHARD P.

CLARSON AND ASSOCIATES, INC.

Professional Surveyors and Mappers

1643 Naldo Avenue, Jacksonville, FL 32207

Phone: 904.396.2623 Website: clarsonfl.com

- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

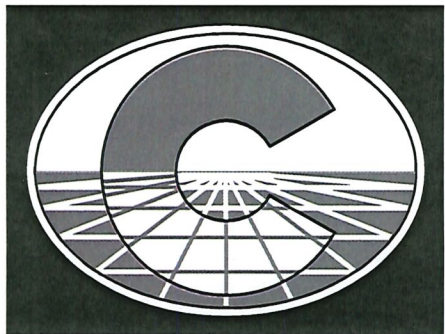
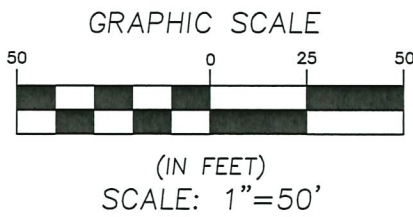
OVERALL BLOCK EXHIBIT

BLOCK 122 AS SHOWN ON MAP OF PABLO BEACH SOUTH, DUVAL COUNTY, FLORIDA



NOTE:
SEE NEXT SHEET FOR
RELATED PICTURES

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22-100098
AUG 3 2022
PLANNING & DEVELOPMENT



Surveyed and Prepared By:
**RICHARD P.
CLARSON AND ASSOCIATES, INC.**

Professional Surveyors and Mappers
1643 Naldo Avenue, Jacksonville, FL 32207
Phone: 904.396.2623 Website: clarsonfl.com

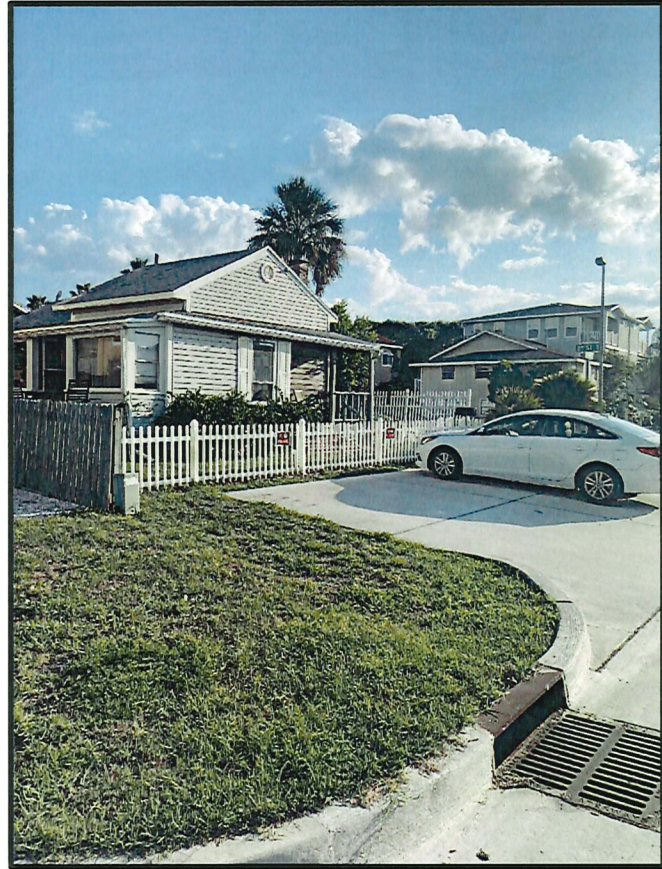
- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

OVERALL BLOCK EXHIBIT (PICTURES)

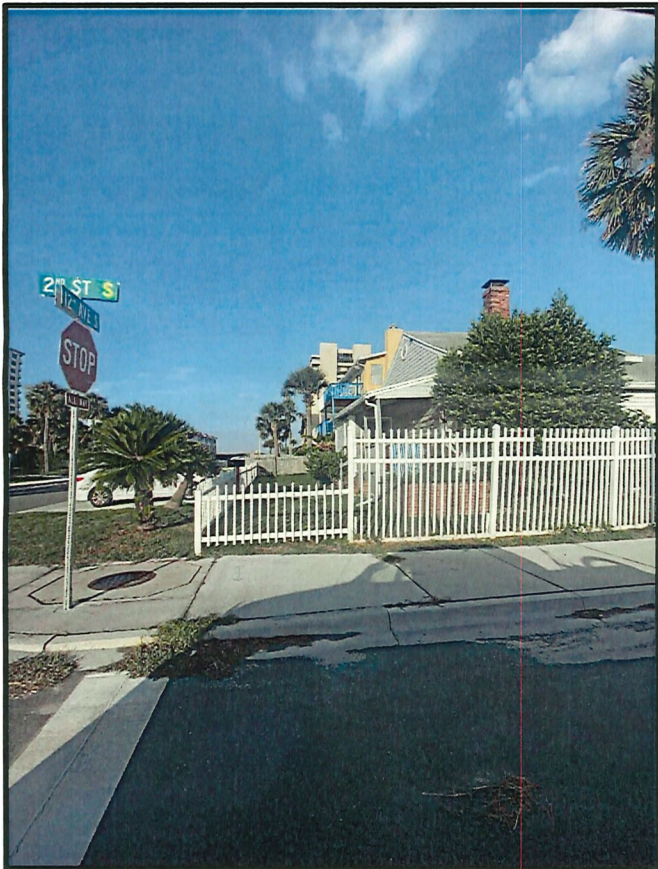
BLOCK 122 AS SHOWN ON MAP OF PABLO BEACH SOUTH, DUVAL COUNTY, FLORIDA



PICTURE 1



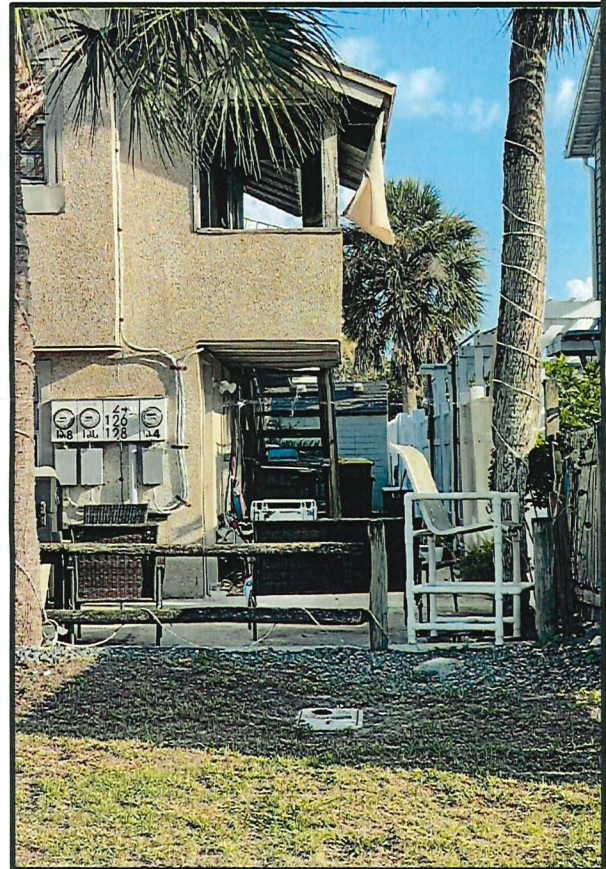
PICTURE 2



PICTURE 3



PICTURE 4



PICTURE 5



PICTURE 6



PICTURE 7

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AUG 3 2022

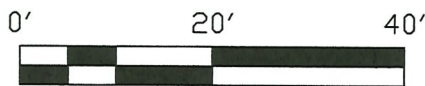
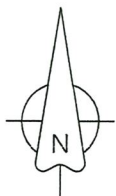
EXISTING

MAP SHOWING BOUNDARY SURVEY OF

Lot 3, Block 122, PABLO BEACH SOUTH, according to plat thereof, as recorded in Plat Book 3, Page 28, of the current Public Records of Duval County, Florida.

CERTIFIED TO:

Joseph P. Eckstein
Ponte Vedra Title, LLC
First American Title Insurance Company



Abbreviations

A/C - Denotes Air Conditioner
BRL - Denotes Building Restriction Line
(C) - Denotes Calculated per Plat
Conc. - Denotes Concrete
CL Fence - Denotes Chain link Fence
CRB - Denotes Cable Riser Box
EBOX - Denotes Electric Box
Fd. - Denotes Found
(FI) - Denotes Fence Line inside of subject property line
(FO) - Denotes Fence Line outside of subject property line
(FOL) - Denotes Fence Line on subject property line
(FM) - Denotes Measured Dimension made in field or substantiated by Field Traverse measurements
gwa - Denotes Guy Wire Anchor
Id - Denotes Identification
IP - Denotes Iron Pipe
IR - Denotes Iron Pin or Rebar
JEA - Denotes Jacksonville Electric Authority Easement
JEA-E. - Denotes Jacksonville Electric Authority Electric Easement
JEA-E.E. - Denotes Jacksonville Electric Authority Equipment Easement
LB - Denotes Licensed Business
MR Fence - Denotes Metal Rod Fence
(MB) - Denotes Plat Dimension shown on recorded Map Book
MB - Denotes Map Book
ORB - Denotes Official Records Book
ORV - Denotes Official Records Volume
(P) - Denotes Plat Dimension shown on recorded Plat
PB - Denotes Plat Book
P.I. - Denotes Point of Intersection
P.C. - Denotes Point of Curve
P.R.C. - Denotes Point of Reverse Curve
Pg. - Denotes Page
Pgs. - Denotes Pages
PS&M - Denotes Professional Surveyor and Mapper
P.T. - Denotes Point of Tangent
Pt. - Denotes Point
R - Denotes Radius Distance
R.P. - Denotes Radius Point
Ref. - Denotes Reference
R/W - Denotes Right of Way
wpp - Denotes Wood Power Pole
WM - Denotes Water Meter

Legend

- Fd. IP size noted - No Id. U.O.N.
- Set 1/2" IP Cannady LB # 7080
- ⊙ Fd. IR size noted - No Id. U.O.N.
- ⊙ Nail and Disk as noted
- ✕ Found Nail No Identification

- PL — PL — Denotes Field Measured Boundary Line
- PL — PL — Denotes Property Line Not Surveyed
- OE — OE — Denotes Overhead Electric Line
- — — — — Denotes Easement Line
- X — X — X — X — Denotes Fence Line
- — — — — Denotes Line not to Scale
- — — — — Denotes Building Line
- ■ ■ ■ ■ Denotes Concrete Area

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22-100098
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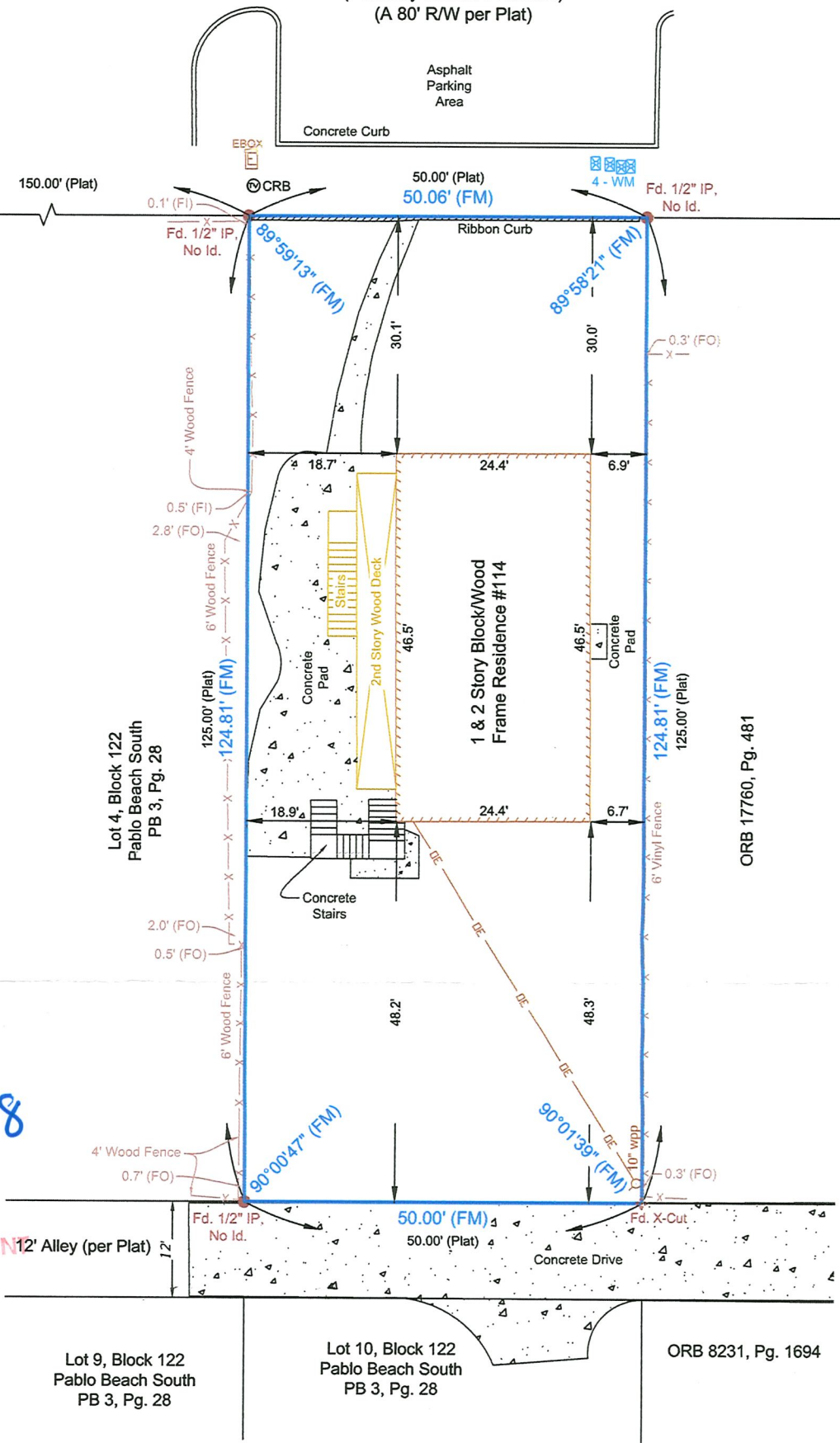
PLANNING & DEVELOPMENT

12th Avenue South

(Formerly Bradford Avenue)
(A 80' R/W per Plat)

2nd Street South

(A 50' R/W per Plat)



General Notes

- This is a Map showing Boundary Survey.
- North arrow rotation as shown graphically hereon was scaled in from the record plat.
- There may be Restrictions or Easements that are not shown on this map that may be found in the Public Records of this County or evidenced by Title examination.
- This survey was prepared without the benefit of a title commitment.
- The Property shown hereon embraced by heavy lines is based on a Legal Description provided by Client.
- This Survey does not reflect or determine Ownership.
- This Survey shows only the Above Ground Indicia, No underground Utilities, Footers, Structures, or Improvements are shown on this map.
- By Graphic Plotting only, the property shown hereon lies within zone: "AE (EL 9)" as shown on the Federal Emergency Management Agency (F.E.M.A.) National Flood Insurance Program, Flood Insurance Rate Map (F.I.R.M.) Community Panel Number: 120078-0419J, Map revised date: November 2, 2018.
- The maximum allowable Horizontal Relative Positional Accuracy for an American Land Title Association / National Society of Professional Surveyors Land Title Survey is 0.07' plus 50 parts per million (based on the direct distance between the two points being accuracy tested). This survey meets or exceeds the Horizontal Relative Positional Accuracy of 0.07' plus 50 parts per million for all control points, boundary monuments, building corners and fence corners.

DRAWING PATH: \\Team Drives\\Current Projects\\20-193_114 12th Avenue S\\DWG

JOB NUMBER: 20-193

SCALE: 1" = 20'

FIELD BOOK: 358 PAGE: 46

FIELD DATE: May 22, 2020

DRAWN BY: JWCJ

MAP FILE NUMBER: B-438

CHECKED BY: JWC

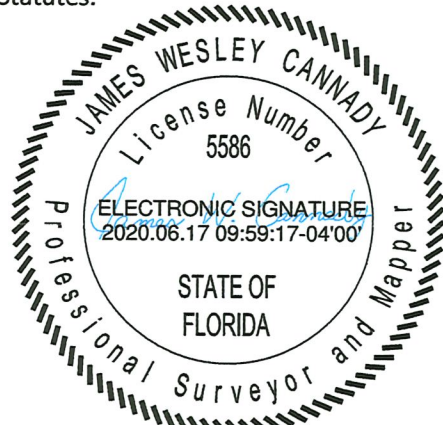
SHEET NUMBER: 1 of 1

Unless it bears the Signature and the Original Raised seal of a Florida Licensed Surveyor and Mapper, this Drawing, Sketch, Plat or Map is for informational purposes only, and is Not valid or unless the Electronic Image File bears the Electronic Signature and Seal of a Surveyor and Mapper, this Drawing, Sketch, Plat or Map is for informational purposes only, and is Not valid.

2988 Plummer Cove Road
Jacksonville, Florida 32223
Phone: (904) 647-6943
Licensed Business No.: 7080
EMAIL: wes@cannadysurvey.com



I hereby certify that this survey meets the standards of practice established by the Florida Board of Professional Surveyors and Mappers, pursuant to Section 472.027, Florida Statutes.



By: _____
James W. Cannady, Professional Surveyor & Mapper,
Certificate No. 5586, State of Florida

To: Christian Popoli
Senior Planner
City of Jax Beach, Fl.
& Planning Board

RECEIVED
22-100098

SEP 12 2022

via email

PLANNING & DEVELOPMENT

From: John and Scotty Rust
Owners.
124 12th Ave South
Jax Beach, Fl.

Re: BOA#22-100098/Variance Hearing
9/20/22 6pm
114 12th Ave South
Jax Beach, Fl 33250

Mr Popoli and the honorable Board of Adjustment,

We, as owners of the adjacent property to the west, are writing you to express our belief that the variance for the set back violation on the front of the property in question should be denied for 3 powerful reasons grounded in a plain reading of the code, 34-286.

Firstly, the applicant states "...requesting a front set back of 15" instead of 20', which conforms with this street." That statement is not true. While our building (1935) and others they cite as evidence for a front set back were built over 50 years ago. These building were grand fathered in in 1974 when the first code was written. The two building to the east of this lot have set backs of 20"; as well as many others in the area. They conveniently omitted all the buildings that do conform to the code. Their hardship seems to be that they feel entitled to be grand fathered in; but I can only guess as they cite no hardship caused by a denial of the front set back.

Secondly, 34-286(6) states "Grant of the variance ...will not adversely effect adjacent land." The granting of this front variance will harm us in several ways. While we recognize the new owners right to build in accordance with the code and any loss of ocean view is tough luck. The

granting of a variance is a different situation. We have owned the property for 45 years and our family and tenants have had the benefit of the ocean view which allows to collect higher rents. Further, the value of our property will suffer and be diminished by the granting of the variance if we or our heirs decide to sell.

Thirdly, our street was torn up and closed to some degree from 1/6/20-7/21 when the storm pipes and side walks were put in. They want to tear out the public parking installed and build two driveways. There are three other homes being built now on this very block. We are dismayed to see the side walks blocked by cars all around our house, the loss of trees and grass and the spread of Airbnbs. A group of people came to our house and told our property manager that they own the property in question and intend to live in one half and the other half to be occupied by the friend. We were distressed to see the variance request does not match their words. This causes us great concern, as we already have one Airbnb on the westside of our property with strangers and their dogs coming and going twice a week or so. We use to have trusted neighbors and now we have strangers. Like the recent murder at the Airbnb close by, we are concerned.

We have tried to be brief but in sum, like the variance that was denied directly across the street, the clear the "hardship" is caused by their plan that does not fit the rules. As was noted on 60 minutes, Jax Beach has been exploited in a way that is unfortunate.

We urge you to deny this application and please enforce the front set back regulation.

Sincerely

John and Scotty Rust

Sept 11, 2022.

Correspondence

Subject: Letter
To: [jwanson@aol.com <jwanson@aol.com>]
From: jwanson@aol.com <jwanson@aol.com>
Date: Thu, Sep 8, 2022 at 1:22 PM
Subject: BOA#22-100098

RECEIVED
via USPS
SEP 12 2022

BOA # 22-100098

PLANNING & DEVELOPMENT

Dear Sir/Madame - I am writing to you in response to the Public Notice I received regarding BOA#22-100098 for a waiver setbacks established in Section 34-340(e)(3)(c)1 at 114 12th Ave S. My home is located at 132 12th Ave S. I object to granting this waiver for the following reasons:

1. Granting the waiver will negatively impact me by restricting my view of the ocean from my property.
2. This is new proposed construction, there is no hardship that can realistically warrant granting a waiver of setback requirements as proposed. This is a want, not a need.

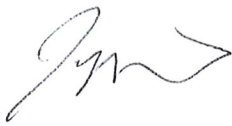
There are no extenuating circumstances that would warrant granting this waiver. Thank you very much for the Public Notice and ability to provide my comments.

Sincerely,

Jeff Wanson

132 12th Ave S

Jacksonville Beach, FL 32233

 9/9/2022

[Sent from the all new AOL app for Android](#)

LeeAnn Bassabe

From: A <davidrost1@aol.com>
Sent: Monday, September 12, 2022 11:01 PM
To: Planning Division
Subject: BOA#22-100098

RECEIVED
Via email
SEP 13 2022

TO: Jacksonville Beach Board of Adjustment
RE: BOA#22-100098
Property: RE#176220-0000, Legally Described as Lot 3, Block 122, Pablo Beach South

PLANNING & DEVELOPMENT

My name is David Rost. I am the owner of a condo unit at 1224 1st Street South. I am a Condo Board Member, and speak for all owners of the condominium.

The request is for waiver of setback requirements for front yard, side yard, and rear yard, to allow for construction of a three unit multi-family structure, where a single family home once stood, within the setback requirements, at property address 114 12th Avenue South.

I respectfully urge the Board to disapprove this request, and to stop the back-slide of unbridled over-development of Jacksonville Beach.

For reference, please look at the unintended (I hope) consequences of the Board's waiver request approvals for the townhouse development in the beach block of 12th Avenue South. The front yard setback is so small that the driveways are rendered almost not useable. They are too short for most vehicles on the streets of Jax Beach, and they are, therefore, slanted at approximately 30 degrees (or more), which grossly inhibits the ability of passengers to enter or exit the vehicles while they are parked in the driveway. And, they look ridiculous. If the setbacks were larger, the driveways would not have to be so steep to get into the garages, and the vehicles may be able to fit into the driveway and not unnecessarily take up public parking spaces in the end zone. The rear yard setbacks are also way too small to provide for maintenance of the grounds, A/C units, etc. The Board, because of its proclivity for approving virtually all set back waivers, has created unsightly structures, and congestion on public sidewalks all over Jax Beach between the beach and 3rd Street South, north of 16th Ave South. I urge all of you Board Members to take a walk in this area on a beautiful weekend day, and try to do so without having to walk into the street to avoid a parked vehicle sticking out from its undersized driveway and blocking the sidewalk (supposedly a violation of law, but that's another story).

Too many variances; too many squeezing multi-family buildings on to single family lots; too bad for Jax Beach. The developers will take the windfalls from three home buyers and go to their own homes in communities with sufficient space between buildings and the street, and not care a wit about Jax Beach. It is the Board of Adjustment who needs to care about Jax Beach; no one else can stop the madness.

Very truly yours,

David L. Rost
1224 1st St. South, Unit 1B
Jacksonville Beach, FL 32250
(609) 304-9418



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100100

Zoning: RS-1
RE: 175006-0000
Legal: Lot 3, Block 4, Beach Homesites Unit 1
Address: 529 11th Avenue North

Request

Section(s): 34-336(e)(1)(c)2, for a side-yard setback of 9 feet on the western side yard in lieu of 10 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required one car garage; 34-336(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; and 35-376(d) for a parking area setback of zero feet in lieu of 5 feet minimum, to address existing non-conformities with the primary structure and driveway and to allow for construction of a new swimming pool deck at an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1948) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject lot is 75 feet in width and 110 feet in depth, with an overall area of 8,250 square feet. The existing home was originally built in 1951, and has had several additions in the last 70 years. The home lacks a garage or carport, but has parking for several cars, with historic double driveways. The home currently has 43% lot coverage because of the large driveways and additions. The home was purchased by the current owner in 2021.

No previous variances, no active code enforcement.

Staff Analysis

The applicant purchased the home in 2021. At the time, the structure was already at 43% lot coverage, additionally there were several other nonconformities with driveway setbacks, and the lack of garage. The applicant is proposing to add a pool with decking. The proposed decking would add 7% lot coverage, which amounts to 528 square feet. Since the exiting home is at 43%, the actual increase is minimal. The previous expansions and excessive driveway in lieu of a garage created the hardship in addition to the substandard lot. The lot lacks the require lot area, and is also substandard in width by 15 feet.



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Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and area. Additionally the existing home and driveway currently occupies 43% of the substandard lot.

2. **Special circumstances and conditions do not result from the actions of the applicant**

Staff **does not** find that circumstances are a result of the applicant. The lot is substandard, as was platted in 1948, additionally the various additions and expansion of the driveway has led to an overage of lot coverage which leaves no available lot coverage for any accessory use.



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3. **Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district**

Staff finds that the proposed variance **will not** confer special privileges. The ability to have accessory uses are a common use allowed in the residential zoning districts. Particularly in RS-1, where the lot size would allow for accessory uses, the substandard nature of the lot, in combination with the existing nonconformities deny the applicant standard rights, and do not confer any special privilege.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship**

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing nonconformities coupled with the substandard nature of the lot deprives the owner of the right to have an accessory use in their rear yard, something commonly enjoyed by owners located in the RS-1 zoning district.

5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The requested variance addresses several nonconformities that currently exist with regards to setbacks and the lack of a required garage. Additionally the current lot coverage is in excess of 35% and would require relief regardless of the pool request. But for the existing lot coverage, the request for additional lot coverage would have been 42%

6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.



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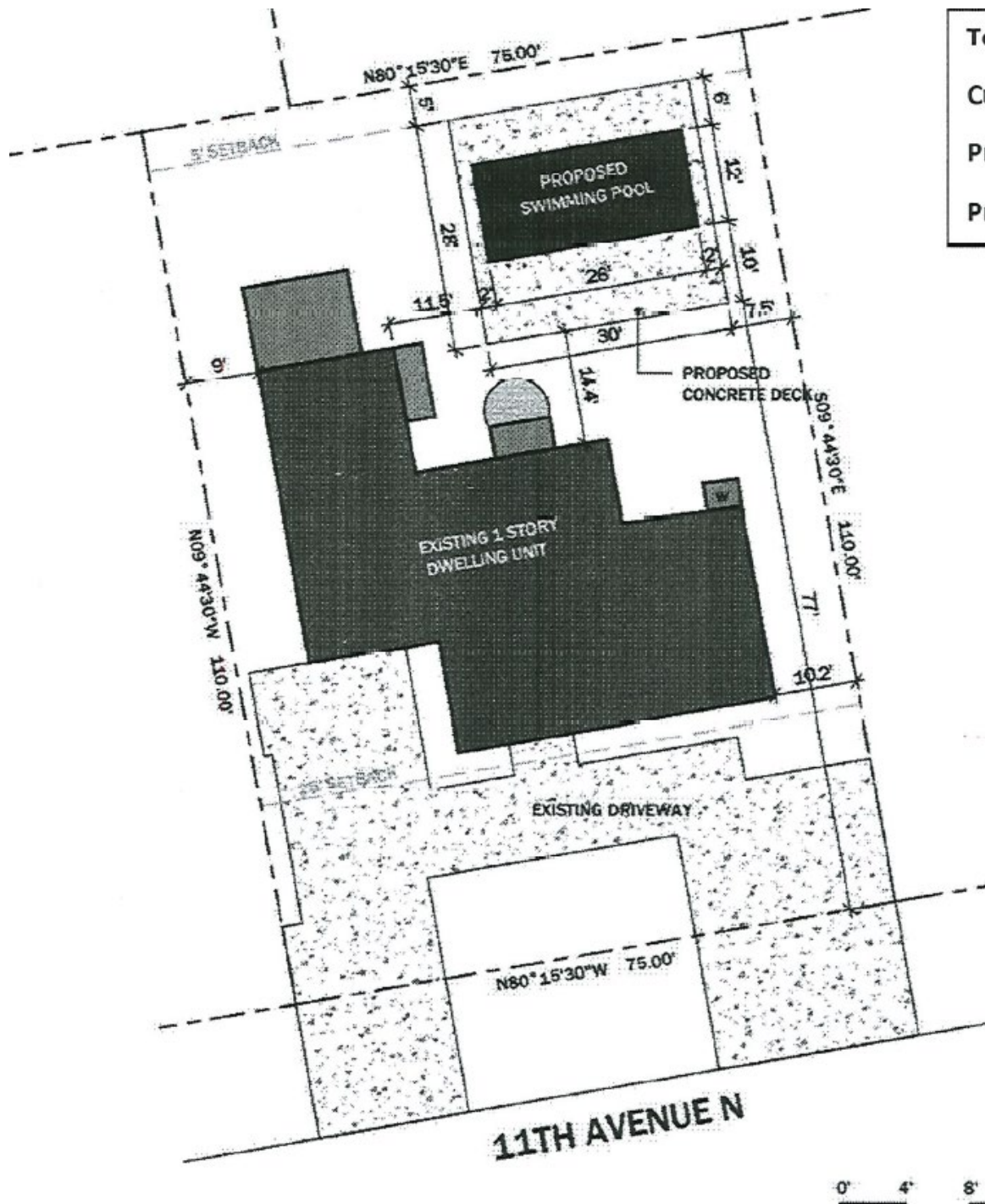
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100100**

Location Map (property boundaries are representative only)



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 22-100100

HEARING DATE 9-20-22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED

13:15

AUG 3 2022

APPLICANT INFORMATION

Applicant Name: Eric Kofman Telephone: (617) 792-5921
Mailing Address: 214 Jackson St, Apt 2 E-Mail: eric.kofman@telnap.com
Hoboken, NJ 07030

Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____

Landowner Name: Eric Kofman Telephone: (617) 792-5921
Mailing Address: 214 Jackson St, Apt 2 E-Mail: eric.kofman@telnap.com
Hoboken, NJ 07030

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 529 N 11TH AVE | 175006-0000

Legal description of property (Attach copy of deed): BEACH HOMESITES UNIT 1, 20-72 28-2S-29E, LOT 3 BLK 4

Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

Lot coverage of 50% in lieu of 35% for construction of a swimming pool & pool decking.

Additionally to rectify existing non-conformities: driveway setback of zero '0' feet in lieu of 5 feet minimum along the eastern and western property lines, house setback of 9 feet on eastern side, in lieu of 10 feet minimum, and driveway parking in lieu of garage requirement

AFFIDAVIT

I, Eric Kofman, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

[Signature]
APPLICANT SIGNATURE

Eric Kofman
PRINT APPLICANT NAME

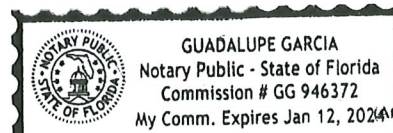
8/3/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of August, 2022 by Eric M. Kofman, who is personally known to me or produced New Jersey D.Lic as identification.

NOTARY PUBLIC SIGNATURE

Guadalupe Garcia
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X/X-shaded

CODE SECTION (S):

34-336(e)(1)(c)2, for a side-yard setback of 9 feet on the western side yard in lieu of 10 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required one car garage; 34-336(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; and 35-376(d) for a parking area setback of zero feet in lieu of 5 feet minimum, to rectify existing non-conformities with the primary structure and driveway and to allow for construction of a new swimming pool deck at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100100

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The current lot is non conforming and below standard size
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Propery was purchased as-is with existing lot coverage at 43%
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Granting the variance will not give any special privilage to the applicant. A significant portion of the houses in the neighborhood have swimming pools and similar existing non-conformities (such as lack of garages).
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	The current property was purchased in a non-conforming condition. This application is to correct that.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Our request is for a minimal amount of pool decking to support installation of a new pool.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	

Prepared By:

Gibraltar Title Services, LLC
Attn: Kristen Arranz
4190 Belfort Rd., Suite 475
Jacksonville, FL 32216

Return To:

Gibraltar Title Services, LLC
Attn: David Ubbens
4190 Belfort Rd., Suite 475
Jacksonville, FL 32216

RECEIVED
22-100100

AUG - 3 2022

PLANNING & DEVELOPMENT

Order No.: GTS-2171181

Property Appraiser's Parcel I.D. (folio) Number:

175006-0000

21124069
04350000

WARRANTY DEED

THIS WARRANTY DEED dated September 7, 2021, by Mark C. D'Zamko, whose post office address is 7810 Bridgestone Terrace, Jacksonville, Florida 32216-1434, Christopher R. D'Zamko, whose post office address is 10147 Alden Road, Jacksonville, Florida 32246-2217, Erik L. D'Zamko, whose post office address is 146 Wildwood Place, Jefferson, Georgia 30549-2796, Felecia S. D'Zamko, whose post office address is 146 Wildwood Place, Jefferson, Georgia 30549-2796 and Jill F. D'Zamko-White, whose post office address is 480 Matuskovic Drive, Charleston, South Carolina 29414-8514 (the "Grantor"), to Eric Kofman and Namrata Chakrabarti, husband and wife, whose post office address is 214 Jackson Street, Apt 2, Hoboken, New Jersey, 07030 (the "Grantee").

(Wherever used herein the terms "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 And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Duval, State of Florida, viz:

Lot 3, Block 4, BEACH HOMESITES UNIT ONE, a subdivision according to the plat thereof recorded in Plat Book 20, Pages 72 and 72A, of the Public Records of Duval County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

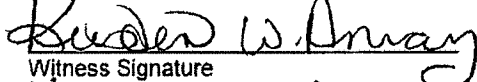
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2020.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:


Witness Signature

Ruthanne L. Kowalski
Printed Name of First Witness


Witness Signature

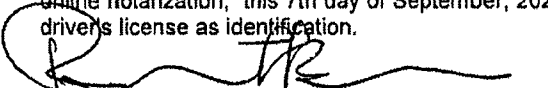
Kristen W. Amann
Printed Name of Second Witness


Christopher R. D'Zamko

Grantor Address:
10147 Alden Road
Jacksonville, FL 32246-2217

State of Florida
County of Duval

THE FOREGOING instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 7th day of September, 2021, by Christopher R. D'Zamko who has produced their driver's license as identification.


Notary Public - State of Florida

Name of Notary Typed, Printed or Stamped

My Commission Expires: _____

(Notary Seal)



IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

[Signature]
Witness Signature

James A Crunden
Printed Name of First Witness

[Signature]
Witness Signature

Kristen W. Aranz
Printed Name of Second Witness

[Signature]
Mark C. D'Zamko

Grantor Address:
7810 Bridgestone Terrace
Jacksonville, FL 32216-1434

State of Florida
County of Duval

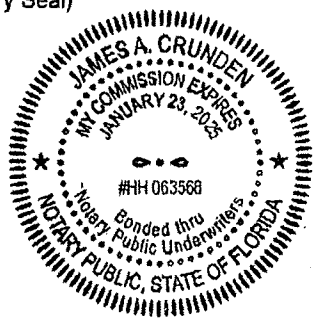
THE FOREGOING instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of September, 2021, by Mark C. D'Zamko who has produced his driver's license as identification.

[Signature]
Notary Public - State of Florida

James A Crunden
Name of Notary Typed, Printed or Stamped

My Commission Expires: JAN 23, 2025

(Notary Seal)

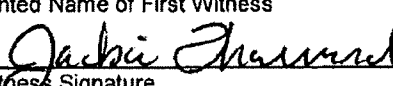


IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

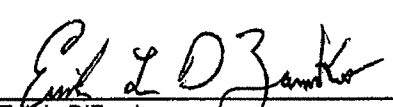
Signed, sealed and delivered in presence of:

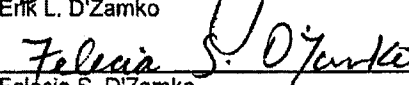

Witness Signature

Doug Thurmond
Printed Name of First Witness


Witness Signature

Jackie Thurmond
Printed Name of Second Witness


Erik L. D'Zamko


Felecia S. D'Zamko

Grantor Address:
146 Wildwood Place
Jefferson, GA 30549-2796

State of Georgia

County of JACKSON

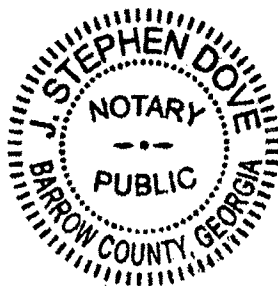
THE FOREGOING instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30 day of August, 2021, by Erik L. D'Zamko and Felecia S. D'Zamko who is personally known to me or who have produced Drivers License as identification.


Notary Public, State of Georgia

J Stephen Dove
Name of Notary Typed, Printed or Stamped

My Commission Expires: 2/10/2024

(Notary Seal)



IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Kelli Garrett
Witness Signature

Kelli Garrett
Printed Name of First Witness

[Signature]
Witness Signature

MATTHEW YATES
Printed Name of Second Witness

Jill F. D'Zamko-White
Jill F. D'Zamko-White

Grantor Address:
480 Matuskovic Drive
Charleston, SC 29414-8514

State of South Carolina

County of

Charleston

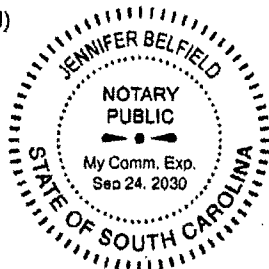
THE FOREGOING instrument was acknowledged before me by means of (☒) physical presence or (☐) online notarization, this 26 day of August, 2021, by Jill F. D'Zamko-White who is personally known to me or who has produced SC ID as identification.

[Signature]
Notary Public, State of South Carolina

Jennifer Belfield
Name of Notary Typed, Printed or Stamped

My Commission Expires: September 24, 2030.

(Notary Seal)



Site plan for 11th Avenue N showing an existing 1-story dwelling unit, a proposed swimming pool, and a proposed concrete deck. The plan includes dimensions for setbacks, lot area, and building footprint.

Setbacks:

- Front Setback: 11.5'
- Side Setback: 5'
- Back Setback: 10'

Proposed Features:

- PROPOSED SWIMMING POOL: 26' x 12'
- PROPOSED CONCRETE DECK: 30' x 7.5'

Existing Features:

- EXISTING 1 STORY DWELLING UNIT: 30' x 14.4'
- EXISTING DRIVEWAY: 25' x 10.2'

Dimensions and Bearings:

- Top Boundary: N80°15'30"E 75.00'
- Left Boundary: N09°44'30"W 110.00'
- Right Boundary: S08°44'30"E 110.00'
- Bottom Boundary: N80°15'30"W 75.00'

11TH AVENUE N

Proposed lot coverage: 4,114 (50%)



REVISION	DATE

PROJECT:
529 11th Ave N.
Jacksonville Beach,
FL 32250

SITE PLAN

SCALE: 1/16" = 1'-0"

RECEIVED
22-100160
AUG - 3 2022

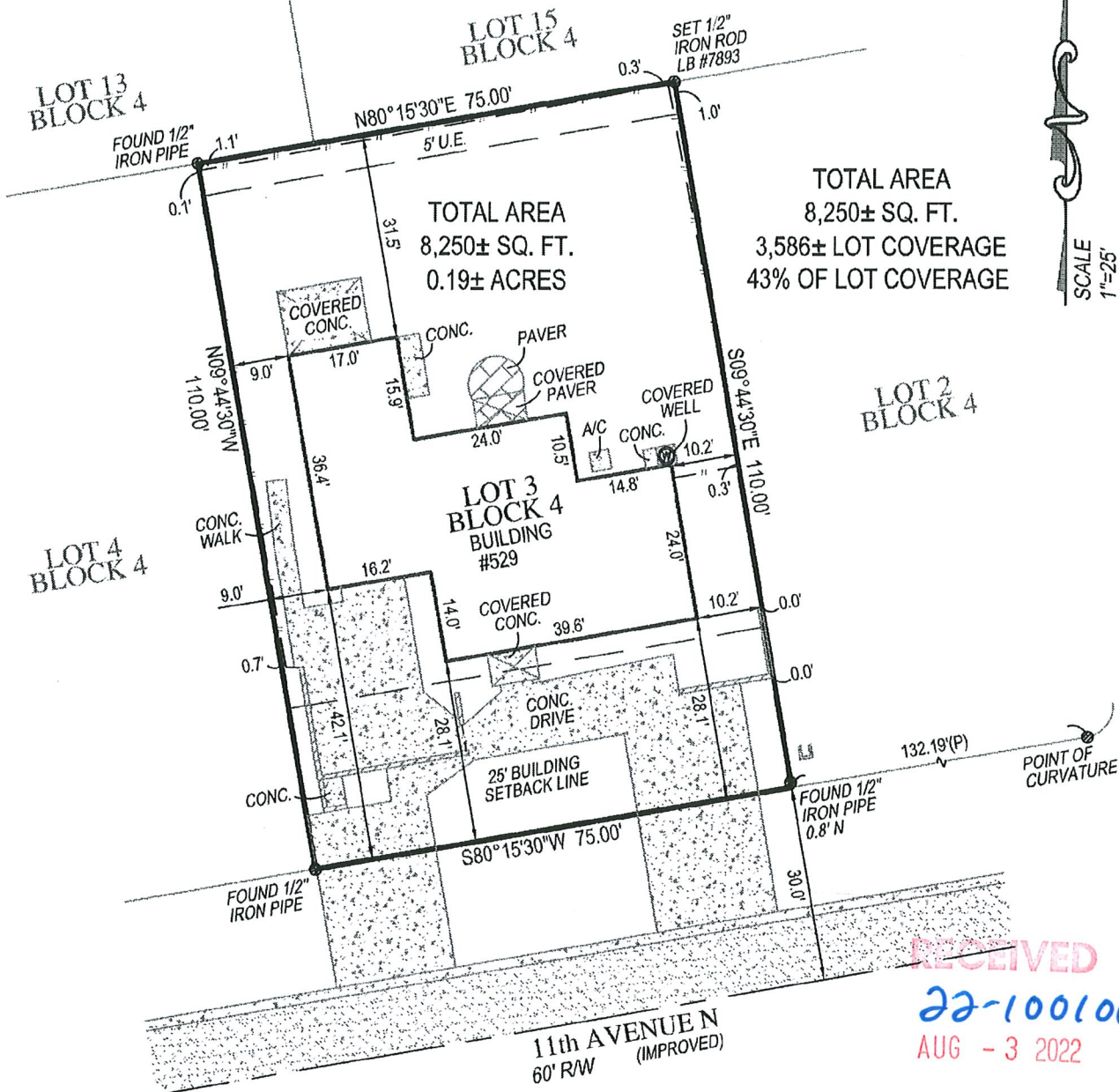
~~PLANNING & DEVELOPMENT~~



C-1

EXISTING

BOUNDARY SURVEY



SURVEY NOTES

CONCRETE DRIVE CROSSES THE PROPERTY LINE ON SOUTHERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY AND THEY CROSS INTO THE 5' U.E. ON NORTHERLY SIDE OF LOT.

REVISION/ADD LOT COVERAGE PERCENTAGE....8/19/2021

RECEIVED

22-100100

AUG - 3 2022



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

Kennth J. Osborne
Digitally signed by
Kenneth J. Osborne
Date: 2021.08.19
14:46:06 -04'00'

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100101

Zoning: RS-1
RE: 175036-0020
Legal: Part of Lot 2, Block 6, Beaches Homesites Unit 1
Address: 517 Patricia Lane

Request

Section(s): 34-336(e)(1)(c)2, for a side-yard setback of 7.5 feet for the western side yard and 9 feet for the eastern side-yard in lieu of 10 feet minimum; and 34-336 (e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new swimming pool deck and to rectify existing non-conformities at an existing single-family dwelling

Existing Conditions

The subject property is part legal of nonconforming lot (circa 1948) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The lot is irregular in shape, with a side yards that measure 122 feet in depth, a rear yard of 105 feet in width and a front yard of roughly 65 feet in width. The lot area is 10, 167 square feet. The lot is substandard in width only per the RS-1 zoning district standards. The subject lot is technically the southern half of the historic lot of record. The lot appears to have been subdivided in 2016 based on property records. In 2017, the property was given a variance for rear yard setbacks to allow for an addition to the existing home. Subsequent to that, the applicant applied for a pool permit in 2017 for a coping only pool. Sometime between the pools construction and present, the applicant added a paver pool deck that brought the lot coverage to 45%.

BOA#17-100132 for a rear yard of 25 feet in lieu of 30 feet minimum for a rear addition. No active code enforcement.

Staff Analysis

The subject property has a complicated history. The lot was split to allow for construction of a new home on the new northern lot, leaving the existing home on the current portion of the historic lot. The lot is pie shaped, with a narrow front and only 75 feet of width at the front plane of the house, which is less than the required 90 feet. The lot, once split, left the subject property with just over the minimum lot area for RS-1, meaning there is no hardship for lot coverage. At the time of pool permitting, the home appeared to be at or near 35% lot coverage. The existing pool



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

decking accounts for roughly 1,000 square feet +/- . The second request, for side yard setback is an existing nonconformity of the existing house, one foot closer to the side yard than required in the RS-1 zoning standards.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width, and therefore a hardship exists for the side yard setback request. There is not a hardship with regards to lot area, as the current lot meets the minimum of lot area for RS-1.

2. **Special circumstances and conditions do not result from the actions of the applicant**

Staff **does** find that circumstances are a result of the applicant. Although the lot is substandard in width, and the side yard setback is not the result of the



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applicant, the addition of unpermitted pool decking is a result of the applicant's actions and would constitute a self-imposed hardship.

3. **Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district**

Staff finds that the proposed variance **will not** confer special privileges. The use of the rear yard for accessory uses and structures is a common allowable use in the RS-1 zoning district.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship**

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing nonconformities coupled with the substandard nature of the lot would mean the side yard setback would warrant relief from the RS-1 standards, however approval of the lot coverage in excess of 35% when the lot meets the minimum lot size required by RS-1 standards not deny the applicant any rights commonly enjoyed, as the ability to exceed lot coverage should be tied to a hardship.

5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff **does not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The minimum variance needed is the reduction in side yard setback to address the existing nonconformity. The pool deck, though existing, is not tied to a hardship and should not have exceeded the 35% maximum lot coverage for RS-1.

6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

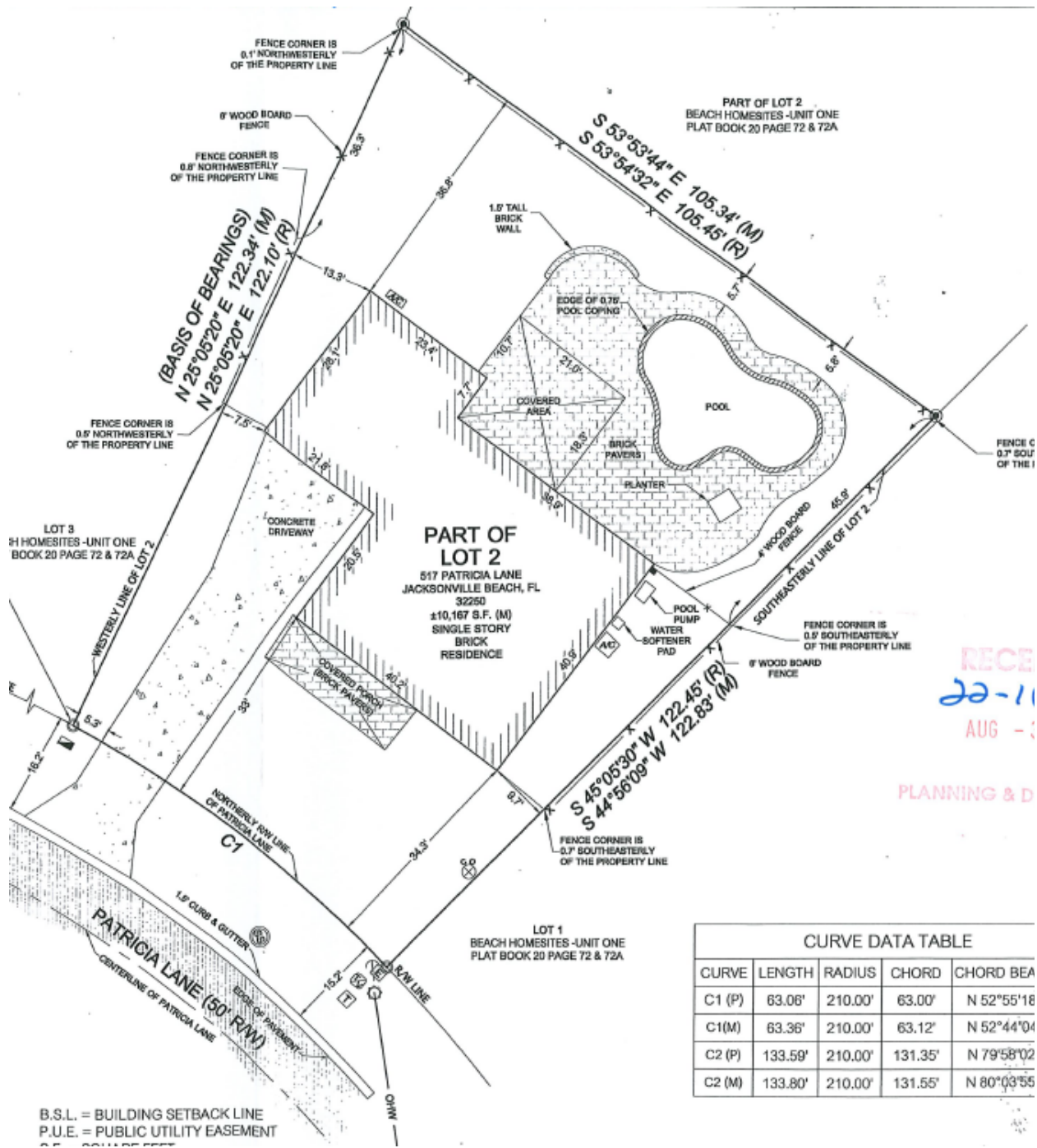
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100101 for side yard setback reduction only.**

Location Map (property boundaries are representative only)



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100101
HEARING DATE 9-20-22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

- ✓ 1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
- ✓ 2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
- ✓ 3. Proof of ownership (copy of deed or current property tax notification).
- ✓ 4. Copy of any previous variance and/or conditional use approval letters.
- ✓ 5. If applicant is not owner, notarized written authorization from owner is required.
- ✓ 6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED
14:55
AUG 3 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Robert Twigg Telephone: (904) 580-0370
Mailing Address: 517 Patricia Lane E-Mail: twiggtreecare@gmail.com
Jax Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Robert Twigg Telephone: (904) 580-0370
Mailing Address: 517 Patricia Lane E-Mail: twiggtreecare@gmail.com
Jax Beach, FL 32250

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 517 Patricia Lane / 175036-0020
Legal description of property (Attach copy of deed): _____
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

45% Lot Coverage Pool Deck

AFFIDAVIT

I, Robert Twigg, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

APPLICANT SIGNATURE

PRINT APPLICANT NAME

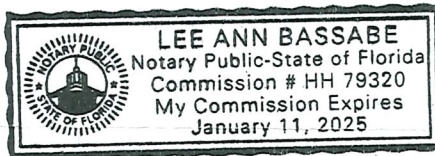
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of August, 2022, by Robert L. Twigg, who is personally known to me or produced FL Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X/X-shaded

CODE SECTION (S):

34-336(e)(1)(c)2, for a side-yard setback of 7.5 feet for the western side yard and 9 feet for the eastern side-yard in lieu of 10 feet minimum; and 34-336 (e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new swimming pool deck and to rectify existing non-conformities at an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-10010

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Previous owner split original lot to minimum lot size leaving house & driveway covering approx. 34% of lot leaving 1% left. House had two additions added to it before lot split was ever done.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The lot split was done by previous owners before I purchased the property.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	I installed a pool with a paver deck patio pushing the property over coverage limits.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	This is the only lot in the neighborhood that has been split. All neighbors have original size lots.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Plan is to remove approx. 40sqft. of driveway when the new one is installed. And if necessary some of the pool deck pavers can be removed.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Not doing any non-residential uses with property.

Prepared by and return to:

Marc Anderson

Ponte Vedra Title, LLC

50 A1A North, Suite 108

Ponte Vedra Beach, FL 32082

File Number: PVT160654

RECEIVED
22-100101

AUG - 3 2022

PLANNING & DEVELOPMENT

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 11th day of July, 2016, between **Mia C. Fienemann, a single woman** whose post office address is **4090 Hodges Blvd. Apt. 3711, Jacksonville, FL 32224**, grantor, and **Robert L. Twigg and Alcola Twigg, husband and wife** whose post office address is **517 Patricia Lane, Jacksonville Beach, FL 32250**, grantee:

(Whenever used herein the terms "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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County, Florida**, to-wit:

A part of Lot 2, Block 6, Beach Homesites- Unit One, as recorded in Plat Book 20, Pages 72 and 72A, of the current Public Records of Duval County, Florida, being more particularly described as follows:

For a point of beginning, commence at the Southwest corner of said Lot 2; thence North 25°05'20" East along the westerly line of Lot 2, a distance of 122.10 feet; thence South 53°54'32" East, a distance of 105.45 feet to the Southeasterly line of Lot 2; thence South 45°05'30" West, along said Southeasterly Line of Lot 2, a distance of 122.45 feet to a point on the Northerly Right of Way of Patricia Lane (a 50.00 foot Right of Way), said point lying on a curve concave to the Southwest and having a radius of 210.00 feet; thence Northwesterly along the arc of said curve and along said right of way line a distance of 63.06 feet and having a chord bearing of North 52°55'18" West and a chord distance of 63.00 feet to the point of beginning.

Parcel Identification Number: 1750360000

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.

SUBJECT TO covenants, conditions, restrictions, easements of record and taxes for the current year.

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 as specified herein.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR OR HAS A BENEFICIAL INTEREST IN THE SALE OF THE PROPERTY DESCRIBED IN THIS WARRANTY DEED.

Signed, sealed and delivered in our presence:

Witness 1 Signature

Justin G. Cerrato
Witness 1 Printed Name

Mia C. Fienemann
Mia C. Fienemann

Witness 2 Signature

Jolyn Clark
Witness 2 Printed Name

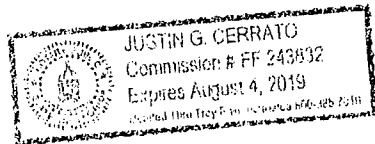
State of

Florida

County of

St. Johns

The foregoing instrument was acknowledged before me this 11 day of July, 2016, by Mia C. Fienemann, a single woman, she () is personally known to me or (☒) has produced Fi De as identification.



Notary Public

Printed Name:

Justin G. Cerrato

My Commission Expires:

8/4/19



CERTIFIED MAIL# 7016 1370 0001 1148 9773

Reference

RECEIVED
22-100101
AUG - 3 2022

PLANNING & DEVELOPMENT

City of
Jacksonville Beach

City Hall
11 North Third Street
Jacksonville Beach
FL 32250

Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net

www.jacksonvillebeach.org

September 13, 2017

Robert Twigg
517 Patricia Lane
Jacksonville Beach, FL 32250

RE: BOA# 17-100132
517 Patricia Lane
(Lot 2, Block 6, *Beach Homesite Unit 1*)

Dear Mr. Twigg,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Wednesday, September 6, 2017, to consider your application for a variance from the requirements of the Land Development Code.

As indicated in the application, the request was for the following:

- 34-336(e)(1)c.3., for a rear yard setback of 25 feet, in lieu of 30 feet required;

To allow for a room addition to an existing single-family dwelling.

The Board **approved** the request, as written, stated and presented.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when submitting any future development or building permit applications. If you have any questions regarding any information contained in this letter, please feel free to call me at (904) 247-6235.

Sincerely,

William C. Mann III, AICP
Planning and Development Director



BOUNDARY SURVEY

A PART OF LOT 2, BLOCK 6, BEACH HOMESITES- UNIT ONE, AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 25°05'20" EAST ALONG THE WESTERLY LINE OF LOT 2, A DISTANCE OF 122.10 FEET; THENCE SOUTH 53°54'32" EAST, A DISTANCE OF 105.45 FEET TO THE SOUTHEASTERLY LINE OF LOT 2; THENCE SOUTH 45°05'30" WEST, ALONG SAID SOUTHEASTERLY LINE OF LOT 2, A DISTANCE OF 122.45 TO A POINT ON THE NORTHERLY RIGHT OF WAY OF PATRICIA LANE (A 50.00 FOOT RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE TO SOUTHWEST AND HAVING A RADIUS OF 210.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 63.06 FEET AND HAVING A CHORD BEARING OF NORTH 52°55'18" WEST AND CHORD DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING.

SURVEYORS NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF BEACH HOMESITES -UNIT ONE, A VALUE OF N25°05'20"E FOR THE WESTERLY LINE OF LOT 2, AS RECORDED IN PLAT BOOK 20, PAGES 72 & 72A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.
2. NO UNDERGROUND INSTALLATION OF UTILITIES OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. THE SURVEYOR HAS NO KNOWLEDGE OF UNDERGROUND FOUNDATIONS WHICH MAY ENCROACH.
4. MONUMENTATION SHOWN HEREON MAY BE EXAGGERATED FOR PICTORIAL PURPOSES ONLY AND MAY NOT BE SHOWN TO SCALE.
5. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN, AND NO SEARCH OF THE PUBLIC RECORDS HAS BEEN DONE BY THE SURVEYOR.
6. INFORMATION FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, (F.E.M.A.) FLOOD INSURANCE RATE MAP(S), SHOWN ON THIS MAP WAS CURRENT AS OF THE REFERENCED DATE. MAP REVISIONS AND AMENDMENTS ARE PERIODICALLY MADE BY LETTER AND MAY NOT BE REFLECTED ON THE MOST CURRENT MAP.
7. IN THE OPINION OF THIS SURVEYOR, THE PERIMETER LINES AS SHOWN HEREON REPRESENT THE LOCATION OF THE BOUNDARY LINES OF THE SUBJECT PARCEL IN RELATION TO THE DESCRIPTION OF RECORD AND THOSE EXISTING LAND CORNERS FOUND TO BE ACCEPTABLE BY THIS SURVEYOR.

8. TOTAL LOT SQUARE FOOTAGE	= 10,167±
PERVIOUS AREA	= 5,538±
IMPERVIOUS AREA SQUARE FOOTAGE	= 4,629±
IMPERVIOUS AREA LOT COVERAGE	= 45.5%

FLOOD ZONE NOTE:

THIS PROPERTY IS LOCATED IN FEDERAL FLOOD ZONE "X", (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), BASE ON THE F.E.M.A. FLOOD MAP PANEL #12031C04417H, EFFECTIVE JUNE 3RD, 2013.

LEGEND:

- 6" YARD DRAIN
- ELECTRIC BOX
- GUY ANCHOR
- WOODEN POWER POLE
- TELEPHONE PEDESTAL
- FOUND 1/2" IRON PIPE & CAP STAMPED "LB 3672"
- FOUND 1/2" IRON PIPE NO CAP
- AIR CONDITIONER
- CLEANOUT
- WATER METER
- CABLE TELEVISION BOX
- SANITARY SEWER MANHOLE
- CONCRETE SURFACE
- ASPHALT SURFACE
- BRICK SURFACE
- FENCE (SIZE AND TYPE AS NOTED)
- CALCULATED POINT
- OHW = OVERHEAD WIRE

B.S.L. = BUILDING SETBACK LINE
P.U.E. = PUBLIC UTILITY EASEMENT
S.F. = SQUARE FEET
SW.E. = SIDEWALK EASEMENT
PR.U.E. = PRIVATE UTILITY EASEMENT
P.C. = POINT OF CURVATURE
R/W = RIGHT-OF-WAY
(P) = DATA BASED PM PLAT OF RECORD
(M) = DATA BASED ON FIELD MEASUREMENTS
(L) = DATA BASED ON THE LEGAL DESCRIPTION
(R) = PER RECORD DESCRIPTION
P.O.B. = POINT OF BEGINNING
P.T. = POINT OF TANGENCY

P.O.B.
(SOUTHWEST CORNER
OF LOT 2)

P.T. ON R/W IN FRONT
OF LOT 5

R/W LINE
C2

WESTERLY LINE OF LOT 2

NORTHERLY R/W LINE
OF PATRICIA LANE

C1

PATRICIA LANE (50' R/W)

EDGE OF PAVEMENT

1.5' CURB & GUTTER

OHW

(BASIS OF BEARINGS)
N 25°05'20" E 122.34' (M)
N 25°05'20" E 122.10' (R)

FENCE CORNER IS
0.5' NORTHWESTERLY
OF THE PROPERTY LINE

FENCE CORNER IS
0.8' NORTHWESTERLY
OF THE PROPERTY LINE

FENCE CORNER IS
0.1' NORTHWESTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

1.5' TALL
BRICK WALL

EDGE OF 0.75'
POOL COPING

COVERED
AREA

BRICK
PAVERS

PLANTER

POOL

WATER
PUMP

SOFTENER
PAD

4" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.5' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

FENCE CORNER IS
0.7' SOUTHEASTERLY
OF THE PROPERTY LINE

6" WOOD BOARD
FENCE

SOUTHEASTERLY LINE OF LOT 2

45.9'

PART OF LOT 2
517 PATRICIA LANE
JACKSONVILLE BEACH, FL
32250
±10,167 S.F. (M)
SINGLE STORY
BRICK
RESIDENCE

LOT 1
BEACH HOMESITES- UNIT ONE
PLAT BOOK 20 PAGE 72 & 72A

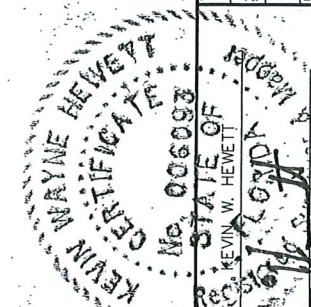
CURVE DATA TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1 (P)	63.06'	210.00'	63.00'	N 52°55'18" W.
C1 (M)	63.36'	210.00'	63.12'	N 52°44'04" W.
C2 (P)	133.59'	210.00'	131.35'	N 79°58'02" W.
C2 (M)	133.80'	210.00'	131.55'	N 80°03'55" W.

GRAPHIC SCALE
0 5 10 20



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PLANNING & DEVELOPMENT



This map prepared by:
Certificate of Authorization No. LB 5075
NOT VALID WITHOUT THE SIGNATURE AND
ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER

SHEET NO.
1 OF 1

ROBERT L. TWIGG
ALCOLA TWIGG

PROJECT NUMBER:
18-0377

TECHNICAL:
NAD
CREW CHIEF:
WP
CHECKED BY:
KWH
FIELD BOOK & PAGE:
JAX 0821

REVISION DATE:
8/22/2018

REVISION DATE:
08/21/18

ADDED COVERED PATIO

PROJECT NUMBER:
18-0377

TECHNICAL:
NAD

CREW CHIEF:
WP

CHECKED BY:
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WP

CHECKED BY:
KWH

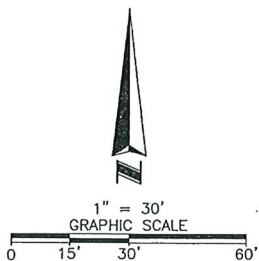
FIELD BOOK & PAGE:
JAX 0821

REVISION DATE:
8/22/2018

REVISION DATE:
08/21/18

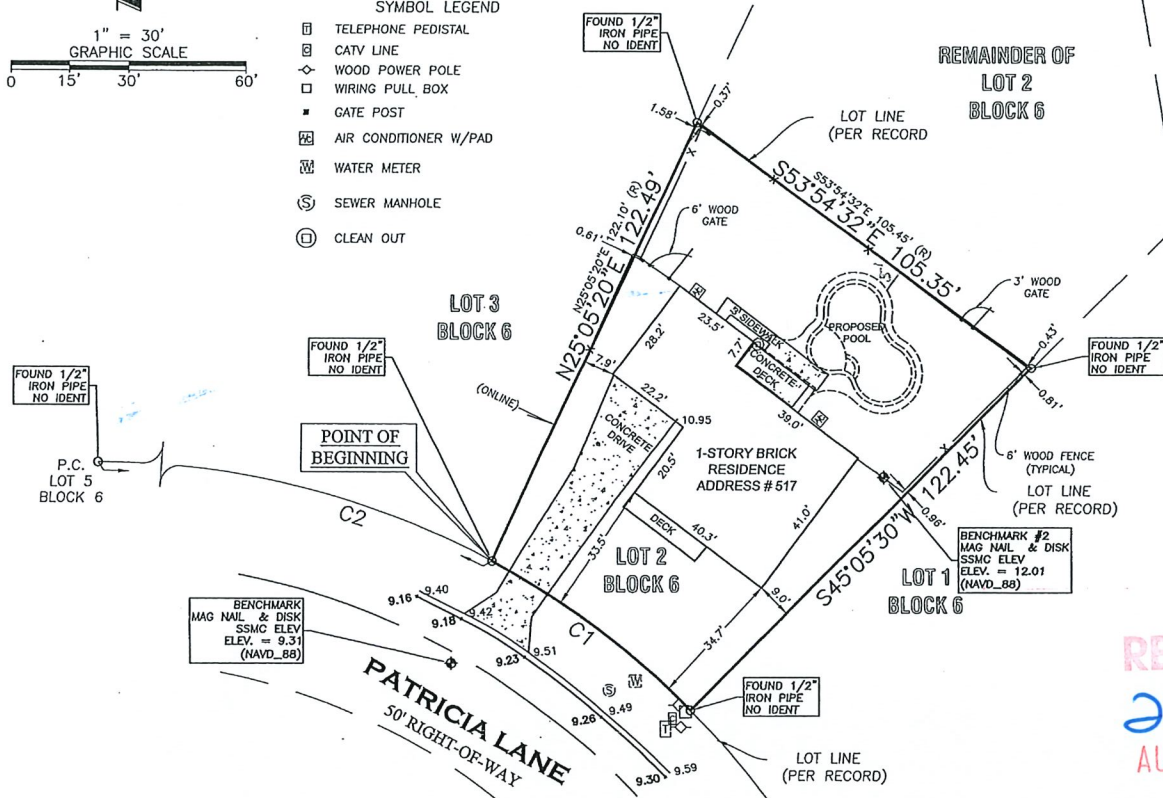
ADDED COVERED PATIO

EXISTING



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1(W)	63.15'	210.00'	17°13'44"	N53°15'01"W	62.91'
C1(R)	63.24'	210.00'	17°15'14"	N52°55'15"W	63.00'
C2(R)(W)	133.60'	210.00'	36°27'01"	N80°05'24"W	131.36'

SYMBOL LEGEND	
[Symbol]	TELEPHONE PEDISTAL
[Symbol]	CATV LINE
[Symbol]	WOOD POWER POLE
[Symbol]	WIRING PULL BOX
[Symbol]	GATE POST
[Symbol]	AIR CONDITIONER W/PAD
[Symbol]	WATER METER
[Symbol]	SEWER MANHOLE
[Symbol]	CLEAN OUT



OR = OFFICIAL RECORDS
Pg. = PAGE
ELEV = ELEVATION

LEGEND & ABBREVIATIONS
NAVD_88 = NORTH AMERICAN DATUM OF 1988
(R) = RECORD
DES. = DESIGN ELEVATION
EX = EXISTING ELEVATION
ELEV = ELEVATION

RW = RIGHT OF WAY
LB = LICENSE BUSINESS
SAN. = SANITARY
C.O. = CLEAN OUT
OHL = OVERHEAD ELECTRIC LINE

LEGAL DESCRIPTION: (O.R.B. 17636, PG 127)

A part of Lot 2, Block 6, Beach Homesites-Unit One as recorded in Plot Book 20, Pages 72 and 72A, of the current Public Records of Duval County, Florida, being more particularly described as follows:

For a point of beginning, commence at the Southwest corner of said Lot 2; thence North 25°05'20" East along the westerly line of Lot 2, a distance of 122.10 feet; thence South 53°54'32" east, a distance of 105.45 feet to the Southeastery line of Lot 2; thence South 45°05'30" West, along said Southeastery line of Lot 2, a distance of 122.45 feet to a point on the Northerly Right of Way of Patricia Lane (a 50.00 foot Right of Way), said point lying on a curve concave to the Southwest and having a radius of 210.00 feet; thence Northwest along the arc of said curve and along said right of way line a distance of 63.06 feet and having a chord bearing of North 52°55'18" West and a chord distance of 693.00 feet to the point of beginning.

SURVEYOR'S REPORT:

- Utility locations if shown hereon are based on field location of markings by utility company representatives, surface features and construction plans furnished to the surveyor. Additional sub-surface utilities may exist that have not been field located.
- Easements or rights of way that appear on recorded plans or that have been furnished to the surveyor by others have been incorporated into this drawing with appropriate notation. Other easements may be discovered by a search of the Public Records.
- Minimum Horizontal Accuracy for this survey is in accordance with the STANDARDS OF PRACTICE set forth by the Board of Professional Surveyors and Mappers in Chapter 5J-17 requirements of Florida Administration Code. The map and measurement methods used for this survey meet or exceed this requirement. The dimensions shown hereon are in United States standard feet and decimals thereof.
- This survey does not determine ownership of the lands shown hereon.
- Underground foundations have not been located.
- Survey map and report or the copies thereof are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.
- Features shown by symbol as indicated in the legend are not to scale.
- Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- Bearings shown hereon are based upon the westerly line of Lot 2 being N25°05'20"E per deed. Angles and distances shown hereon are measured unless otherwise noted.
- Vertical information shown hereon refers to North American Vertical Datum of 1988 (NAVD_88). Referenced Benchmark is NGS BM-688 PID DL 5736, Elev = 9.94.
- This Survey was performed without benefit of an abstract, title search, title opinion or title commitment. A title search may reveal additional information affecting the parcel as shown.
- Unless shown, only those visible features found within the boundaries of this survey or in the immediate vicinity of the above described parcel boundary have been located.
- Right of Way information shown hereon was determined by found monumentation, recorded plats, and information obtained on the Duval County Property Appraisers web site.
- This is a multi sheet survey and as such is not valid or complete without all sheets.

NOTICE OF LIABILITY:

This survey is certified to those individuals shown on the face thereof. Any other use, benefit or reliance by any other party is strictly prohibited and restricted. Surveyor is responsible only to those certified and hereby disclaims any other liability and hereby restricts the rights of any other individual or firm to use this survey, without express written consent of the surveyor.

Certified to: ROBERT TWIG		REVISION DATE 11/06/17 11/15/17		REVISION ADDED REAR PROPOSED POOL DIMENSIONS TO BOUNDARY LINE RELOCATED POOL 5' OFF REAR PROPERTY LINE PER CUSTOMERS REQUEST		BY CKM CKM	
DRAWING NUMBER 61764001		BOUNDARY AND TOPOGRAPHIC SURVEY Project: 517 PATRICIA LANE JACKSONVILLE BEACH, FL 32250		SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 8641 Baypine Road, Suite 5 Jacksonville, Florida 32256 (904) 737-6990 Fax (904) 737-6995 e-mail: info@ssmc.us			
SHEET NUMBER 1 OF 2		Survey Date: 10/09/17		Drawn By: CKM		Scale: 1"=30'	

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PLANNING & DEVELOPMENT

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17-2025
PLANNING & DEVELOPMENT



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#22-100102

Zoning: RS-1
RE: 179997-7095
Legal: Lot 19, Block 1, Oakbreeze Cove
Address: 1706 Oakbreeze Lane

Request

Section(s): 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-373(d), for a zero-foot driveway setback along the south property line in lieu of 5 feet minimum required, to allow for the enlargement and enclosure of an existing screened porch attached to an existing single-family dwelling and rectify a non-conforming driveway

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1989) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is uniquely shaped, with a very wide rear property line and a very narrow front property line along a cull-du-sac curve. The lot measures 215 feet at the rear yard, 115 feet deep at the northern side yard, 157 feet deep at the southern side yard, and roughly 40-45 feet at the front property line. The shape the lot means the actual depth is roughly 100 feet from front to back. The lot area is 13,939 square feet. The home meets the current setbacks for the front and rear yards. This leaves 50 feet in depth for the home. The home was constructed in 1992, and was built 32 feet from the rear property line to the rear wall. In 1994 a variance was granted for a rear yard of 22 feet in lieu of 30 for the construction of a screen room, and was conditioned that 60% of the structure be open screen. Additionally, at the time of purchase, the driveway had been widened and now goes up to the southern side yard property rather than being set back 5 feet as required. The applicant, who purchased the home in January of 2022 has requested setback relief for the driveway. Additionally the applicant is requesting to enclose the rear screen room and extend it two feet into the rear yard, making the rear setback 20 feet instead of the previously approved 22 feet.

BOA#36-94 for a rear yard of 22 feet in lieu of 30 for a screen room **must be 60% ventilated.** , no active code enforcement.



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Staff Analysis

The applicant recently purchased this home in 2022. The lot, platted in 1989, is oddly shaped with some very wide side yards, but a rather narrow rear yard given the overall area of the property. The lot is larger than the minimum lot size for the RS-1 zoning district, and the proposed improvements would be at or below 35% lot coverage. The applicant purchased the property with the driveway encroachment already on site. Additionally, the previously approved variance has specific limitations on the design of the screen room which the applicant would need removed to enclose the area. The main hardship for this property is the shape. The lot is platted in such a way as to maximize the side yards and not the rear yard. Partially this is due to the city owned drainage canal behind the rear of this property, limiting the amount the lot could go rearward. This means that unless the applicant wished to expand their home into the side yard, the face limitations on future expansion to the rear. Additionally the previous approval placed an undue hardship on the owner by requiring a specific design element be applied to the setback encroachment.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.



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Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is unique in shape and previous variance approvals placed overly specific conditions on the previous approval based on design.

2. **Special circumstances and conditions do not result from the actions of the applicant**

Staff **does not** find that circumstances are a result of the applicant. The lot is unique in shape and the location of the existing house, balanced between the front yard setback and the rear yard setback leaves little room for rearward expansion. The applicant did not create the limits of the platted lot nor did they request the highly specific limitations placed on the previous variance. The driveway too, was put in place by the previous owner.

3. **Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land, buildings, or structures, in the same zoning district**

Staff finds that the proposed variance **will not** confer special privileges. The ability to have accessory uses are a common use allowed in the residential zoning districts. Particularly in RS-1, where the lot size would allow for accessory uses, the unique shape of of the lot limits usage of the rear yard for such uses without relief.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship**

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing nonconformities coupled with the unique shape of the lot deprives the owner of the right to have an accessory use in their rear yard, something commonly enjoyed by owners located in the RS-1 zoning district.

5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**



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Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The requested variance addresses the existing nonconformity regarding the driveway setback, and additionally removes the overly specific condition placed on past approval for the screen enclosure. Additionally the two feet of extra encroachment is needed for the enclosure of the screen room.

- 6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

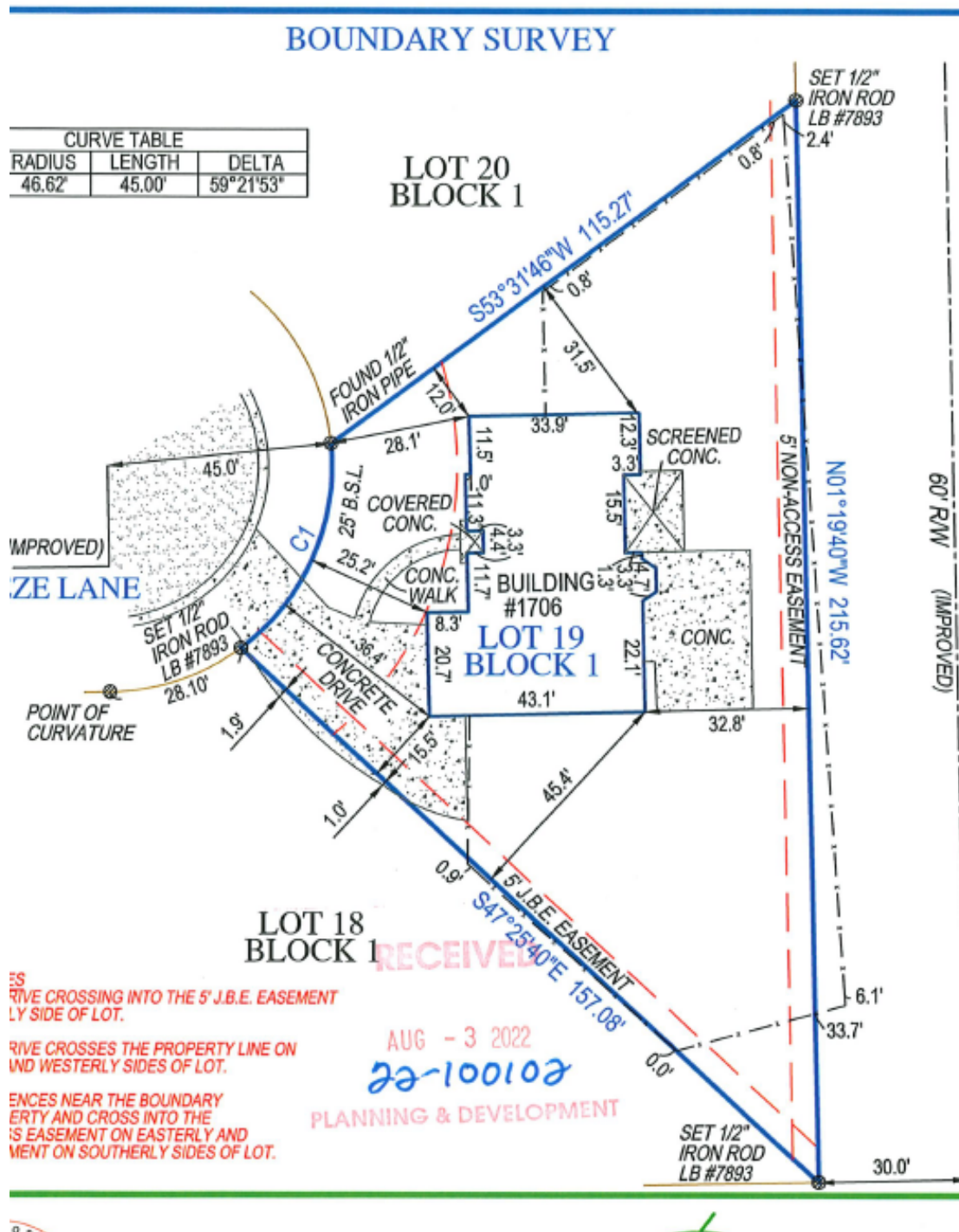
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100102**

Location Map (property boundaries are representative only)





[illegible]



APPLICATION FOR VARIANCE

BOA No. 22-100102
HEARING DATE 9-20-22

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

- ✓ 1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
- ✓ 2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
- ✓ 3. Proof of ownership (copy of deed or current property tax notification).
- ✓ 4. Copy of any previous variance and/or conditional use approval letters.
- 5. If applicant is not owner, notarized written authorization from owner is required.
- 6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
- 7. Completed application.

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PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Steven Boyer **Telephone:** (810) 429-8606
Mailing Address: 695 A1A N #55 **E-Mail:** steven_boyer@hotmail.com
Ponte Vedra Beach FL 32082
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Steven Boyer **Telephone:** (810) 429-8606
Mailing Address: 695 A1A N #55 **E-Mail:** steven_boyer@hotmail.com
Ponte Vedra Beach FL 32082

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property and Real Estate Number: 1706 Oakbreeze Lane Jacksonville Beach FL 32250 RE# 179997-7095
Legal description of property (Attach copy of deed): See the attached deed
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Backyard setback of 20ft in lieu of 30ft to construct a sunroom.
Southern Sideyard setback of 0ft in lieu of 10ft to accomodate existing driveway addition.

AFFIDAVIT

I, Steven Boyer, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

[Signature]
APPLICANT SIGNATURE

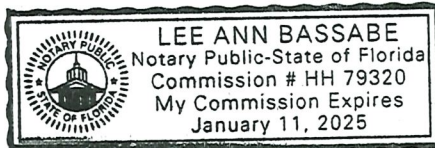
Steven Boyer
PRINT APPLICANT NAME

8/3/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of August, 2022, by Steven Boyer, who is personally known to me or produced FL Drivers License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Lee Ann Bassabe
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):
34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-373(d), for a zero-foot driveway setback along the south property line in lieu of 5 feet minimum required, to allow for the enlargement and enclosure of an existing screened porch attached to an existing single-family dwelling and rectify a non-conforming driveway

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100102

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The lot is nearly a third of an acre, however due to its triangular shape and the placement of the house within standard set backs there is minimal space to construct a sunroom or additional off street parking.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The lot is triangle shaped, with the back of the home set back 32.8'. The driveway addition was built by a previous owner.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Glass sun rooms/patios, and additional off street parking are not prohibited by the code.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Glass sun rooms are a common feature of many Jacksonville Beach homes, and are typically built onto the back of the home. Additionally, building additional parking is common to reduce on street parking.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Demolishing the existing screen room, and building the glass room in its place increases the lot coverage by only 64 square feet, however is still under the 35% max coverage, building elsewhere would cause lot coverage to exceed 35%. Additionally, building it on either side of the home would result in the sun room having an entrance that could only be accessed via a bedroom. The additional parking spot already exists, having it removed would create financial hardship.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The variances are consistent with the plan. The set back variance will not adversely affect adjacent land. The land directly behind the home is a drainage ditch.

Prepared By:

Gibraltar Title Services, LLC
4190 Belfort Rd., Suite 475
Jacksonville, FL 32216

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AUG - 3 2022

Return To:

Gibraltar Title Services, LLC
4190 Belfort Rd., Suite 475
Jacksonville, FL 32216

PLANNING & DEVELOPMENT

Order No.: GTS-21121819

Property Appraiser's Parcel I.D. (folio) Number:
179997-7095

WARRANTY DEED

THIS WARRANTY DEED dated January 5, 2022, by Tonya Vincent, and Richard Negron, a married couple, whose post office address is 850 Loan Lake Drive, Jacksonville, Florida 32225-5911 (the "Grantor"), to Steven Daniel Boyer and Garima Srivastava, husband and wife, whose post office address is 1706 Oakbreeze Lane, Jacksonville Beach, Florida, 32250-2500 (the "Grantee").

(Wherever used herein the terms "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 And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Duval, State of Florida, viz:

Lot 19, Block 1, Oakbreeze Cove, according to the map or plat thereof, as recorded in Plat Book 45, Page(s) 11, 11A and 11B, of the Public Records of Duval County, Florida.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2021.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

[Signature]
Witness Signature

JAMES A CRUNDEN
Printed Name of First Witness

[Signature]
Witness Signature

Iika Goitia Sepulveda
Printed Name of Second Witness

[Signature]
Tonya Vincent

[Signature]
Richard Negrón

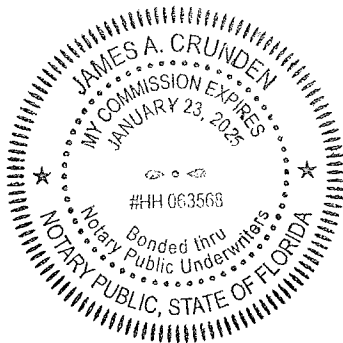
Grantor Address:
850 Loan Lake Drive
Jacksonville, FL 32225-5911

State of FL
County of St. Johns

THE FOREGOING instrument was acknowledged before me by means of (x) physical presence or () online notarization, this 5th day of January, 2022, by Tonya Vincent and Richard Negrón, a married couple who have produced drivers licenses as identification.

[Signature]
Notary Public:
My Commission Expires: JAN 23, 2025

[SEAL]



Reference

RECEIVED

22-100102

AUG 3 2022



City of Jacksonville Beach

PLANNING & DEVELOPMENT

904 / 249-2381

ELEVEN NORTH THIRD STREET

JACKSONVILLE BEACH, FLORIDA 32250

July 27, 1994

Mr. Carl Shank
1706 Oakbreeze Lane
Jacksonville Beach, FL 32250

RE: Case No. BOA-36-94
1706 Oakbreeze Lane

Dear Mr. Shank:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:30 p.m. Tuesday, July 19, 1994, to consider your variance application.

As indicated in the application, the variance requested was for a rear yard setback of 22 feet in lieu of the 30 feet required to allow construction of a screen room. Your request granted as written with the condition that the room remain 60% ventilated, if you wish to enclose the screen room at any time you will need to apply for another variance and re-appear before the Board.

You are required to obtain a building permit for this project. Please submit a building permit application along with two copies of your plans, which show construction detail and structural support, and two copies of your land survey to our office for review before you begin working on this project.

If you have any questions regarding this variance please feel free to call me at 904-247-6235.

Sincerely,

J. Lawrence Cooper, CBO
Building Official, City of Jacksonville Beach

JLC/ks:var-ap

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Dear Zoning Committee,

I am applying for a zoning variance to build a sunroom on the rear of my home. A variance was previously granted in 1994 for a rear set back of 22 feet in order to construct a screened in patio, however as I would like to increase the size, and enclose the patio, I am sending a new request.

My home was built with a rear set back of 32.8 feet, leaving little room for construction of a sunroom within standard setbacks. I am requesting a variance of 20 feet in lieu of the standard 30 feet. I have contracted with David Wesley's Patio Rooms provide the materials, and labor to build the sunroom.

- 1) The existing screen room, and concrete slab will be demolished.
- 2) A new slab will be poured that is approximately 16' X 16', and 4 inches thick.
- 3) The new sunroom will be stick built with insulated glass. It will extend off the rear of the home by 12', and be 16' wide.
- 4) The roof will be an insulated composite panel.
- 5) The structure will be guttered with appropriate downspouts applied.
- 6) The sunroom will be white.

Kind Regards,

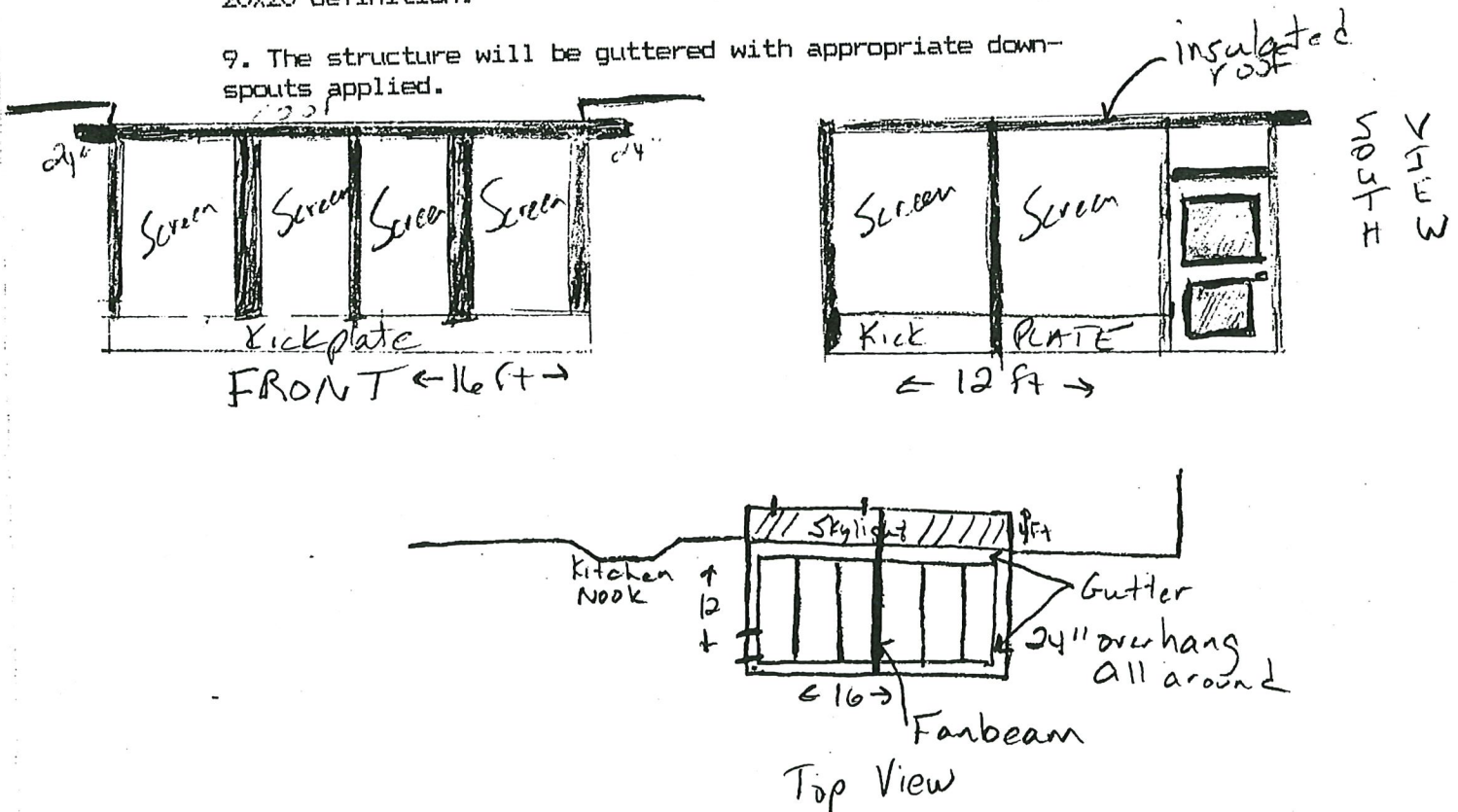
Steven Boyer

Carl A. Shank
1706 Oakbreeze Lane/Lot 19 246-8551

To Whom it May Concern:

Below are the statistics as well as a crude drawing of a patio enclosure that I wish to have constructed on my existing concrete pad. I have contracted with Aluminum Constructors of Jacksonville to provide the work after extensive review of quality and workmanship. I submit this letter for review and approval.

1. Concrete pad located entirely behind the house. Size is 16ft by 10ft.
2. The structure will be white in color so as to blend with the house color as well as match the windows of the house.
3. The structure consists of heavy gauge aluminum with stainless steel screws.
4. The roof of the structure will be insulated panels of a stucco nature.
5. Coming out from the house, the first four feet of the roofing system will be a tinted Lexon skylight. This will be 14ft in length.
6. A fan beam will transverse the roof.
7. A 20" kickplate surrounds the bottom of the structure.
8. Charcoal colored screening will be used and will be of 20x20 definition.
9. The structure will be guttered with appropriate downspouts applied.



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22-100100

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HOUSE - 1751

GARAGE - 420

DRIVEWAY - 1497

BACK PATIO - 704

SCREEN ROOM - 192 - NEW 256

SIDE COURT - 132

FOOT PATH - 111

PLANNING & DEVELOPMENT

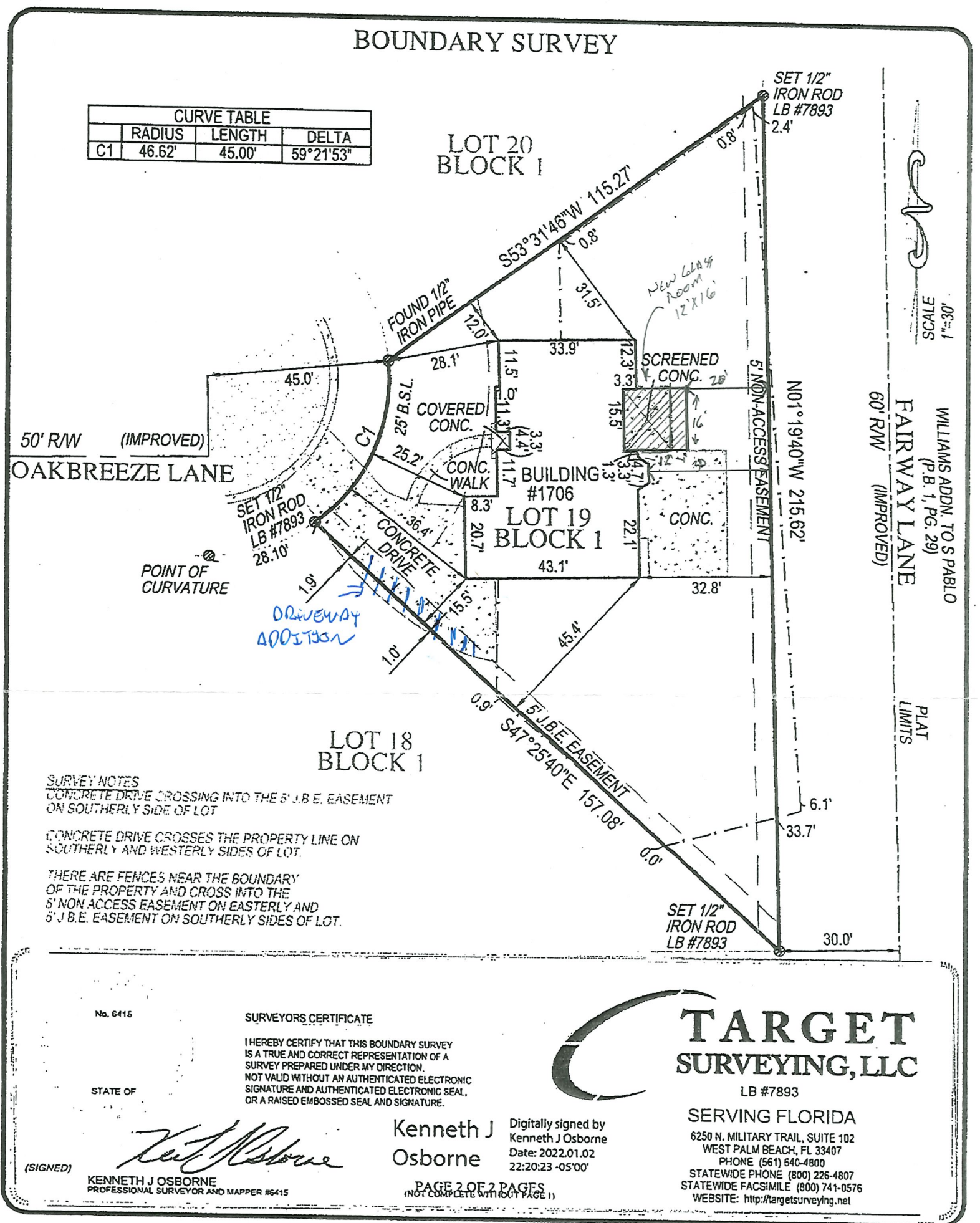
OLD - 4807 NEW - 4871

.32 ACRES = 13939

35% = 4878

New Survey
from 6-3-22

PROPOSED



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22-100102
AUG - 3 2022

PLANNING & DEVELOPMENT

LEGAL DESCRIPTION AND CERTIFICATION

LOT 19, BLOCK 1, OAKBREEZE COVE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 45, PAGE(S) 11, 11A AND 11B, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Community Number: 120078 Panel: 12031C0419 Suffix: J F.I.R.M. Date: 11/2/2018 Flood Zone: X/AE Field Work: 12/30/2021

Certified To:

STEVEN BOYER AND GARIMA SRIVASTAVA; GIBRALTAR TITLE SERVICES; VYSTAR CREDIT UNION

Property Address:

1706 OAKBREEZE LANE
JACKSONVILLE BEACH, FL 32250

Survey Number: 518325

Client File Number:

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ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
+ X.XX	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES.
- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102

WEST PALM BEACH, FL 33407

PHONE (561) 640-4800

STATEWIDE PHONE (800) 226-4807

STATEWIDE FACSIMILE (800) 741-0576

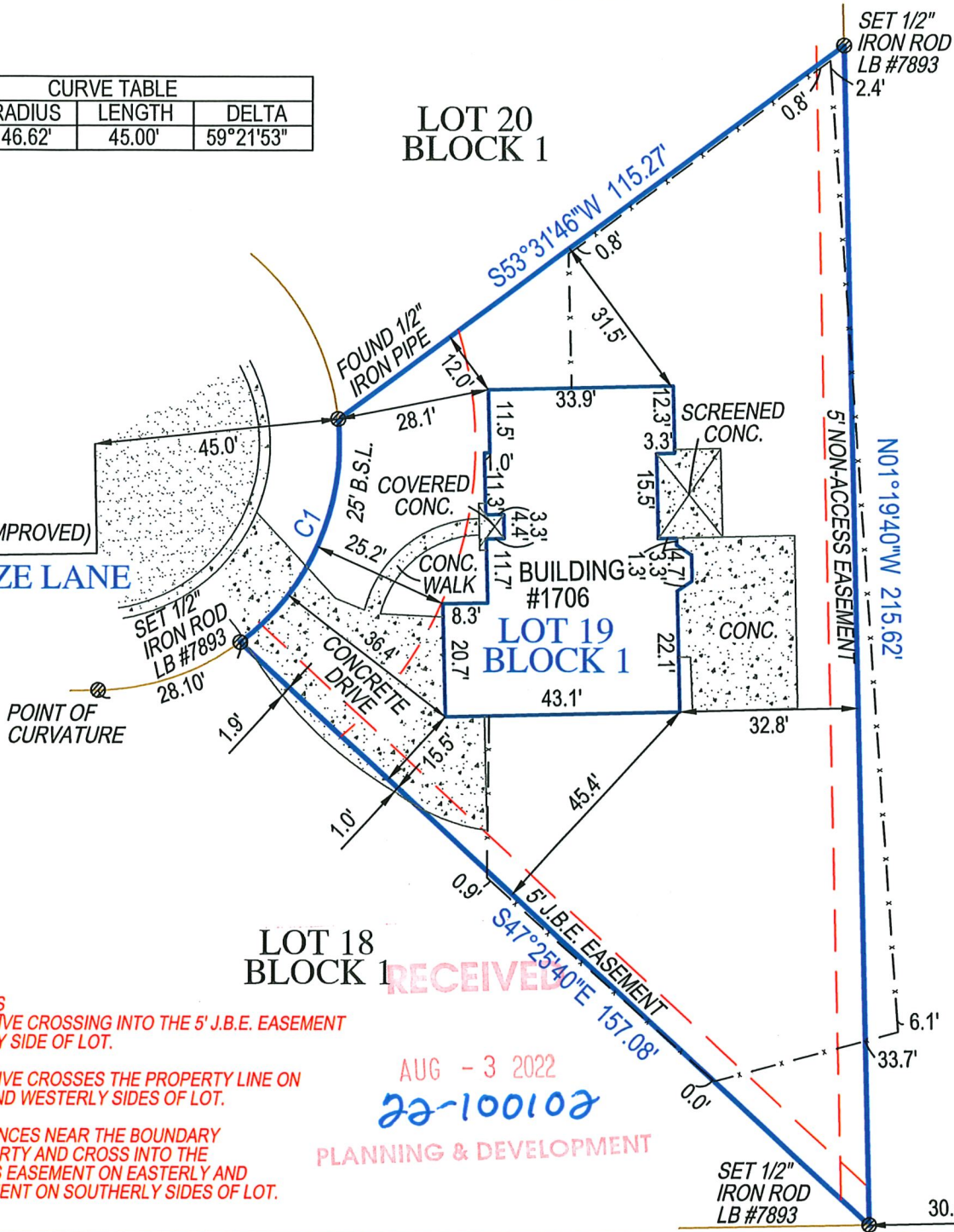
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY

CURVE TABLE			
	RADIUS	LENGTH	DELTA
C1	46.62'	45.00'	59°21'53"

LOT 20
BLOCK 1

50' R/W (IMPROVED)
OAKBREEZE LANE



SURVEY NOTES
CONCRETE DRIVE CROSSING INTO THE 5' J.B.E. EASEMENT
ON SOUTHERLY SIDE OF LOT.

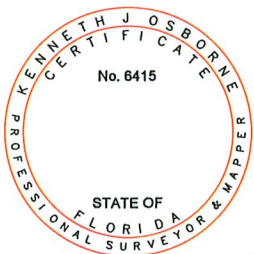
CONCRETE DRIVE CROSSES THE PROPERTY LINE ON
SOUTHERLY AND WESTERLY SIDES OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY AND CROSS INTO THE
5' NON ACCESS EASEMENT ON EASTERLY AND
5' J.B.E. EASEMENT ON SOUTHERLY SIDES OF LOT.

AUG - 3 2022

22-100102

PLANNING & DEVELOPMENT



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J
Osborne

Digitally signed by
Kenneth J Osborne
Date: 2022.01.02
22:20:23 -05'00'

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



**TARGET
SURVEYING, LLC**
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
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STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

WILLIAMS ADDN. TO S PABLO
(P.B. 1, PG. 29)
FAIRWAY LANE
60' R/W (IMPROVED)
PLAT
LIMITS

SCALES
1"=30'