



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, October 4, 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

- A. Regular Board of Adjustment Meeting held on September 7, 2022
- B. Regular Board of Adjustment Meeting held on September 20, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s): BOA#22-100105**

Applicant: Mitchell Tidwell

Agent: N/A

Owner: Ryan Walls

Property Address: 1104 2nd Avenue North

Parcel ID: 177596-0005

Legal Description: a parcel or tract of land located in a portion of a parcel of land known as the Geer Tract, lying and situated in the Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East, Duval County Florida

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new swimming pool and deck at an existing single-family dwelling

B. **Case Number(s): BOA#22-100107**

Applicant: Sea Cake, LLC. - Austin Towery

Agent: N/A

Owner: Sea Cake, LLC. - Austin Towery
Property Address: 314 1st Street North
Parcel ID: 174045-0010
Legal Description: Lots 7 & 8, Block 32, *Pablo Beach North*
Current Zoning: CBD
Motion to 34-373(a)(1), for the use of 6 compact parking spaces and one motorcycle
Consider: parking space in lieu of 7 standard spaces for required off street parking;
34-373(d) for a parking setback of zero feet in lieu of 5 feet minimum
adjacent to an alley to allow for construction of a new mixed use commercial
building

C. **Case Number(s): BOA#22-100110**

Applicant: Starr Sanford Design - Christi Elflein
Agent: Starr Sanford Design - Christi Elflein
Owner: Graydon & Virginia Mabry
Property Address: 3015 Ocean Drive
Parcel ID: 181507-0000
Legal Description: Lot 3, Block 1, *Atlantic Shores Ocean Front Section – Division B*
Current Zoning: RS-1
Motion to 34-336(e)(1)(c)3, for a rear yard setback of 25 feet in lieu of 30 feet
Consider: minimum, to allow for construction of a new single-family dwelling

D. **Case Number(s): BOA#22-100111 DEFERRED TO OCTOBER 18**

Applicant: Neil Roberts
Agent: N/A
Owner: Neil Roberts
Property Address: 1019 24th Street North
Parcel ID: 179100-0000
Legal Description: Lot 6, Block 34, *Section "A" Jacksonville Beach*
Current Zoning: RS-2
Motion to 34-337(e)(1)(e), for lot coverage of 45% in lieu of 35% maximum to rectify
Consider: existing non-conformities and allow for a substantial improvement at an
existing single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, October 18, 2022. There are five 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

**Minutes of Board of Adjustment Meeting
held Wednesday, September 7, 2022, at 6:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 6:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh

Alternates: Todd Smith

Jeff Truhlar (absent)

John Moreland

Jennifer Williams (absent)

Senior Planner Christian Popoli and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Moreland, seconded by Mr. Curley, and passed unanimously to approve the following minutes:

- August 2, 2022
- August 16, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#22-100087

Applicant/Owner: John Atkins, Atkins Builders, Inc.

Property Address: '0' Horn Street (2452 Horn Street)

Parcel ID: 179928-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c.2, for a total side yard of 10 feet in lieu of 15 feet minimum to allow for construction of a new single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was a nonconforming lot. He provided handouts to the Board [on file].

A brief discussion ensued about the side setbacks and height limits.

Public Hearing:

The following spoke in opposition to the variance:

- Olga Goldman, 1046 Owen Avenue, Jacksonville Beach
- Vikki Mesich, 1855 Riley Street, Jacksonville Beach

- Shawn Dahbour, 1120 Owen Avenue, Jacksonville Beach

The following submitted a speaker card in opposition to the variance but did not wish to speak:

- Rich Tomporowski, 1855 Riley Street, Jacksonville Beach

The following submitted emails [on file] in opposition of the variance:

- April Mitzel, 1126 Owen Avenue, Jacksonville Beach
- Tim and Sharon Pickering, 1102 Theodore Avenue, Jacksonville Beach
- RK Waltz (no address given)
- Ross Gambrell, 1105 Theodore Avenue, Jacksonville Beach
- Tammy Moses, 1105 Theodore Avenue, Jacksonville Beach
- Jennifer O'Neil (no address given)
- Harrison O'Neil (no address given)
- Jac Gamache (no address given)
- Sarah O'Neil (no address given)
- Bob and Belinda Bonenberger (no address given)
- Mack Horton (no address given)
- Claire Elliott (no address given)
- Suzanne O'Neil (no address given)
- J. Satinsky (no full name or address given)
- James Slesinski (no address given)
- Lynn Senkier (no address given)
- Alissa Shaw, 1107 Owen Avenue, Jacksonville Beach
- Veronica Woodyard, 1125 Theodore Avenue, Jacksonville Beach
- John Elrod (no address given)
- Kevin and Sharon Phillips, 1066 Ruth Avenue, Jacksonville Beach
- Amy Frank, 1125 Owen Avenue, Jacksonville Beach
- Tom and Kate Guidry, 2212 Riley Street, Jacksonville Beach
- David and Dori Bridson, 1950 Pullian Street, Jacksonville Beach
- Olga Goldman 1046 Owen Avenue, Jacksonville Beach
- Kim Shine, 1009 Ruth Avenue, Jacksonville Beach
- Josh Kalita (no address given)
- Beth and Barry Nicol (no address given)
- Ivan and Ann Richter, 2030 Horn Street, Jacksonville Beach
- Ursula Elrod, 1781 Horn Street, Jacksonville Beach
- Leslie McMahan, 1110 Owen Avenue, Jacksonville Beach
- Mary Kimball, 2251 Riley Street, Jacksonville Beach

Mr. Atkins responded to concerns from the neighbors.

Additionally, the following spoke in opposition to the variance:

- Stan Farrell, 1105 Theodore Avenue, Jacksonville Beach

Mr. Atkins addressed the comments.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to deny BOA#22-100087 based on the testimony and evidence provided the request fails to meet standard #2, the special circumstances and condition resulted from the applicant.

Discussion:

A discussion ensued about the previous application, use, and lot size.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith
Nays – Dan Elmaleh, Alexi Gonzalez

The motion to deny passed 3-2.

B. Case Number: **BOA#22-100088**
Applicant/Owner Ian & Jacqueline Alves
Property Address: 1709 Riley Street
Parcel ID: 179944-0990

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 42% in lieu of 35% maximum; and 34- 337(e)(1)g, for an accessory structure setback of 3 feet in lieu of 5 feet minimum to allow for construction of a new swimming pool, pool deck and patio, accessory shed and walkway at an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Ian Alves, 1709 Riley Street, Jacksonville Beach, stated the hardship was a nonconforming lot.

A brief discussion ensued about the accessory structure, pavers, setbacks, and communication with neighbors.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100088, in part, for the lot coverage of 42% in lieu of 35% maximum based on the standards for a variance outlined in Section 34-286 of the Land Development Code and to deny the accessory structures setback of 3 feet as it fails to meet the standards of Special Condition and Circumstances resulting in the action of the applicant.

Discussion: None

Roll Call Vote: Ayes – Owen Curley, Dan Elmaleh, John Moreland, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

C. Case Number: BOA#22-100089

Applicant/Owner: ABC Liquors, Inc/ABC Properties, Ltd. - Phyllis Fitzpatrick
Agent: KPM Franklin - Ross Galbraith
Property Address: 608 Beach Boulevard
Parcel ID: 175453-0000

City of Jacksonville Beach Land Development Code Section(s): 34-343(e)(3)b, for a corner side-yard setback of 7 feet in lieu of 10 feet minimum; 34-343(e)5 for lot coverage of 94% in lieu of 85% maximum; 34- 377, for 15 parking spaces in lieu of 47 spaces required; 34-425(b)1, for no landscape buffer in lieu of 5 feet required; 34-425(c)1, for no internal landscaping for a parking area in lieu of 1 island per 10 spaces required to allow for renovation of an existing package liquor store.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Representative: John Kelly, 6300 Hazeltine National Drive, Orlando, stated the hardships of the property included: the building was not square to Beach Boulevard, the northeast corner was not within 7 feet of the property, and there was limited room for parking spaces.

A discussion ensued about parking, City right of way, and landscaping.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100089 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion continued about parking.

Roll Call Vote: Ayes – Dan Elmaleh, John Moreland, Owen Curley, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

D. Case Number: BOA#22-100092

Applicant/Owner: Lents & Associates, PLLC - Matthew Lents
Property Address: 1201 3rd Street North
Parcel ID: 174613-0000

City of Jacksonville Beach Land Development 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

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: The applicant was not present.

Motion: It was moved by Mr. Moreland and seconded by Mr. Curley to defer BOA#22-100092 until the next meeting.

Voice Vote: In a voice vote, the motion passed unanimously.

E. Case Number: **BOA#22-100093**
Applicant/Owner: Catherine Sturms
Property Address: 983 2nd Street South
Parcel ID: 176119-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)c.1, for a front yard setback of 7 feet in lieu of 20 feet required; 34-340(e)(3)c.3, for a rear yard setback of 16 feet in lieu of 30 feet minimum, to allow for construction of two new multi-family dwellings and to address existing non-conformities.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Catherine Sturms, 983 2nd Street South, Jacksonville Beach, stated the hardship was existing nonconformities and a substandard lot. She distributed two additional handouts [on file].

A brief discussion ensued about parking and lot coverage.

Public Hearing:

The following spoke in support of the variance:

- Greg Phipps, 127 10th Avenue South, Jacksonville Beach

The following spoke in opposition to the variance:

- David Robold, 123 10th Avenue South, Jacksonville Beach
- John Swindell, 115 10th Avenue South, Jacksonville Beach

The following submitted speaker cards [on file] in opposition to the variance but did not wish to speak:

- Sara Robold, 123 10th Avenue South, Jacksonville Beach
- Robert Robold, 123 10th Avenue South, Jacksonville Beach
- Vicki Swindell, 115 10th Avenue South, Jacksonville Beach
- Eric Feldman, 922 1st Street South, #401, Jacksonville Beach

The following submitted emails [on file] in opposition to the variance:

- Paul & Cecilia Bourjaily, 820 2nd Street South, Unit C, Jacksonville Beach
- Curt Clemens, 1002 2nd Street South, Jacksonville Beach
- Eric Bruder (no address given)
- Robert L. Robold, Sara Robold, Robert W. Robold, and David Robold, 123 10th Avenue South, Jacksonville Beach

The following submitted emails [on file] in support of the variance:

- David Gatto, 138 10th Avenue South, Jacksonville Beach
- Lisa and Greg Phipps, 127 10th Avenue South, Jacksonville Beach
- Robert Riggins, 130 10th Avenue South, Jacksonville Beach

Ms. Sturms responded to concerns from the neighbors. Jon Hanna (project builder), 3250 Isabella Boulevard, Jacksonville Beach, addressed questions from the Board.

Additionally, the following spoke in opposition to the variance:

- Curt Clemens, 1002 2nd Street South, Jacksonville Beach

A discussion ensued about parking, nonconformities, previous variances, short-term vacation rentals, and minimum bedroom square footage.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100093 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:
A brief discussion ensued about the parking and the flood zone.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Alexi Gonzalez
Nays – Dan Elmaleh, Todd Smith

The motion passed 3-2.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, September 20, 2022, at 6:00 P.M. There are six scheduled cases.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 8:07 P.M.

Submitted by: Lauren Loria
Administrative Assistant

The minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT

**Minutes of Board of Adjustment Meeting
held Tuesday, September 20, 2022, at 6:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 6:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh (absent)

Jeff Truhlar

John Moreland

Alternates: Todd Smith (absent)

Jennifer Williams

Senior Planner Christian Popoli and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS:

A. Case Number: BOA#22-100092

Applicant/Owner: Matthew Lents

Property Address: 1201 3rd Street North

Parcel ID: 174613-0000

City of Jacksonville Beach Land Development 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.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Matthew Lents, 1201 3rd Street North, Jacksonville Beach, stated the hardship was the need to add additional square footage.

A discussion ensued about parking and the nature of the business.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion:

It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100092 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion continued about parking, a shared parking agreement, and whether to add a condition.

Motion: It was moved by Mr. Moreland, seconded by Mr. Curley, to defer BOA#22-100092 to the November 1, 2022, BOA meeting.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The motion to defer passed unanimously.

NEW BUSINESS:

A. **Case Number:** **BOA#22-100095**
Applicant/Owner: Edward Gil
Agent: Steven Ballantyne, Hawkstone Outdoor Design
Property Address: 513 17th Avenue North
Parcel ID: 174864-0000

City of Jacksonville Beach Land Development 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.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Agent: Steven Ballantyne, 513 17th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about the lot size, lot coverage, and the proposed pool deck.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100095 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about the deck size.

Roll Call Vote: Nays – Owen Curley, Jeff Truhlar, John Moreland, Jennifer Williams, Alexi Gonzalez

The motion failed unanimously.

B. Case Number: BOA#22-100098
Applicant: Peter Hill
Owner: AB 114 12th, LLC, Joseph Eckstein
Property Address: 114 12th Avenue South
Parcel ID: 176220-0000

City of Jacksonville Beach Land Development 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.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Peter Hill, 1409 4th Avenue North, Jacksonville Beach, and Michael Pelkey, 1886 Beach Avenue, Atlantic Beach, stated the hardship was a nonconforming lot in width.

Public Hearing:

The following spoke in support of the variance:

- Greg Paquin, 127 13th Avenue South, Jacksonville Beach
- Pamela Rama De Padua, 1331 1st Street N, Apt. 504, Jacksonville Beach
- Robert Branley, 127 13th Avenue South, Unit C, Jacksonville Beach
- Alex Jenkins, 3180 Pulian Court, Jacksonville Beach
- Tom Hilton, 1016 11th Avenue North, Jacksonville Beach
- Mike Atlee, 1031 1st Avenue South, Jacksonville Beach
- Myron Blankenbaker, 105 Evans Drive, Jacksonville Beach
- Tim Nall, 127 13th Avenue South, Jacksonville Beach
- Henry Nally, 3409 Pine Tree Road, Jacksonville Beach

The following spoke in opposition to the variance:

- Joseph Macaluso, 112 12th Avenue South, Jacksonville Beach
- Bruce Wouters, 126 12th Avenue South, Jacksonville Beach

The following submitted speaker cards in support of the variance but did not wish to speak:

- Clay Wallace, 807 15th Avenue South, Jacksonville Beach
- Ann Hill, 105 Evans Drive, Jacksonville Beach
- Lisa Pelkey, 0 Horn Court, Jacksonville Beach

The following submitted emails in opposition to the variance:

- John and Scotty Rust, 124 12th Avenue South, Jacksonville Beach
- Jeff Wansor, 132 12th Avenue South, Jacksonville Beach
- David Rost, 1224 1st Street South, Jacksonville Beach

A discussion ensued about the structure design and setbacks.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100098 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None.

Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Owen Curley, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

C. **Case Number:** **BOA#22-100100**
Applicant/Owner: Eric Kofman
Property Address: 529 11th Avenue North
Parcel ID: 175006-0000

City of Jacksonville Beach Land Development 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.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Eric Kofman and Namrata Chakrabarti, 529 11th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot and addressed questions from the Board.

A brief discussion ensued about lot coverage and parking.

Public Hearing:

The following spoke in opposition to the variance:

- James Hughes, 526 11th Avenue North, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100100 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the driveway, parking, and short-term rentals.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

D. Case Number: **BOA#22-100101**
Applicant/Owner: Robert Twigg
Property Address: 517 Patricia Lane
Parcel ID: 175036-0020

City of Jacksonville Beach Land Development 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 nonconformities at an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Robert Twigg, 517 Patricia Lane, Jacksonville Beach, states the hardship was a nonconforming lot and the lot's irregular shape.

A brief discussion ensued about the driveway, pavers, and lot coverage.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100101 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the driveway.

Amended Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend to approve BOA#22-100101 for side yard setback 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 deny the increase in lot coverage.

Roll Call Vote to Amend Original Motion: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

Discussion: None

Roll Call Vote on Amended Motion: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The amended motion passed unanimously.

E. Case Number: BOA#22-100102
Applicant/Owner: Steven Boyer
Property Address: 1706 Oakwood Lane
Parcel ID: 179997-7095

City of Jacksonville Beach Land Development 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.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Steven Boyer and Garima Srivastave, 695 A1A N Unit 55, Ponte Vedra Beach, stated the hardship was a uniquely shaped lot and a nonconforming driveway.

A brief discussion ensued about the lot shape.

Public Hearing:

The following spoke in opposition to the variance:

- Joseph Martin, 1778 Oakbreeze Lane, Jacksonville Beach

Mr. Boyer addressed the concerns expressed by Mr. Martin.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100102 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about a zero-lot line versus encroachment and the screened porch.

Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, John Moreland, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

PLANNING DEPARTMENT REPORT

Mr. Popoli stated the joint meeting with the Board and the Planning Commission regarding the Comp Plan and Land Development Code will be held on October 27, 2023, at 6:00 P.M.

The next scheduled meeting is Tuesday, October 4, 2022, at 6:00 P.M. There are four scheduled cases.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 7:53 P.M.

Submitted by: Lauren Loria
Administrative Assistant

The minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



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

BOA#22-100105

Zoning: RS-1
RE: 177596-0005
Legal: 38-2S-29E .153 B CASTRO Y FERRER GRANT PT RECD 0/R 18555-2433
Address: 1104 2nd Avenue North

Request

Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new swimming pool and deck at an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1939) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject lot is a portion of an un-platted portion of the city, with a meets and bounds legal description. The lot is a nonconforming lot of record based on age, and is recognized as such by the LDC. The lot is irregular in shape, but measures 65 feet in width and 102 feet in depth, with an overall area of 6,685 square feet. The lot is located in the RS-1 zoning district and therefore the lot is substandard in both area and width. The current home was constructed in 2013 and was purchased by the current owner in 2018. The home and all associated impermeable material on the lot make up 32% lot coverage. The applicant is requesting to install a pool and pool deck in the rear yard. The requested pool deck would increase the lot coverage to 40%

No previous variances, no active code enforcement.

Staff Analysis

The subject lot is an un-platted lot of record that is substandard based on the RS-1 zoning district standards. The lot is also irregularly shaped, though this has no bearing on the requested variance for lot coverage. The home was constructed in 2013, meeting all the required standards for RS-1. The current lot coverage is slightly below the maximum 35% at 32.2%. The current lot is substandard in lot area by almost 3,400 square feet, and is 25 feet too narrow. If the lot were a conforming RS-1 lot with 10,000 square feet of area, the proposed lot coverage would be 26% of the existing lot.



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

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. The current lot is almost 3,400 square feet deficient in area.

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 unplatted lot of record has existed since 1939, and has been nonconforming in area since its creation.

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**



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

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 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 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 proposed increase in lot coverage would be below the maximum 35% lot coverage if the lot were of a conforming size. The requested variance is the minimum needed to implement the proposed design.

- 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.

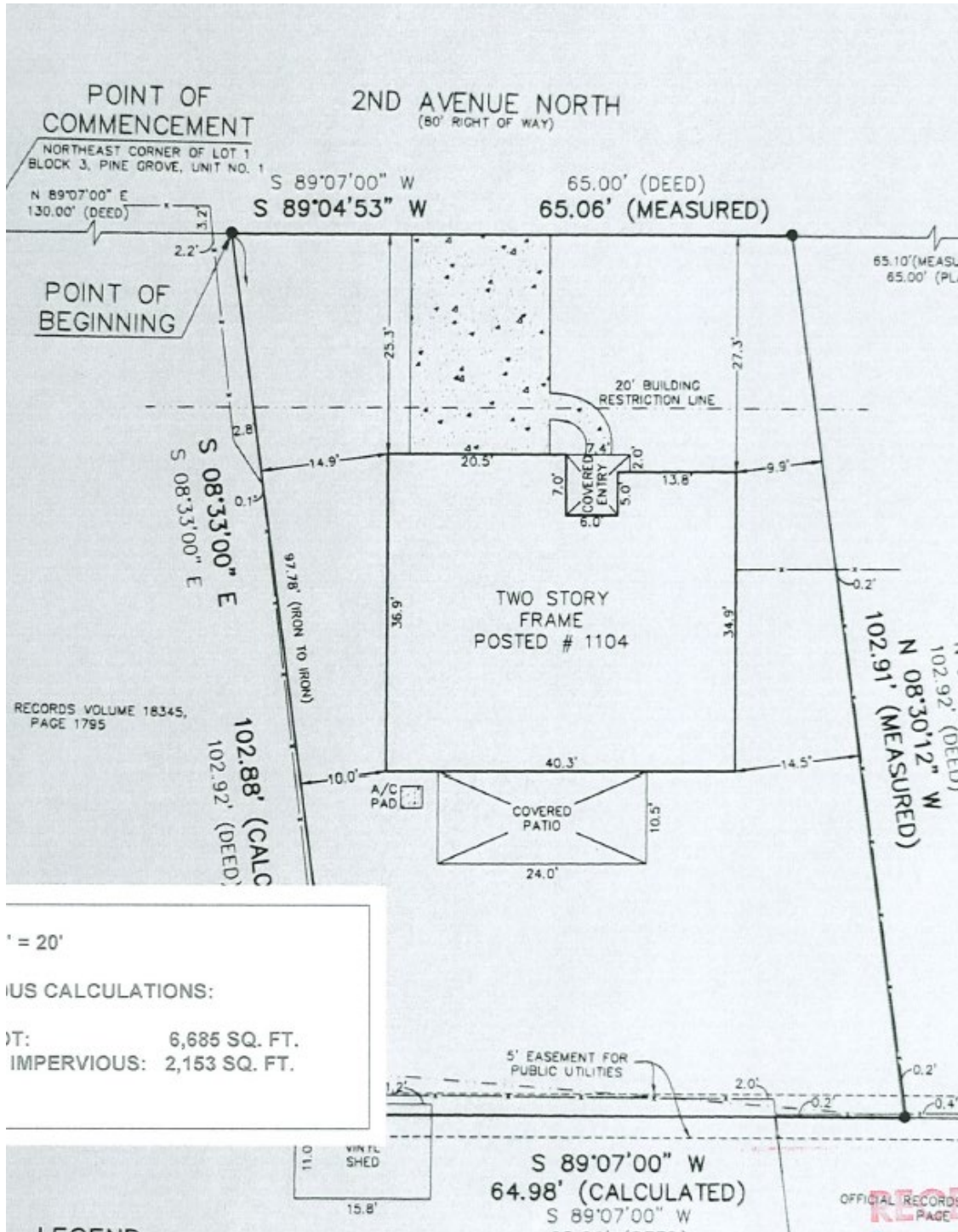
Staff Recommendation

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#22-100105**

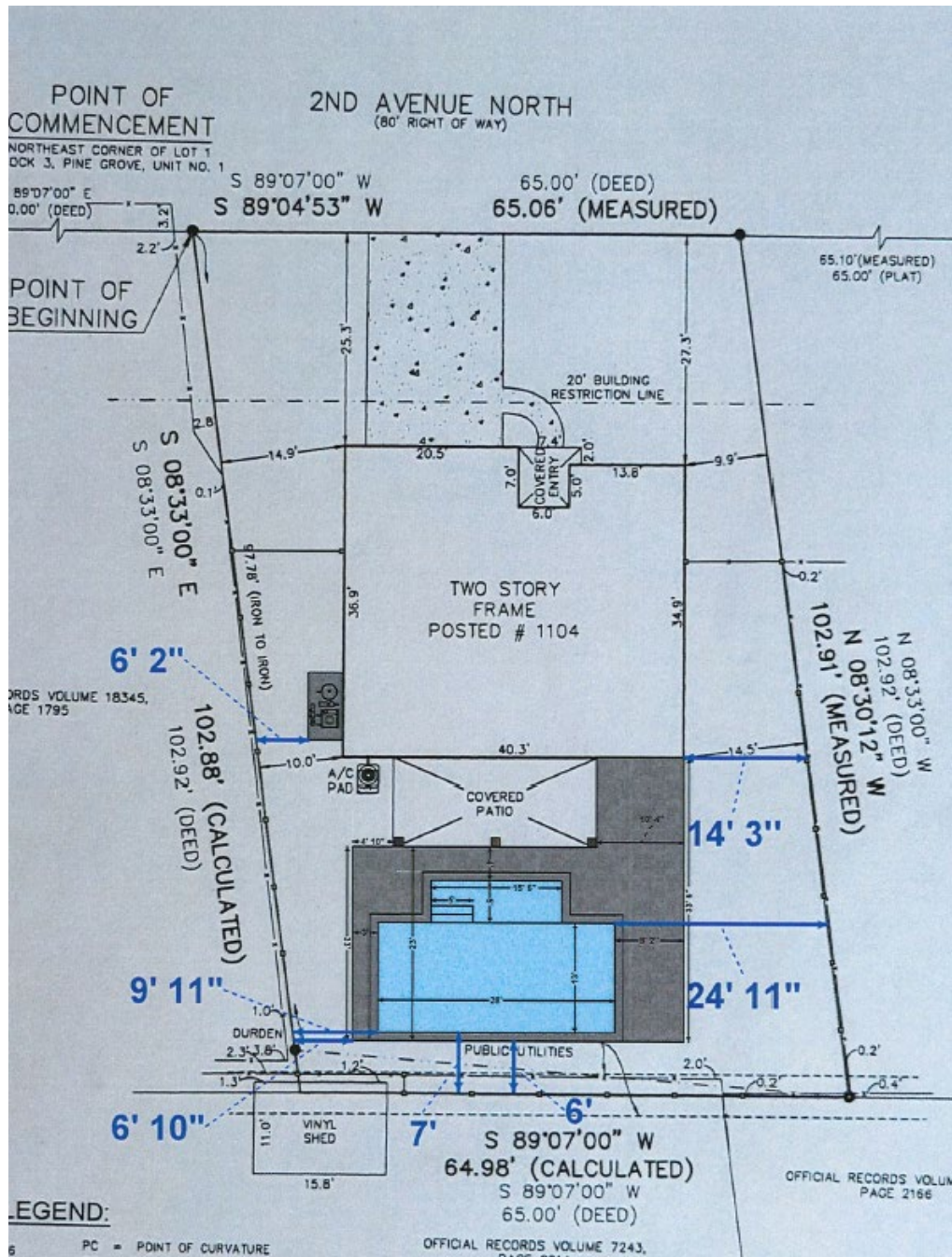
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100105
HEARING DATE 10.4.22

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.

AUG 10 2022

APPLICANT INFORMATION

Applicant Name: MITCHELL TIDWELL **Telephone:** (904) 885-3263
Mailing Address: 1664 ROBERTS DRIVE **E-Mail:** mitchelltidwell@hotmail.com
JACKSONVILLE BEACH, FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: RYAN WALLS **Telephone:** (570) 506-0648
Mailing Address: 1104 2ND AVENUE NORTH **E-Mail:** rywalls@gmail.com
JACKSONVILLE 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: 1104 2ND AVE N, JACKSONVILLE BEACH, FL 32250 - RE#177596-0005
Legal description of property (Attach copy of deed): 38-2S-29E .153 B CASTRO Y FERRER GRANT PT RECD O/R 18555-2433
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).

REQUESTING LOT COVERAGE VARIANCE TO 39.3% TO ALLOW INSTALLATION OF NEW POOL AND DECKING. SEE ATTACHED DRAWINGS.

AFFIDAVIT

I, MITCHELL TIDWELL, 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

MITCHELL TIDWELL
PRINT APPLICANT NAME

8/9/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of August, 20 22, by Mitchell Tidwell, who is personally known to me or produced _____ as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
David Godward
PRINT NOTARY NAME



David Godward
Notary Public
State of Florida
Comm# HH151804
Expires 7/11/2025

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X
CODE SECTION (S):
34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new swimming pool and deck at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. **22-100105**

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	LOT IS 6685 SF, WHICH IS SMALLER THAN THE LOT STANDARD OF 7500 SF FOR THIS ZONING DISTRICT
Special circumstances and conditions do not result from the actions of the applicant.	YES	APPLICANT HAS NO CONTROL OF THE LOT SIZE
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	THIS VARIANCE WILL GIVE THE LAND OWNER A SIMILAR LOT COVERAGE CAPABILITY THAT THE STANDARD LOT SIZES ENJOY
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	STANDARD LOT SIZES WITHIN THE SAME ZONING DISTRICT ENJOY LARGER AREAS OF LOT COVERAGE CAPABILITY THAT THIS LOT IS NOT ABLE TO ACHIEVE
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	THE REQUESTED LOT COVERAGE WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PARCEL
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	GRANTING THIS VARIANCE WOULD NOT ADVERSELY AFFECT ADJACENT LAND

Prepared by & Return to:

Christine Micieli

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 18-710

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

177596-0005

Documentary Stamp have been paid in

amount of \$3,360.00

Consideration \$480,000.00

RECEIVED
22-100105
SEP - 9 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this 4th day of October, 2018, by **Eric Scott Berger and Patricia Grace Berger, husband and wife**, whose mailing address is c/o 1717 County Road 220, Unit 3905, Fleming Island, Florida 32003; hereinafter referred to as the "Grantors", to **Ryan F. Walls, a single person and Abigail V. Bertalan, a single person, as joint tenants with right of survivorship**, whose mailing address is 1104 2nd Avenue North, Jacksonville Beach, Florida 32250; hereinafter referred to as the "Grantees";

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantees, all that certain land situate in Duval County, Florida, viz:

PARCEL 1:

A PARCEL OR TRACT OF LAND LOCATED IN A PORTION OF A PARCEL OF LAND KNOWN AS THE GEER TRACT, LYING AND SITUATE IN THE CASTRO Y FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF LOT I, BLOCK 3, PINE GROVE, UNIT NO. 1, AS SHOWN ON A PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGE 65, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THEN NORTH 89° 07' EAST, ALONG THE SOUTH LINE OF SECOND AVENUE, 130 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 8° 33' EAST, 102.92 FEET TO A POINT; THENCE NORTH 89° 07' EAST, 65 FEET TO A POINT; THENCE NORTH 8° 33' WEST, 102.92 FEET TO A POINT; THENCE SOUTH 89° 07' WEST, 65 FEET TO THE POINT OF BEGINNING.

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 Grantees 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, 2017.

Prepared by & Return to:

Christine Micieli

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 18-710

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

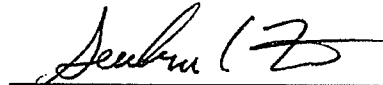
177596-0005

*Documentary Stamp have been paid in
amount of \$3,360.00*

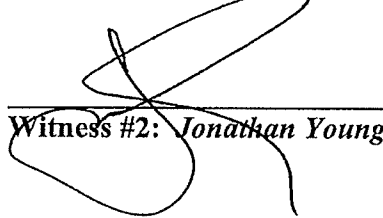
Consideration \$480,000.00

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

Signed, sealed and delivered in our presence



Witness #1: *Seabron C. Fears*



Witness #2: *Jonathan Young*



Eric Scott Berger



Patricia Grace Berger

State of Florida

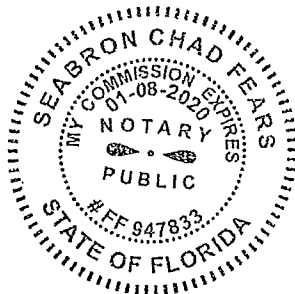
County of St. Johns

The foregoing instrument was sworn to, subscribed and acknowledged before me this 4th day of October, 2018, by **Eric Scott Berger and Patricia Grace Berger**, who produced a Driver's License as identification.



Notary Public

(Notary Seal)



RECEIVED

AUG 10 2022

To whom it may concern,

PLANNING & DEVELOPMENT

I, Ryan Walls, authorize Mitchell Tidwell with Sunshine Pools to represent me in seeking a lot coverage variance with the City Of Jacksonville Beach.

Sincerely,


Signed

Ryan Walls
Printed Name

8/9/2022
Date


Notary Information



David Godward
Notary Public
State of Florida
Comm# HH151804
Expires 7/11/2025

PROPOSED

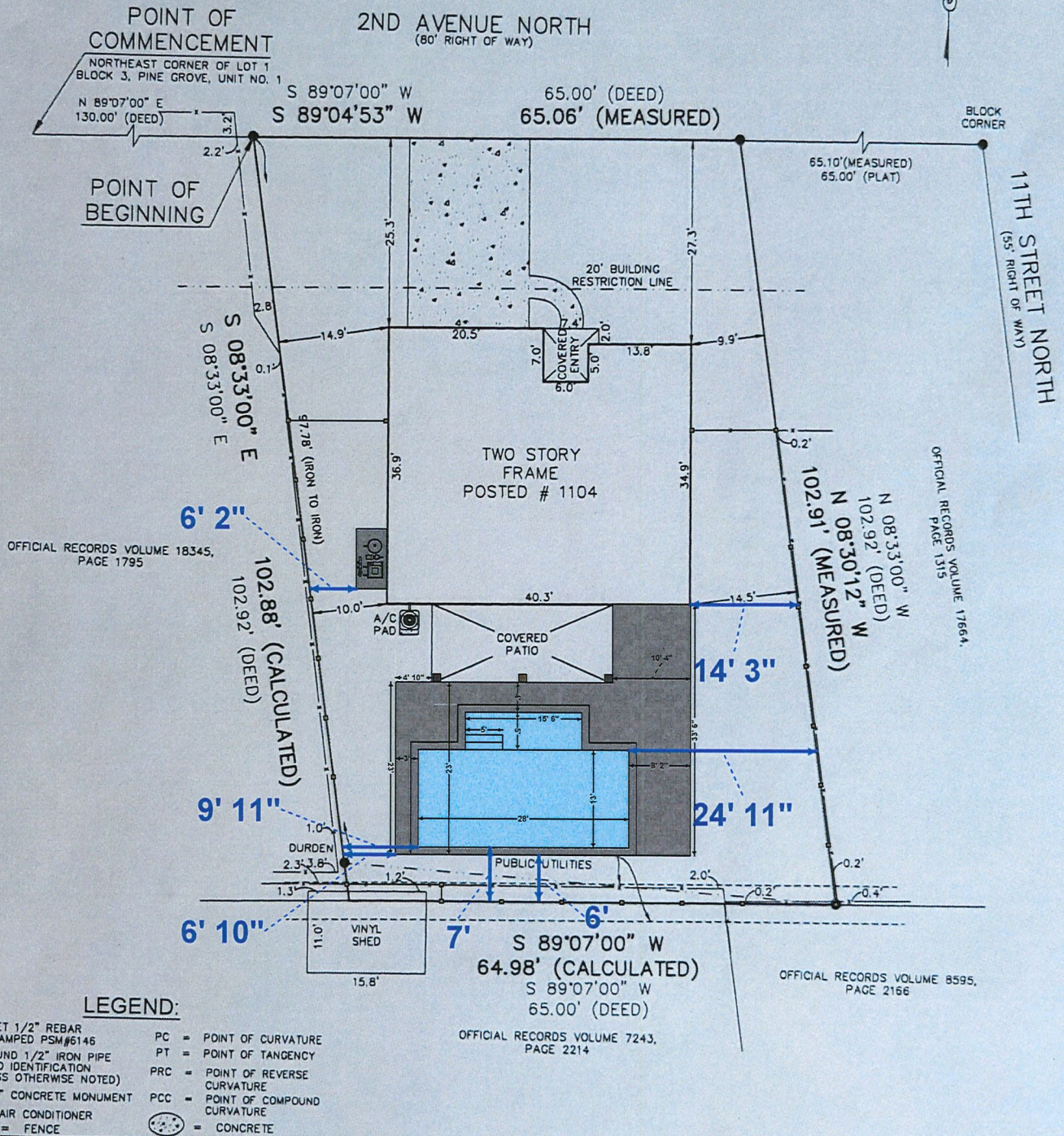
MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

PARCEL 1:

A PARCEL OR TRACT OF LAND LOCATED IN A PORTION OF A PARCEL OF LAND KNOWN AS THE GEER TRACT, LYING AND SITUATE IN THE CASTRO Y FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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CERTIFIED TO:
RYAN WALLS & ABIGAIL BERTALAN
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



LEGEND:

- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- X- = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- CONCRETE

Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5126

America's Choice
TITLE COMPANY

REVISIONS

DATE	DESCRIPTION

IMPERVIOUS CALCULATIONS:

TOTAL LOT: 6,685 SQ. FT.
EXISTING IMPERVIOUS: 2,153 SQ. FT. (32.2%)

PROPOSED NEW IMPERVIOUS AREA (ISR):

NEW DECK AREA: 472 SQ. FT.
NEW POOL AND COPING AREA: 538 SQ. FT.

TOTAL NEW ISR: 2,625 SQ. FT. (39.3%)

SCALE: 1/20" = 1'

RECEIVED
22-100105
AUG 23 2022
via email

PLANNING & DEVELOPMENT

MAP SHOWING BOUNDARY SURVEY OF

PARCEL 1:

CERTIFIED TO:
RYAN WALLS & ABIGAIL BERTALAN
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



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CURVATURE
PCC = POINT OF COMPOUND
CURVATURE
☉ = CONCRETE

S 89°07'00" W
64.98' (CALCULATED)
S 89°07'00" W
65.00' (DEED)

OFFICIAL RECORDS VOLUME 7243
PAGE 2214

OFFICIAL RECORDS VOLUME 8595
PAGE 2166

22-100105

AUG 10 2022

PLANNING & DEVELOPMENT



Going the *DISTANCE* for You

1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

America's Choice

TITLE COMPANY

REVISIONS	
DATE	DESCRIPTION

JOB # 36106

DATE OF FIELD SURVEY: 09-04-18

SCALE: 1" = 20'

NOTES:

1. BEARINGS ARE BASED ON THE PLAT BEARING OF S 08°33'00" E
ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE
"X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP,
DATED: JUNE 3, 2013, COMMUNITY NUMBER: 120078 PANEL 041Z H.
3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED
PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF
SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN
PERFORMED BY THE UNDERSIGNED.
4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE
AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.02, FLORIDA STATUTES.

ADMINISTRATIVE CODE PURSUANT TO SECTION 472.01(1), CHAPTER 30-17, FLORIDA
STATUTES.

Raymond Thompson

RAYMOND E THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA
LICENSE # 983855 DO 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS

Scale: $1/20'' = 1 \text{ ft}$



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

BOA#22-100107

Zoning: CBD
RE: 174045-0010
Legal: Lots 7 & 8, Block 32, Pablo Beach North
Address: 314 1st Street North

Request

Section(s): 34-373(a)(1), for the use of 6 compact parking spaces and one motorcycle parking space in lieu of 7 standard spaces for required off street parking; 34-373(d) for a parking setback of zero feet in lieu of 5 feet minimum adjacent to an alley to allow for construction of a new mixed use commercial building

Existing Conditions

The subject property is two legal nonconforming lots of record (circa 1909) located in the Commercial Business District future land use category. The property is currently zoned Central Business District: CBD. The subject lot is 125 feet in width and 150 feet in depth, with an area of 18,750 square feet. The subject lot is currently home to the former Habibi's restaurant. The site has been a various number of restaurant with a building originally constructed in 1937. The property fronts on First Street North. First Street North is a designated pedestrian oriented street in the CBD zoning district standards, which prohibits new driveways onto 1st Street. The property has additional frontage on Second Avenue South. The project will consist of a complete redevelopment of the property. This will include the demolition of the existing structure, and the construction of a new building. The proposed new structure will conform to the CBD standards and provide all the required parking. The CBD standards differ greatly from standard commercial design. There are specific requirements for minimal setbacks, minimum building frontage, landscaping, lot coverage and access. These standards are listed below, but it's important to note that these requirements are in addition to complicated design standards for construction.

Staff Analysis

The proposed redevelopment of Habibi's has been reviewed by staff from Beaches Energy, Public Works, Fire Marshall's office and Planning and Development. The proposed design meets all the required architectural and design requirements for new construction and redevelopment in the CBD zoning district. The design is required to have at least 90% structure frontage on each street. This means the building or the building in combination with knee walls must occupy 90% of the lot



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

adjacent to the rights of way. Additionally, there are minimal setbacks to encourage building up to the street so the structure will engage the sidewalks. The proposed mixed use project will consist of a restaurant and two commercial spaces. Based on the square footage for the project, the applicant has demonstrated they meet the required parking space number. In CBD, a property owner may not request relief from the number of parking spaces they must have. The constraints of the CBD standards and the inability to request relief from the parking requirements, the proposed deviation in parking space design and reduction in setbacks makes logical sense to encourage the redevelopment of this project.

Additionally, the proposed project is located in the Community Redevelopment Area (CRA) of the City. This district is intended to promote the redevelopment of downtown and the removal of blighted influences. The area has a redevelopment plan for downtown, and the proposed redevelopment of this property meets the following goals of the CRA:

- Eliminate the conditions of blight and prevent the spread of blighting conditions. (P.10)
- Promote standards of high quality in the new development and rehabilitation consistent with the desired image of Jacksonville Beach. (p.11)
- The Community Redevelopment Plan does not seek to impose any single architectural or historical style within the Community Redevelopment Area. However, styles which are clearly non-indigenous to the region and out of character are discouraged. (P. 26)
- Ground floor uses, particularly retail uses should seek to maintain maximum continuity with adjacent sidewalks, and maximum visibility with use of glass storefronts. (P. 26)

Given the small nature of the property, and the need to meet all other requirements for the CBD standards, as well as helping to further the goals of the CRA, it is the opinion of staff that the request is reasonable.



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

Minimum Dimensional Standards

CBD Standards	Mixed Use Structure		
		MIN	MAX
	LOT REQUIREMENTS		
	Lot Width (ft)	16	300
	Lot Depth (ft)	—	500
	Lot Size (sf)	—	150,000
	Lot Coverage (%)	—	90
	BUILDING ENVELOPE		
	Front Setback (ft)	0	10
	Side Setback (ft)	0	—
	Rear Setback (ft)	10	—
	Frontage Buildout (%) (1)	90	100

Parking Standards	Shopping centers:		
		REQUIREMENT	
		All Zoning Districts, except CBD and approved RD Districts that are located within the boundaries of the CBD District	Within CBD or any approved RD Districts that are located within the boundaries of the CBD District
	Up to 399,999 sq. ft.	One (1) space per two-hundred fifty (250) sq. ft. of floor area.	One (1) space per five-hundred (500) sq. ft. of floor area.

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 parcel is an existing restaurant space, currently vacant and unable to be rehabilitated into a useable space based on assessment by the city's Building Official. To meet all the requirements of the LDC for the CBD district, a



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

variance is needed. The hardship in this case is the inability to meet all other City standards without relief.

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 applicant purchased the property in 2021, with the intent of rehabilitant the current structure. It wasn't until they began renovations that it was clear the structure could not be restored, and new construction was the only option. The need to meet the strict standards for redevelopment in the CBD zoning district in conjunction with the requirement to meet all parking required, the hardship is not the result of actions of the applicant.

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. Granting of the variance will allow the applicant to redevelop the property to meet all applicable standards save for parking space size and all setbacks. The request will further the goals of the CRA.

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 granted by this request, the applicant could not meet the design requirements of the LDC for the CBD zoning district. This would deprive the applicant of rights otherwise granted to adjoining property.

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 restaurant. The request is very minimal, and actually reflects a pattern of development typically available as an option for smaller commercial lots in other adjoining city's, which allow for the use of compact spaces and motorcycle parking to meet the parking standards. The



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additional setback reduction is also required and minimal since the property backs up to an alley.

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.**

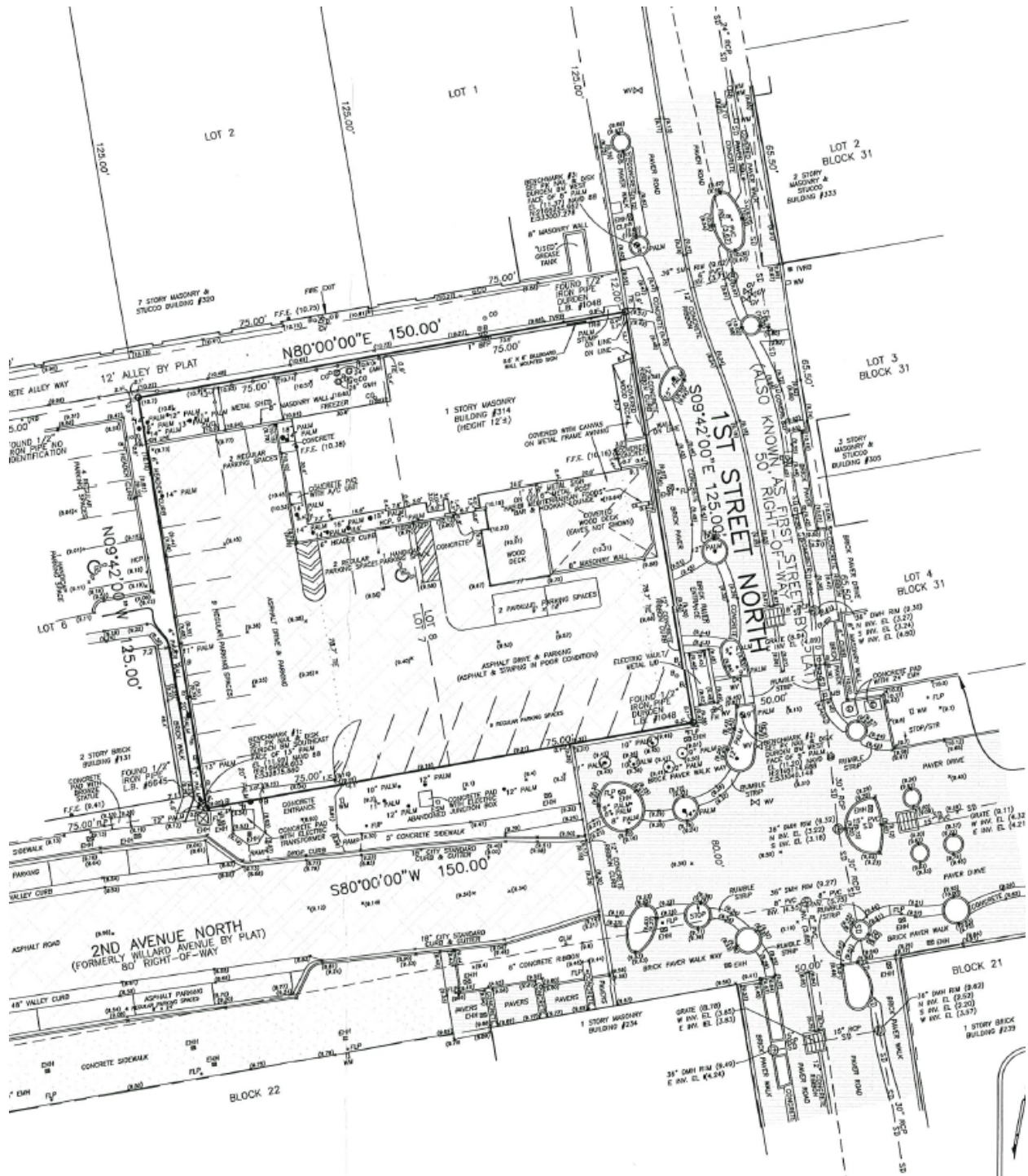
Staff does find that the request is consistent with the comprehensive plan. The use of mixed use is consistent with the GOP of the comp plan. Additionally, the proposed redevelopment meets Policy LU.1.3 for elimination of blight.

Staff Recommendation

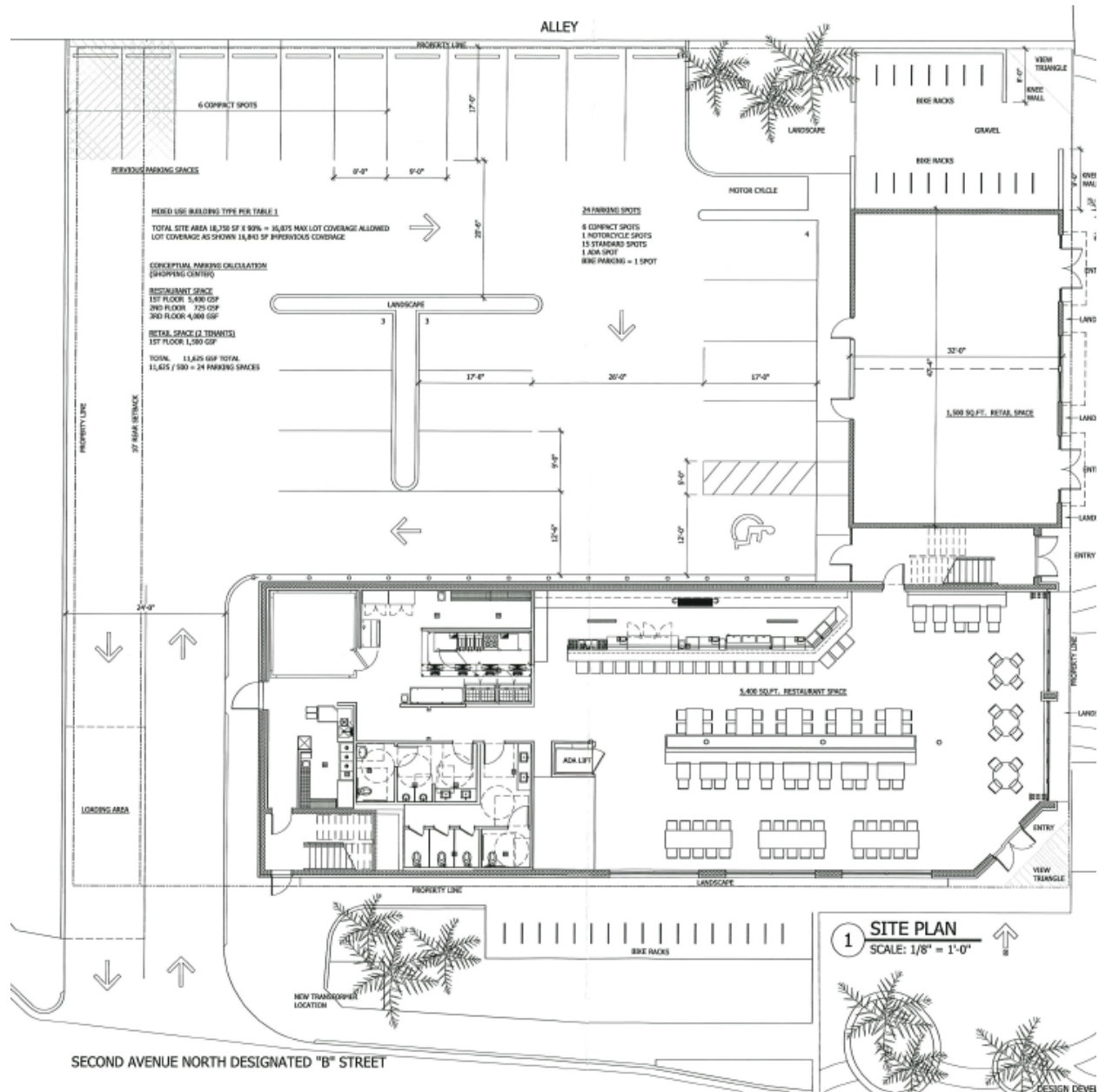
Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100107**

[illegible]

Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 22-100107
HEARING DATE 10-4-22

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.

AUG 12 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Sea Cake, LLC (Austin Towery) **Telephone:** (904) 534-5310
Mailing Address: 115 9th Ave South, #801 **E-Mail:** atowery@hampton.golf
Jax Beach, FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Sea Cake, LLC (Austin Towery) **Telephone:** (904) 534-5310
Mailing Address: 115 9th Ave South, #801 **E-Mail:** atowery@hampton.golf
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: 314 N 1st Street RE: 174045-0010
Legal description of property (Attach copy of deed): 3-28 33-2S-29E PABLO BEACH NORTH LOT 8 BLK 32 & LOT 7 BLK 32
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).

- We are requesting zero setback instead of the typical required setback.
- We are requesting to use a percentage of compact and motorcycle parking instead of the required 9X15' spaces in the code.

AFFIDAVIT

I, Austin Towery, 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

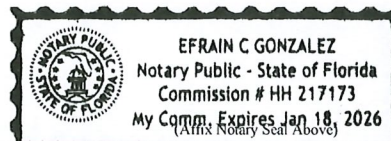
Austin Towery
PRINT APPLICANT NAME

8/12/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of August, 20 22, by Austin Blake Towery, who is personally known to me or produced Florida Drivers License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Efrain C Gonzalez
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: CBD FLOOD ZONE: X-shaded

CODE SECTION (S):
34-373(a)(1), for the use of 6 compact parking spaces and one motorcycle parking space in lieu of 7 standard spaces for required off street parking; 34-373(d) for a parking setback of zero feet in lieu of 5 feet minimum adjacent to an alley to allow for construction of a new mixed use commercial building

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. **22-100107**

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.

AUG 12 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	The parcel has on site parking which is presently non conforming.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This site layout is existing and is not a result of any 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.	YES	Compact spaces typically 8'-6" wide are not mentioned in sec 34-373 Design Standards.
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	In urban areas such as the CBD, compact spaces are typically afforded to developments. It is unusual that compact spaces are not listed in the LDC design standards.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	THIS WILL BE THE LEAST POSSIBLE VARIANCE TO MAKE THIS PROJECT WORK.
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	THIS PROJECT WITH THESE APPROVED VARIANCES WILL ALIGN PERFECTLY WITH THE CITY'S COMPREHENSIVE PLAN.

RECEIVED
22-100107
AUG 12 2022

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: 21-1111

Will Call No.:

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 24th day of November, 2021 between **Habibi Hookah Bar, Inc.**, a Florida corporation whose post office address is **467 River Chase Court, Pegasus, TN 37143**, grantor, and **Sea Cake, LLC**, a Florida Limited Liability Company whose post office address is **3948 South 3rd Street, Suite 373, 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:

Lots 7 and 8, Block 32, Pablo Beach North, a subdivision according to the plat thereof recorded in Plat Book 3, Page 28, of the Public Records of Duval County, Florida.

Parcel Identification Number: 174044-0000

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:

Kristin Mohr
Witness Name: Kristin Mohr

Habibi Hookah Bar, Inc., a corporation

By: Marzouk El-Chaer
Marzouk El-Chaer, President

(Corporate Seal)

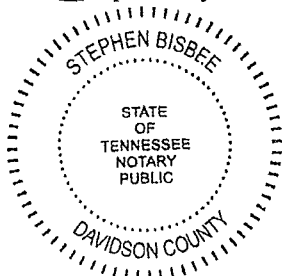
Maria El-Chaer
Witness Name: Maria El-Chaer

State of Tennessee

County of Davidson

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of November, 2021 by Marzouk El-Chaer, President of Habibi Hookah Bar, Inc., a corporation, on behalf of the corporation. He/she ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Notary Seal]



Stephen Bisbee
Notary Public

Printed Name: Stephen Bisbee

My Commission Expires: 09/02/2024



RECEIVED
22-160167
AUG 12 2022

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

PLANNING & DEVELOPMENT

Detail by Entity Name

Florida Limited Liability Company
SEA CAKE, LLC

Filing Information

Document Number L19000296753
FEI/EIN Number 84-4325237
Date Filed 12/04/2019
Effective Date 12/04/2019
State FL
Status ACTIVE

Principal Address

3948 SOUTH 3RD ST
SUITE 373
JACKSONVILLE BEACH, FL 32250

Mailing Address

3948 SOUTH 3RD ST
SUITE 373
JACKSONVILLE BEACH, FL 32250 UN

Registered Agent Name & Address

TOWERY, AUSTIN
3948 SOUTH 3RD ST
SUITE 373
JACKSONVILLE BEACH, FL 32250

Authorized Person(s) Detail

Name & Address

Title MGR

ALBERTELLI, JASON
3948 SOUTH 3RD ST, SUITE 373
JACKSONVILLE BEACH, FL 32250

Title MGR

BIRDEN, DUSTIN
3948 SOUTH 3RD ST, SUITE 373
JACKSONVILLE BEACH, FL 32250

Title MGR

NORMAN, TRAVIS
3948 SOUTH 3RD ST, SUITE 373
JACKSONVILLE BEACH, FL 32250

Title MGR

TOWERY, AUSTIN
3948 SOUTH 3RD ST, SUITE 373
JACKSONVILLE BEACH, FL 32250

Title MGR

TILKA, ROBERT
3948 SOUTH 3RD ST, SUITE 373
JACKSONVILLE BEACH, FL 32250

Annual Reports

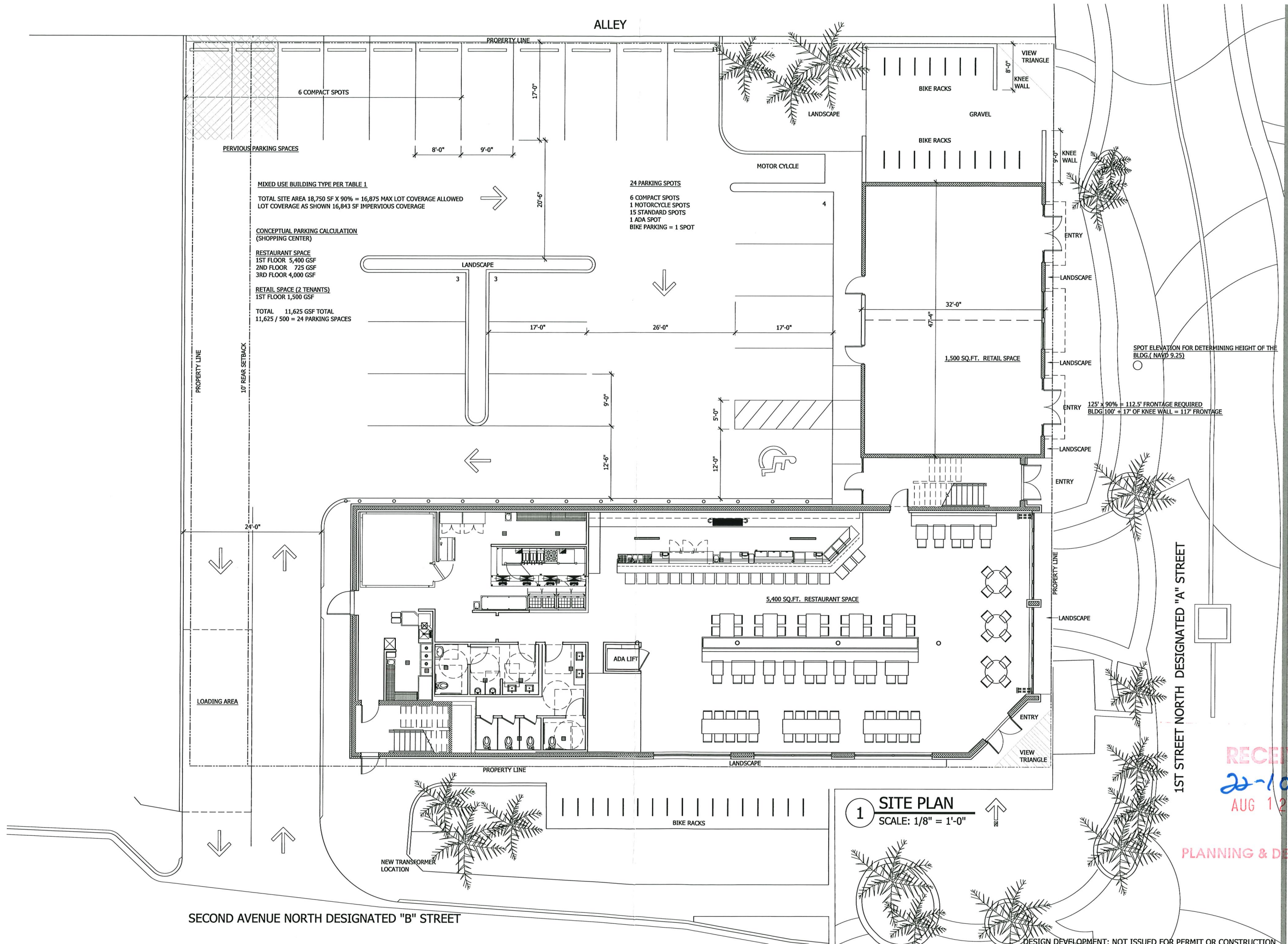
Report Year	Filed Date
2020	01/29/2020
2021	02/26/2021
2022	02/22/2022

Document Images

<u>02/22/2022 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/26/2021 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/29/2020 -- ANNUAL REPORT</u>	View image in PDF format
<u>12/04/2019 -- Florida Limited Liability</u>	View image in PDF format

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF DESIGN COOPERATIVE, LLC AND IT SHALL NEVER BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF DESIGN COOPERATIVE, LLC

PROPOSED



DESIGN/COOPERATIVE LLC
1032 HENDRICKS AVENUE
JACKSONVILLE, FL 32207
TEL / (904) 290-1032
FAX / (904) 592-5892
www.dcoop.com
FL/A26001646

CLIENT
AUSTIN TOWERY

LOCATION
314 1ST STREET
JACKSONVILLE BEACH, FL
322250

STRUCTURAL ENGINEERING
LOWE STRUCTURES, INC.
(904) 992-0377
LIC # FL-28261

M.E.P. ENGINEERING
POWELL AND HINKLE
ENGINEERING, PA.
(904) 264-5570
FL/EB-4577

INTERIOR DESIGN
DESIGN/COOPERATIVE LLC

DATE: 6.10.2021

RECEIVED
22-100107
AUG 12 2022

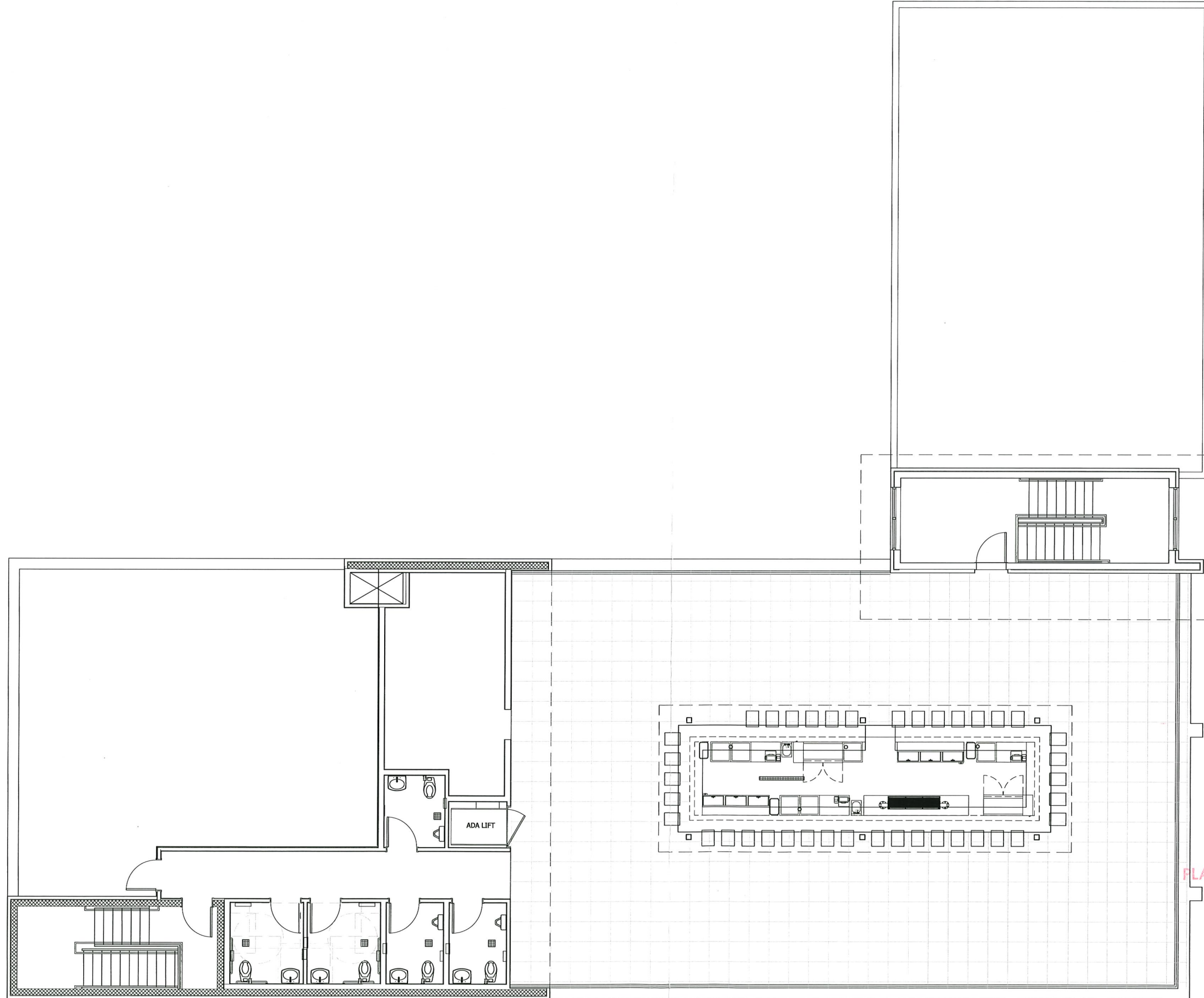
PROJECT NO: 19123

PLANNING & DEVELOPMENT

SITE PLAN
A001

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF DESIGN COOPERATIVE, LLC AND IT SHALL NEVER BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF DESIGN COOPERATIVE, LLC

PROPOSED



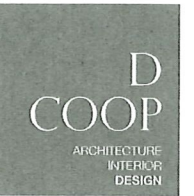
RECEIVED
22-100107
AUG 12 2022

PLANNING & DEVELOPMENT

1 LEVEL 3
SCALE: 3/16" = 1'-0"

DESIGN DEVELOPMENT: NOT ISSUED FOR PERMIT OR CONSTRUCTION

314 1ST STREET



DESIGN/COOPERATIVE LLC
1032 HENDRICKS AVENUE
JACKSONVILLE, FL 32207
TEL / (904) 290-1032
FAX / (904) 592-5892
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CLIENT
AUSTIN TOWERY

LOCATION
314 1ST STREET
JACKSONVILLE BEACH, FL
322250

STRUCTURAL ENGINEERING
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LIC # FL-28261

M.E.P. ENGINEERING
POWELL AND HINKLE
ENGINEERING, PA.
(904) 264-5570
FL/EB-4577

INTERIOR DESIGN
DESIGN/COOPERATIVE LLC

DATE: 6.10.2021

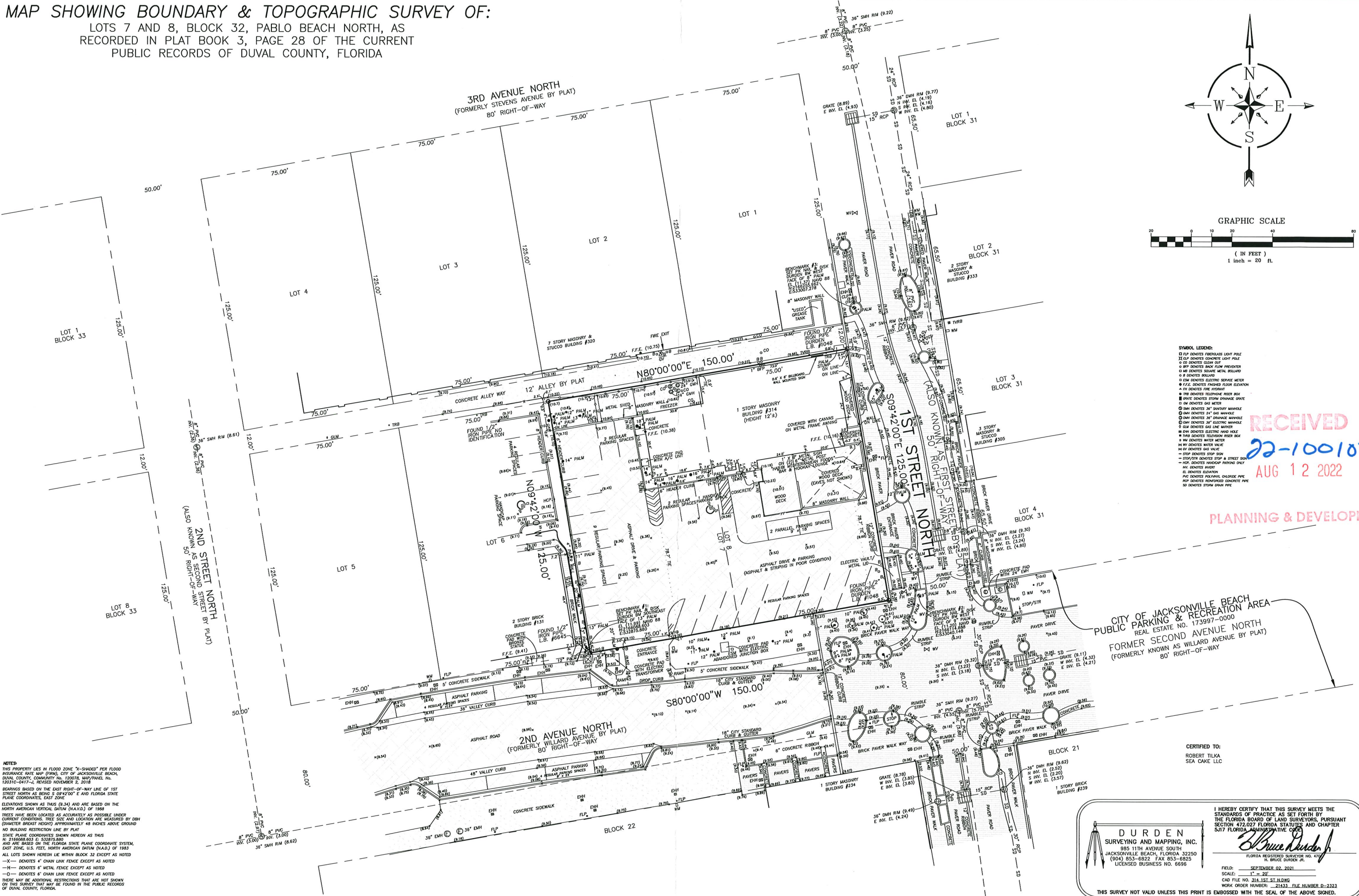
PROJECT NO: 19123

FLOOR
PLANS
A103

EXISTING

MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF:

LOTS 7 AND 8, BLOCK 32, PABLO BEACH NORTH, AS
RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X-SHADED" PER FLOOD
INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH,
DUVAL COUNTY, COMMUNITY NO. 120078, MAP/PANEL NO.
12031C-0417-J, REVISED NOVEMBER 2, 2018.
BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF 1ST
STREET NORTH AS BEING S 09°42'00" E AND FLORIDA STATE
PLANE COORDINATES, EAST ZONE.
ELEVATIONS SHOWN AS THIS (9.34) AND ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM (NAVD83) OF 1988
AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM,
EAST ZONE, U.S. FEET, NORTH AMERICAN DATUM (NAD83) OF 1983.
TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER
CURRENT CONDITIONS. TREE SIZE AND LOCATION ARE MEASURED BY DBH
(QUARTER BREAST HEIGHT) APPROXIMATELY 48 INCHES ABOVE GROUND.
NO BUILDING RESTRICTION LINE BY PLAT.
STATE PLANE COORDINATES SHOWN HEREON AS THIS
N 21°05'08.603" E 535795.880
AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM,
EAST ZONE, U.S. FEET, NORTH AMERICAN DATUM (NAD83) OF 1983.
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 32 EXCEPT AS NOTED
—X— DENOTES 4" CHAIN LINK FENCE EXCEPT AS NOTED
—M— DENOTES 6" METAL FENCE EXCEPT AS NOTED
—D— DENOTES 6" CHAIN LINK FENCE EXCEPT AS NOTED
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
ROBERT ILKA
SEA CAKE LLC

DURDEN
SURVEYING AND MAPPING, INC.
985 11TH AVENUE SOUTH
JACKSONVILLE, FLORIDA 32250
(904) 853-6822 FAX 853-6825
LICENSED BUSINESS NO. 6696

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE
STANDARDS OF PRACTICE AS SET FORTH BY
THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT
SECTION 472.027 FLORIDA STATUTES AND CHAPTER
5J17 FLORIDA ADMINISTRATIVE CODE

FLORIDA REGISTERED SURVEYOR NO. 4712
H. BRUCE DURDEN JR.

FIELD: SEPTEMBER 02, 2021
SCALE: 1" = 20'
CAD FILE NO. 314.151-ST-ILKWS
WORK ORDER NUMBER: 21133 FILE NUMBER D-2323

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.



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

BOA#22-100110

Zoning: RS-1
RE: 181507-0000
Legal: Lot 3, Block 1, Atlantic Shores, Ocean Front Section, Division B
Address: 3015 Ocean Drive

Request

Section(s): 34-336(e)(1)(c)3, for a rear yard setback of 25 feet in lieu of 30 feet minimum, to allow for construction of a new single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1983) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is 50 feet in width and 140 feet deep with an area of roughly 7,000 square feet. The subject property is substandard both in width and area. Ocean front lots are subject to some additional standards that exceed that of typical residential construction. The LDC has requirements that are unique to ocean front lots with regards to orientation of the rear yard, fence height, etc. Additionally, beyond LDC requirements, ocean front lots also have to through the State of Florida Department of Environmental Protection (DEP) for approval as to how close to the water they can build and other requirements. In this case, the DEP has determined that 25 feet in the closest to the oceanside of the property the house can be built. This 25 foot setback is common along the oceanside for all houses along Ocean Drive This to create a fair use of the viewshed by having no house more easterly than the next. The subject lot was granted variances for lot coverage and side yard setbacks, but only after the application was made to DEP did the applicant learn the 25 foot FDEP setback is different that the City's.

BOA#19-100091 for side yard setbacks of 7 feet in lieu of 10 feet, and for 49% lot coverage. No active code enforcement.

Staff Analysis

The subject property is an oceanfront residential lot that has been generally occupied by a single family residence at least since 1951. The applicant is proposing to build a new single family home, and has received past variances to allow for the construction. The applicant applied for their DEP approvals in June of this year. The DEP approved the home construction with a minimum setback of 25



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

based on a distance from the coastal construction control line, which resides inland of the lot. The goal of the applicant is to reduce the rear yard setback of the LDC requirements for RS-1 and have the setbacks match that of the DEP determination. This would create a common setback for the houses along this stretch of ocean drive, where most of the existing houses are 25 feet off the rear property line. If the house was built at the required 30 foot rear yard setback, it would in fact be further inland than the rest of the structures adjacent, unfairly burdening the new homeowners.

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 property is unique in that it fronts the ocean and has additional criteria it must meet both for the LDC and the State of Florida.



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

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 applicant has made the request based on the fact that both the determination by DEP and the existing conditions of the adjacent structures make a 30 foot setback an undue burden, both conditions are outside the control of the applicant.

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. To the contrary, approval of the variance will bring the proposed home design into compliance with the surrounding properties by having the same setback, and will maintain compliance with the DEP determination.

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. Requiring the applicant to comply with the 30 foot setback will make the proposed house be situated behind that of the surrounding properties and limit their access to the view shed enjoyed by the rest of the properties in the area.

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 applicant has already obtained the other variances for aspect of the lot that are nonconforming. The rear setback will resolve the last issue recently discovered, that of the fair use of the view shed by allowing this property to be 5 feet closer to the rear property line.

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.



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

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#22-100110**

Location Map (property boundaries are representative only)



[illegible]

[illegible]



APPLICATION FOR VARIANCE

BOA No. 22-100110
HEARING DATE 10.4.22

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.

AUG 17 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Starr Sanford Design - Christi Elflein **Telephone:** (904) 707-9761
Mailing Address: 370 4th Avenue South **E-Mail:** christi@starrsanford.com
Jacksonville Beach, FL 32250
Agent Name: Starr Sanford Design - Christi Elflein **Telephone:** (904) 707-9761
Mailing Address: 370 4th Avenue South **E-Mail:** christi@starrsanford.com
Jacksonville Beach, FL 32250
Landowner Name: Graydon & Virginia Mabry **Telephone:** (904) 333-6346
Mailing Address: 3015 Ocean Drive South **E-Mail:** vamabry@gmail.com
Jacksonville 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: 3015 Ocean Drive South, Jacksonville Beach FL 32250 RE#:181507-0000
Legal description of property (Attach copy of deed): Lot 3, Block 1, Atlantic Shores Ocean Front Section - Division B, Plat Book 15, Page 92, of the Public Records of Duval County, Florida
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).
Rear yard setback of 25ft in lieu of 30ft.

AFFIDAVIT

I, Christi Elflein, 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.

Christi Elflein
APPLICANT SIGNATURE

Christi Elflein
PRINT APPLICANT NAME

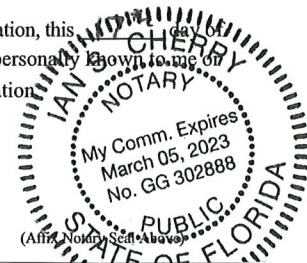
Aug 17 2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this August, 2022, by Christi Elflein, who is personally known to me or produced FL Driver License as identification.

Ian S Cherry
NOTARY PUBLIC SIGNATURE

IAN S CHERRY
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: AO/AE
CODE SECTION (S):
34-336(e)(1)(c)3, for a rear yard setback of 25 feet in lieu of 30 feet minimum, to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA NO. 22-100110

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	This property is zoned RS-1 which requires a minimum lot size of 10,000 sq. ft. with a minimum lot width of 90 ft. at the building line. This lot is small, measuring approximately 50 ft. wide by 139 ft. deep with a lot size of 6,956 sq. ft., which is 31% smaller than the minimum required lot size.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	No special conditions will result from the variance. The proposed home will be similar in size to its neighbors with setbacks also similar to its neighbors. Please see the attached site plan which shows the southern adjacent neighbor's setback of slightly less than 25ft.
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 variance will not confer special privileges. The 25ft rear yard setback is common on Ocean Drive. It is the preferred distance that the DEP is approving for new homes along this road. Please see the included letter from DEP which approves a distance of 174 from the CCCL, placing the home at 25ft from the rear property line. These distances are noted on the included site plan.
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	Literal interpretation would create an unnecessary hardship based on the property's non-conforming lot size and width. A 25ft rear setback is common along Ocean Drive. Please refer to the site plan which shows the adjacent neighbors rear yard setback.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The variance will allow for a reasonable use of the parcel of land for a single family residential home.
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	This property has a Future Land Use designation of Low Density Residential and a zoning designation of RS-1. The proposed single family home is consistent with the purposes, goals, objectives and policies of these codes and will not adversely affect adjacent lands.

This document prepared by and return to:
Timothy Shippee
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082
Our File #18-1183

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22-100110
AUG 17 2022

PLANNING & DEVELOPMENT

PERSONAL REPRESENTATIVE'S DEED

This Indenture, is made this 1st day of May 2018, by and between Peter A. Helow, as Personal Representative of the Estate of Emily A. Helow, deceased, grantor, whose Post Office Address is: 1230 Hubbard Street, Jacksonville, Florida 32206 and Graydon D. Mabry and Virginia M. Mabry, as Trustees of the Mabry Family Revocable Trust, whose address is: 2112 Birch Bark Court East, Jacksonville, Florida 32246, Grantees.

Witnesseth: Grantor(s), pursuant to the terms of decedents Will and in consideration of the sum of One Dollar (\$1.00) paid to Grantor(s) by Grantee(s) receipt of which is acknowledged, grants, bargains and sells to Grantee(s) and Grantee's heirs and assigns forever, the real property in Duval County, Florida, described as:

Lot 3, Block 1, Atlantic Shores Ocean Front Section - Division B, according to the map or plat thereof, as recorded in Plat Book 15, Page(s) 92, of the Public Records of Duval County, Florida.

This deed is given to convey and disclaim any interest of the Estate of the herein names Deceased in and to the property described herein.

Together with all and singular the tenements, hereditaments, and appurtenances belonging or in anywise appertaining to the real property.

To Have And To Hold the same to Grantee(s), and Grantee(s), heirs and assigns, in fee simple forever.

And Grantor(s) do covenant to and with the Grantee(s) and Grantee's heirs and assigns, that in all things preliminary to and in and about this conveyance, the terms of decedents Will and the laws of the State of Florida have been followed and complied with in all respects. Further Grantor releases any lien rights Grantor may have on the subject property listed above pursuant to Section 733.608 of the Florida Statutes.

In Witness Whereof, the undersigned, as personal representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, sealed and delivered in our presence:

Ruth K. McDonald
Witness

Ruth K. McDonald

Witness Name Printed

Marc Anderson
Witness

Marc Anderson

Witness Name Printed

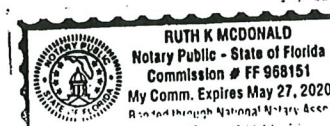
Peter A. Helow
Peter A. Helow, as Personal Representative of the Estate of
Emily A. Helow, deceased

STATE OF: FLORIDA
COUNTY OF: ST. JOHNS

I hereby certify that the foregoing instrument was acknowledged before me on this 1st day of May 2018, by Peter A. Helow, as Personal Representative of the Estate of Emily A. Helow, deceased, who is personally known to me or has produced a valid FL Driver's License as identification, and who did/did not take an oath.

Ruth K. McDonald
Notary
Printed Name: Ruth K. McDonald

My commission expires: May 27 2020



August 11, 2022

Mr. Christian Popoli
Senior Planner
Planning and Development Department
City of Jacksonville Beach
11 N. 3rd Street
Jacksonville Beach, FL 32250

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PLANNING & DEVELOPMENT

Re: 3015 Ocean Drive South Variance Applicant & Agent Authorization

Dear Mr. Popoli,

Starr Sanford Design is submitting on our behalf an Application for Variance for 3015 Ocean Drive South, Jacksonville Beach, FL 32250. The purpose of this letter is to grant Starr Sanford Design authorization to represent us as our applicant and agent.

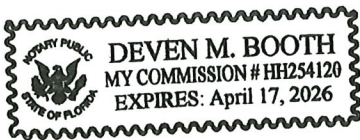
Thank you for your consideration. We look forward to working with you on this project.

Sincerely,



Gray and Virginia Mabry
Property Owners

CC: Starr Sanford Design



D. Booth



DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7017 3040 0000 2076 6311

July 19, 2019

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Reference
22-100110

PLANNING & DEVELOPMENT

Virginia and Graydon Mabry
2112 Birch Bark Court East
Jacksonville, FL 32246

RE: BOA#19-100091
3015 Ocean Drive South
(Lot 3, Block 1, Atlantic Shores Ocean Front Section-Division B S/D)

Dear Mr. and Mrs. Mabry,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, July 16, 2019, to consider the above 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.2, for side yard setbacks of 7 feet in lieu of 10 feet required and
- 34-336(e)(1)e, for lot coverage of 49% in lieu of 35% maximum

To allow for construction of a new single-family dwelling

The Board **Approved** the request as presented and discussed.

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 applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

Sincerely,

George D. Knight, CBO
Building Official

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





Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nunez
Lt. Governor

Shawn Hamilton
Interim Secretary

June 21, 2021

Via Electronic Transmittal

Graydon and Virginia Mabry
c/o Lauren Jagger
Starr Sanford Design
370 4th Avenue South
Jacksonville, Florida 32250

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PLANNING & DEVELOPMENT

100-Year Storm Elevation Site-Specific Determination

File Number: CNS-DU-220
Property Owner Name: Graydon and Virginia Mabry
Address: 3015 Ocean Drive South, Jacksonville Beach.
Location of Subject Property: Between approximately 444 feet to 494 feet north of the Department of Environmental Protection's reference monument R-76, in Duval County.

Dear Ms. Jagger:

This is in response to your recent request for a site-specific determination of the 100-year storm elevation for proposed single-family dwelling at the above project address.

Pursuant to Subsection 3109, Florida Building Code, all habitable structures shall be elevated at or above an elevation which places the lowest horizontal member above the 100-year storm elevation as determined by the Florida Department of Environmental Protection in the report titled "One-Hundred Year Storm Elevation Requirements for Habitable Structures Located Seaward of a Coastal Construction Control Line." An applicant may request the Department of Environmental Protection to determine a site-specific 100-year storm elevation for the applicant's proposed habitable structure as part of the environmental permit application process. Based on the Survey and Site Plan which you submitted, and assuming a siting of the foundation of the proposed single-family dwelling at no further than approximately 174 feet seaward of the control line, a site specific 100-year storm elevation for the proposed structure has been determined by the Department. The 100-year storm elevation (elevation of the lowest horizontal structural member) is **+15.1 feet (NAVD)**, or higher, and the corresponding scour depth of the erosion profile is approximately +7.5 feet (NAVD).

I am attaching copies of the calculations used to derive the storm surge, 100-year storm elevation, and erosion profiles for the subject parcel.

Lauren Jagger
June 21, 2021
Page Two

This determination does not relieve you from your responsibility to comply with the permitting requirements of any other local, state, or federal regulatory agency which has jurisdiction over the proposed activity. If you have any questions, concerns, or need additional information, please contact me at the letterhead address, or by telephone at (850) 245-7680, or by e-mail at David.Kruger@FloridaDEP.gov.

Sincerely,



David A. Kriger, Permit Manager
Coastal Construction Control Line Program
Office of Resilience and Coastal Protection
DAK/dak

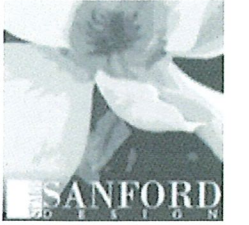
Attachments

cc: Trey Hatch, FDEP Field Inspector
City of Jacksonville Beach Building Department

PROPOSED



Rear Elevation



Mabry Residence
3015 Ocean Drive South, Jacksonville Beach, FL



Renderings
Date: 8/16/22

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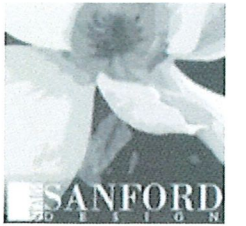
PROPOSED



Street Elevation

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Mabry Residence
3015 Ocean Drive South, Jacksonville Beach, FL



Renderings
Date: 4/22



SANFORD
DESIGN

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Mabry Residence
3015 Ocean Drive South, Jacksonville Beach
www.starrsanford.com (904) 707-9761

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Drawn by: MLSherrod
ADJRosario

Local Area Letter of Approval Plans

Project #:
21005

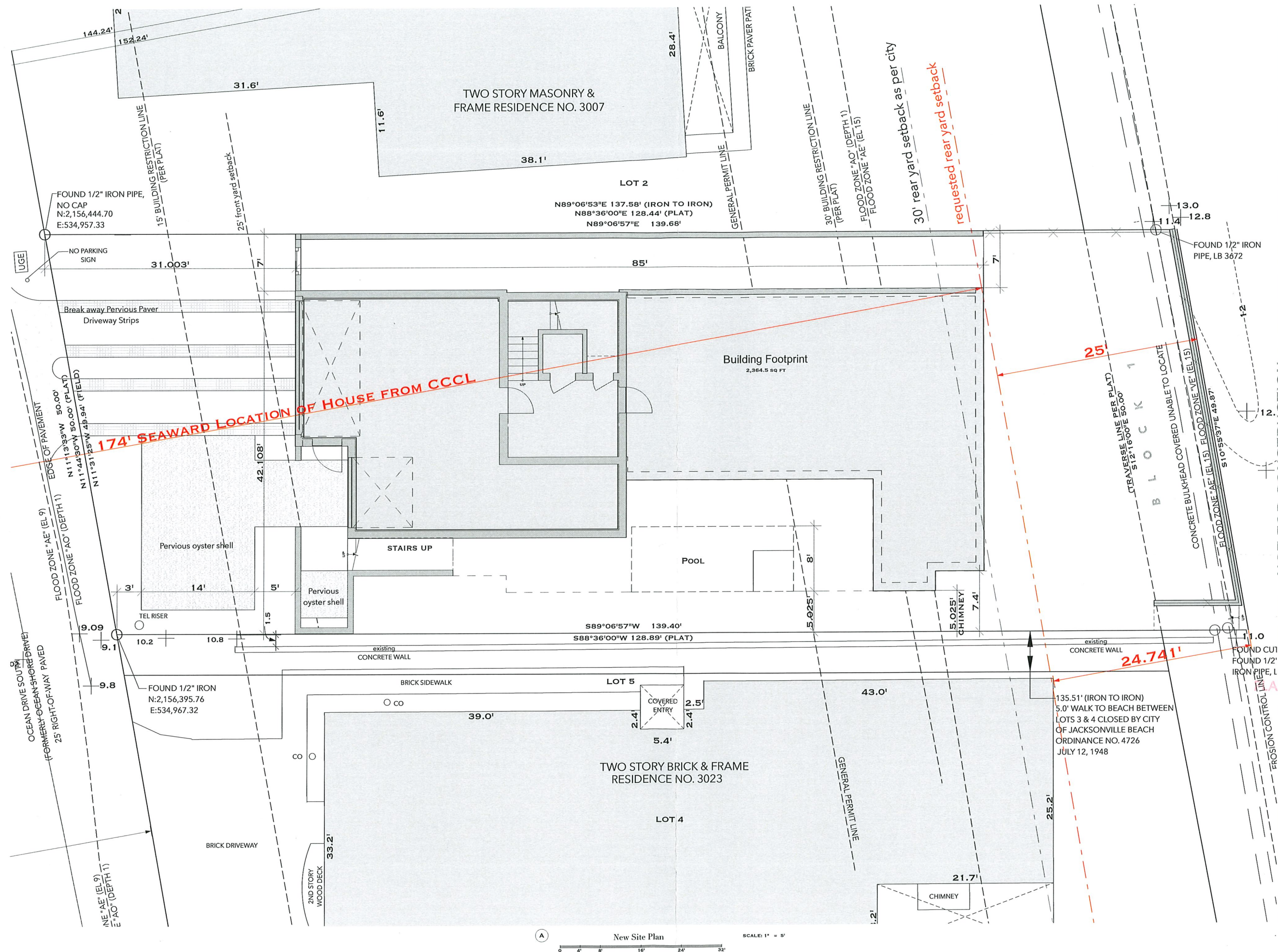
Date:
8/15/22

Revised:

File: Mabry 21005 3015 Ocean Drive
South Jacksonville Beach.pln

Sheet:

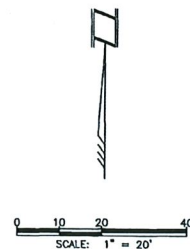
A1.2



EXISTING

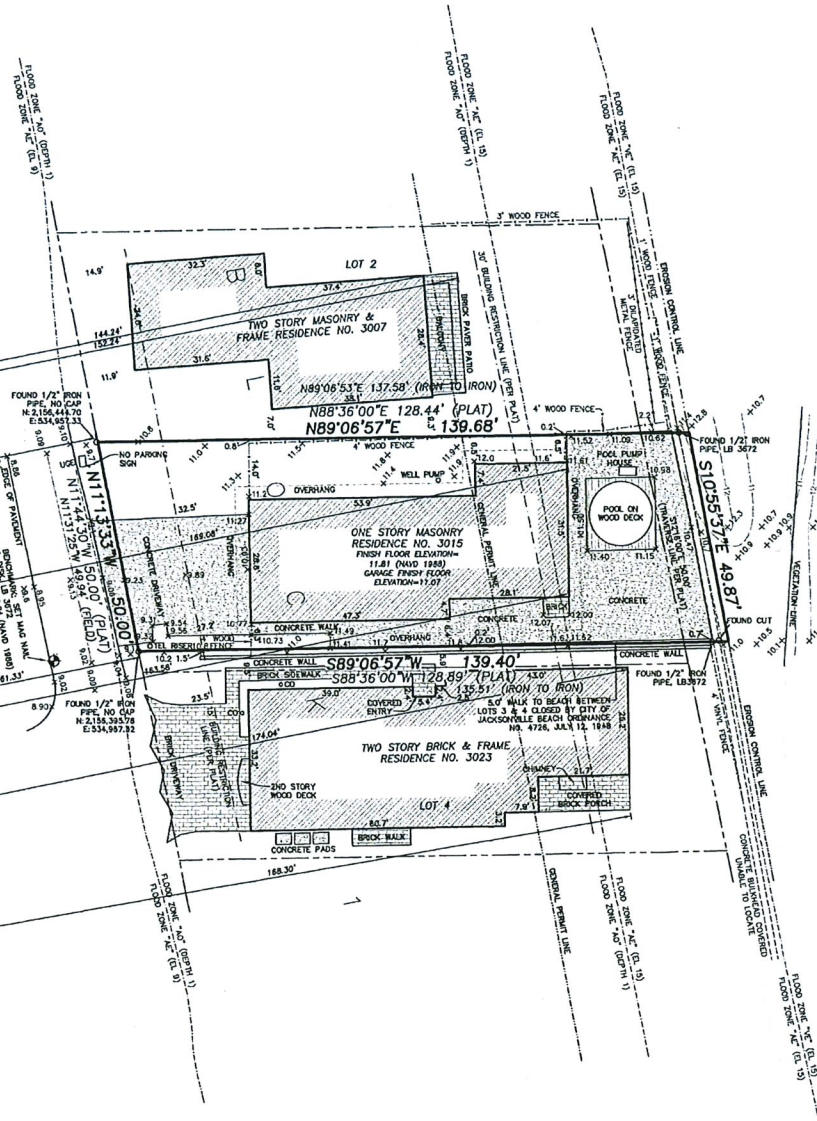
MAP SHOWING SURVEY OF
LOT 3, BLOCK 1, ATLANTIC SHORES OCEAN FRONT SECTION - DIVISION B, AS ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 15, PAGE 92 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

DEPARTMENT OF NATURAL RESOURCES
MONUMENT NO. 72-81-A32



COASTAL CONSTRUCTION CONTROL LINE
511.512°E 872.09'

OCEAN DRIVE SOUTH
(FORMERLY OCEAN SHORE DRIVE)
25' RIGHT-OF-WAY PAVED



NOTES:

1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
2. BEARINGS BASED ON A CALCULATED LINE BETWEEN DEPARTMENT OF NATURAL RESOURCES MONUMENT NUMBERS 72-81-A32 AND 78-81-A33 PER THE COASTAL CONSTRUCTION CONTROL LINE FOR DUVAL COUNTY, FLORIDA.
3. THE EROSION CONTROL LINE AS RECORDED IN PLAT BOOK 35, PAGES 59, 59A AND 59B OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA WAS ESTABLISHED AS THE SEAWARD BOUNDARY OF ALL OCEANFRONT PROPERTY IN DUVAL COUNTY BY FLORIDA STATUTES CHAPTER 161.191.
4. THE GENERAL PERMIT LINE IS SHOWN AS PER OFFICIAL RECORDS BOOK 12975, PAGE 1781 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.
5. MEAN HIGH WATER LINE (MHW) DETERMINED USING EXTENDED DATUM FOR TIDE STATION 872-0291 (JACKSONVILLE BEACH, MHW = 2.07' (NAVD 1988), TIDE RANGE = 5.07').
6. THE CURRENT COASTAL CONSTRUCTION CONTROL LINE IS RECORDED IN MAP BOOK C, PAGES 72 THROUGH 72H, DUVAL COUNTY, RECORDED JULY 21, 1992 AND WAS GPS OBSERVATIONS USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND RUNNING TRIMBLE VRS SOFTWARE.
7. SEASONAL HIGH WATER LINE AS DEFINED BY FLORIDA STATUTES CHAPTER 161.053 (6)(g):
MHW ELEV. + (1.5 X TIDAL RANGE) = SHWL
2.07 + (1.5 X 5.07) = 9.4' (NAVD 1988).
8. COORDINATES ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, AS PER THE COASTAL CONSTRUCTION CONTROL LINE.
9. BENCHMARK USED IS FOUND MAG NAIL & DISK, LB 3672 IN EDGE OF PAVEMENT AND CENTERLINE OF DRIVEWAY OF RESIDENCE NO. 3115, WEST SIDE 1ST STREET SOUTH. ELEVATION = 7.08, AND WAS ESTABLISHED BY GPS OBSERVATION USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND RUNNING TRIMBLE VRS SOFTWARE IN N.A.V.D. 1988 DATUM.
10. THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
11. NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
12. BUILDING RESTRICTION LINES, AS PER PLAT.
13. THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONES "AE" (EL 15), "AO" (DEPTH 1 FOOT), "VE" (EL 15) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.
14. THE PROPERTY OWNER IS MABRY FAMILY REVOCABLE TRUST, PER CITY OF JACKSONVILLE PROPERTY APPRAISER'S OFFICE, REAL ESTATE # 181507-0000.

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LOT COVERAGE:

TOTAL LOT AREA	= 6,852 Sq.ft.
RESIDENCE	= 2,199 Sq.ft.
BRICK PAVERS	= 29 Sq.ft.
CONCRETE	
DRIVE, WALKS & REAR	
PATIO (NOTE: POOL IS ON	
WOOD DECK ON CONCRETE	= 2,763 Sq.ft.
TOTAL IMPERVIOUS AREA	= 4,991 Sq.ft.
TOTAL LOT COVERAGE	= 72.84%

THIS SURVEY IS CERTIFIED TO:
MABRY FAMILY REVOCABLE TRUST; GRAYSON
D MABRY; VIRGINIA M MABRY.

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING AND MAPPING BUSINESS No. LB 3672

*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*

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August 11, 2022

Board of Adjustment
City of Jacksonville Beach
11 N. 3rd Street
Jacksonville Beach, FL 32250

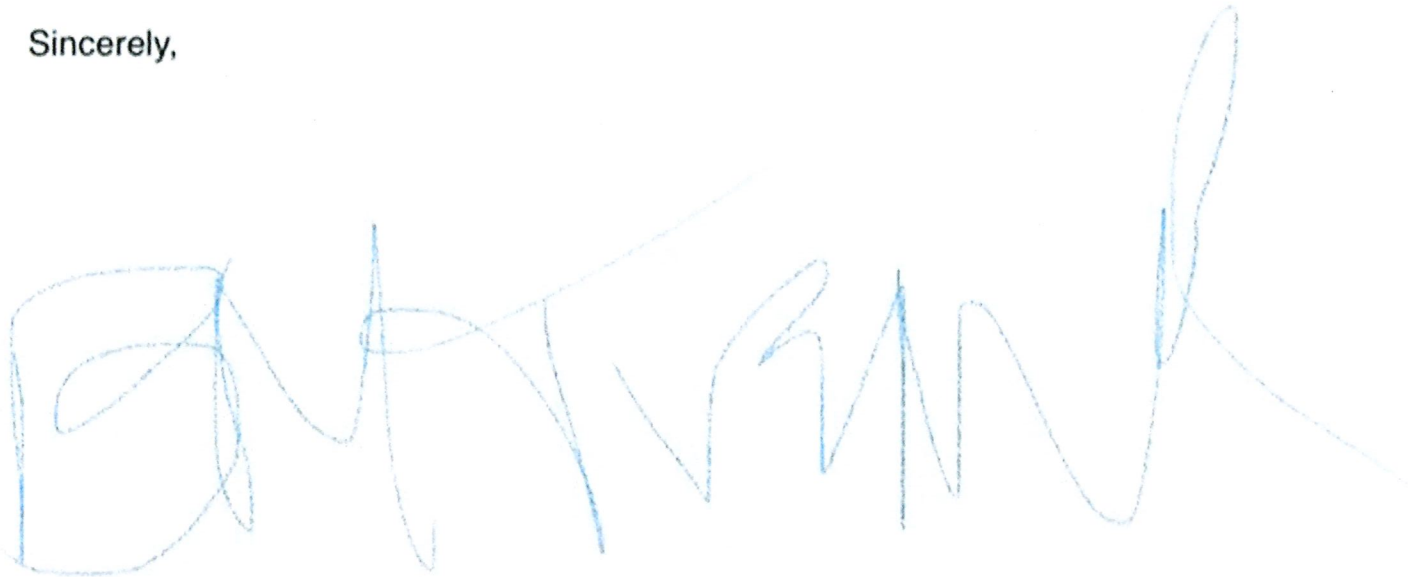
Re: 3015 Ocean Drive South Variance Application

Dear Board Members,

I am a neighbor of Gray and Virginia Mabry who live at 3015 Ocean Drive South. They have shared their plans with me to build a new home. The new home will be a beautiful addition to the street and we support the rear yard setback variance.

Thank you for your consideration.

Sincerely,

A large, stylized handwritten signature in blue ink, likely belonging to Beverly Tremel, spanning across the middle of the page.

Beverly Tremel
3023 Ocean Drive S.
Jacksonville Beach, FL 32250

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PLANNING & DEVELOPMENT
August 11, 2022

Board of Adjustment
City of Jacksonville Beach
11 N. 3rd Street
Jacksonville Beach, FL 32250

Re: 3015 Ocean Drive South Variance Application

Dear Board Members,

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Thank you for your consideration.

Sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "Steve Tremel". The signature is written in a cursive, flowing style with thick strokes.

Steve Tremel
3023 Ocean Drive S.
Jacksonville Beach, FL 32250