



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Wednesday, January 18, 2023

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

ELECTION OF OFFICERS

A. Election of Chair and Vice Chair

ROLL CALL

Oath of Office - Matt Metz

Alexi Gonzalez, Owen Curley, John Moreland, Todd Smith, Jeff Truhlar
Alternates: Jennifer Williams, Matt Metz

APPROVAL OF MINUTES

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s): BOA#22-100142**

Applicant: Desiree D. Morsching

Agent: N/A

Owner: Desiree D. Morsching

Property Address: 1223 1st Avenue North

Parcel ID: 177721-0080

Legal Description: Lot 30 and east ½ of Lot 29, Block 3, *Pine Grove Unit No. One*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)c,3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 44.3% in lieu of 35% maximum, to allow for construction of a new screened enclosure addition at the rear of an existing single-family dwelling

B. **Case Number(s): BOA#22-100143**

Applicant: Jeremiah Siebert, Anthony & Sylvan Pools

Agent: Jeremiah Siebert

Owner: Michael & Sandra Donovan

Property Address: 1301 Ponce De Leon Street
Parcel ID: 181076-1110
Legal Description: Lot 42, *Constitution Cove Unit Two*
Current Zoning: RS-2
Motion to Consider: 34-337(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to allow for construction of a new swimming pool and pool deck; and 34-337(e)(1)g, for an accessory structure setback of 2 feet in lieu of 5 feet minimum along the western side-yard and rear yard to rectify non-conformities to an existing shed at an existing single-family dwelling

C. **Case Number(s): BOA#22-100144**

Applicant: Starr Sanford Design, Christi Elflein
Agent: Christi Elflein
Owner: Frederick & Janet Saltmarsh
Property Address: 3848 Duval Drive
Parcel ID: 181707-0000
Legal Description: Lot 1, Block D-7, *Ponte Vedra*
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for renovations at an existing non-conforming single-family dwelling

D. **Case Number(s): BOA#22-100145**

Applicant: Adam & Kelly Weinberg
Agent: N/A
Owner: Adam & Kelly Weinberg
Property Address: 1817 Horn Street
Parcel ID: 179892-0160
Legal Description: Lot 25 and 26 (less and except the East 37.5 feet), Block 6, *William Coastal Boulevard Heights*
Current Zoning: RS-2
Motion to Consider: 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for the construction of a swimming pool and pool deck at an existing single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, February 7, 2023. There are four scheduled cases.

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

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

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public

hearing and can be heard on any matter presented before the Agency. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Agency when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

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

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

cc: City Manager; City Attorney



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

BOA#22-100142

Zoning: RS-1
RE: 177721-0080
Legal: East half of Lot 29, all of Lot 30, Block 3, Pine Grove Unit One.
Address: 1223 1st Avenue North

Request

Section(s): 34-336(e)(1)c,3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 44.3% in lieu of 35% maximum, to allow for construction of a new screened enclosure addition at the rear of an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1929) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is roughly 102 feet in depth and 94.5 feet in width, with an overall area of 9,639 square feet. The subject property is comprised of the eastern half of one lot and a full second lot. The property is currently occupied by a single family home, constructed in 2002. A new swimming pool was permitted in July of 2021. The home has a rear patio, a large driveway, and the new swimming pool, with minimal pool deck. The current homeowners purchased the property in October of 2020. A previous variance was granted in 2002, which included a reduced front yard setback of 21 feet, to address the covered front entrance, a driveway setback of zero feet and an overall lot coverage of 43% related to an upgraded parking area. The current lot coverage is 44.2%. The applicant is proposing to enclose a majority of the existing rear porch. This would not increase the lot coverage above what it currently is, but would change the rear yard setback to 18 feet in lieu of 30 feet.

Previous BOA# 02-2002 for a front yard setback of 21 feet in lieu of 25 required, for an overall lot coverage of 43% in lieu of 35% maximum, and a parking area setback of zero feet in lieu of 5 feet required.

No active code enforcement.



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Staff Analysis

The subject property is a nonconforming lot of record, comprised of 1.5 historic lots. The property has a single family home which was constructed roughly 21 years ago. The lot has a current lot coverage of 44.3%. The applicant has requested to enclose roughly 70% of an existing rear paved patio. The new addition, though would not increase lot coverage, would change the rear yard setback for the patio from an accessory setback of 5 feet, to a primary structure setback of 18 feet in lieu of the required 30 feet.

Again, the practical encroachment would not change, as the patio is currently there, but the new addition that would sit atop the patio would change the way the setback is measured. In essence, between this variance and the previous one, the lot coverage has increased by roughly 1.3% and that would be addressed through this request, but practically there will be no net change from what is there today, and the enclosure of the rear patio would have no bearing on additional lot coverage as it will sit atop already existing lot coverage in the form of the rear patio. The lot, though substandard in area and width, is very close to the minimum lot size, and is only a few hundred square feet less than 10,000 square feet, the existing home and various accessory uses currently exceed the lot coverage allowed by the previous variance and this application would address the existing nonconformity and allow for the new rear addition.

Minimum Dimensional Standards

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



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Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is substandard in both area and lot width. Additionally the lot was previously granted a variance to allow up to 43% lot coverage. The current lot coverage is 44.3% and was at the time of purchase based on the applicant's application.

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. According to the applicant the lot coverage was at 44.3% at the time of purchase. The existing patio already encroaches into the rear yard setback, and on the vertical construction of the enclosure will change the use from an accessory use to a primary use, thus requiring the change in rear yard setback. Additionally the house was placed in its current location at the time of construction in 2002.

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

Staff finds that the proposed variance **will not** confer special privileges. The ability to expand an existing single family structure is no a special privilege, but a common method of improving single family dwellings. There are many examples of homes in the RS-1 zoning district which have constructed rear additions to provide more living space.

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. As noted previously, the current lot coverage is 44.3%, and was at the time of purchase according to the applicant. Additionally the



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ability to renovate and add on to an existing single family is a right commonly enjoyed by homeowners in the same zoning district, and not a special privilege.

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 addition to the exiting property. The proposed variance would capture the existing lot coverage and rectify the nonconformity as well as allow for the reduction in rear yard setback to 18 feet, an area currently occupied by an existing rear patio, and will not contribute to any additional lot coverage, therefore the request will have minimal impact on the existing conditions, other than the enclosure of the rear patio, and therefore is the minimal variance needed to accomplish the proposed addition.

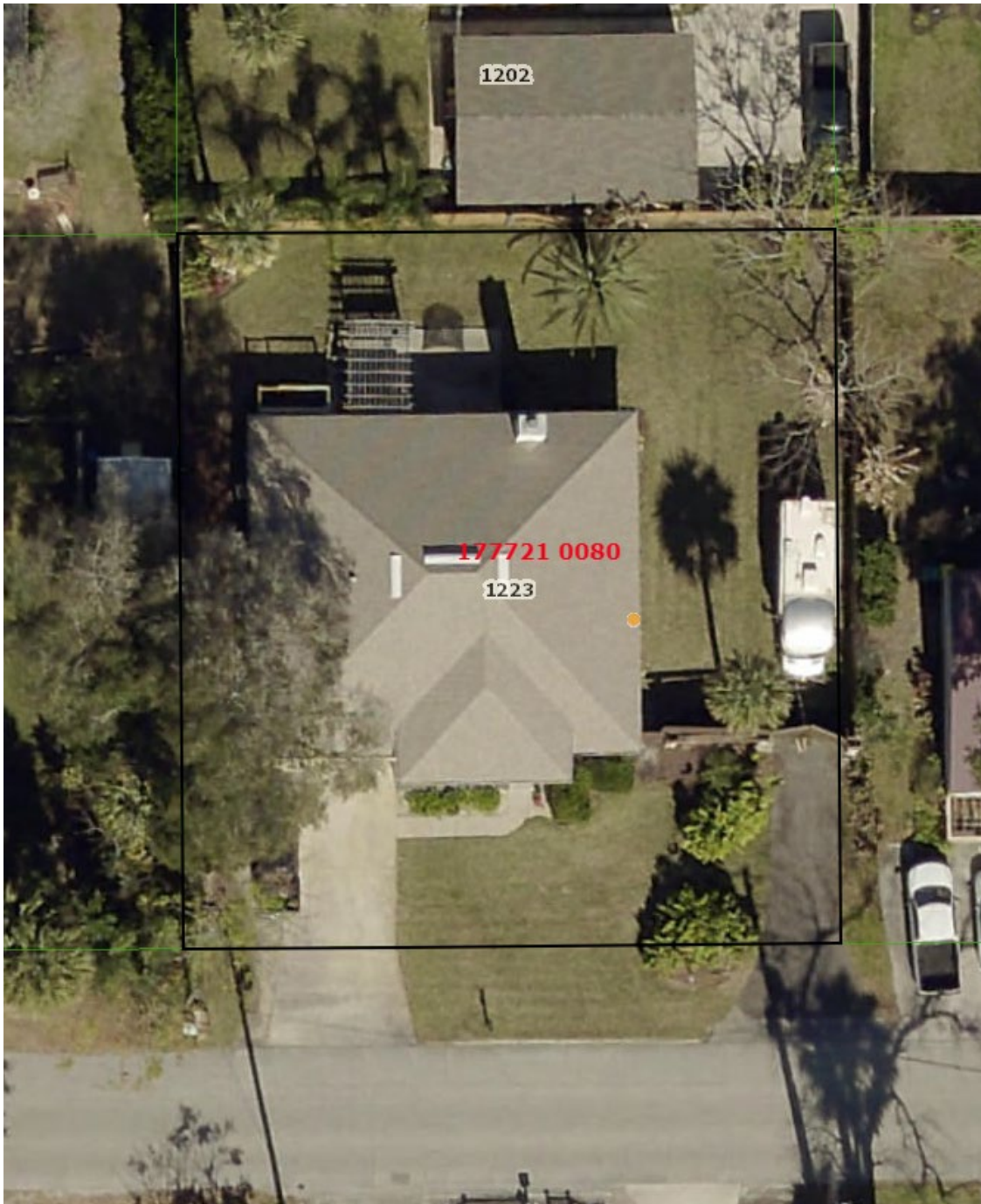
6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.

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.

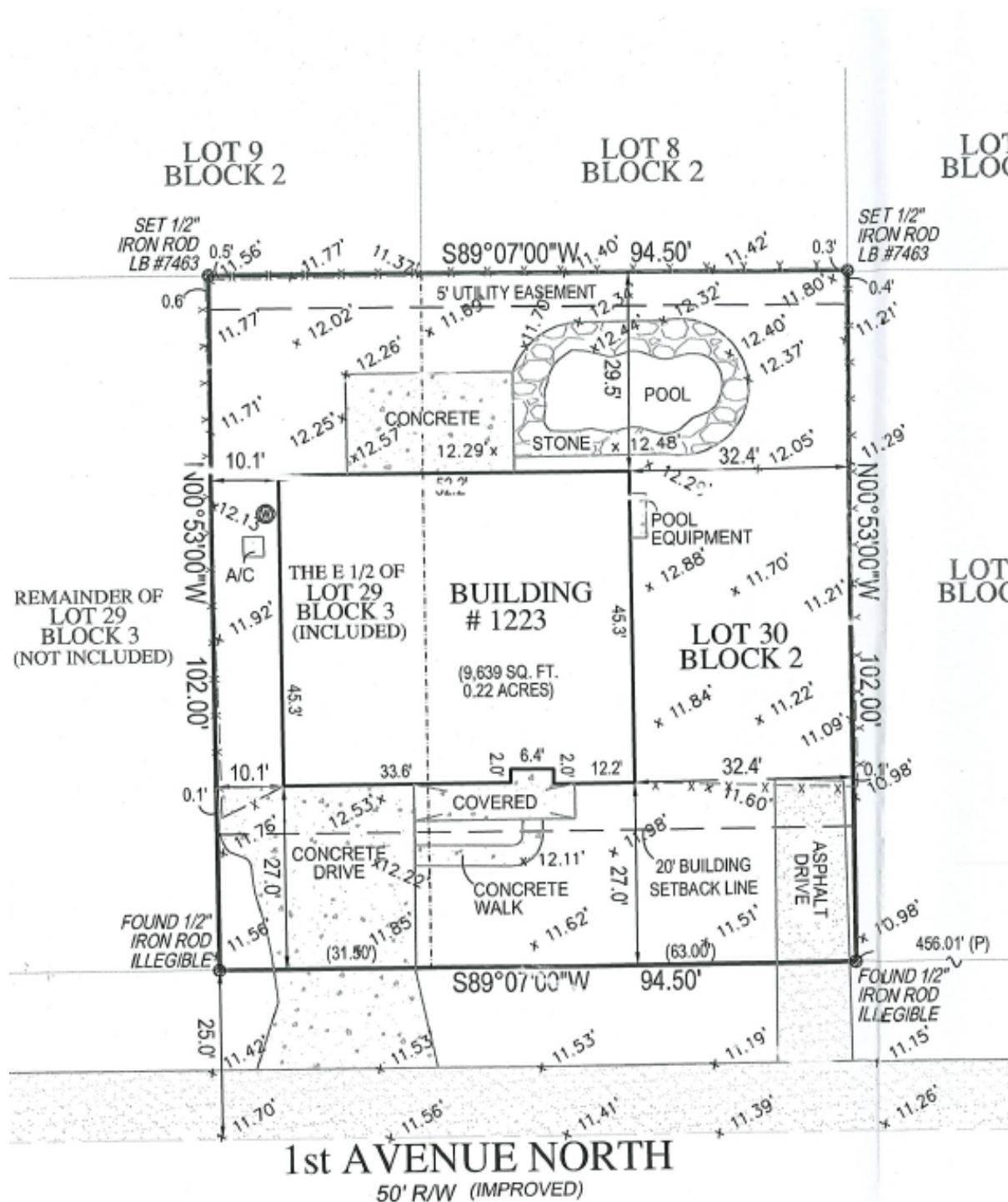
Staff Recommendation

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#22-100142**

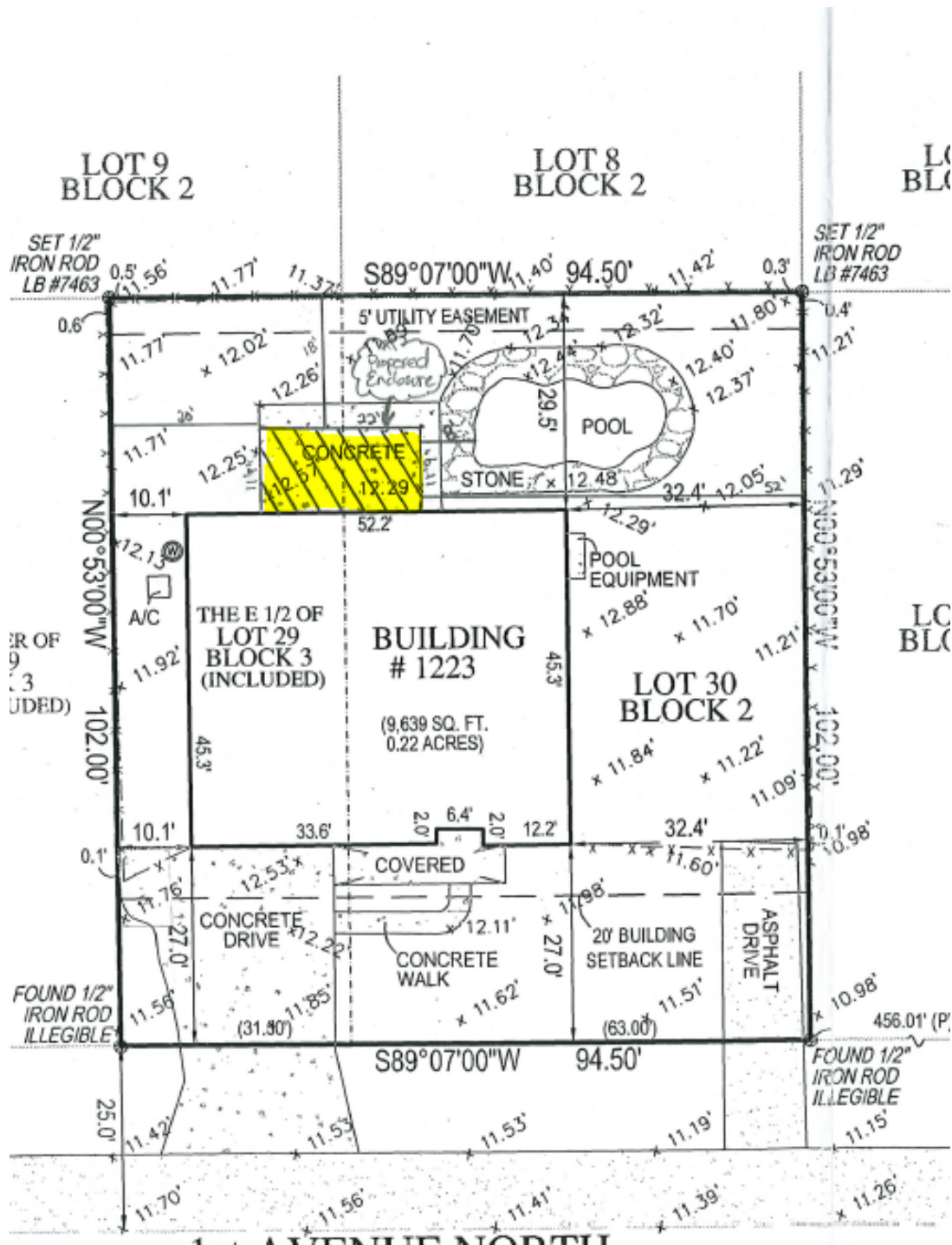
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





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



APPLICATION FOR VARIANCE

BOA NO.

22-100142
1-18-23

HEARING DATE

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

REQUIRED DOCUMENTATION

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

RECEIVED

NOV 28 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Desiree D. Morsching Telephone: 904-864-1141
Mailing Address: 1223 1st Ave N. E-Mail: dd1morsching@gmail.com
Jax Bch. FL 32250
Agent Name: Jen Payne Telephone: 904-731-5580
Mailing Address: 5521 Chronicle Ct. E-Mail: J.payne@lifetimenclosures.com
Jax FL 32250
Landowner Name: Desiree Morsching Telephone: _____
Mailing Address: 1223 1st Ave N. E-Mail: _____
Jax Bch. 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: 1223 1st Ave N. 177721-0080
Legal description of property (Attach copy of deed): 16-66 38-25-29E.22 Pine Grove Unit 1 SD E 1/2 lot 29,
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary). lot 30 B123
Rear yard set back of 18ft in lieu of 30ft. and lot coverage
of 44.3%

AFFIDAVIT

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

APPLICANT SIGNATURE

PRINT APPLICANT NAME

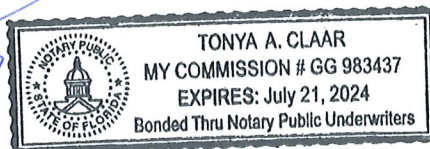
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10 day of October, 2022, by Desiree Morsching, who is personally known to me or produced DDH as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION:

RS-1

FLOOD ZONE:

X

CODE SECTION (S):

34-336(e)(1)c,3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 44.3% in lieu of 35% maximum, to allow for construction of a new screened enclosure addition at the rear of an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100142

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.

NOV 28 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 home does not meet the 30ft. setback.
Special circumstances and conditions do not result from the actions of the applicant.	NO.	Homeowner bought home "as is" in 2020. Home was built in 2002.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO.	The Following parcels have additional structures that do not meet the setback. 1228, 1202, 1120 2nd Ave N. 1137 and 1147 1st Ave N.
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.	Homeowner would like covered outdoor space free of bugs and inclement weather.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes.	This statement is true.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes.	The property is fenced and the proposed structure will not adversely affect adjacent land. proposed structure will be on existing slab.

Return to:
North American Title Company
10199 Southside Blvd., Suite 100
Jacksonville, FL 32256

RECEIVED
22-100142
NOV 28 2022

This Instrument Prepared
under the supervision of:

Mark J. Loterstein, Esq.
North American Title Company
10199 Southside Blvd., Suite 100
Jacksonville, FL 32256

PLANNING & DEVELOPMENT

Property Appraisers Parcel Identification (Folio) No.:
177721-0080

Our File No.: 11647-20-08599

WARRANTY DEED

This Warranty Deed made this October 23rd, 2020 by Jarrod Oesterling and Blake Middleton, husband and wife Raymond Oesterling, a married man, whose mailing address is 1100 Sunset Drive, Butler, PA 16001, hereinafter called the grantor(s), to Katherine C. Miller, a single woman and Desiree D. Morsching, a single woman, as joint tenants with rights of survivorship, whose post office address is 1223 1st Avenue North, Jacksonville Beach, FL 32250, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor(s), for and in consideration of the sum of \$10.00 (ten) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Duval County, State of Florida, viz:

Lot 30 and the East 1/2 of Lot 29, Block 3, of PINE-GROVE UNIT NO. ONE, according to the plat thereof, as recorded in Plat Book 16, Page 65, of the Public Records of Duval County, Florida.

SUBJECT TO: covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2021 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

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

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

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

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

Signed, sealed and delivered in the presence of:

First Witness Signature

Jenna Daley

Printed Signature

Second Witness Signature

Laurie Lovely

Printed Signature

State of Florida

County of Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of November, 2020 by Jarrod Oesterling, who has produced _____ as Identification or is personally known to me to be the persons therein.

Notary Public, State of Florida

My commission expires:
Seal

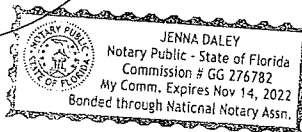
State of Florida

County of Duval

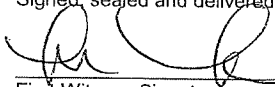
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of October, 2020 by Raymond Oesterling, who has produced _____ as Identification or is personally known to me to be the persons therein.

Notary Public, State of Florida

My commission expires:
Seal



Signed, sealed and delivered in the presence of:

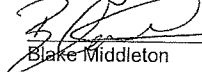

First Witness Signature

Laurie Love
Printed Signature


Second Witness Signature

Jonathan Hanning
Printed Signature


Jarrod Oesterling

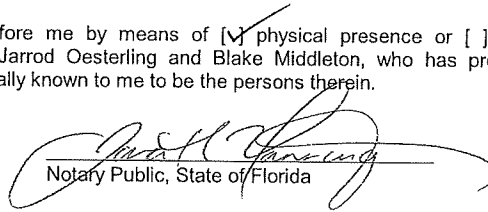

Blake Middleton

State of Florida

County of Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of October, 2020 by Jarrod Oesterling and Blake Middleton, who has produced Drivers License as Identification or is personally known to me to be the persons therein.

My commission expires: 10-1-21
Seal


Notary Public, State of Florida



Agent Authorization

RECEIVED

22-100147
NOV 28 2022

Date: 10/10/22

PLANNING & DEVELOPMENT

Re: Agent Authorization for the following site location:

1223 1st Ave N. Jax Beach FL 32250

You are hereby advised that the undersigned is the owner of the property described above

Said owner hereby authorizes and empowers

Jen Payne - Lifetime Enclosures

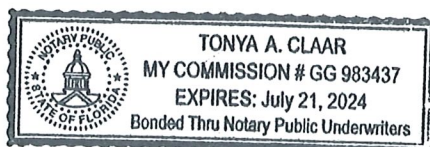
to act as agent for the above referenced property and in connection with such authorization to file such applications, fees, papers, documents, requests, and other matters necessary.

Desiree Morsching
(Owner's Signature)

Desiree Morsching
(Owner's Name)

Before me this 10 day of October In
the County of Duval, State of Florida, has personally appeared
Desiree Morsching
herin by himself/herself and affirms all statements and declarations
herin are true and accurate.

Tonya A. Claar
Notary Public at Large, State of FL, County of
Duval. Personally known or Produced Identification
ID Type DL#



REFERENCE



ELEVEN

January 16, 2002

Vincent Kelemen
631 Begonia St
Atlantic Bch FL 32233

RE: Case No. # BOA 02-20
1223 N. 1st Ave.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Vincent Kelemen
631 Begonia St.
Atlantic Bch
FL 32233

2. Article Number (Copy from service label)

BOA 02-2002

PS Form 3811, July 1999

THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

M. Kelemen 2/4/02

C. Signature

x/ M. Kelemen ☒ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7099 3400 0000 1223 7502

Domestic Return Receipt

102595-99-M-1789

Dear Mr. Kelemen:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on January 15, 2002 to consider your variance application.

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

- Section 34-336 (e)(1) c.l., for a front yard of 21 feet in lieu of 25 feet required,
- Section 34-336 (e)(1) e., for 43% lot coverage in lieu of 35% maximum,
- Section 34-373 (d), for 0 feet in lieu of 5 feet maximum for parking area (VUA) setback to allow for a new single family dwelling, and

The results of the meeting were:

- Approved

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required information to our office before you begin work on this project.

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6235.

Sincerely,

Jonathan Hays, CBO
Building Code Official

Attachment(s)

JCH/ER

RECEIVED
22-100142
NOV 28 2002

PLANNING & DEVELOPMENT

Post-It® Fax Note	7671	Date	1-18-02	# of pages	1
To	MISSY	From	PLAN & DEV		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	241-9900	Fax #			

RECEIVED
22-100142
NOV 28 2022

1223 1st Ave. N.

APPLICATION FOR VARIANCE

PLANNING & DEVELOPMENT

The need for the proposed variance originates from the homeowner's desire to add a screen enclosure on the existing slab in the backyard. The home itself does not meet the required 30ft rear yard setback. This does not provide them the space needed to add a screen enclosure within the setback. The proposed enclosure will be within the boundaries of the existing privacy fence and will require an 18ft rear yard setback in lieu of 30ft.

The proposed deviation will not substantially diminish the property values or change the essential character of the surrounding properties that could be affected by this deviation.

The proposed deviation will not be detrimental to the public health, will not create a nuisance, conflict, or any public expense.

The approval of the proposed deviation is in harmony with the spirit and intent of the zoning code.

Below is a list of home in the vicinity with similar situations.

1228 2ND Ave. N.

1202 2ND Ave. N.

1120 2ND Ave. N.

1137 1st Ave. N.

1147 1st Ave. N.

PROPOSED

RECEIVED

22-100142
NOV 28 2022

PLANNING & DEVELOPMENT

LEGAL DESCRIPTION

LOT 30 AND EAST 1/2 OF L, BLOCK 3, PINE-GROVE UNIT NO. ONE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 65, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LOT 10
BLOCK 2

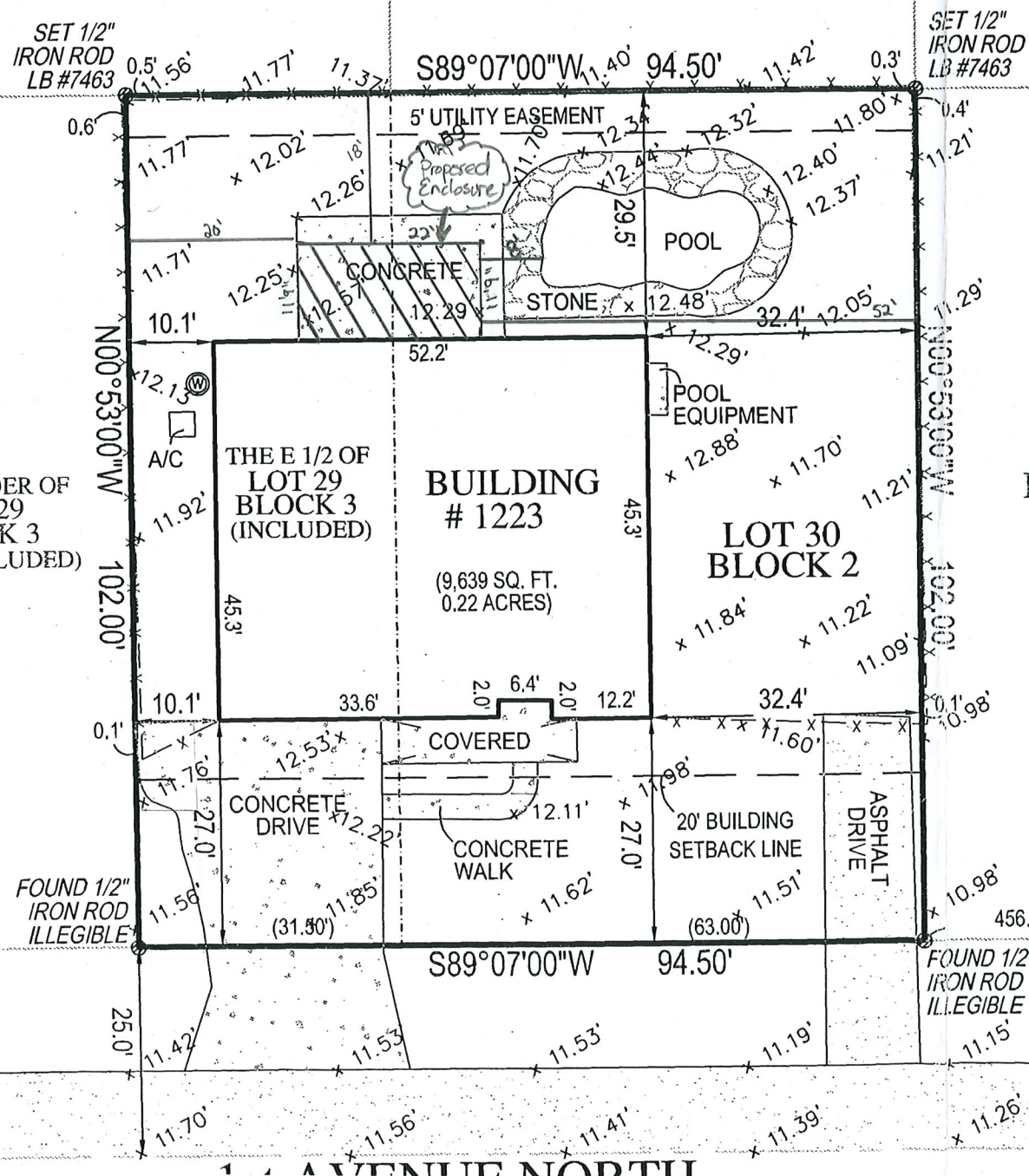
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BLOCK 2

LOT 8
BLOCK 2

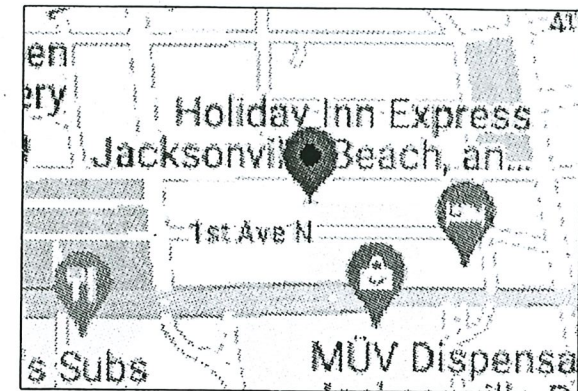
LOT 7
BLOCK 2

LOT 28
BLOCK 2

REMAINDER OF
LOT 29
BLOCK 3
(NOT INCLUDED)



SCALE: 1"=20'



VICINITY MAP
NOT TO SCALE

LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
EL.	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLAT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
P.R.M.	PERMANENT REFERENCE MONUMENT
PG.	PAGE
P.B.	PLAT BOOK
PK	PARKER KYLON NAIL
R	RADIUS
C	CENTERLINE
&	AND
#	NUMBER
Δ	DELTA OR CENTRAL ANGLE
CONCRETE	CONCRETE
CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
MISCELLANEOUS FENCE	MISCELLANEOUS FENCE

Acreage 0.2212

9639

Gross - 2460

Enclosure - 264

Concrete - 895

Pool - 646

Total - 4265

Coverage % - 44.2473 %

COMMUNITY NUMBER: 120078

PANEL: 12031C0417

SUFFIX: J

F.I.R.M. DATE: 11/2/2018

FLOOD ZONE: X

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A
TRUE AND CORRECT REPRESENTATION OF A SURVEY
PREPARED UNDER MY DIRECTION. NOT VALID

BOUNDARY & TOPOGRAPHICAL SURVEY OF
1223 1ST AVENUE NORTH
JACKSONVILLE BEACH, FL 32250
PREPARED FOR
DESIREE MORSCHING

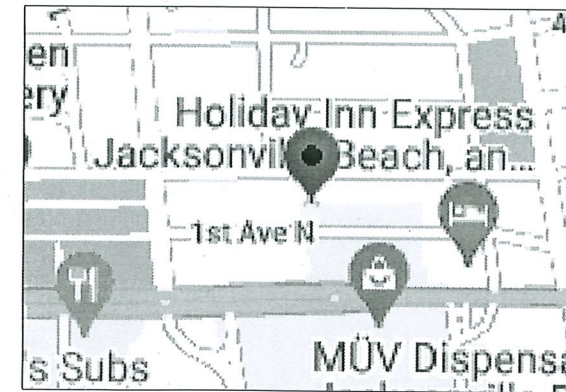
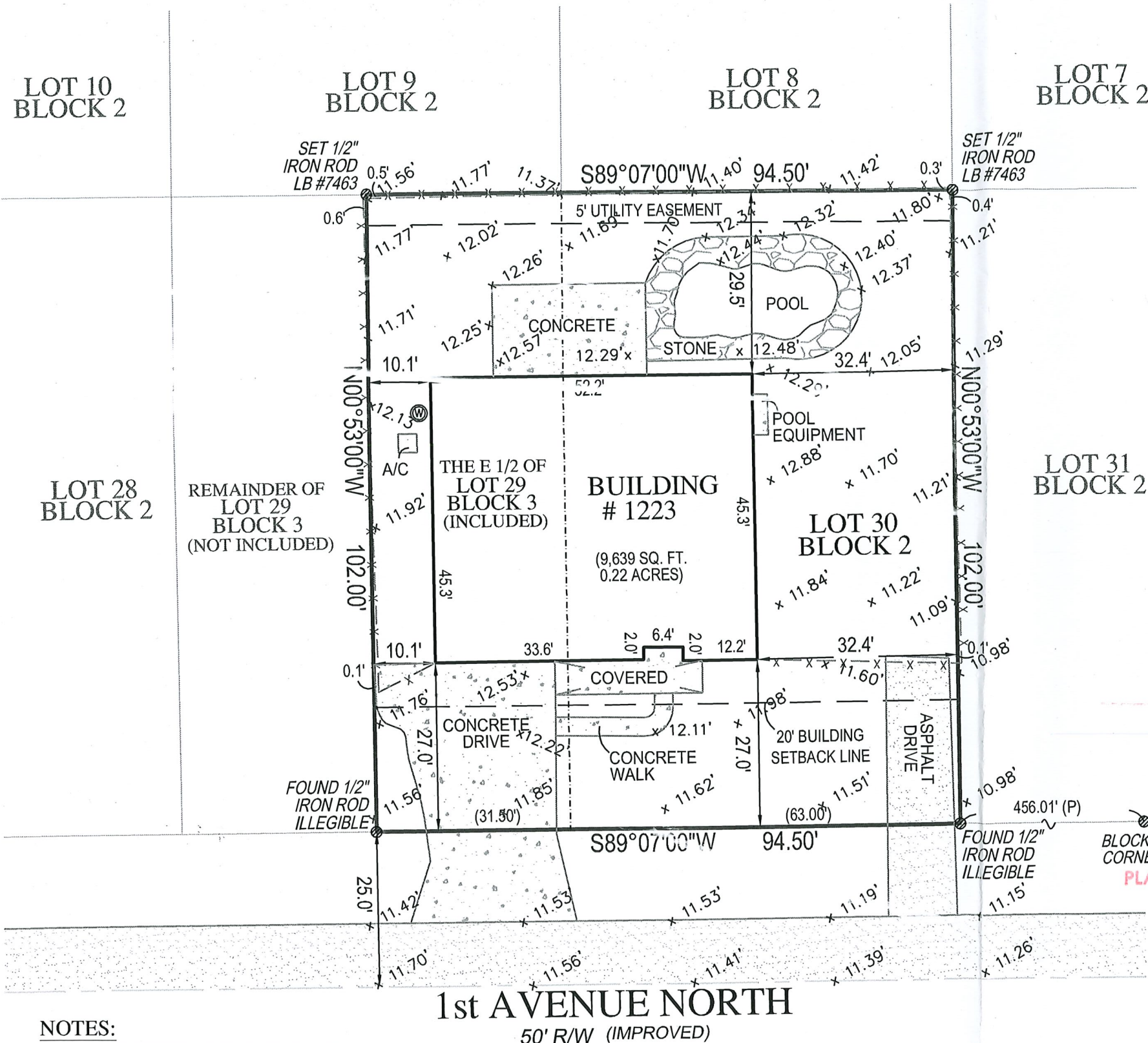
Project	C-555377
Date	08-17-2022
Scale	1"=20'
Sheet	1 OF 1

6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net
COMPASS SURVEYING
PHONE: 561.640.4800 FAX: 561.640.0576

LEGAL DESCRIPTION

LOT 30 AND EAST 1/2 OF L, BLOCK 3, PINE-GROVE UNIT NO. ONE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 65, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

EXISTING



VICINITY MAP
NOT TO SCALE

LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
EL.	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
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PSM	PROFESSIONAL SURVEYOR AND MAPPER
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PG.	PAGE
P.B.	PLAT BOOK
PK	PARKER KYLON NAIL
R	RADIUS
C	CENTERLINE
&	AND
#	NUMBER
Δ	DELTA OR CENTRAL ANGLE
CONCRETE	CONCRETE
CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
MISCELLANEOUS FENCE	MISCELLANEOUS FENCE

RECEIVED
22-100148
NOV 28 2022

COMMUNITY NUMBER: 120078
PANEL: 12031C0417
SUFFIX: J
F.I.R.M. DATE: 11/2/2018
FLOOD ZONE: X

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

NOTES:

- LEGAL DESCRIPTION PROVIDE BY CLIENT
- NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
- NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
- ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
- SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.

DATE OF FIELD WORK: 08-09-2022
DATE OF MAP: 08-17-2022

(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

BOUNDARY & TOPOGRAPHICAL SURVEY OF
1223 1ST AVENUE NORTH
JACKSONVILLE BEACH, FL 32250
PREPARED FOR
DESIREE MORSCHING

Project	C-555377
Date	08-17-2022
Scale	1"=20'

1 OF 1

6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net

COMPASS SURVEYING

LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576



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

BOA#22-100143

Zoning: RS-2
RE: 181076-1110
Legal: Lot 42, Constitution Cove Unit Two.
Address: 1301 Ponce De Leon Street.

Request

Section(s): 34-337(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to allow for construction of a new swimming pool and pool deck; and 34-337(e)(1)g, for an accessory structure setback of 2 feet in lieu of 5 feet minimum along the western side-yard and rear yard to rectify non-conformities to an existing shed at an existing single-family dwelling

Existing Conditions

The subject property is a nonconforming lot of record (circa 1976) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject lot is 95 feet in depth and approximately 65 feet in width at the front property line, and 70 feet at the front plane of the existing home, with an overall area of 7,500 square feet. This makes the lot substandard in width, but conforming in lot area for the RS-2 zoning district. The subject home was purchased in October of 2022, based on the submitted application and site plan, the home and all improvements amounted to 35.7 lot coverage. This included a detached shed, a rear covered patio / deck and a concrete driveway and walkway along the side of the house. The property has a typical 7.5 foot rear utility easement, but in addition has a 15 foot drainage easement that runs the entire length of the eastern property line.

There are no previous variances, one previous stop work order, 22-000023, and since has come into compliance.

Staff Analysis

The subject property is a nonconforming lot of record of record based on the width of the lot. The overall lot area is conforming, meeting the minimum standard for the RS-2 zoning district. The applicant purchased the property in 2022, and at the time of purchase, the lot was just above the 35% lot coverage maximum, based on the provided information in the application. The applicant is proposing to add in a new swimming pool and deck, while also removing some existing lot coverage to mitigate some of the impact of the additional lot coverage. The lot, while conforming in



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

overall area, has a unique feature that does impact its total buildable area. As most lots in the City, there is a rear easement that prohibits permanent construction in that 7.5 feet along the rear property line. Which, as stated, is a common condition throughout the City. The unique feature of this lot is the 15 foot wide drainage and utility easement along the eastern property line that runs the length of the whole property. This area also would prohibit any permanent construction in this area. This reduces the practical buildable area of the lot from 7,500 square feet to roughly 6,075 square feet. This would make the lot deficient in area if the easement were not part of the lot area overall. Staff would consider this to be a unique feature of the property that does constitute a hardship in that the lot must count this area as available property when it is not, in fact buildable area.

Minimum Dimensional Standards

- Minimum lot area: Seven thousand five hundred (7,500) square feet.
- Minimum lot width: Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, 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 two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- 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;**



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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is a nonconforming lot of record based on the lot width. There is also a 15 foot wide utility easement along the eastern property line which creates a hardship by being included in the lot area, but is unbuildable area, additionally most lots do not have a second utility easement that occupies so much land 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 lot was platted in 1976, and the home was constructed at the same time. The lot was platted with the 15 foot side yard easement in 1976, and is not the result 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. As noted previously, the existence of the large second easement is a unique condition of this property, and with the approval of the variance, the applicant would be able to build a typically sized pool and deck, which is not a special privilege, but a common accessory use for single family lots.

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. Due to the unique nature of the easement along the eastern property line, the approval of the variance would allow for the construction of a pool and deck, a right commonly enjoyed by owners of single family homes.

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 accomplish the addition of a new pool and pool deck. As previously noted, the applicant has proposed to remove some of the existing hardscape and shed to reduce the overall lot coverage to help accommodate the proposed



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

pool and pool deck. The overall lot coverage request could be larger, but for their efforts to reduce the request.

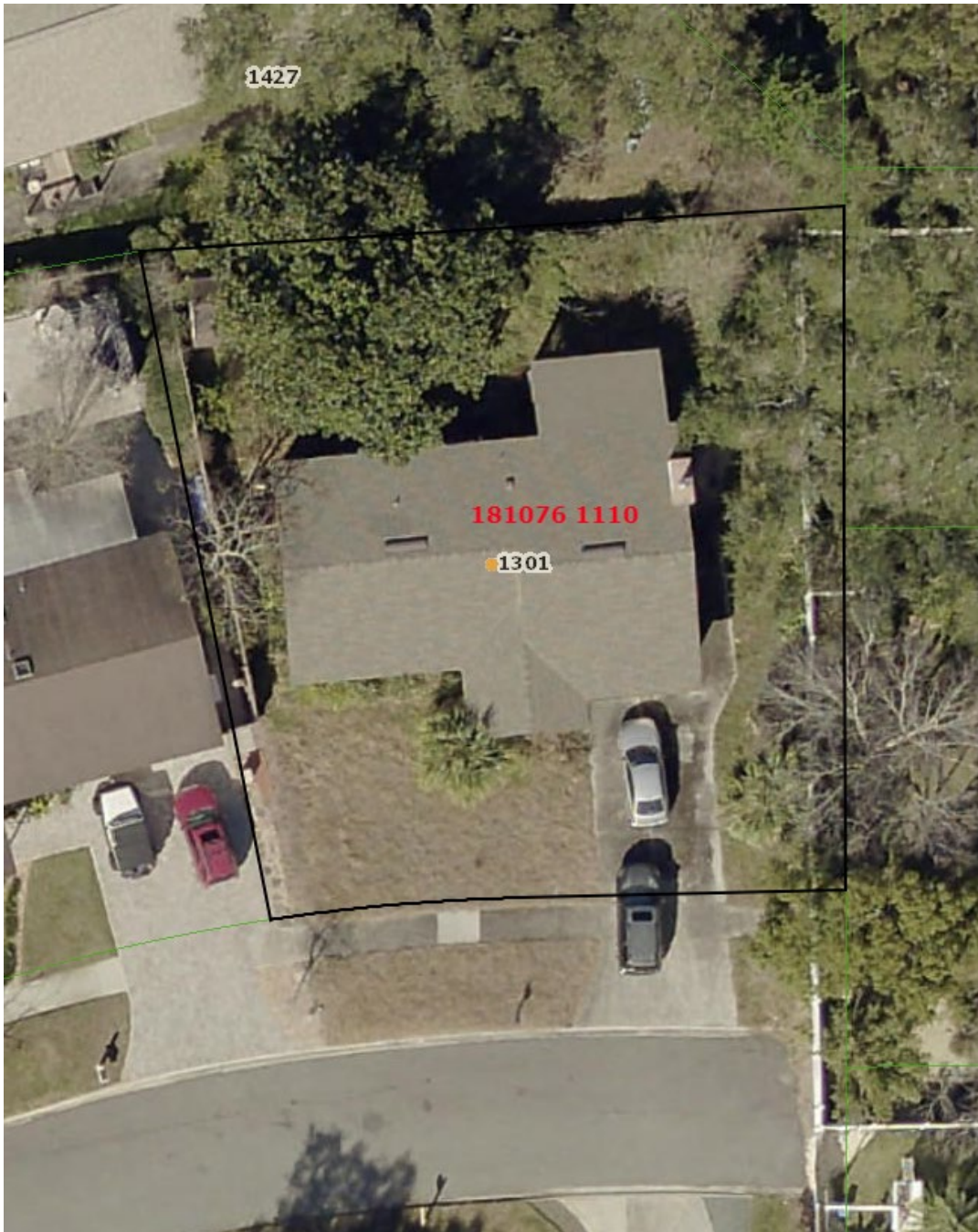
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

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

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100143**

Location Map (property boundaries are representative only)



UNPLATTED
(BEARING BASIS)
S86°16'00"W 90.00'

SET 1/2" IRON ROD LB #7463

7.5' UTILITY & DRAINAGE EASEMENT

LOT 42

15' UTILITY & DRAINAGE EASEMENT

SHED

WELL

1 STORY RESIDENCE #1301

CONCRETE DRIVE

5' WALK

PONCE DE LEON ST.

17.40' 60' R/W (IMPROVED)

LOT 41

LOT 43

LOT 44

LOT 45

LOT 46

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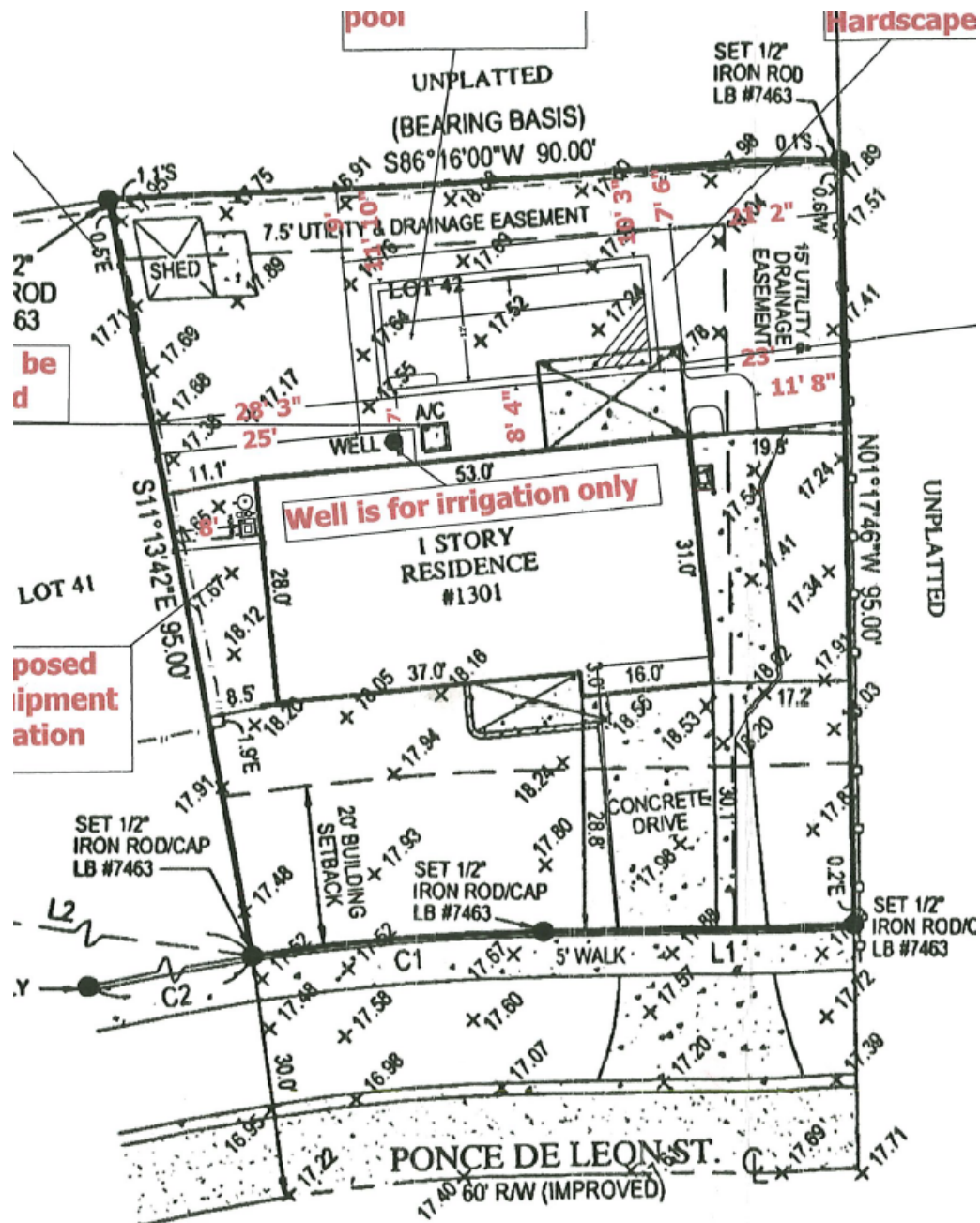
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LOT 396

LOT

ORIGINAL FIELD WORK.COM

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100143

HEARING DATE 1.18.23

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

REQUIRED DOCUMENTATION

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

RECEIVED

NOV 30 2022

APPLICANT INFORMATION

Applicant Name: Anthony & Sylvan Pools Telephone: (443) 280-7182
Mailing Address: 6254 Powers Ave Unit 715, Jacksonville, FL 32217 E-Mail: jsiebert@anthonysylvan.com

Agent Name: Jeremiah Siebert Telephone: (443) 280-7182
Mailing Address: 6254 Powers Ave Unit 715, Jacksonville, FL 32217 E-Mail: jsiebert@anthonysylvan.com

Landowner Name: Michael & Sandra Donovan Telephone: 904-429-6553
Mailing Address: 1301 Ponce de Leon St. Jacksonville Beach, FL 32250 E-Mail: sandidonovan16@gmail.com

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

VARIANCE DATA

Street address of property and Real Estate Number: 1301 Ponce de Leon St. 181676-1110
Legal description of property (Attach copy of deed): 35-57-09-35-29E Constitution Cove Unit 2 LOT 42
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Increase lot coverage from 35% to 50%. Existing lot coverage already over 35%. FOR IN GROUND SWIMMING POOL w/ DECKING.

AFFIDAVIT

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

APPLICANT SIGNATURE

PRINT APPLICANT NAME

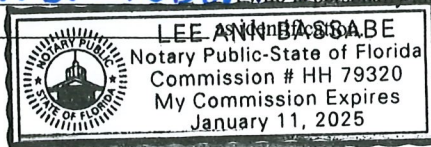
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30 day of November, 2022, by Jeremiah D. Siebert, who is personally known to me or produced FL Drivers License.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

CODE SECTION (S):
34-337(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to allow for construction of a new swimming pool and pool deck; and 34-337(e)(1)g, for an accessory structure setback of 2 feet in lieu of 5 feet minimum along the western side-yard and rear yard to rectify non-conformities to an existing shed at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100143

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.

RECEIVED

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.

NOV 30 2022
PLANNING & DEVELOPMENT

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	Existing lot coverage already exceeds the 35% allowance per the charter.
Special circumstances and conditions do not result from the actions of the applicant.	YES	No work has been performed yet therefore the applicant did not cause the actions.
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	Further variances will be applied for if lots existing already exceed 35%
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	This is correct.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	This is correct.
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 is correct.

Prepared by& Return to:

Alisa M. Pollock

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 22-634

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

181076-1110

*Documentary Stamps have been paid in
amount of \$4,193.00*

Consideration \$599,000.00

RECEIVED

22-100143

NOV 30 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this 28th day of October, 2022, by **Lisa Collins, a single person**, whose mailing address is **14553 Plumosa Dr., Jacksonville, FL 32250**, hereinafter referred to as the Grantor(s)", to **Michael Donovan and Sandra Donovan, a married couple**, whose mailing address is **1301 Ponce De Leon St., Jacksonville Beach, FL 32250**; hereinafter referred to as the "Grantee(s)";

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:

Lot 42, Constitution Cove Unit Two, according to the map or plat thereof, as recorded in Plat Book 35, Page(s) 57 and 57A, of the Public Records of Duval County, Florida.

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, 2021.

Prepared by& Return to:

Alisa M. Pollock
America's Choice Title Company
170 A1A North
Ponte Vedra Beach, Florida 32082

File Number: 22-634

Property Appraiser's Parcel I.D. (folio) Number:
181076-1110

*Documentary Stamps have been paid in
amount of \$4,193.00*

Consideration \$599,000.00

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

SIGN:

Witness #1:


Jaime Stokes


Lisa Collins

SIGN:

Witness #2:

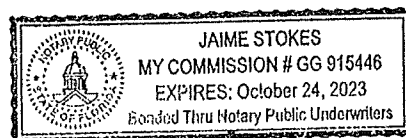

ALISA M. POLLOCK

State of Florida
County of St. Johns

The foregoing instrument was acknowledged this 28th day of October 2022, by **Lisa Collins**, who appeared before me in her physical presence, and, who produced a Driver's License as identification.

Notary Public

(Notary Seal)



To whom it may concern,

This letter is to verify that Jeremiah Siebert is assigned to act as my authorized agent through the Jacksonville Beach Variance and Permitting process for my residence at 1301 Ponce De Leon St.
Jacksonville Beach, FL 32250

Please reach out with any questions or concerns to

Name Michael Donovan
SANDRA DONOVAN

Phone 724-494-2506

Email Sandidonovan16@gmail.com

RECEIVED
22-100143
NOV 30 2022

PLANNING & DEVELOPMENT

[Signature]
APPLICANT SIGNATURE

Sandra Donovan

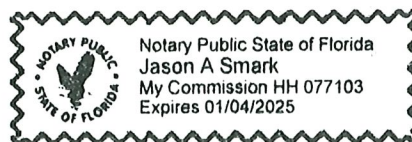
Michael Donovan
PRINT APPLICANT NAME

11/26/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26th day of NOVEMBER, 2022 by MICHAEL & SANDRA DONOVAN who is personally known to me or produced FL DRIVERS LICENSES as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
JASON A. SMARK
PRINT NOTARY NAME



(Affix Notary Seal Above)

LEGAL DESCRIPTION

LOT 42, CONSTITUTION COVE UNIT TWO, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 57, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PROPOSED

FLOOD ZONE: X
COMMUNITY NUMBER: 120078
PANEL: 0419
SUFFIX: J
BASE FLOOD ELEVATION: N/A
FIRM DATE: 11-02-2018

A/C relocated
by previous
owner. No
longer here

ORIGINATION BENCHMARK

DUVAL COUNTY
BENCHMARK "W 323"
N.A.V.D. ELEVATION = 9.01'

6' Fence
to Code
by others

Proposed
in-ground gunite
pool

Proposed
Hardscape

Total lot - 7500 sq ft
Existing lot coverage - 2683 Sq Ft
Existing % - 35.7%
Proposed lot coverage - 3542
Proposed % - 47.2%

Covered Patio
Removed by
previous owner.
Currently wooden
patio and will be
removed

VICINITY MAP
NOT TO SCALE

LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
EL	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLAT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
P.R.M.	PERMANENT REFERENCE MONUMENT
PG.	PAGE
P.B.	PLAT BOOK
PK	PARKER KYLON NAIL
R	RADIUS
C	CENTERLINE
Δ	AND
Δ	NUMBER
Δ	DELTA OR CENTRAL ANGLE
CONCRETE	CONCRETE
CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
MISCELLANEOUS FENCE	MISCELLANEOUS FENCE
TOPOGRAPHIC ELEVATION	TOPOGRAPHIC ELEVATION

RECEIVED
22-100143
NOV 30 2022

PLANNING & DEVELOPMENT

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A
TRUE AND CORRECT REPRESENTATION OF A SURVEY
PREPARED UNDER MY DIRECTION, NOT VALID
WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) *Kenneth J. Osborne*

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #8415

NOTES:

- LEGAL DESCRIPTION PROVIDE BY CLIENT
- NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
- NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
- ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
- SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE NORTHERLY PROPERTY LINE, HAVING A BEARING OF S86°16'00"W.

ORIGINAL FIELD WORK COMPLETED BY
TARGET SURVEYING, LLC.
SURVEY #: 519283

DATE OF FIELD WORK: 10-06-2022
DATE OF MAP: 10-13-2022

BOUNDARY SURVEY WITH TOPOGRAPHIC ELEVATIONS OF
1301 PONCE DE LEON STREET
JACKSONVILLE BEACH, FL. 32250
PREPARED FOR
CHRISTINE MICIELI

C-563165
10-06-2022
1"=20'
1 of 1

6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net
COMPASS SURVEYING
LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

EXISTING

LEGAL DESCRIPTION

LOT 42, CONSTITUTION COVE UNIT TWO, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 35, PAGE 57, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FLOOD ZONE: X
COMMUNITY NUMBER: 120078
PANEL: 0419
SUFFIX: J
BASE FLOOD ELEVATION: N/A
FIRM DATE: 11-02-2018

ORIGINATION BENCHMARK

DUVAL COUNTY
BENCHMARK "W 323"
N.A.V.D. ELEVATION = 9.01'

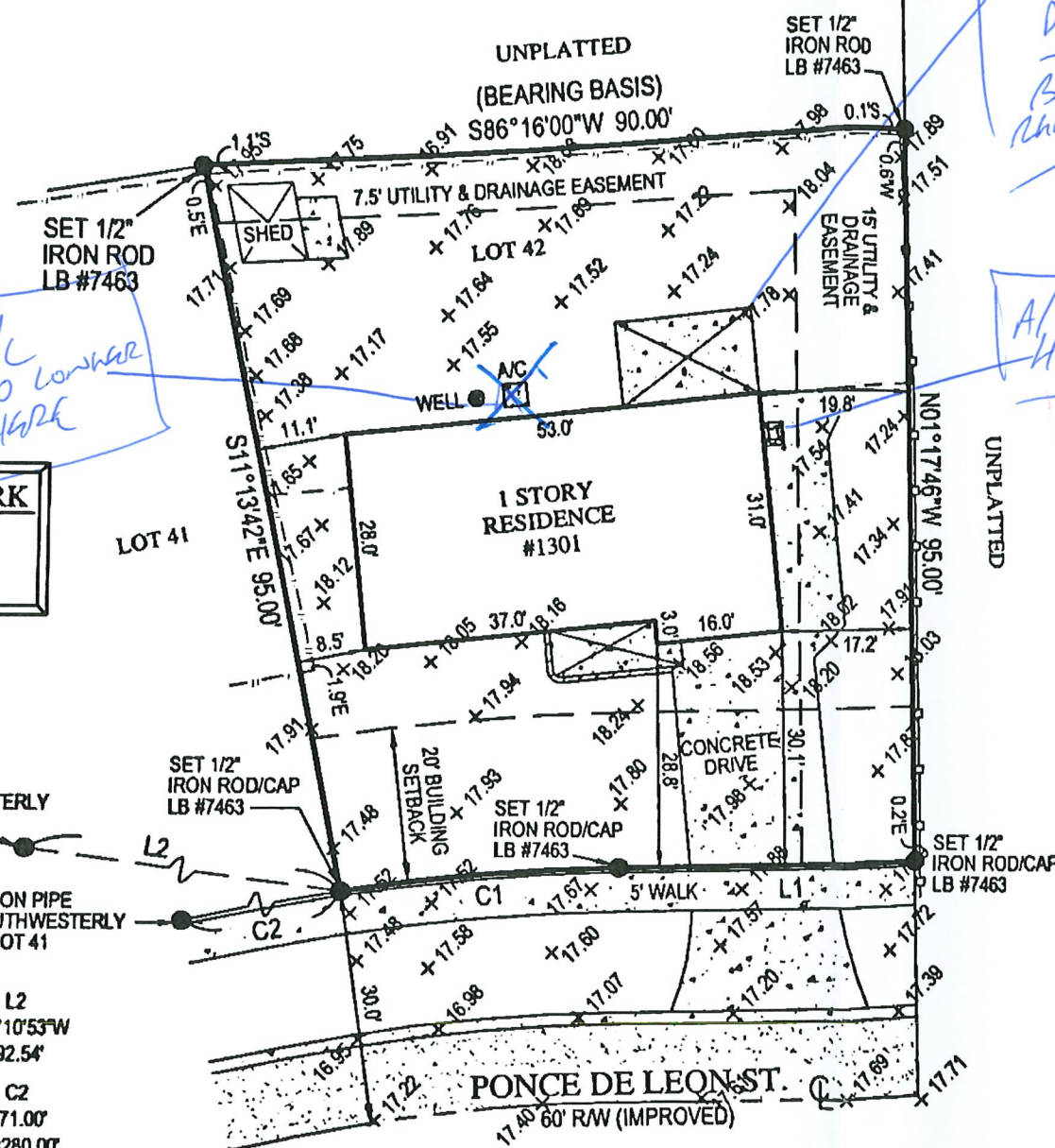
FOUND 1/2" IRON PIPE
NO I.D. @ NORTHWESTERLY
CORNER OF LOT 40

FOUND 1/2" IRON PIPE
NO I.D. @ SOUTHWESTERLY
CORNER OF LOT 41

L1	L2
N88°34'07"E	N82°10'53"W
38.16'	192.54'
C1	C2
L=35.41'	L=71.00'
R=280.00'	R=280.00'
Δ=7°14'46"	Δ=14°31'43"

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE NORTHERLY PROPERTY LINE, HAVING A BEARING OF S86°16'00"W.



VICINITY MAP
NOT TO SCALE

LEGEND

A/C AIR CONDITIONER
B.F.P. BACKFLOW PREVENTER
C.B.S. CONCRETE BLOCK STRUCTURE
EL ELEVATION
F.F. FINISHED FLOOR
I.D. IDENTIFICATION
L LENGTH
L.B. LICENSED BUSINESS
M MEASURED
N.A.V.D. NORTH AMERICAN VERTICAL DATUM
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P PLAT
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P.R.M. PERMANENT REFERENCE MONUMENT
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PK PARKER KYLON NAIL
R RADIUS
C CENTERLINE
AND
NUMBER
Δ DELTA OR CENTRAL ANGLE
CONCRETE
CHAIN LINK FENCE
WOOD FENCE
MISCELLANEOUS FENCE
TOPOGRAPHIC ELEVATION

22-100143
NOV 30 2022

PLANNING & DEVELOPMENT

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

Kenneth J. Osborne

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #8415

BOUNDARY SURVEY WITH TOPOGRAPHIC ELEVATIONS OF
1301 PONCE DE LEON STREET
JACKSONVILLE BEACH, FL. 32250
PREPARED FOR
CHRISTINE MICELI

C-563165
10-06-2022
1 of 1

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COMPASS
SURVEYING

PHONE: 561.640.4800 FAX: 561.640.0576
LB. 7463



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

BOA#22-100144

Zoning: RS-1
RE: 181707-0000
Legal: Lot 1, Block D7, and a portion of a closed walkway, Ponte Vedra "A"
Address: 3848 Duval Drive

Request

Section(s): 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for renovations at an existing non-conforming single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1937) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is 95 feet deep and 94 feet deep along the northern property line, 106 feet deep along the southern property line, with a width of 95 feet at the street and 99 feet along the rear property line. The overall area is 9,961 square feet. The existing house was constructed in 1981, and predated the current Land Development Code. The subject property has existing nonconformities, specifically with regards to lot coverage. The current property with the existing home and all hardscaping has a total lot coverage of 40.5%. The proposed renovations and improvements will exceed 50% of the value of the existing home, requiring the lot coverage to be brought into compliance. Additionally, the applicant is proposing the expansion of the driveway, the addition of new walkways and a rear pool. The proposed overall lot coverage will be 42% upon completion.

No previous variances. No active code enforcement.

Staff Analysis

The subject property is a nonconforming lot of record and the exiting home is also nonconforming in lot coverage. The home was constructed in 1981, and it's unclear when the lot coverage was set at 40.5% as it currently stands, but appears to predate 2004 based on the available satellite images. The current owner purchased the house in march of 2021. They are now seeking to do a major renovation to the home with some expansion of lot coverage to allow for new walkways and a new pool. The applicant is proposing to replace the existing concrete driveways and walkways with new pervious pavers rated at or above 50% to achieve 50% lot coverage for these areas. Additionally around the pool they are proposing artificial turf vs concrete, to again reduce the lot coverage. The net change in lot coverage



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

will be 1.5%, going from 40.5% to 42%. This net change amounts to 150 square feet. Staff finds there is existing deficiencies with the lot and home.

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 lot is substandard in area. Additionally the home is currently nonconforming in lot coverage. To be able to renovate the home requires at a minimum the current lot coverage be brought into compliance based on the project cost and scope.

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. According to the applicant the lot coverage was at 40.5% at the time of purchase. The



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

applicant is proposing a substantial renovation that would result in an increase in lot coverage.

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. Renovations of existing single family homes is a common way to increase livable space, or simply preserve an existing structure without the need to tear down an existing home. This is a common practice in the RS-1 zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The current lot coverage exceeds 35% and did at the time of purchase for the current owner. Without approval of this lot coverage at a minimum, the applicant would not be able to complete the proposed interior renovations. This would constitute a hardship and deprive the owner of a right commonly enjoyed in the RS-1 district. In addition, the proposed use of an accessory pool and improved walkways are also common accessory uses found in the RS-1 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 addition to the exiting property. Although the minimum relief needed for the interior renovation would be the current lot coverage of 40.5%, the applicant has proposed the use of several pervious materials to replace existing concrete to help mitigate the increase in lot coverage proposed by the renovations and addition of walkways and the new pool. The use of these paver products makes a substantial difference in lot coverage at the completion of the project, so the addition 1.5% is a reasonable request as compared to other such projects within the RS-1 district.

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.**



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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.

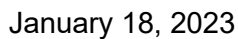
Staff Recommendation

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#22-100144**

Location Map (property boundaries are representative only)



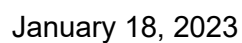
Existing Survey





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

Proposed Site Plan





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



APPLICATION FOR VARIANCE

BOA No.

HEARING DATE

22-100144

1-18-23

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

REQUIRED DOCUMENTATION

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

RECEIVED

11:15A

NOV 30 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

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: Frederick & Janet Saltmarsh **Telephone:** (904) 402-8335
Mailing Address: 3848 Duval Drive **E-Mail:** salty62@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: 3848 Duval Drive, Jacksonville Beach, FL 32250, RE#:181707 0000

Legal description of property (Attach copy of deed): 15-66 10-3S-29E .214 PONTE VEDRA A LOT 1 BLK D7

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).

42% Lot Coverage, in lieu of 35% for single family house

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.

APPLICANT SIGNATURE

Christi Elflein

PRINT APPLICANT NAME

DATE

11/16/22

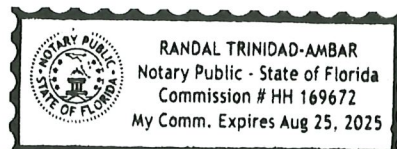
STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16th day of NOV, 20 22, by CHRISTI ELFEIN, who is personally known to me or produced FDL as identification.

NOTARY PUBLIC SIGNATURE

RANDAL TRINIDAD AMBAR

PRINT NOTARY NAME



Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-shaded

CODE SECTION (s):

34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for renovations at an existing non-conforming single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100144

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.

PLANNING & DEVELOPMENT

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 property is shallow and drops in elevation from the rear of the house to the edge of the lagoon. It is zoned, Residential, Single Family (RS-1). RS-1 requires a minimum lot size of 10,000 sq. ft. This lot is only 9,969 sq. ft., which is slightly smaller than the minimum required lot size. It is therefore a non-conforming RS-1 lot.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	No special conditions will result from the variance. The home renovation and lot improvements will have a positive impact on the street by decreasing lot coverage.
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 home renovation and lot improvements will have a positive impact on the street by decreasing lot coverage.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation would create an unnecessary hardship based on the property's non-conforming lot size, shallow lot depth and steep topography.
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. Currently, the existing lot coverage is 56%. The home renovation and lot improvements will result in less lot coverage. Creative efforts have been made in the design to minimize lot coverage by using sand set pervious pavers and other pervious materials such as crushed oyster shell.
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 renovations and lot improvements are consistent with the purposes, goals, objectives and policies of these codes and will not adversely affect adjacent lands.

Prepared by:
Jessica Wright
Beaches Title Services, LLC
11437 Central Parkway - Suite 102
Jacksonville, Florida 32224

File Number: 1031-092
Consideration \$1,700,000.00

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22-100144
NOV 30 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this March 19, 2021 by **Samuel A. Christian and Penelope Harrison Christian, husband and wife**, whose address is: 265 Rock Face Road, Brevard, NC 28712, hereinafter called the grantor, to **Frederic Scott Saltmarsh and Janet Porizky Saltmarsh, husband and wife**, whose post office address is: 3948 Duval Dr, Jacksonville Beach, FL 32250, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

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

LOT 1, BLOCK D-7, PONTE VERDA, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGES 66 AND 66A, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Parcel ID Number: 181707-0000

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

RECEIVED
22.100144
NOV 30 2022

Prepared by:
Jessica Wright
Beaches Title Services, LLC
11437 Central Parkway - Suite 102
Jacksonville, Florida 32224

PLANNING & DEVELOPMENT

File Number: 1031-092
Consideration \$1,700,000.00

Signature page for Warranty Deed

Signed, sealed and delivered in our presence:

Reva Bond
Witness Printed Name Reva Bond

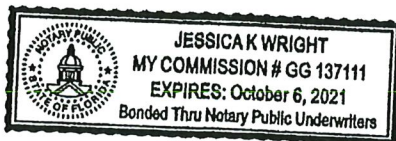
Jessica K. Wright
Witness Printed Name Jessica K. Wright

State of Florida
County of Duval

Samuel A. Christian (Seal)
Samuel A. Christian

Penelope Harrison Christian (Seal)
Penelope Harrison Christian

The foregoing instrument was acknowledged by means of ☒ physical presence or ☐ online notarization, this 26 day of March, 2021, by Samuel A. Christian and Penelope Harrison Christian, husband and wife, who have produced Id as identification.



[Signature]
Notary Public
Print Name: _____
My Commission Expires: _____

RECEIVED
22-100144

November 15, 2022 NOV 30 2022

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

PLANNING & DEVELOPMENT

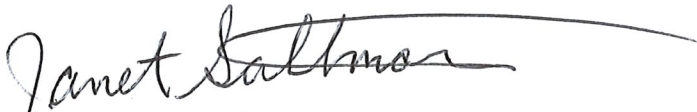
Re: 3848 Duval Drive

Dear Mr. Popoli,

Starr Sanford Design is submitting on our behalf an Application for Variance for 3848 Duval Drive, Jacksonville Beach, FL 32250. The purpose of this letter is to grant Starr Sanford Design authorization to represent us as our agent.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet Saltmarsh", with a long horizontal flourish extending to the right.

Scott and Janet Saltmarsh
Property Owners

CC: Starr Sanford Design

RECEIVED

22-100144

NOV 30 2022

FLORIDA INDIVIDUAL ACKNOWLEDGMENT

F.S. 117.05(13)

PLANNING & DEVELOPMENT

State of Florida

County of St. Johns

The foregoing instrument was acknowledged before me by means of

☒ Physical Presence,

— OR —

☐ Online Notarization,

this 16th day of November, 2022, by
Date Month Year

Janet Saltmarsh

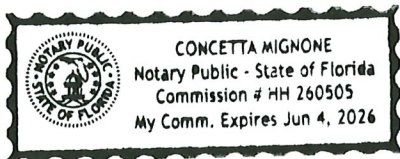
Name of Person Acknowledging

Concetta Mignone

Signature of Notary Public — State of Florida

Concetta Mignone

Name of Notary Typed, Printed or Stamped



Place Notary Seal Stamp Above

☐ Personally known

☒ Produced Identification

Type of Identification Produced: Florida

Driver License

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Letter to Mr. Popal:

Document Date: November 15, 2022 Number of Pages: 1

Signer(s) Other Than Named Above: Scott Saltmarsh

LAKE DUVAL

NOV 30 2022

22-100144
PLANNING & DEVELOPMENT



Saltmarsh Residence
3848 Duval Drive, Jacksonville Beach, FL



North

Site Plan
Source: SSD
Date: Nov 15, 2022

PROPOSED

Variance Application

Scott and Janet Saltmarsh

3848 Duval Drive
Jacksonville Beach, FL

The Saltmarshes are renovating an existing home on Duval Drive. This home currently has a lot coverage of 56%. The Saltmarshes are proposing to reduce the lot coverage to a maximum of 42%. To reduce the lot coverage, creative landscaping is proposed. The improvements include a new driveway made of pervious sand set pavers, walkways made of pervious pavers and crushed shell, and a backyard pool with a pool deck that includes the use of artificial turf.

The lot is non-conforming, zoned RS-1. It is a shallow lot with steep topography in the rear of the lot as it slopes into the lagoon. This lot shape results in a smaller lot size than the minimum standard RS-1 lot size.



Existing Home

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22-100144
NOV 30 2022

PLANNING & DEVELOPMENT



Proposed Front Elevation



Proposed Rear Elevation



370 4th Ave S.
Jax Beach, FL
32250
starrsanford.com

Saltmarsh Residence
3848 Duval Drive, Jacksonville Beach, FL



North

Renderings

Source: SSD

Date: Nov 15, 2022

PROPOSED

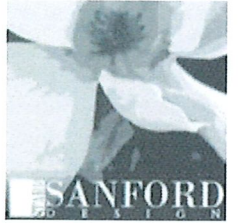


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NOV 30 2022

22-100144

PLANNING & DEVELOPMENT



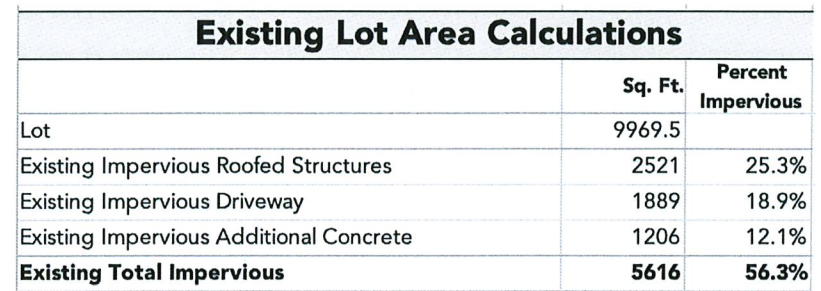
Saltmarsh Residence
3848 Duval Drive, Jacksonville Beach, FL



North

Parcel Map
Source: Jax GIS
Date: Oct 2022

LAKE DUVAL



New Lot Area Calculations		
	Sq. Ft.	Percent Impervious
Lot	9969.5	
New Impervious Roofed Structures	2684.5	26.9%
New Impervious Garden Wall	12.0	0.1%
New Pervious Pool - 330 sq.ft. @ 0%	0.0	0.0%
New Pervious Gravel or Oyster Shell - 92.5 sq.ft. @ 0%	0.0	0.0%
New Impervious Concrete	864.3	8.7%
New Pervious Sand Set Pavers - 944.5 sq ft @ 50%	472.3	4.7%
Total New Impervious	4033.0	40.5%
Maximum Impervious Surface Allowed per RS-1		35.0%



Saltmarsh Residence
3848 Duval Drive, Jacksonville Beach, FL



North

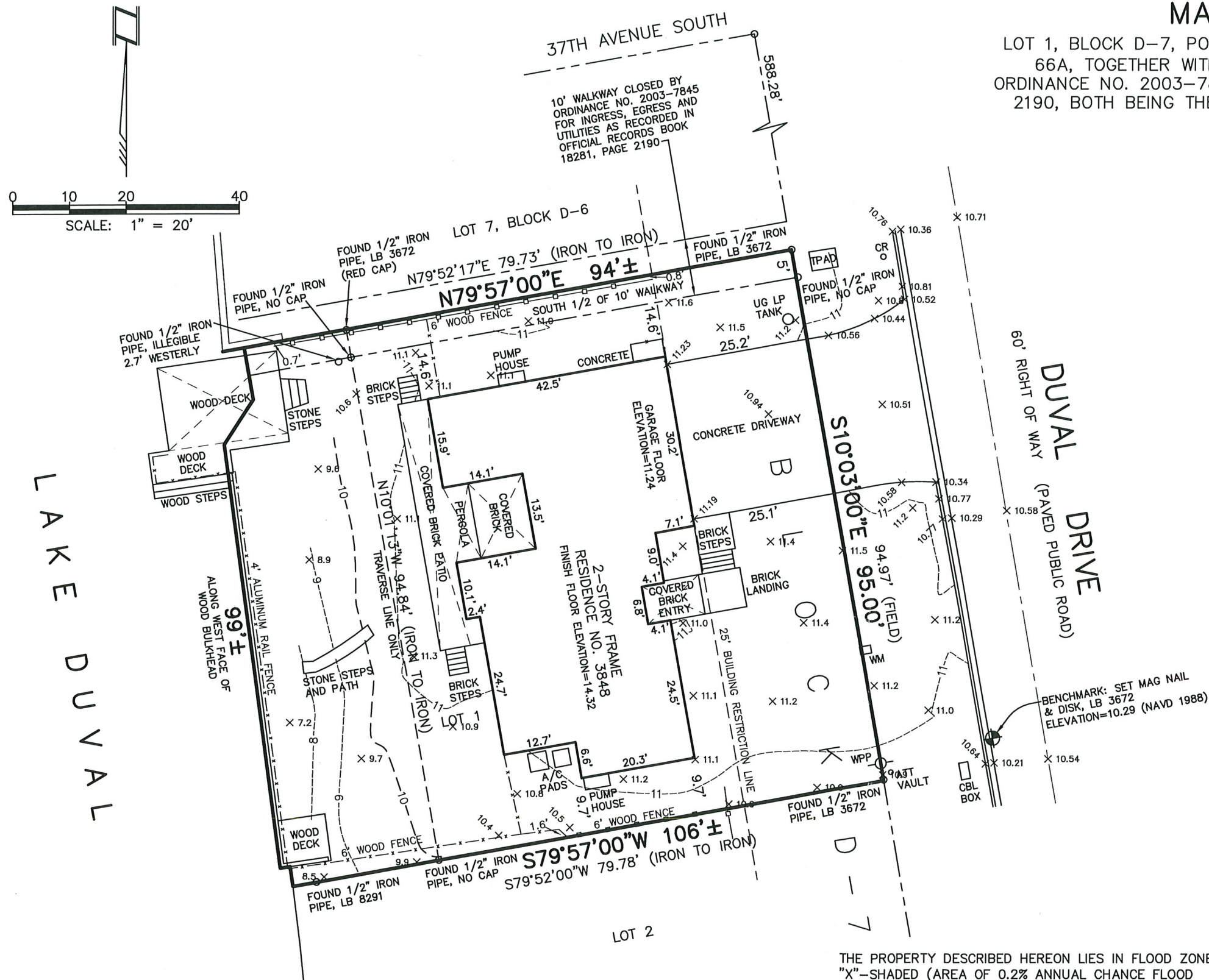
Lot Coverage
Source: SSD
Date: Nov 15, 2022

NOV 30 2022

22.100144

PLANNING & DEVELOPMENT

REF: 2002-0091



November 15, 2022

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

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22-100144
NOV 30 2022

PLANNING & DEVELOPMENT

Re: 3848 Duval Drive Variance Application

Dear Board Members,

I am a neighbor of Scott and Janet Saltmarsh who live at 3848 Duval Drive. They have shared their plans with me to renovate their home. The changes will be an improvement to the street and we support the lot coverage variance.

Thank you for your consideration.

Sincerely,

Jill & Billy McGriff
Name

3830 Duval Dr., Jax Beach, FL 32250
Address

November 15, 2022

RECEIVED
22-100144
NOV 30 2022

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

PLANNING & DEVELOPMENT

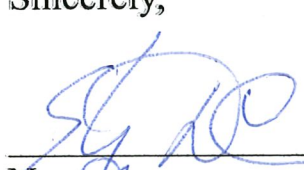
Re: 3848 Duval Drive Variance Application

Dear Board Members,

I am a neighbor of Scott and Janet Saltmarsh who live at 3848 Duval Drive. They have shared their plans with me to renovate their home. The changes will be an improvement to the street and we support the lot coverage variance.

Thank you for your consideration.

Sincerely,

 
Name Steve Lear Paula Lear

3922 Duval Dr. Jax Bch
Address



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

BOA#22-100145

Zoning: RS-2
RE: 179892-0160
Legal: Lot 25 and 26 (less the East 37.5 feet), Block 6,
William Coastal Boulevard Heights
Address: 1817 Horn Street

Request

Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for the construction of a swimming pool and pool deck at an existing single-family dwelling

Existing Conditions

The subject property is a nonconforming lot of record (circa 1925) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject lot is 50 feet in width and 102 feet in depth, with an overall area of 5,125 square feet. The subject lot is substandard in both width and area. The existing home was constructed in 2014. The home was purchased by the applicant in 2022, and had a lot coverage of roughly 41%. It appears a rear patio and walkway was added some time in 2015, based on the available satellite data. The home currently has a wheel strip driveway, which was needed to reach the 35% lot coverage at the time of construction.

There are no previous variances, no previous code cases.

Staff Analysis

The subject property is substandard in width and area. The applicant purchased the house with a nonconforming lot coverage percentage at 40.6%. The applicant is proposing to add a new pool and pool deck. In the proposed design, the applicant will be replacing a majority of the existing rear patio that was never permitted. The net change would be between 41-43% lot coverage. The applicant's application stated the request at 43%, however the proposed designs indicate that the total lot coverage upon completion will be 41%. The lot is currently 2,375 square feet too small for the RS-2 zoning district and 15 feet too narrow. If the existing lot were a full sized RS-2 lot, the proposed lot coverage with all improvements would be 29% lot coverage. Staff would recommend clarifying the actual lot coverage at completion of the project and conditioning it be that amount, if it is below 43% lot coverage.



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

Minimum Dimensional Standards

- Minimum lot area: Seven thousand five hundred (7,500) square feet.
- Minimum lot width: Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, 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 two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- 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 a nonconforming lot of record in both width and area. The property with the existing house and all hardscaping currently exceeds 35% lot coverage and did at the time of purchase.

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

Staff **does not** find that circumstances are a result of the applicant. The lot was platted in 1925, and the home was constructed in 2014. Right after the structure was completed, a rear patio was added without any permits or variance. The applicant is proposing to remove the existing patio and replace with a pool and a mix of pervious and impervious material.



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

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. As noted above, the applicant purchased the home with the existing nonconforming lot coverage. The proposed new pool and deck would be similar in lot coverage once completed, and a swimming pool is a common accessory use for single family homes in the RS-2 zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Based on both the substandard lot in width and area, as well as the existing nonconforming lot coverage, the property owner would be subject to an unnecessary hardship if the property were required to comply with the LDC. The accessory use of a pool is a common right enjoyed by residents with single family homes in the RS-2 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 accomplish the addition of a new pool and pool deck. Provided the lot coverage proposed is 43%, the Board can approve the application as submitted. If however, the lot coverage is more accurately represented on the submitted site plan at 41%, staff would recommend that the approval be conditioned to the minimum lot coverage needed to construct the proposed pool and deck.

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

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



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

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100145**

Location Map (property boundaries are representative only)



[illegible]

[illegible]



APPLICATION FOR VARIANCE

BOA No. 22-100145

HEARING DATE 1-18-23

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

REQUIRED DOCUMENTATION

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

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NOV 30 2022

13:45

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Adam and Kelly Weinberg **Telephone:** 781-956-2522
Mailing Address: 1817 Horn Street **E-Mail:** adam_weinberg@comcast.net
Jacksonville Beach, FL 32250
Agent Name: N/A **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Adam and Kelly Weinberg **Telephone:** 781-956-2522
Mailing Address: 1817 Horn Street **E-Mail:** adam_weinberg@comcast.net
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: 1817 Horn St, 179892-0160
Legal description of property (Attach copy of deed): 10-19 04-3S-29E .117, Williams Coastal Blvd Heights
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 43% impervious lot coverage in lieu of 35% for swimming pool and paver deck.

AFFIDAVIT

I, Kelly Weinberg, 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.

Kelly Weinberg
APPLICANT SIGNATURE

Kelly Weinberg
PRINT APPLICANT NAME

11/30/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of November, 20 22, by Kelly Weinberg, who is personally known to me or produced _____ as identification.

C. Jason Huntley
NOTARY PUBLIC SIGNATURE
C. Jason Huntley
PRINT NOTARY NAME



C. Jason Huntley
Comm. #GG339952
Expires: May 30, 2023
Bonded Thru Aaron Notary

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2

FLOOD ZONE: X

CODE SECTION (s):
34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for the construction of a swimming pool and pool deck at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100145

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.

NOV 30 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	Applicant is the second owner of the home. The current lot coverage was there upon applicant taking ownership. This is a substandard lot which is causing the need for a variance request.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	As mentioned above the applicant took ownership of home earlier this year and have made not adjustments to the home. They simply want to add a modest pool to their backyard.
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	Many other homes in this zoning area have added pools with similar sized homes to the applicant.
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	Yes, as many homes in the area have received very similar lot coverage requests for pools. Specifically, the home next door at 1066 Ruth Ave received 48% lot coverage
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The pool design is leaving quite a bit of grass/ landscaping in the backyard. The 12' x 22' pool took the maintaining of greenspaces into consideration during design.
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	Minimal impervious surfaces will be used in the installation of pool/ pavers.

PREPARED BY & RETURN TO:

LeeAnn Chen
Crockett Law P.L.
10033 Sawgrass Drive W., Suite 125
Ponte Vedra Beach, FL 32082

RECEIVED
22-100145

NOV 30 2022

PLANNING & DEVELOPMENT

File Number: 2021-457

(Space Above This Line For Recording Data)

212019168
\$749500⁰⁰

Warranty Deed

This Warranty Deed made this 31st day of January, 2022, between Charles Austin Scott and Meredith Grace Scott, husband and wife, hereinafter called Grantor, whose address is 206 Euclid Drive, Thomasville, GA 31792 and Adam Weinberg and Kelly Carper Weinberg, husband and wife, whose address is 1817 Horn Street, Jacksonville Beach, FL 32250, hereinafter called 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, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, to-wit:

Lot 25 and 26 (less and except the East 37.5 feet), Block 6, WILLIAM COASTAL BOULEVARD HEIGHTS, a subdivision according to the map or plat thereof, as recorded in Plat Book 10, Page(s) 19, of the Public Records of Duval County, Florida.

Parcel Identification Number: 179892-0160.

SUBJECT TO taxes accruing subsequent to December 31, 2021.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

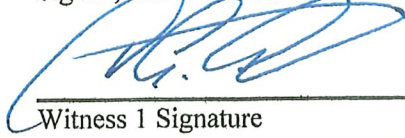
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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.

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

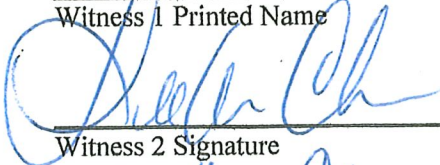
Signed, sealed and delivered in our presence:



Witness 1 Signature

Keith E. Crockett

Witness 1 Printed Name



Witness 2 Signature

LeeAnn Chen

Witness 2 Printed Name

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26 day of January, 2022 by Charles Austin Scott and Meredith Grace Scott who ☐ are personally known or ☒ have produced drivers' licenses as identification.

[Seal]

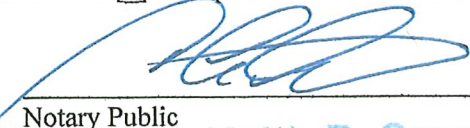




Charles Austin Scott



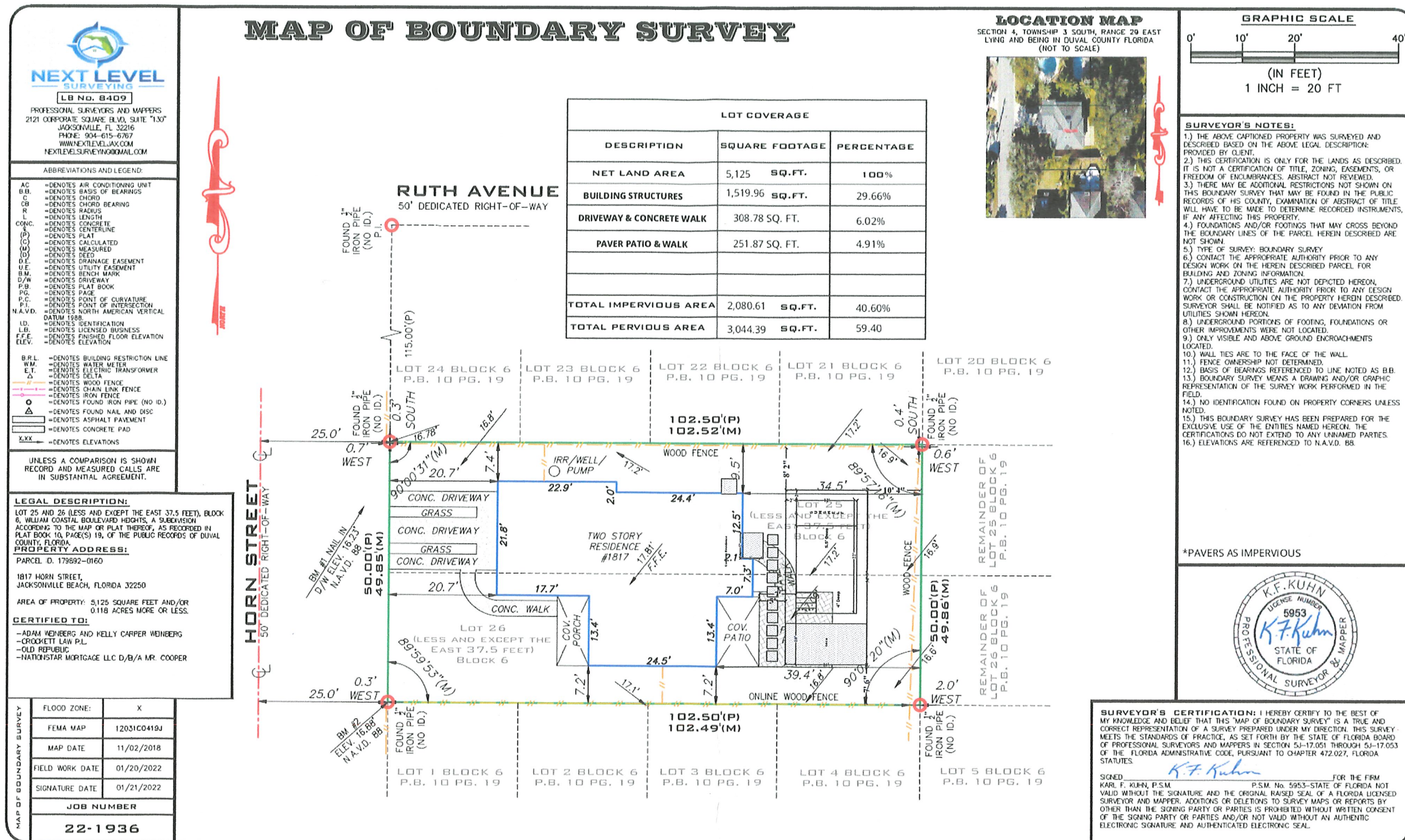
Meredith Grace Scott



Notary Public
Print Name: Keith E. Crockett
My Commission Expires: _____

PROPOSED

Scale: 1/20" = 1 ft



EXISTING

MAP OF BOUNDARY SURVEY



LB No. 8409

PROFESSIONAL SURVEYORS AND MAPPERS
2121 CORPORATE SQUARE BLVD, SUITE "130"
JACKSONVILLE, FL 32216
PHONE: 904-615-6767
WWW.NEXTLEVELJAX.COM
NEXTLEVELSURVEYING@GMAIL.COM

ABBREVIATIONS AND LEGEND:

AC	-DENOTES	AIR CONDITIONING UNIT
B.B.	-DENOTES	BASIS OF BEARINGS
C	-DENOTES	CHORD
CB	-DENOTES	CHORD BEARING
R	-DENOTES	RADIUS
L	-DENOTES	LENGTH
CONC.	-DENOTES	CONCRETE
(C)	-DENOTES	CENTERLINE
(P)	-DENOTES	PLAT
(M)	-DENOTES	CALCULATED
(D)	-DENOTES	MEASURED
-DENOTES	-DENOTES	DEED
D.E.	-DENOTES	DRAINAGE EASEMENT
U.E.	-DENOTES	UTILITY EASEMENT
B.M.	-DENOTES	BENCH MARK
D/W	-DENOTES	DRIVEWAY
P.B.	-DENOTES	PLAT BOOK
P.G.	-DENOTES	PAGE
P.C.	-DENOTES	POINT OF CURVATURE
P.I.	-DENOTES	POINT OF INTERSECTION
N.A.V.D.	-DENOTES	NORTH AMERICAN VERTICAL DATUM 1988.
LD.	-DENOTES	IDENTIFICATION
LB.	-DENOTES	LICENSED BUSINESS
F.F.E.	-DENOTES	FINISHED FLOOR ELEVATION
ELEV.	-DENOTES	ELEVATION

B.R.L.	=DENOTES	BUILDING RESTRICTION LINE
W.M.	=DENOTES	WATER METER
E.T.	=DENOTES	ELECTRIC TRANSFORMER
Δ	=DENOTES	DELTA
—//—	=DENOTES	WOOD FENCE
—X—X—	=DENOTES	CHAIN LINK FENCE
—O—O—	=DENOTES	IRON FENCE
—●—●—	=DENOTES	FOUND IRON PIPE (NO ID.)
Δ	=DENOTES	FOUND NAIL AND DISC
	=DENOTES	ASPHALT PAVEMENT
	=DENOTES	CONCRETE PAD
X.X.X →	=DENOTES	ELEVATIONS

UNLESS A COMPARISON IS SHOWN
RECORD AND MEASURED CALLS ARE
IN SUBSTANTIAL AGREEMENT.

LEGAL DESCRIPTION:

LOT 25 AND 28 (LESS AND EXCEPT THE EAST 37.5 FEET), BLOCK 6, WILLIAM COASTAL BOULEVARD HEIGHTS, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE(S) 18, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PROPERTY ADDRESS:

PARCEL ID. 179892-0160

1817 HORN STREET,
JACKSONVILLE BEACH, FLORIDA 32250

AREA OF PROPERTY: 5,125 SQUARE FEET AND/OR
0.118 ACRES MORE OR LESS.

CERTIFIED TO:

-ADAM WEINBERG AND KELLY CARPER WEINBERG
-CROCKETT LAW P.L.
-OLD REPUBLIC
-NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER

MAP OF BOUNDARY	FLOOD ZONE:	X
	FEMA MAP	12031C0419J
	MAP DATE	11/02/2018
	FIELD WORK DATE	01/20/2022
	SIGNATURE DATE	01/21/2022
	JOB NUMBER	
22-1936		

LOT COVERAGE		
DESCRIPTION	SQUARE FOOTAGE	PERCENTAGE
NET LAND AREA	5,125 SQ. FT.	100%
BUILDING STRUCTURES	1,519.96 SQ. FT.	29.66%
DRIVEWAY & CONCRETE WALK	308.78 SQ. FT.	6.02%
PAVER PATIO & WALK	251.87 SQ. FT.	4.91%
TOTAL IMPERVIOUS AREA	2,080.61 SQ. FT.	40.60%
TOTAL PERVIOUS AREA	3,044.39 SQ. FT.	59.40

LOCATION MAP

SECTION 4, TOWNSHIP 3 SOUTH, RANGE 29 EAST
LYING AND BEING IN DUVAL COUNTY FLORIDA
(NOT TO SCALE)



GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FT

SURVEYOR'S NOTES:

- 1.) THE ABOVE CAPTIONED PROPERTY WAS SURVEYED AND DESCRIBED BASED ON THE ABOVE LEGAL DESCRIPTION: PROVIDED BY CLIENT.
- 2.) THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEDOM OF ENCUMBRANCES. ABSTRACT NOT REVIEWED.
- 3.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS BOUNDARY SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF HIS COUNTY, EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY AFFECTING THIS PROPERTY.
- 4.) FOUNDATIONS AND/OR FOOTINGS THAT MAY CROSS BEYOND THE BOUNDARY LINES OF THE PARCEL HEREIN DESCRIBED ARE NOT SHOWN.
- 5.) TYPE OF SURVEY: BOUNDARY SURVEY
- 6.) CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.
- 7.) UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON, CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK OR CONSTRUCTION ON THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY DEVIATION FROM UTILITIES SHOWN HEREON.
- 8.) UNDERGROUND PORTIONS OF FOOTING, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 9.) ONLY VISIBLE AND ABOVE GROUND ENCROACHMENTS LOCATED.
- 10.) WALL TIES ARE TO THE FACE OF THE WALL.
- 11.) FENCE OWNERSHIP NOT DETERMINED.
- 12.) BASIS OF BEARINGS REFERENCED TO LINE NOTED AS B.B.
- 13.) BOUNDARY SURVEY MEANS A DRAWING AND/OR GRAPHIC REPRESENTATION OF THE SURVEY WORK PERFORMED IN THE FIELD.
- 14.) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- 15.) THIS BOUNDARY SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATIONS DO NOT EXTEND TO ANY UNNAMED PARTIES.
- 16.) ELEVATIONS ARE REFERENCED TO N.A.V.D. 88.

*PAVERS AS IMPERVIOUS



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22100145
DEC - 1 2022

PLANNING & DEVELOPMENT

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS "MAP OF BOUNDARY SURVEY" IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. THIS SURVEY MEETS THE STANDARDS OF PRACTICE, AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SECTION 5J-17.051 THROUGH 5J-17.053 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

SIGNED R. F. Kuhn FOR THE FIRM
KARL F. KUHN, P.S.M. P.S.M. No. 5953—STATE OF FLORIDA NOT
VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY
OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT
OF THE SIGNING PARTY OR PARTIES AND/OR NOT VALID WITHOUT AN AUTHENTIC
ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.