



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Wednesday, June 21, 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

ROLL CALL

Alexi Gonzalez (Chairperson), Owen Curley (Vice-Chairperson), John Moreland, Todd Smith, Jeff Truhlar

Alternates: Matt Metz, Jennifer Williams

APPROVAL OF MINUTES

A. Joint Board Workshop held on May 31, 2023

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#23-100021**

Applicant: Gene Novak

Agent: N/A

Owner: Gene Novak

Property Address: 194 St. George Ct.

Parcel ID: 181753-1012

Legal Description: Lot 6, Block 1, *The Gates of Ponte Vedra Unit One*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)c.1, for a front yard setback of 17.8 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 26.5 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 55.31% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot along the eastern property line in lieu of 5 feet minimum, to allow for the construction of a new detached accessory structure, rectify existing non-conformities and a new addition to the rear of an existing single family dwelling

NEW BUSINESS

A. **Case Number(s): BOA#23-100035**

Applicant: Greg Barnett

Agent: N/A

Owner: Greg Barnett
Property Address: 1280 Plantation Oaks Drive
Parcel ID: 179997-5190
Legal Description: Lot 38, *Plantation Oaks*
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)c.3, for a rear yard setback of 22 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 43.1% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1 foot along the eastern property line in lieu of 5 feet minimum, for an existing shed, to allow for a second floor addition to a non-conforming structure and to rectify existing non-conformities at an existing single family dwelling

B. **Case Number(s): BOA#23-10050**

Applicant: Shotgun Jax Beach LLC, Micheal Silvenro
Agent: N/A
Owner: Shotgun Jax Beach LLC
Property Address: 815 11th Ave South
Parcel ID: 176702-0000
Legal Description: Lot 10, Block 109, Oceanside Park
Current Zoning: RS-3
Motion to Consider: 34-338(e)(1)e, for lot coverage of 44% in lieu of 35% maximum, to allow for construction of a new single-family dwelling

C. **Case Number(s): BOA#23-10051**

Applicant: Sheepco Holdings LLC, Adam Alexander
Agent: N/A
Owner: Sheepco Holdings LLC
Property Address: 522 10th Street North
Parcel ID: 177361-0000
Legal Description: Lot 4, Block 1, Palm Courts
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)c.2, for a corner side yard setback of 13 feet in lieu of 18 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required garage; and 34-336(e)(1)d, for conditioned living area of 1,348 square feet in lieu of 1,600 square feet required, to allow for the enclosure of an existing carport to expand interior space at an existing single-family dwelling

D. **Case Number(s): BOA#23-10052**

Applicant: Sarah Rocco
Agent: N/A
Owner: Sarah Rocco
Property Address: 1415 3rd Street North
Parcel ID: 174681-0000
Legal Description: Lot 6, and the West 35 feet of the South One Half of Lot 4, Block 143, Pablo Beach Improvement Company's Plat
Current Zoning: C-1
Motion to Consider: 34-425(a)3, for no trees in lieu of 2 required trees; 34-425(b)1, for no landscape buffer adjacent to vehicular use area in lieu of a required 5 foot landscape buffer; and 34-425(c)1, for no vehicular area interior landscape islands in lieu of all required interior landscaping for a parking area of 10

spaces or more to allow for the conversion of an existing single use commercial space into a three tenant shopping center

E. **Case Number(s): BOA#23-100053**

Applicant: Atkins Builders INC, John Atkins

Agent: John Atkins

Owner: Atkins Builders INC

Property Address: 0 21st Ave South

Parcel ID: 179379-0040

Legal Description: Lot 4, (except the Westerly 5.00 feet thereof), Block L, Permenters Replat of South Pablo or Atlantic Camp Grounds

Current Zoning: RM-2 (RS-3 Standards)

Motion to 34-338(e)(1)c.1, for a front yard setback of 7 feet in lieu of 20 feet

Consider: minimum; 34-338(e)(1)c.2, for a corner side yard of 10 feet in lieu of 13 feet minimum; 34-338(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; 34-373(a)5, for a gravel driveway in lieu of required paved driveway or paver strips; and 34-425(h)1, for a corner visibility triangle of 7 feet in depth in lieu of 10 feet required for the driveway, to allow for construction of a new single family dwelling for property addressed '0' 21st Avenue South, RE# 179379-0040

PLANNING DEPARTMENT REPORT

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.

In accordance with Section 286.0114, Florida Statutes, any member of the public can attend a 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 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: Mike Staffopoulos, City Manager; City Attorney

**Minutes of Joint Boards Workshop
held Wednesday, May 31, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



The Council Workshop began at 6:01 P.M.

The following Board Members were in attendance:

Board of Adjustment:

Chairperson: Alexi Gonzalez
Vice-Chairperson: Owen Curley (absent)
Board Members: John Moreland Jeff Truhlar (absent) Todd Smith (absent)
Alternates: Jennifer Williams (absent) Matt Metz

Planning Commission:

Chairperson: Margo Moehring
Vice-Chair: Colleen White
Board Members: David Dahl (absent) Nicholas Andrews Justin Lerman
Alternate: Justin Henderson (absent) Debbie Cole

Community Redevelopment Agency:

Chairperson: Art Graham (absent)
Board Members: Frances Povloski (absent) Jeffrey Jones
David McGraw (absent) Gary Paetau

Also present were Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, and Blair Knighting of Kimley-Horn and Associates, Inc.

Purpose of Workshop

The purpose of this workshop was to gain insight into the general, overarching view of the City of Jacksonville Beach's Land Development Code (LDC), Comprehensive Plan, and vision for the future of the City and allow a broad range of public input and include multiple ways for opinions to be heard.

Director of Planning and Development Heather Ireland introduced Senior Planner Christian Popoli and Planner Danevsky Joseph. Ms. Ireland spoke about the City's vision and mission statements and stated the City was updating the Comprehensive Plan and LDC.

Blair Knighting of Kimley-Horn and Associates, Inc., presented a PowerPoint [on file] highlighting the following topics:

- Project Timeline
- Phase I Workshops Recap
- City Council LDC Workshop Recap
- Proposed Comprehensive Plan Changes
- Proposed Land Development Code Changes

Conversations ensued regarding the highlighted topics of the workshop.

The Board Members and other attendees were invited to review and comment on public informational displays.

The workshop adjourned at 7:37 P.M.

Submitted by: Lauren Loria
Administrative Assistant

Approval:

Alexi Gonzalez, Chairperson
Board of Adjustment

Date: _____

Margo Moehring, Chairperson
Planning Commission

Date: _____

Art Graham, Chairperson
Community Redevelopment Agency

Date: _____



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BOA#23-100021

Zoning: RS-1
RE: 181753-1012
Legal: Lot 6, Block 1, The Gates of Ponta Vedra Unit One.
Address: 194 St. George Ct.

Request

Section(s): 34-336(e)(1)c.1, for a front yard setback of 17.8 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 26.5 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 55.31% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot along the eastern property line in lieu of 5 feet minimum, to allow for the construction of a new detached accessory structure, rectify existing non-conformities and a new addition to the rear of an existing single family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1982) 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 65 feet in width and 110 feet deep along the western property line, and 95 feet deep along the eastern property line. The property has frontage along the edge of a cull-du-sac, creating an irregular shape which affects the lot size and front setbacks. The front setbacks vary in depth with the property, and the lot size is less than if it were rectangular. The overall lot area is 6,813. The lot is substandard in both width and area. Additionally the home's placement on the lot and home design created nonconformities with regards to setbacks and lot coverage, even with the proposed new addition, it will not encroach more than the current house into the rear setback. These reductions make up a bulk of the request, with the accessory use setbacks specific to the new proposed pergola.

BZA# 396-84 | BOA#84-100069: Left Side Yard Setback of 10 feet in lieu of 17.
(Predates current LDC setbacks and is no longer relevant.)
No active code enforcement.

Staff Analysis

The subject lot is substandard in both lot area and lot width. The RS-1 zoning district requires a minimum lot area of 10,000 square feet in area and minimum lot width of 90 feet. The subject lot is 25 feet too narrow, and over 3,000 square feet



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too small to meet the minimum for RS-1. The existing home was constructed prior to the current LDC's adoption. The home is nonconforming in lot area currently at 55.79%, and has nonconforming front and rear setbacks as well as a small side yard encroachment along the eastern side yard property line. The proposed addition will mostly replace an existing rear deck, with additional pool deck to connect the new addition to the existing pool decking. The net change in lot coverage from the current to the proposed would be a reduction of 0.48%. The proposal includes the expansion of the pool, thus reducing the lot coverage. The current owners purchased the property in 2022, and the majority of the request really relates to the new addition replacing the rear deck, and the addition of an open pergola, which will be over existing pool decking. The pergola must be 5 feet from the primary structure as well as the pool. Based on the current request, the pergola will meet the setback from the pool, which is driving the side yard setback relief request, but will likely need to be reduced by a few feet in size to meet the setback from the primary 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.



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Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and in area. Additionally the existing home is nonconforming in lot coverage and front and rear setbacks. The lot coverage will be reduced by this request, all be it by a very small percentage.

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 substandard nature of the existing lot in width and area was not caused by the applicant but was platted in 1982 with these dimensions. The exiting home's original footprint made the front and rear setbacks nonconforming at the time of construction in 1985.

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 applicant has proposed a reduction in lot coverage and a small decrease in the western side yard. The remainder of the request is to address existing nonconformities. Additions and rear accessory uses are common requests in the RS-1 zoning district and allow for continued reinvestment into existing homes.

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. Literal interpretation of the code would leave the current home with exiting nonconformities. Additionally it would prevent the



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applicant from adding space and value to their existing home, a right extended to other homes in the same zoning district.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the existing nonconformities as well as the proposed new porch. The proposed variances would address several existing nonconformities in the form of existing encroachments into the front and rear yards, as well as existing lot coverage, which will be slightly reduced by this request. Without approval of the request, the applicant could not add onto or expand the home, nor could they place the proposed pergola in the desired location.

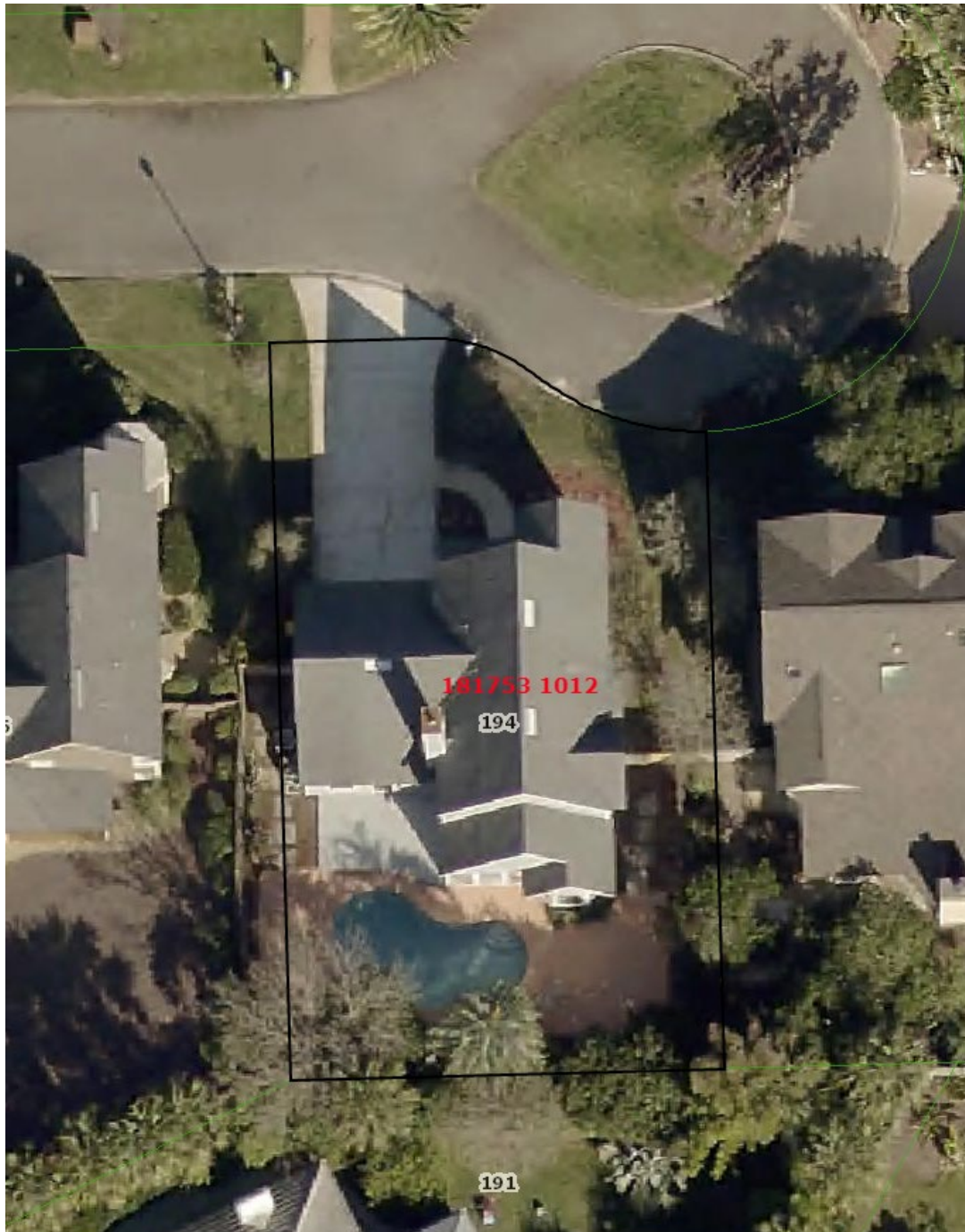
6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.

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#23-100021**

Location Map (property boundaries are representative only)



SAINT GEORGE COURT

ASPHALT ROADWAY RIGHT-OF-WAY 25.0'

POINT OF CURVATURE FOUND "X-CUT" IN CONCRETE

POINT OF REVERSE CURVATURE SET 1/2" IRON ROD AND CAP "NEXGEN 8111"

RADIUS POINT 40.0'

2' GUTTER

UTILITY BOXES

57'(P)

FOUND 1/2" IRON PIPE

L1

WM

BASIS OF BEARINGS

COVERED DRIVEWAY

POOL

EQUIPMENT 28.6'

LOT 6 BLOCK 1 RESIDENCE #194

POOL

FENCE 0.8' E

NO 1° 23' 40" W 110.00'

10.0'

33.0'

5.4'

17.8'

17.1'

9.6'

SET 1/2" IRON ROD AND CAP "NEXGEN 8111"

CUL-DE-SAC

C1

C2

5.9'

2.8'

1.7'

1.6'

47.9'

FENCE 0.4' E

SO 1° 23' 40" E 95.00' (RADIAL)

9.6'

12.1'

13.8'

5.1'

5.3'

26.5'

7.5'

FENCE 0.8' E & 0.0' N

S 88° 36' 20" W 65.01'

12.5'

SET 1/2" IRON ROD AND CAP

FENCE 1.0' E & 0.5' N

7.5'

LOT 5 BLOCK 1

LOT 7 BLOCK 1

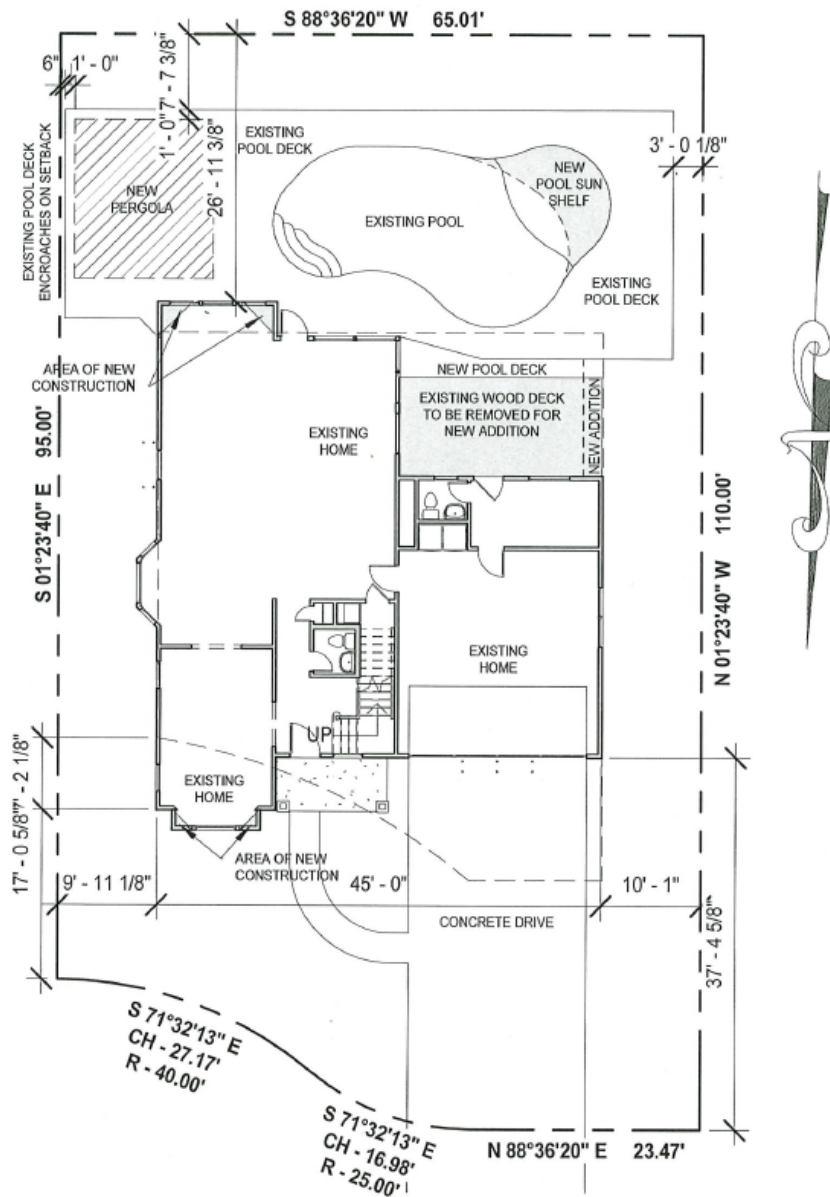
REC 23- FEB 1

PLANNING &



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Proposed Site Plan



APPLICATION FOR VARIANCE

BOA No.

23-100021

HEARING DATE

4.4.23

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.

FEB 22 2023

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Gene Novak Telephone: 303 522 9050
Mailing Address: 3948 3rd St S #158 E-Mail: ghnovak22@gmail.com
Jax Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Gene Novak Telephone: 303 522 9050
Mailing Address: 3948 3rd St S #158 E-Mail: ghnovak22@gmail.com
Jax Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 194 St. George Ct 181753-1012
Legal description of property (Attach copy of deed): Lot 6 Block 1 The Gates of PV Unit
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).
New Pergola - adding an accessory structure on top of existing concrete deck 10' x 20'. Reducing impervious surface.

AFFIDAVIT

I, Gene Novak, 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

Gene Nova
PRINT APPLICANT NAME2/22/23
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22 day of February, 2023, by Gene H. Novak, who is personally known to me or produced FLORIDA DRIVER license as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: X/X-shaded

CODE SECTION (S):

34-336(e)(1)c.1, for a front yard setback of 17.8 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 26.5 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 55.31% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot along the eastern property line in lieu of 5 feet minimum, to allow for the construction of a new detached accessory structure, rectify existing non-conformities and a new addition to the rear of an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

23-100021

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.

FEB 22 2023

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 original variances for this coldesae were different from current setbacks
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We are reducing lot coverage and staying within existing setbacks for the lot RECEIVED
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	MAR 22 2023 PLANNING & DEVELOPMENT
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	The existing structure will remain and would have to be dramatically changed to conform to existing set back code
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Just a few very small portions of sf are added to bring home up to date.
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	No neighbors would be adversely affected. Just property value improvement

Prepared by:
Laura Riebsame, an employee of
All Florida Title Services, Inc.,
4417 Beach Boulevard, Suite 105
Jacksonville, Florida 32207

RECEIVED
23-100021
FEB 22 2023

File Number: 37917
Contract Sales Price: \$1,129,000.00

PLANNING & DEVELOPMENT

Corporate Warranty Deed

This Indenture, made , May 20, 2022 A.D. **Between Chuck Barnes Tax Receivables, LLC, a Florida limited liability company** whose post office address is: 2747 Art Museum Drive, #500, Jacksonville, Florida 32207 a limited liability company existing under the laws of the State of Florida, Grantor and **Matthew E. Hanson and Gene H. Novak, a married couple** whose post office address is: 194 St George Court, Jacksonville Beach, Florida 32250, Grantee,

THAT, the said Grantor, for and in consideration of the sum of Ten and NO/100 Dollars to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, to the said Grantee forever, the following described land situate, lying and being in the County of Duval, State of Florida to wit:

Lot 6, Block 1, The Gates of Ponte Vedra Unit One, according to the plat thereof as recorded in Plat Book 38, pages 42 and 42A, of the current public records of Duval County, Florida.

RE#181753-1012

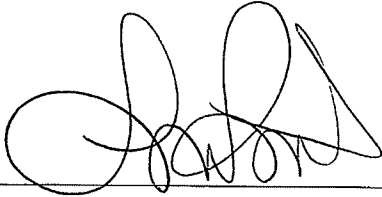
SUBJECT TO taxes accruing subsequent to **December 31, 2021**.

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

AND Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple and fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

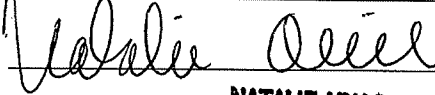
IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its name by its duly authorized officer(s) and caused its corporate seal to be hereto affixed the day and year first above written.

Signed and Sealed in Our Presence:



LAURA RIEBSAME

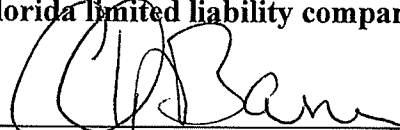
Witness Print Name:



Witness Print Name:

NATALIE ARIAS

Chuck Barnes Tax Receivables, LLC, a
Florida limited liability company

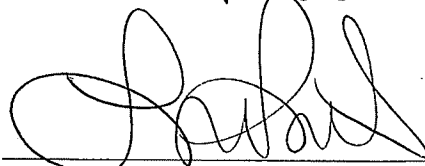
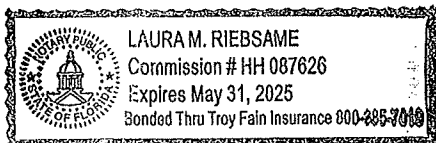


By: Chalmers H. Barnes

Its: manager

State of Florida
County of Duval

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 19th day of May, 2022, by Chalmers H. Barnes, the manager of Chuck Barnes Tax Receivables, LLC, a Florida limited liability company. A limited liability company existing under the laws of the State of Florida, on behalf of the limited liability company. He/She is personally known to me or has produced Fwd as identification.



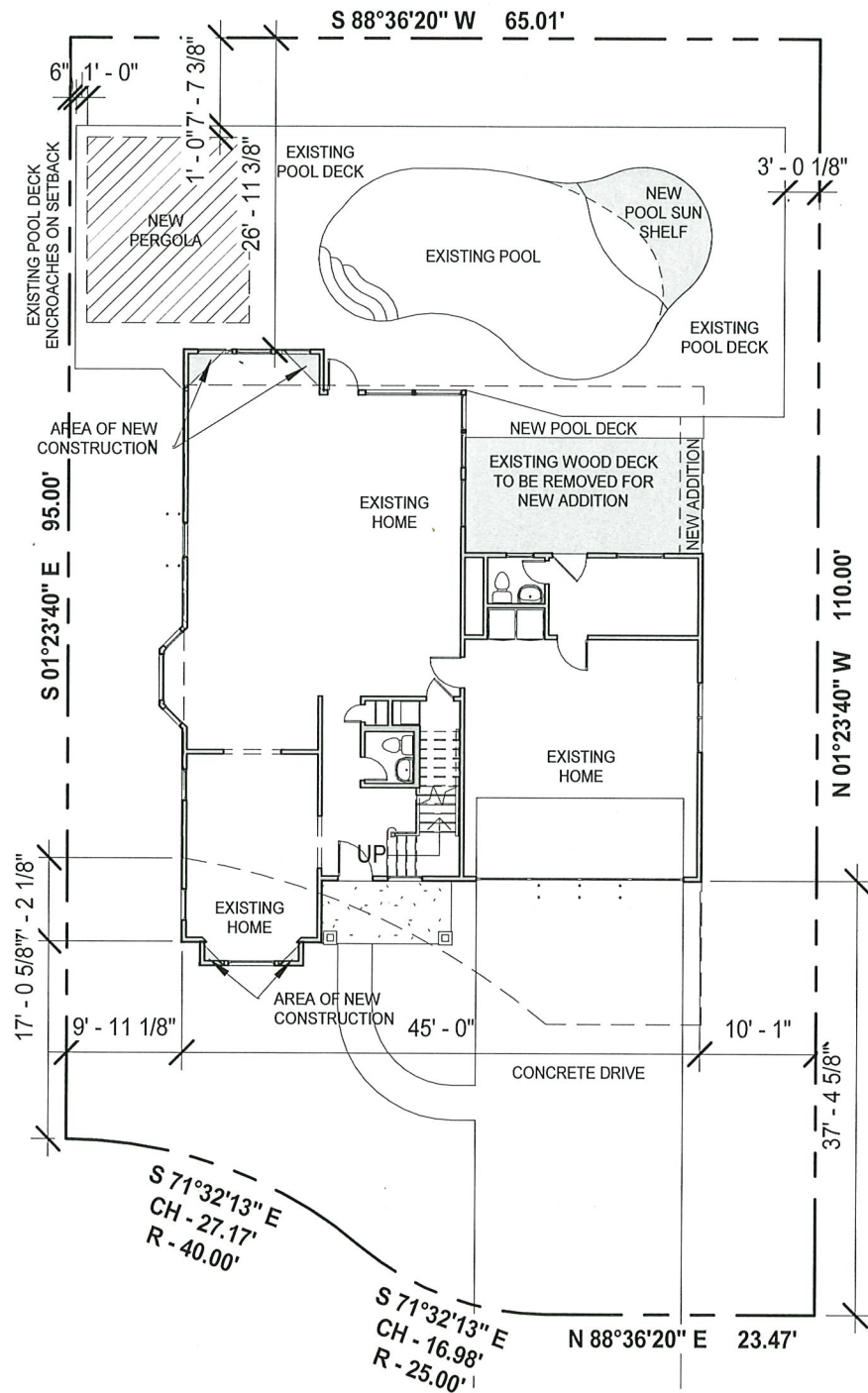
Notary Public

Notary Printed Name:

LAURA RIEBSAME

My Commission Expires::

5/31/25



3 SITE PLAN
P01 1/16" = 1'-0"

SITE PLAN
for
THE NOVAK ADDITION
at
194 ST. GEORGE COURT
in
**JACKSONVILLE BEACH
FLORIDA**

LOT COVERAGE CALCULATIONS - NEW		
TOTAL LOT	6813	100%
NEW HOUSE ADDITIONS	223	3.27%
NEW POOL DECK	47	0.69%
EXISTING HOUSE FOOTPRINT	1789	26.26%
EXISTING DRIVE / WALK	733	10.76%
EXISTING POOL DECK	949	13.93%
A/C PADS	27	0.40%
EXIST. WOOD DECK - REMOVED	0	0.00%
TOTAL IMPERVIOUS	3768	55.31%
NEW POOL ADDITION	69	1.01%
EXISTING POOL	380	5.58%
GREEN SPACE	2596	38.10%
TOTAL PERVIOUS	3045	44.69%

NOTE:
THE NEW LOT COVERAGE HAS
33 SQUARE FEET AND 0.48% LESS
COVERAGE THAN EXISTING CONDITIONS

LOT COVERAGE CALCULATIONS - EXISTING		
TOTAL LOT	6813	100%
HOUSE FOOTPRINT	1789	26.26%
DRIVE / WALK	733	10.76%
POOL DECK	1030	15.12%
WOOD DECK	231	3.39%
A/C PAD	18	0.26%
TOTAL IMPERVIOUS	3801	55.79%
POOL	380	5.58%
GREEN SPACE	2632	38.63%
TOTAL PERVIOUS	3012	44.21%

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23-100021
FEB 22 2023

PLANNING & DEVELOPMENT

SUPERIOR HOME DESIGNS
BY BRIAN COTE

PRESENTATION

P01

NOVAK ADDITION
194 ST. GEORGE COURT
JACKSONVILLE BEACH, FLORIDA

JOB # - 23104

© COPYRIGHT 2023

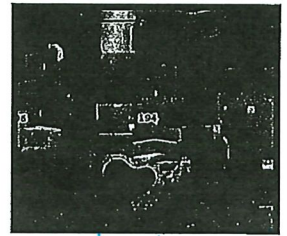
DRAWING PHASE
☒ PRELIMINARY
☐ PERMIT

ISSUE DATE
FEB. 21, 2023

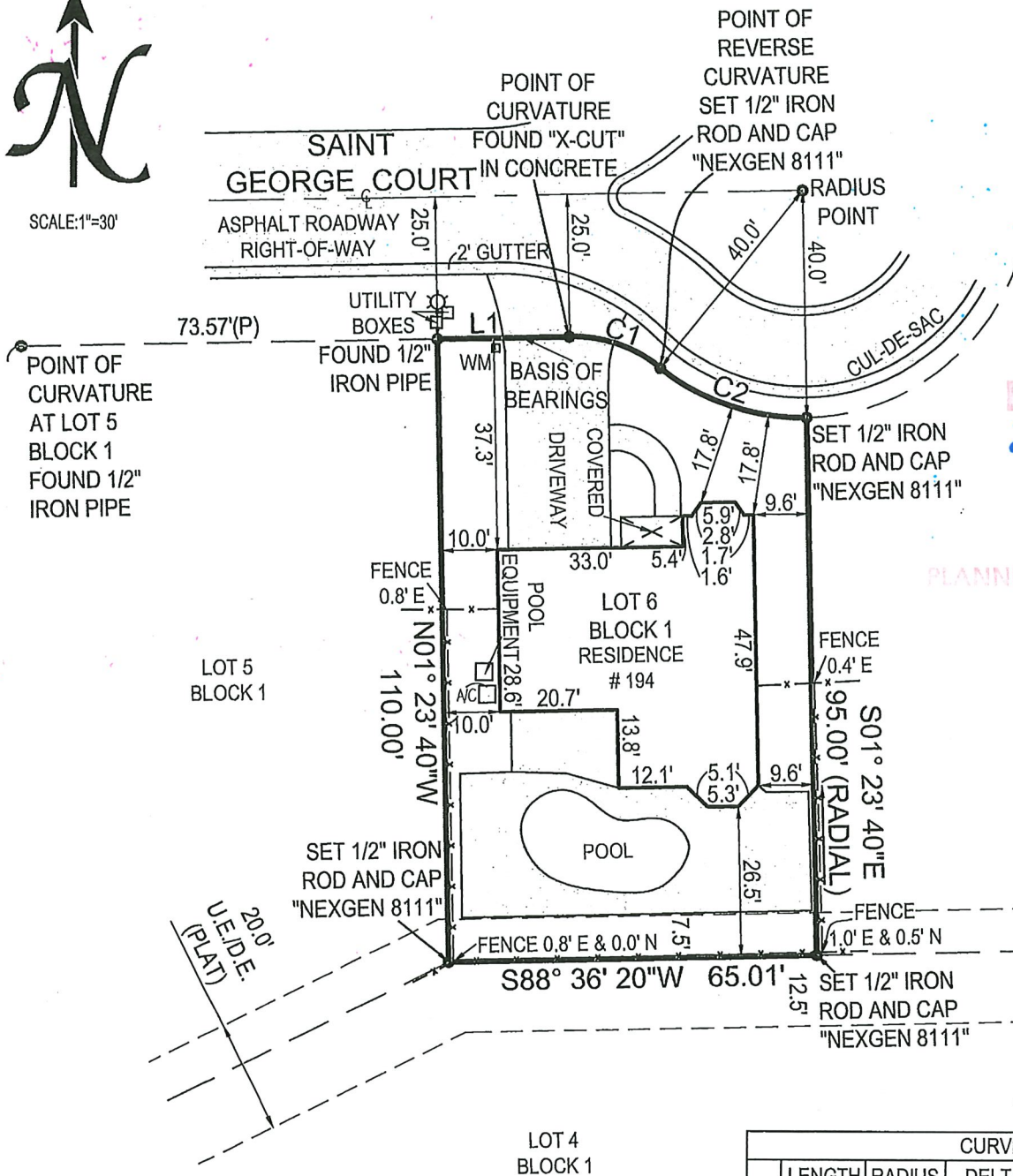
194 SAINT GEORGE COURT, JACKSONVILLE BEACH, FL. 32250



SCALE: 1"=30'



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



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23-100021
FEB 22 2023

PLANNING & DEVELOPMENT

LOT 7
BLOCK 1

LOT 5
BLOCK 1

LOT 4
BLOCK 1

LINE TABLE		
	BEARING	LENGTH
L1	N88° 36' 20"E	23.47'

CURVE TABLE					
	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	17.33'	25.00'	39°42'54"	16.98'	S71°32'13"E
C2	27.73'	40.00'	39°42'54"	27.17'	S71°32'13"E

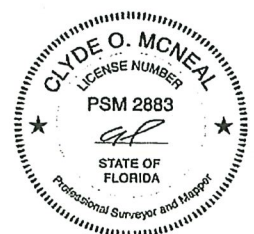
- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 04-14-2022
 Drawn By: Oleg
 Order #: 176781
 Last Revision Date: None
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 561-508-6272
 1421 Oglethorpe Rd
 West Palm Beach, FL 33405

NEXGEN
SURVEYING, LLC.



LEGAL DESCRIPTION OF: 194 SAINT GEORGE CT, JACKSONVILLE BEACH, FL, 32250

LOT 6, BLOCK 1, THE GATES OF PONTE VEDRA UNIT ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGES 42 AND 42A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

CYNTHIA LUPU AND MICHAEL LUPU
ALL FLORIDA TITLE SERVICES, INC
KIND LENDING LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

FLOOD ZONE:

12031 C0419J
ZONE: X
EFF: 11/02/2018

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON NORTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.

LEGEND

A/C	-AIR CONDITIONER
WM	-WATER METER
AL	-ARC LENGTH
(C)	-CALCULATED
(M)	-MEASURED
P.O.B.	-POINT OF BEGINNING
P.O.C.	-POINT OF COMMENCEMENT
&	-AND
P.B.	-PLAT BOOK
PG	-PAGE
U.E.	-UTILITY EASEMENT
D.E.	-DRAINAGE EASEMENT
P.U.E.	-PUBLIC UTILITY EASEMENT
L.A.E.	-LIMITED ACCESS EASEMENT
L.M.E.	-LAKE MAINTENANCE EASEMENT
O.H.E.	-OVERHEAD EASEMENT
R	-RADIUS
(R)	-RECORD
O.R.B.	-OFFICIAL RECORDS BOOK
Sq.Ft.	-SQUARE FEET
Ac.	-ACRES
DB	-DEED BOOK
(D)	-DEED
(P)	-PLAT
EOW	-EDGE OF WATER
TOB	-TOP OF BANK
OHL	-OVERHEAD LINE
C/O	-CLEAN OUT
ELEV	-ELEVATION
FF	-FINISHED FLOOR
LS	-LICENSED SURVEYOR
LB	-LICENSED BUSINESS
PSM	-PROFESSIONAL SURVEYOR & MAPPER
-x-	-FENCE
#	-NUMBER
±	-PLUS OR MINUS
■	-ASPHALT
■	-CONCRETE
■	-PAVER/BRINCK
■	-WOOD
☼	-LIGHT POLE
⊙	-WELL
⊗	-WATER VALVE
⊕	-CENTER LINE
■	-CATCH BASIN
⊗	-FIRE HYDRANT
⊕	-UTILITY POLE
⊙	-MANHOLE
xxx	-ELEVATION

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

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23-100021
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PLANNING & DEVELOPMENT

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)

LB 8111

info@NexGenSurveying.com



www.NexGenSurveying.com

561-508-6272

1421 Oglethorpe Rd
West Palm Beach
FL 33405



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

BOA#23-100035

Zoning: RS-1
RE: 179997-5190
Legal: Lot 38, Plantation Oaks
Address: 1280 Plantation Oaks Drive

Request

Section(s): 34-336(e)(1)c.3, for a rear yard setback of 22 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 43.1% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1 foot along the eastern property line in lieu of 5 feet minimum, for an existing shed, to allow for a second-floor addition to a non-conforming structure and to rectify existing non-conformities at an existing single-family dwelling

Existing Conditions

The subject property is a legal conforming lot of record (circa 1988) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is irregular in shape, being with three sides that front on streets. This creates a situation with increased setbacks on three sides. The subject home was constructed in 1988, just prior to the adoption of the current Land Development Code. The subject home was also constructed in 1988, and was built with existing setback encroachments to the rear. The overall lot size is 130 feet in width, and 125 feet in depth, though the side setbacks curve at the front corners to account for the road right of ways. The overall area is 14,032 square feet. The existing structure encroaches into the rear yard setback, as noted was an original feature at the time of construction and therefore is a legal nonconformity. The current lot coverage is 43.1%, which includes the home, driveway, walkway and pool deck and pavers. The applicant is requesting to add a second story addition as well as a roof over an existing front patio entrance.

Staff Analysis

The subject property is properly sized in both area and dimensions. The lot was platted in 1988, and the home was constructed in the same year. There are no existing variances on file, and the nonconforming status will require the variance for any substantial renovation, including the vertical second addition. The applicant has requested a variance to allow the continued encroachment into the rear yard setback as well as account for an accessory setback of one foot for an existing



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shed, and finally to approve the existing lot coverage, though they intend to remove some existing pavers in the front and rear, to account for the small proposed additional roof area to be added to the front. Although the lot is not substandard in nature, the home itself has existing nonconformities that must be addressed if the applicant is to expand the home with a second story addition. They do not intend to increase any of the nonconformities, but will require a reallocation of lot coverage from one location to another to accommodate the proposed front renovation but will end up with the same existing lot coverage. Because there will be no increase in any nonconformity, staff supports the proposed variance.

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;**



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Staff **does** find that there are circumstances unique to the subject parcel of land. Though the lot is conforming to the current code, the home was built prior to the adoption of the current LDC standards, and therefore has historic nonconformities that cannot be remedied without demolishing parts of the house. The house itself and its construction is unique to this parcel.

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 structure was built in 1988, and at the time of construction exceeded the rear yard setback, and lot coverage currently exceeds 35%. These conditions predate the current owner. The applicant did not create the nonconformities, and needs to rectify them to be able to do the proposed addition.

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 property was developed with the existing nonconformities in 1988, and these nonconformities would need to be addressed for any substantial renovation to the home, this is a request that is common to the RS-1 zoning district and other single family properties in the City.

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. Literal interpretation of the code would leave the current home with exiting nonconformities. Additionally, as the applicant is not increasing the nonconformities, the proposed addition is a right commonly enjoyed by property owners with older homes in the RS-1 zoning district.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the existing nonconformities as well as the proposed new porch. The proposed variances would address several existing nonconformities in the form of existing encroachments into the rear yard, lot



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coverage and the existing shed. As there will be no increase in any existing nonconformity when construction is complete, staff finds the request the smallest variance necessary to accomplish the renovation.

- 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#23-100035 as submitted.**

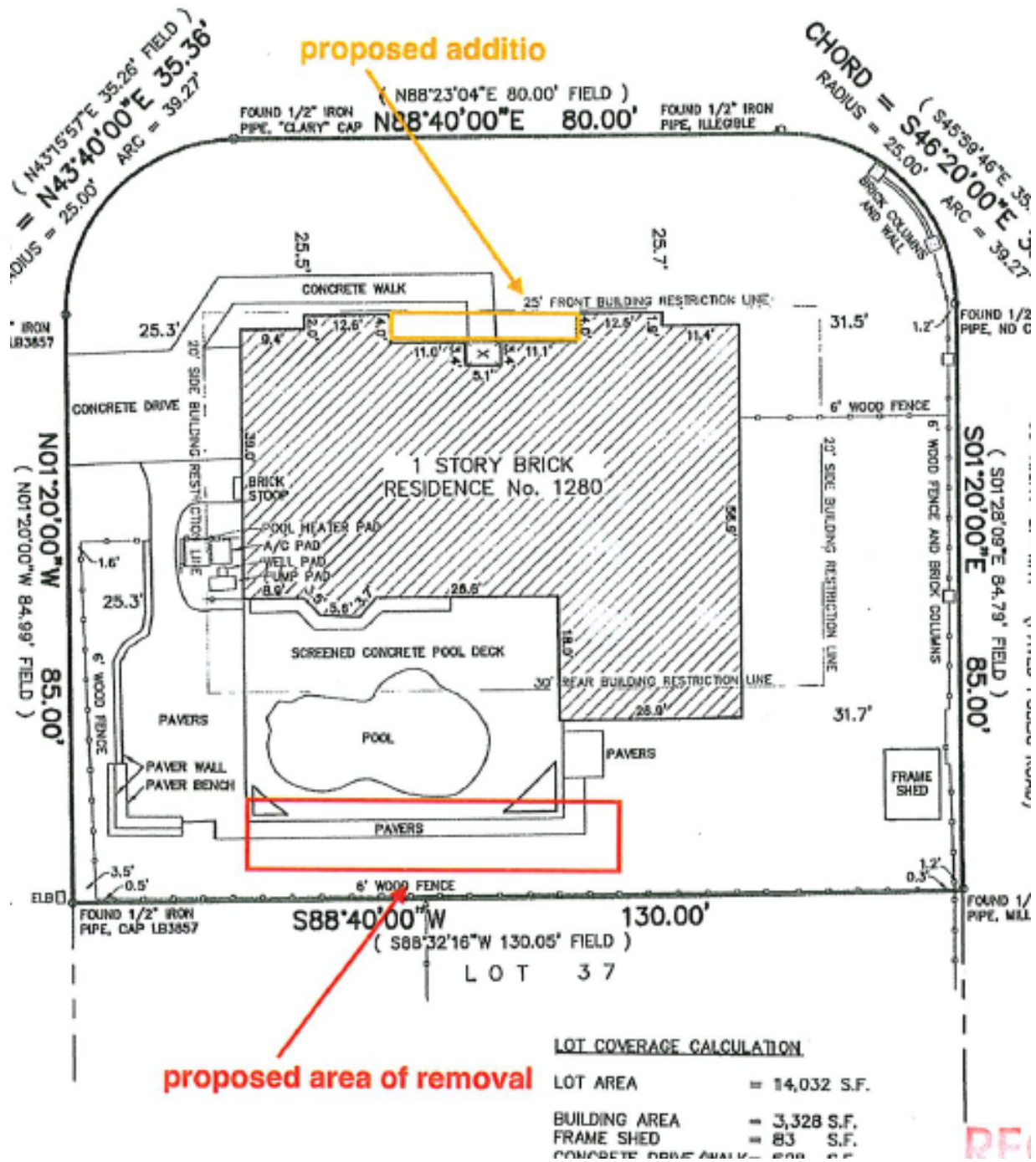
Location Map (property boundaries are representative only)



PLANTATION OAKS DRIVE
80' RIGHT-OF-WAY (PAVED PUBLIC ROAD)



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 23-100035

HEARING DATE 5-17-23

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.

APPLICANT INFORMATION

Applicant Name: Greg Barnett Telephone: 904-229-6622
 Mailing Address: 1280 Plantation oaks dr E-Mail: Greg@barnettcustomhomes.net
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: SAME AS ABOVE Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1280 Plantation oaks dr. 179997-5190
 Legal description of property (Attach copy of deed): 44-10 05-3S-29E PLANTATION OAKS LOT 38
 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).
My house was platted with a rear yard setback of 22ft prior to the LDC. The current LDC requires 30ft rear setback. I wish to make my legal Non conforming lot conforming by getting a variance for the rear yard setback reduction back to 22ft so my house is in compliance with the current LDC. See att.

AFFIDAVIT

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

[Signature]
 APPLICANT SIGNATURE

Greg Barnett

PRINT APPLICANT NAME

3/13/23

DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 13th day of March, 2023, by Greg Barnett, who is personally known to me or produced _____ as identification.

[Signature]
 NOTARY PUBLIC SIGNATURE
 Heather M Parks
 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 22 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 43.1% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1 foot along the eastern property line in lieu of 5 feet minimum for an existing shed, to allow for a second floor addition to a nonconforming structure and to rectify existing non-conformities at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 23-100035

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	yes	orig plat showed 22 ft
Special circumstances and conditions do not result from the actions of the applicant.	yes	Bought House this way
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.	unknown	
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	my house was built w/ the 22 ft setback
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	I DO NOT WANT TO ADD ANYTHING MORE THAN WHAT IS EXISTING
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.	unknown	

Prepared by and return to:
J. Howard Sheffield
Newton, Sheffield & Hurst
10192 San Jose Boulevard
Jacksonville, Florida 32257

RELEASE OF RESTRICTIONS

The undersigned, TOMPKINS INVESTMENT GROUP INCORPORATED, a Delaware corporation, the successor by merger of TOMPKINS HERITAGE HOMES OF DUVAL, INC., a Florida corporation, is the Assignee of Declarant's rights in covenants and restrictions for Plantation Oaks, a subdivision in Duval County, Florida, which said restrictions are recorded in Official Records Volume 6502, page 824, and re-recorded in Official Record Volume 6513, page 1729, of the current public records of Duval County, Florida (the "Covenants and Restrictions").

NOW, THEREFORE, pursuant to the powers contained in said Covenants and Restrictions, the Declarant hereby releases the following described lot from the building restriction lines to the extent that the proposed pool and screen porch may violate same, deeming said release to be both minor and reasonable.

Lot 38, PLANTATION OAKS, according to plat thereof as recorded in Plat Book 44, pages 10 thru 10G, inclusive, of the current public records of Duval County, Florida.

All other terms and of Covenants and Restrictions pertaining to said lot shall remain unchanged and in full force and effect as herein modified.

EXECUTED by Declarant this 26th day of October, 1989.

TOMPKINS INVESTMENT GROUP
INCORPORATED

Witnesses:

Shelley A. Furukawa
Crystal McCall

By: Kenneth L. Johns Jr.
Kenneth L. Johns, Jr.
Its Vice President

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 26th day of October, 1989, by Kenneth L. Johns, Jr., Vice President of Tompkins Investment Group Incorporated, a Delaware corporation, on behalf of the corporation.

Shelley A. Furukawa
Notary Public, State of Florida

My commission expires:

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Jan. 29, 1993

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23-100035
MAR 15 2023

PLANNING & DEVELOPMENT

MAP SHOWING SURVEY OF

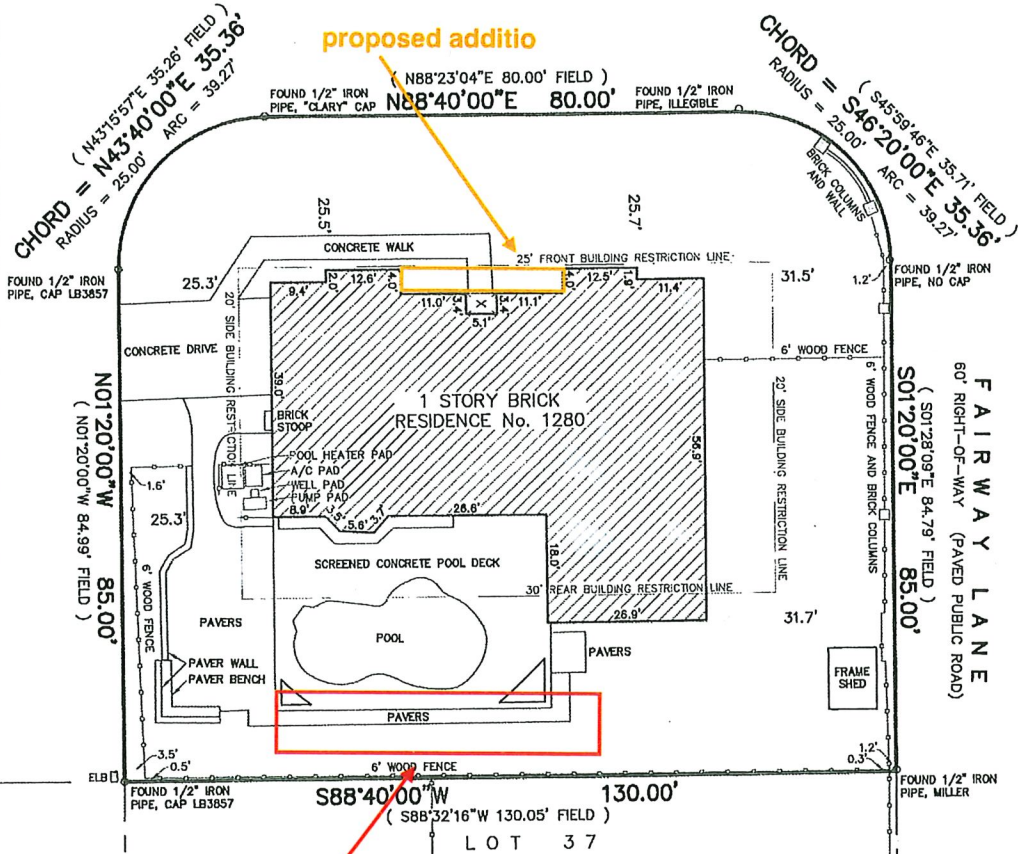
LOT 38, PLANTATION OAKS, AS RECORDED IN PLAT BOOK 44, PAGES 10, AND 10A THROUGH 10G OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



PLANTATION OAKS DRIVE

80' RIGHT-OF-WAY (PAVED PUBLIC ROAD)

PLANTATION OAKS DRIVE EAST
60' RIGHT-OF-WAY (PAVED PUBLIC ROAD)



LOT COVERAGE CALCULATION

LOT AREA	= 14,032 S.F.
BUILDING AREA	= 3,328 S.F.
FRAME SHED	= 83 S.F.
CONCRETE DRIVE/WALK	= 628 S.F.
CONCRETE ENTRY	= 17 S.F.
BRICK STOOP	= 4 S.F.
PAVERS	= 848 S.F.
PAVER WALL & BENCH	= 83 S.F.
EQUIPMENT PADS	= 33 S.F.
POOL (NOT INCLUDED)	= 434 S.F.
POOL DECK	= 1,029 S.F.

TOTAL IMPERVIOUS AREA = 6,053 S.F.

EXISTING LOT COVERAGE = 43.1%

RECEIVED

MAY 11 2023

23-100035

PLANNING & DEVELOPMENT

SYMBOL	LEGEND
⊗	FIRE HYDRANT
⊙	LIGHT POLE
⊕	GAS VALVE
⊖	WATER VALVE
⊗	CLEAN OUT
⊙	UTILITY POLE
⊕	GUY ANCHOR
⊖	BOLLARD
⊗	WATER METER
⊙	GAS RISER
⊕	CABLE RISER
⊖	ELECTRIC BOX
⊗	TRANSFORMER
⊙	MANHOLE

ABBREVIATION	LEGEND
BFP	BACK-FLOW PREVENTER
CL	CALCULATED
(F)	FIELD MEASUREMENT
WM	WOOD FENCE
CLF	CHAIN LINK FENCE
WHF	WHOLE FENCE
CONC.	CONCRETE
R/W	RIGHT-OF-WAY
PL	PLAT BOOK
OR	OFFICIAL RECORDS BOOK
PG	PAGE
MES	METRIC END SECTION
CUP	CORRUGATED METAL PIPE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
EL	ELEVATION
FTE	FINISHED FLOOR ELEVATION
INV	INVERT ELEVATION
PC	POINT OF CURVATURE
PT	POINT OF TANGENCY OF CURVE
PCC	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

- THIS IS A BOUNDARY SURVEY.
- BEARINGS ARE BASED ON THE WESTERLY LINE OF LOT 38, BEING NORTH 01°20'00" WEST, AS PER PLAT.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
- NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
- BUILDING RESTRICTION LINES, AS PER PLAT.
- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
GREGORY BARNETT;
LAURA BARNETT.

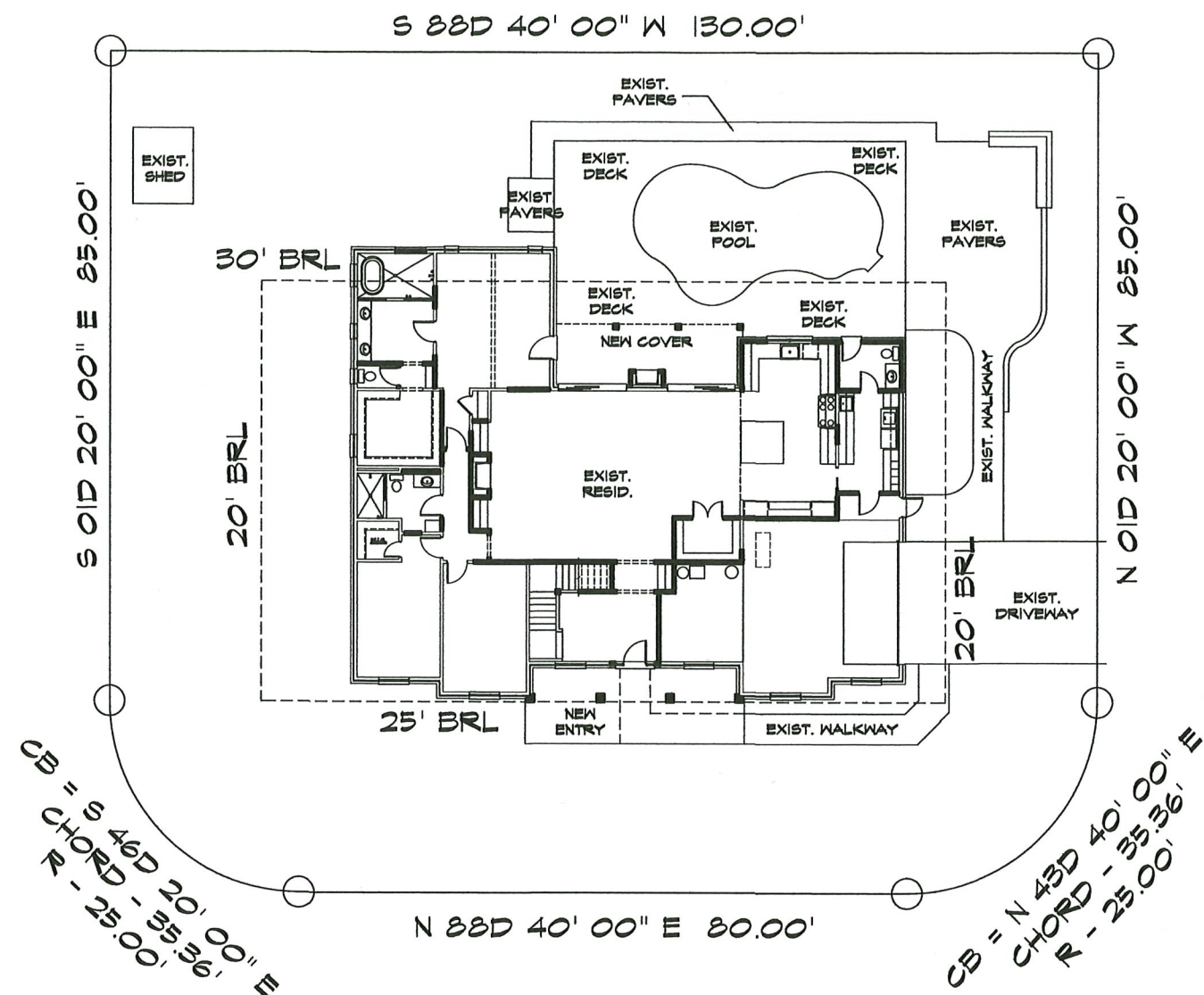
JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3872
"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

FILE: 2023-0210
DRAWN BY: KJC-P
SCALE: 1" = 20'

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550

DATE:
FEBRUARY 7, 2023
SHEET 1 OF 1

PROPOSED



SITE PLAN

SCALE: 1" = 10'-0"



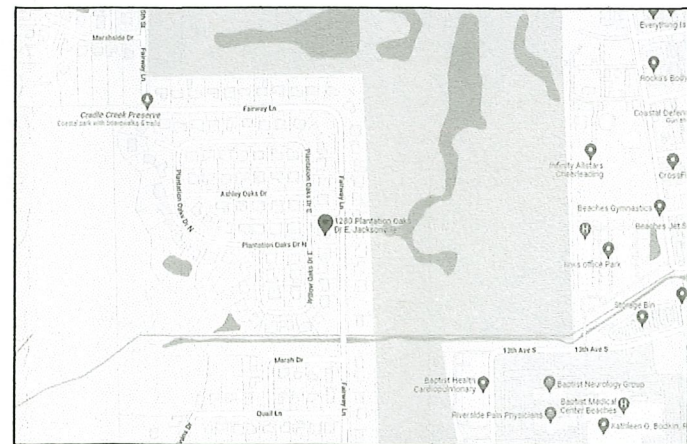
SITE COVERAGE TABULATION

ZONING	R5-1
LOT WIDTH	130'
LOT SIZE	14032 SF
MAX. LOT COV. IMPERV.	35%
EXISTING RESIDENCE	3328 SF
EXIST. DRIVES & WALKS	628 SF
EXIST. PAVER DECK & WALKS	431 SF
EXIST. EQ. PADS & STOOP	31 SF
EXIST. SHED	83 SF
EXIST. POOL DECK	1024 SF
CURRENT IMPERVIOUS	6036 SF
LOT COVER. IMPERV.	43.0%
NEW ADDITION	100 SF
NEW FRONT ENTRY	190 SF
NEW IMPERVIOUS	6326 SF
LOT COVER. IMPERV.	45.1%

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23-100035
MAR 15 2023

PLANNING & DEVELOPMENT

ADDITIONS AND RENOVATIONS FOR
THE BARNETT RESIDENCE
1280 PLANTATION OAKS DRIVE EAST
JACKSONVILLE BEACH, FLORIDA



SITE VICINITY MAP

SCALE: NOT TO SCALE



SYMBOL LEGEND

- ⬆ BUILDING SECTION DEMINATION - SEE HERE SECTION IS FOUND
- ⬆ DETAIL DEMINATION - SEE HERE DETAIL IS FOUND
- ⬆ WALL SECTION OR ELEVATION DEMINATION - SEE HERE ELEVATION IS FOUND
- ⬆ ROOM DEMINATION - SEE FLOOR SCHEDULE
- ⬆ DOOR NUMBER DEMINATION - SEE DOOR SCHEDULE
- ⬆ WINDOW NUMBER DEMINATION - SEE WINDOW SCHEDULE
- ⬆ DATA POINT FROM EXISTING FLOOR LEVEL, UNLESS OTHERWISE NOTED.

LIST OF DRAWINGS:

- C1 COVER SHEET / SITE PLAN
- D1 EXIST. DEMOLITION PLAN
- A1 FIRST FLOOR PLAN
- A2 SECOND FLOOR PLAN
- A3 EXTERIOR ELEVATIONS
- A4 EXTERIOR ELEVATIONS
- A5 FOUND. PLAN & DETAILS
- A6 FLOOR FRAMING PLAN
- A7 ROOF FRAMING PLAN
- A8 SECTIONS & DETAILS
- A9 SECTIONS & DETAILS
- A10 FLASHING DETAILS
- A11 FLASHING DETAILS
- E1 1ST FL. ELECTRICAL PLAN
- E2 2ND FL. ELECTRICAL PLAN

REVISIONS	
PRELIM 1	04-14-2022
PRELIM 2	05-17-2022
PRELIM 3	06-15-2022
PRELIM 4	04-14-2022
CD 1	12-21-2022
CD 2	02-21-2023
CD 3	02-25-2023

ADDITIONS AND RENOVATIONS FOR
THE BARNETT RESIDENCE
1280 PLANTATION OAKS DRIVE EAST, JACKSONVILLE BEACH, FLORIDA

IMAGINE ARCHITECTURAL DESIGNS INC.
4474 GOODBYE HIGHWAY DR. N. JACKSONVILLE, FLA. 32211 (904) 271-4774 OFFICE (904) 271-4774 CELL (904) 271-4774

SHEET:
C1
JOB NO.: 22-105
DRAWN BY: JEB
DATE: 02-25-2023
THESE PLANS ARE FOR THE EXCLUSIVE
USE OF IMAGINE ARCHITECTURAL DESIGNS
INC. AND ARE NOT TO BE REPRODUCED

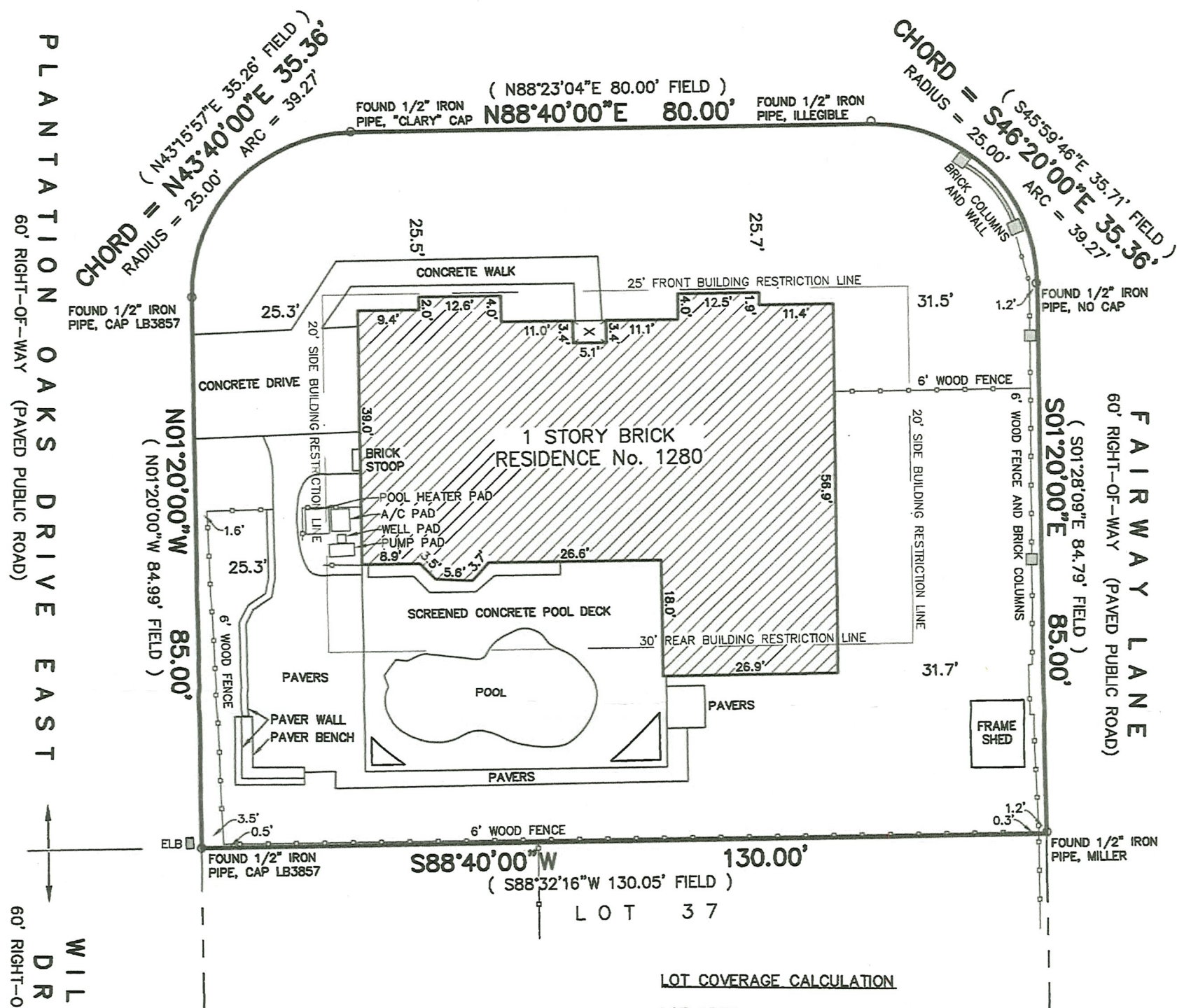
MAP SHOWING SURVEY OF

LOT 38, PLANTATION OAKS, AS RECORDED IN PLAT BOOK 44, PAGES 10, AND 10A THROUGH 10G OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



PLANTATION OAKS DRIVE

80' RIGHT-OF-WAY (PAVED PUBLIC ROAD)



LOT COVERAGE CALCULATION

LOT AREA	= 14,032 S.F.
BUILDING AREA	= 3,328 S.F.
FRAME SHED	= 83 S.F.
CONCRETE DRIVE/WALK	= 628 S.F.
CONCRETE ENTRY	= 17 S.F.
BRICK STOOP	= 4 S.F.
PAVERS	= 848 S.F.
PAVER WALL & BENCH	= 83 S.F.
EQUIPMENT PADS	= 33 S.F.
POOL (NOT INCLUDED)	= 434 S.F.
POOL DECK	= 1,029 S.F.

TOTAL IMPERVIOUS AREA = 6,053 S.F.

EXISTING LOT COVERAGE = 43.1%

RECEIVED

MAR 15 2023

23-100035

PLANNING & DEVELOPMENT

SYMBOL LEGEND

	FIRE HYDRANT
	LIGHT POLE
GV 	GAS VALVE
WV 	WATER VALVE
	CLEAN OUT
	UTILITY POLE
	GUY ANCHOR
	BOLLARD
WM 	WATER METER
GR 	GAS RISER
CR 	CABLE RISER
ELB 	ELECTRIC BOX
	SIGN
	TRANSFORMER
	MANHOLE

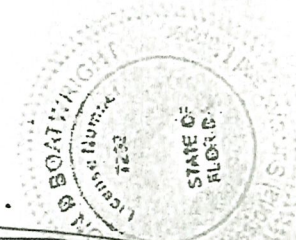
ABBREVIATION LEGEND

BFP	BACK-FLOW PREVENTER
(C)	CALCULATED
(FIELD)	FIELD MEASUREMENT
WF	WOOD FENCE
CLF	CHAIN LINK FENCE
VF	VINYL FENCE
CONC.	CONCRETE
R/W	RIGHT-OF-WAY
PB	PLAT BOOK
ORB	OFFICIAL RECORDS BOOK
PG	PAGE
MES	MITERED END SECTION
CMP	CORRUGATED METAL PIPE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
EL	ELEVATION
FFE	FINISHED FLOOR ELEVATION
INV	INVERT ELEVATION
PT	POINT OF CURVATURE
PC	POINT OF TANGENCY OF CURVE
PCC	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON THE WESTERLY LINE OF LOT 38, BEING NORTH 01°20'00" WEST, AS PER PLAT.
3. THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
4. NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
5. BUILDING RESTRICTION LINES, AS PER PLAT.
6. THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C04194, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
GREGORY BARNETT;
LAURA BARNETT.

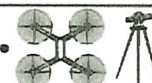


JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
 FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672
 "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

FILE: 2023-0210
DRAWN BY: KJC-P
SCALE: 1" = 20'

BOATWRIGHT LAND SURVEYORS, INC.

1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550



DATE:
FEBRUARY 7, 2023
SHEET 1 OF 1

Reference

LeeAnn Bassabe

From: Mark E. Olschner <molschne@bellsouth.net>
Sent: Thursday, June 8, 2023 10:41 AM
To: Planning Division
Subject: BOA #23-100035

RECEIVED
via email
JUN - 8 2023

PLANNING & DEVELOPMENT

Caution: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe

I have no objections and I support the application for variance from the Land Development Code.

Mark Olschner
1202 Plantation Oaks Dr E
Jacksonville Beach, FL 32250
Sent from my iPhone



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

BOA#23-100050

Zoning: RS-3
RE: 176702-0000
Legal: Lot 10 Block 109 Oceanside Park
Address: 815 S 11TH Ave

Request

Section(s): 34-338(e)(1)e, for lot coverage of 44% in lieu of 35% maximum, to allow for construction of a new single-family dwelling.

Existing Conditions

The subject property is a conforming lot of record, located in the Low Density Residential future land use category. The property is currently zoned Residential, single-family: RS-3. The subject parcel is 50 feet in width and 125 feet in depth, with a total area of 6,250 square feet. The subject parcel is unoccupied and surrounded by other single-family homes. The original structure has been demolished for a new two-story single-family home with a two-car garage, paved driveway, and a privacy fenced back yard. The demolished home had many legal nonconformities with regards to a number of sections of the Land Development Code. The home did not have a garage, the shed was on the property line, and the existing set backs were in violation. The old home had a 48% lot coverage which does not conform with the 35% allowed. The new home will have a total of 44% lot coverage, decreasing from the original by 4% but however still exceeding the 35% standard by 9%. According to the applicant there is a similar property in the area that got a variance approved for 49%.

No previous Variance, No active code cases.

Staff Analysis

The subject property is vacant and surrounded by similar single-family homes. The subject property was previously occupied by a single-family dwelling that has since been demolished that exceeded the minimum lot coverage for a lot in the RS-3 Zoning District. The demolished home was constructed in 1974, and exceeded lot coverage by roughly 13%. As noted above, the demolished home did not meet required lot coverage requirements. The applicant has demolished the existing home and proposes to construct a new 2 story single family home in its place. The proposed new structure would meet the required yard setbacks, and would reduce the overall lot coverage from 48% to 44%. Although the lot exceeds the minimum lot coverage, if the new home is constructed, it would result in an overall reduction in lot coverage by almost 9%, and would result in a home that meets current yard setbacks requirements.



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Minimum Dimensional Standards

(1) Single family dwelling unit.

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) 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 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. Garages or carports 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 not** find that there are circumstances unique to the subject parcel of land.

The subject parcel is not substandard in total lot area for a property located in the RS-3 zoning district, although it is too narrow by 10 feet. The minimum lot area: Six thousand (6,000) square feet and the subject property is six thousand two hundred fifty (6,250) square feet.



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

Staff **does** find that circumstances are a result of the applicant. The applicant is requesting to build a 2-story home on a vacant lot with a lot area of 6,250 square feet. The minimum lot size for RS-3 is 6,000. The applicant could build a home that meets the minimum lot coverage, and therefore the hardship would be self-imposed by the proposed home design and hardscaping.

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

Staff **does** find that the proposed variance will confer special privileges. The proposed structure will supersede minimum lot coverage and lot area. The home can be constructed smaller.

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

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant will surpass minimum lot coverage. a home built to the maximum lot coverage is possible and nothing in the code prevents the applicant from building a home without a variance.

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

Staff **does not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The applicant is able to construct the new home much smaller in order to meet land development code minimum standards for lot coverages.

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** believe the request is consistent with the comprehensive plan. The applicant does not meet land development codes but does meet the comprehensive plan.



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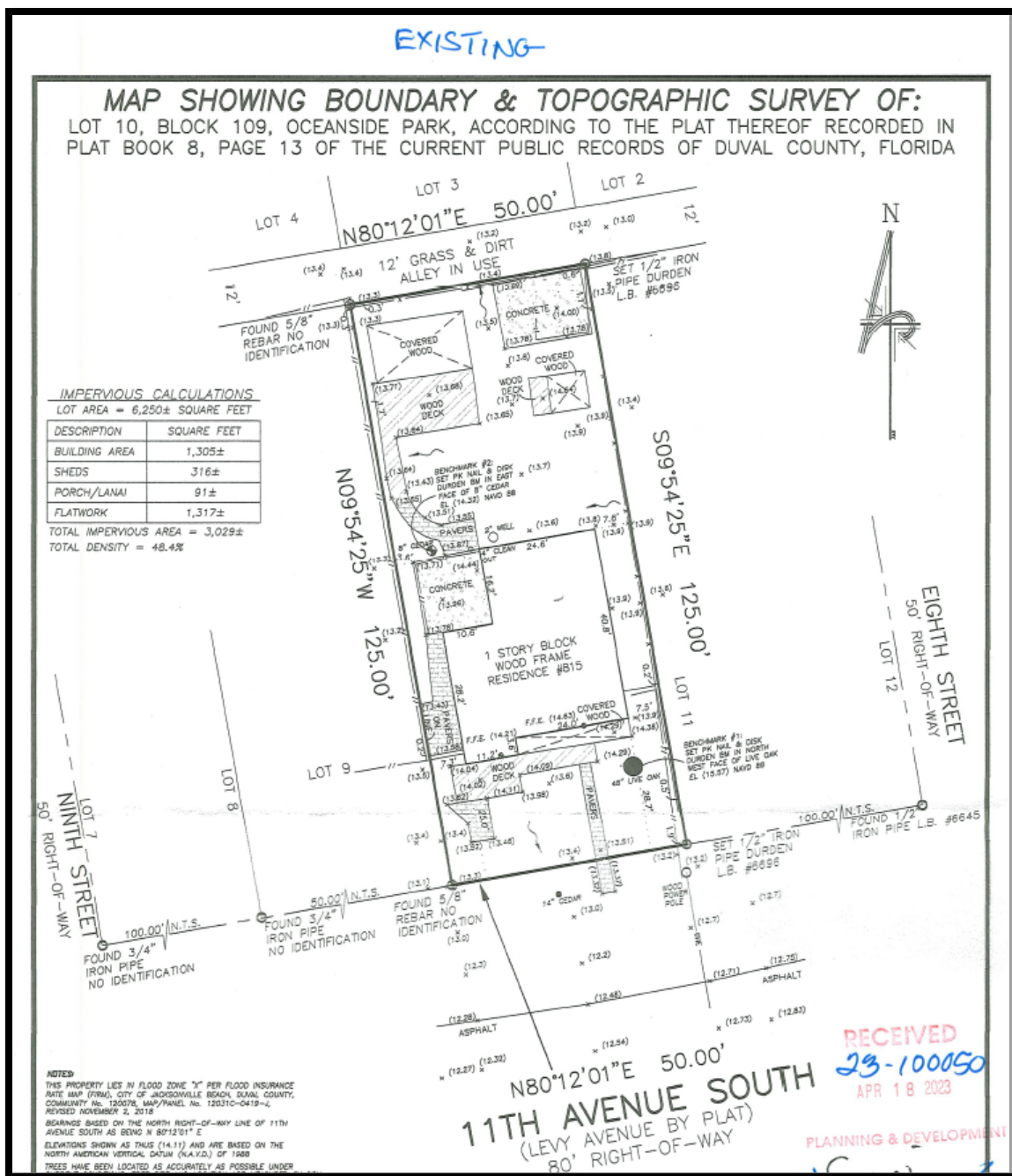
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends
DENIAL of BOA#23-100050

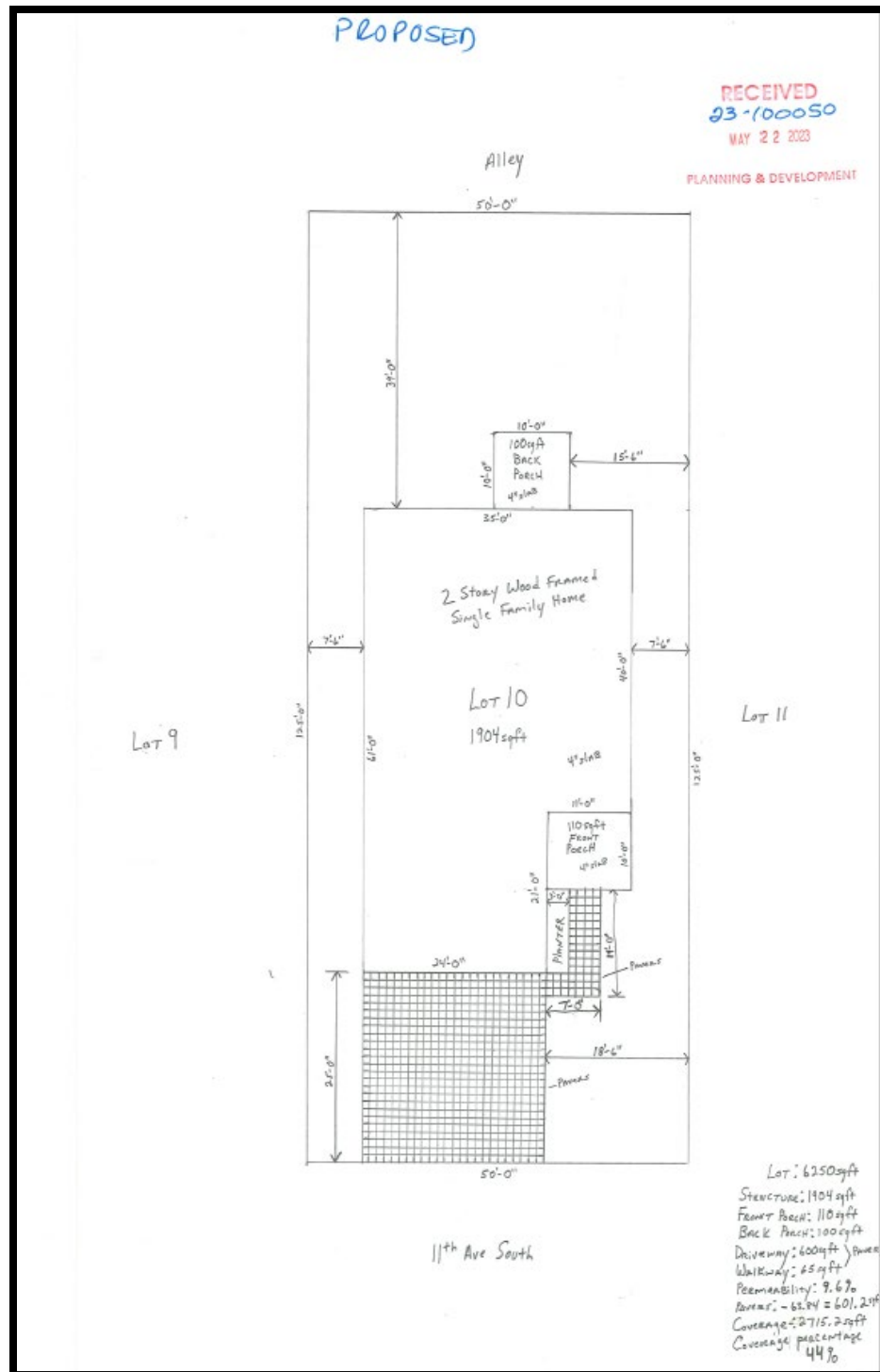
Location Map (property boundaries are reprehensive only)



Existing Survey



Proposed Survey





APPLICATION FOR VARIANCE

BOA NO. 23-100050

HEARING DATE 6-21-23

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.

APR 18 2023

APPLICANT INFORMATION

Applicant Name: Shotgun Jax Beach LLC Telephone: 904-325-0706
 Mailing Address: 1540 St. Marks Pond Blvd E-Mail: Shotgunplumbing@hotmail.com
St. Augustine, FL 32095
 Agent Name: Shotgun Plumbing Inc Telephone: 904-325-0706
 Mailing Address: SAME AS ABOVE E-Mail: shotgunplumbing@hotmail.com
 Landowner Name: Shotgun Jax Beach LLC Telephone: _____
 Mailing Address: SAME AS ABOVE E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 815 11th Ave South 176702-0000
 Legal description of property (Attach copy of deed): LOT 10 BLOCK 109 OCEANSIDE PARK
 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)
LAGER LOT COVERAGE 44% LOT COVERAGE
FOR SINGLE FAMILY DWELLING

AFFIDAVIT

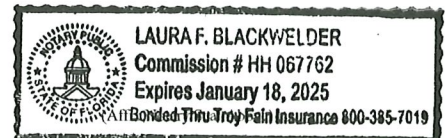
I, Michael Silverio Sr, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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.

MPS Sr Michael Silverio Sr 4-1-2023
 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 1st day of April, 2023, by Michael Silverio Sr., who is personally known to me or produced _____ as identification.

Laura F. Blackwelder
 NOTARY PUBLIC SIGNATURE
 PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3 FLOOD ZONE: X
 CODE SECTION (S):
34-338(e)(1)e, for lot coverage of 44% in lieu of 35% maximum, to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100050

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	We demolished my grandmothers old home which was currently 48% lot coverage and did not conform to local codes, variances. The new home with paved driveway will only cover the lot @ 44%
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Existing home didn't have a garage. Sheds were on the property line. Existing setbacks were in violation
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	Building a new 2 story single family home with a 2 car garage, paved driveway, privacy fenced backyard.
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	Neighbor is at 49% lot coverage. I submitted a copy of that variance with the application
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Granting it would allow me to build the proposed home with a 2 car garage, paved driveway, and paved open back porch
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	

RECEIVED
23-100050
APR 18 2023

Rec: \$18.50 Doc: \$.70

PLANNING & DEVELOPMENT

In, return and prepared under the direction of:
Michael Silverio Sr

PID: 176702-0000

1540 St. Marks Pond Blvd
St. Augustine, FL 32095

WARRANTY DEED

This deed is given to convey title to an LLC which is owned by the grantor - no consideration has been given

This Warranty Deed, Made the 27th day of June, 2022, by MICHAEL SILVERIO SR, conveying non homestead property whose post office address is:

1540 St. Marks Pond Blvd., St. Augustine, FL 32095

hereinafter called the "Grantor", to

SHOTGUN JAX BEACH LLC, a Florida Limited Liability Company

whose post office address is:

1540 St. Marks Pond Blvd., St. Augustine FL 32095 hereinafter called the "Grantee".

WITNESSETH: That said Grantor, for and in consideration of the love and affection 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 St. Johns County, Florida, to wit:

LOT 10, BLOCK 109, OCEANSIDE PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 13 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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

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 2021, reservations, restrictions and easements of record, if any.

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

(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: Sandra Rivera Michael Silverio, Sr.
Printed Name: SANDRA Rivera Michael Silverio, Sr.

Witness Signature: [Signature]
Printed Name: ANNEO Rivera

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 27th day of June, 2022 by Michael Silverio, Sr. by physical presence, who is/are [] personally known to me or [x] produced a drivers license for identification.

Laura F. Blackwelder
Notary Public Signature
Printed Name: Laura F. Blackwelder

My Commission Expires: January 18, 2025
(SEAL)

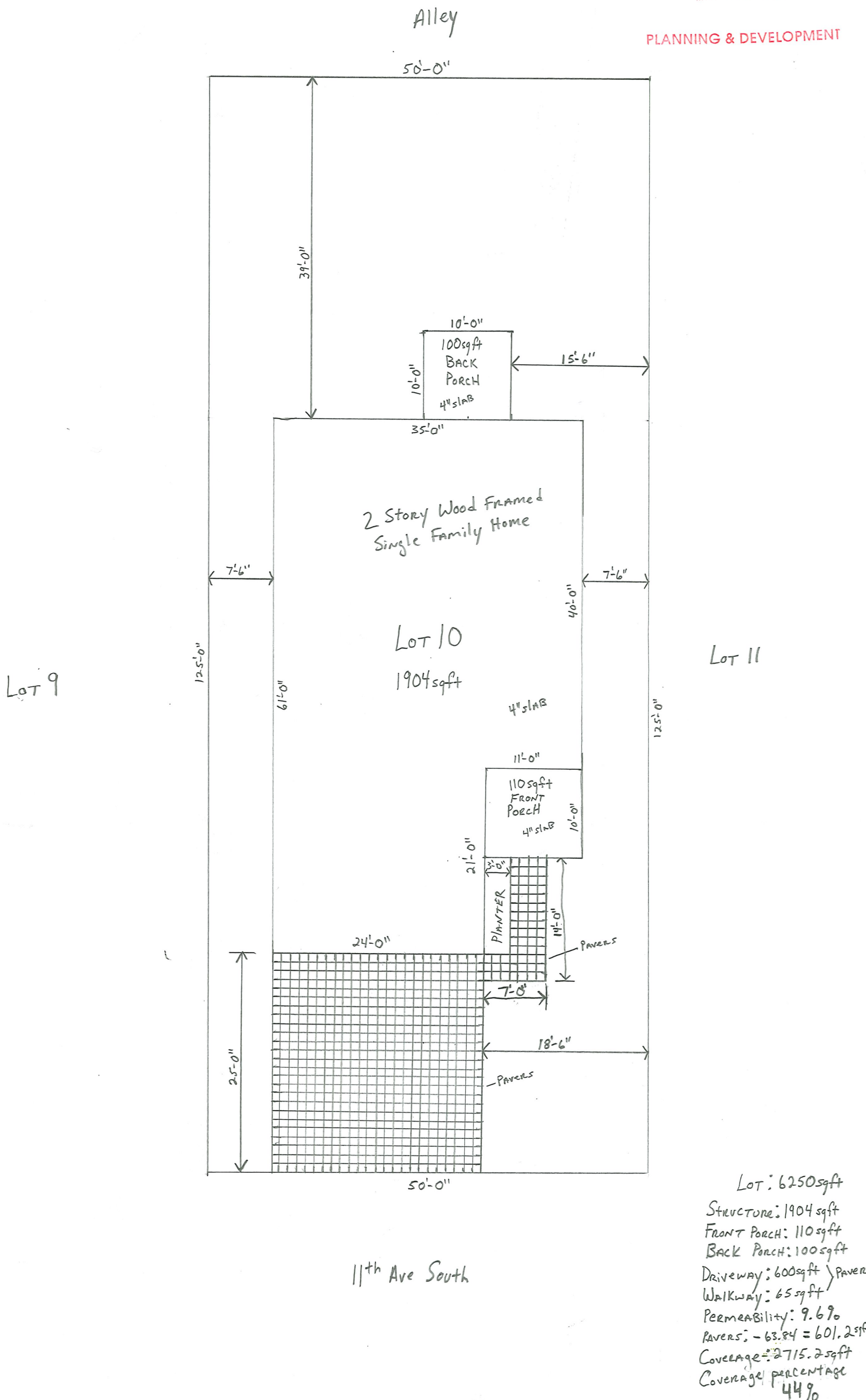


PROPOSED

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23-100050

MAY 22 2023

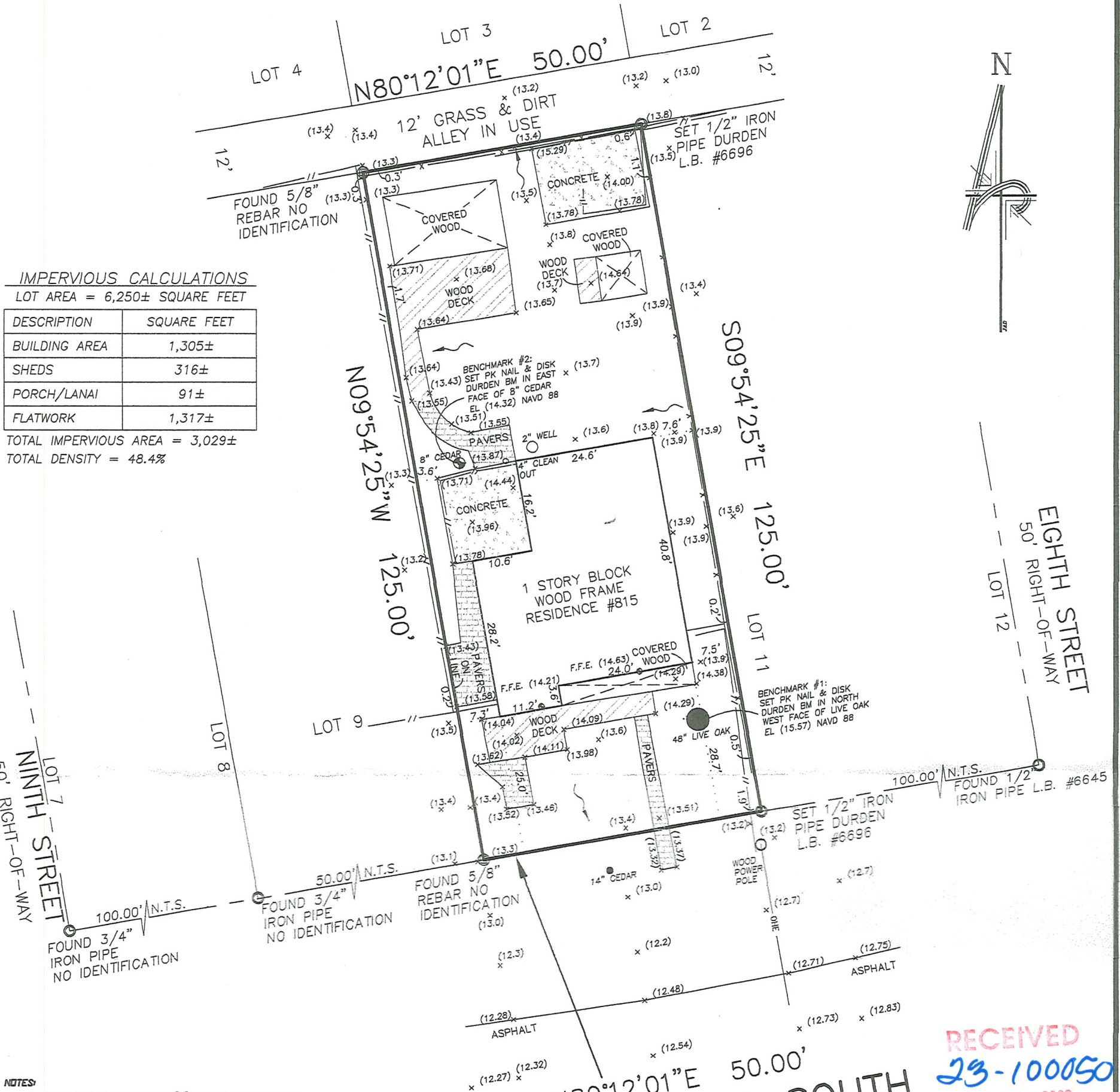
PLANNING & DEVELOPMENT



EXISTING

MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF:

LOT 10, BLOCK 109, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 13 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



IMPERVIOUS CALCULATIONS

LOT AREA = 6,250± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,305±
SHEDS	316±
PORCH/LANAI	91±
FLATWORK	1,317±

TOTAL IMPERVIOUS AREA = 3,029±

TOTAL DENSITY = 48.4%

NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0419-J, REVISED NOVEMBER 2, 2018

BEARINGS BASED ON THE NORTH RIGHT-OF-WAY LINE OF 11TH AVENUE SOUTH AS BEING N 80°12'01" E

ELEVATIONS SHOWN AS THUS (14.11) AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988

TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER CURRENT CONDITIONS. TREE SIZE AND LOCATION ARE MEASURED BY DBH (DIAMETER BREAST HEIGHT) APPROXIMATELY 48 INCHES ABOVE GROUND

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 109 EXCEPT AS NOTED

NO BUILDING RESTRICTION LINE BY PLAT

F.F.E. DENOTES FINISH FLOOR ELEVATION

— DENOTES EXISTING DRAINAGE FLOW

OHE DENOTES OVERHEAD ELECTRIC

—X— DENOTES 4' CHAIN LINK FENCE EXCEPT AS NOTED

—//— DENOTES 6' WOOD FENCE EXCEPT AS NOTED

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



DURDEN
SURVEYING AND MAPPING, INC.

985 11TH AVENUE SOUTH
JACKSONVILLE BEACH, FLORIDA 32250
(904) 853-6822 FAX 853-6825
LICENSED BUSINESS NO. 6696

SURVEYOR'S NOTE:

THE SURVEY HEREON WAS MADE WITHOUT THE BENEFIT OF ABSTRACT OR SEARCH OF TITLE AND THEREFORE THE UNDERSIGNED AND DURDEN SURVEYING AND MAPPING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT OR SEARCH OF TITLE. THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.

I hereby certify that this survey meets the standards of practice as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027 Florida Statutes and Chapter 5J17 Florida Administrative Code

Bruce Durdan Jr.
FLORIDA REGISTERED SURVEYOR No. 4707
H. BRUCE DURDEN, Jr.

FIELD: SEPTEMBER 22, 2021

CAD FILE NO. L-10(815 11TH AVE SOUTH).DWG

SCALE: 1" = 20'

WORK ORDER NUMBER: 21476

RECEIVED
23-100050

APR 18 2023

PLANNING & DEVELOPMENT

CERTIFIED TO:
MICHAEL SILVERIO SR.

23-674

RECEIVED

B-10022



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

BOA#23-100051

Zoning: RS-1
RE: 177361-0000
Legal: Lot 4, Block 1, Palm Court
Address: 522 10th Street North

Request

Section(s): 34-336(e)(1)c.2, for a corner side yard setback of 13 feet in lieu of 18 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required garage; and 34-336(e)(1)d, for conditioned living area of 1,348 square feet in lieu of 1,600 square feet required, to allow for the enclosure of an existing carport to expand interior space at an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1953) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is irregular in shape, being with two sides that front on streets. The property is roughly 9,900 square feet in area, with a width of 90 feet along the southern property line, 60 feet along the north property line, and a depth of 110 feet along the eastern property line and 131 feet along the western property line. The subject property is occupied by an existing single family structure constructed in 1954, one year after the lot was platted. The subject property has an effective heated and cooled area of 1,204 square feet, and is located at an irregular angle to the lot, facing the intersection of 10th street north and 5th Avenue North. The existing home also has a small car port and an extra wide driveway that can accommodate two paved parking spaces. The current structure has a corner side yard setback of 13 feet, which is an existing nonconformity, as the corner side yard setback should be 18 feet. The existing encroachment is a condition in existence since the time of construction. The encroaching corner is currently the edge of the existing carport.

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

Staff Analysis

The subject property is substandard in area, and width along the northern property line. It is also irregular in shape. Additionally the existing single family dwelling is oriented at an irregular angle to the lot, facing the northeast corner of the property



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

and not square to any property line. The dwelling is also undersized for the RS-1 zoning district, and has no required garage, but rather a carport. Finally the structure does not meet the minimum square footage for the RS-1 standards. All of these nonconformities are dated to the time of construction or not long after based on the design and construction. The applicant is proposing to enclose the existing carport to create additional living space. The home currently lacks a garage, and therefore is already nonconforming in this regard. The home currently violates the corner side yard setback, also an existing nonconformity. The home's size is also a nonconformity with regards to the RS-1 standards. The applicant's proposal to enclose the existing car port and add this square footage to the living space of the structure will bring the home closer to compliance with the required square footage, it will not increase any existing nonconformity, but rather maintain all the existing setback encroachments and deficiencies with the house, but bring the home closer to compliance with square footage. The home can accommodate the required two parking spaces without the car port, based on the driveway size as shown on the submitted survey. The overall impact to the neighborhood will be negligible, as nothing on the site will change except for the carport becoming living space, which is a common condition historically for structures of this design and age.

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.



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

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 irregular in shape and nonconforming in size and width. Additionally the size and orientation of the existing home, along with the age of construction create a number of nonconformities that require relief from the code to allow any substantial renovation.

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 subject lot was platted in 1953, and the home was constructed in 1954. The existing nonconformities date from the time of construction or not long after, and are 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. The ability to expand or add onto an existing dwelling is a common request in the RS-1 zoning district. The enclosure of car ports for additional living space is also a common request and has been done historically in this neighborhood.

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. Literal interpretation of the code would leave the current home with exiting nonconformities. Additionally, as the applicant is not increasing the nonconformities, the proposed enclosure of the car port is a right commonly enjoyed by property owners with older homes in the RS-1 zoning district.



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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 existing nonconformities as well as the proposed new porch. The proposed variances would address several existing nonconformities in the form of existing encroachments into the corner side yard, the undersized nature of the home, and the lack of required garage. These are all existing conditions of the house and the proposed work will not increase these nonconformities.

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.

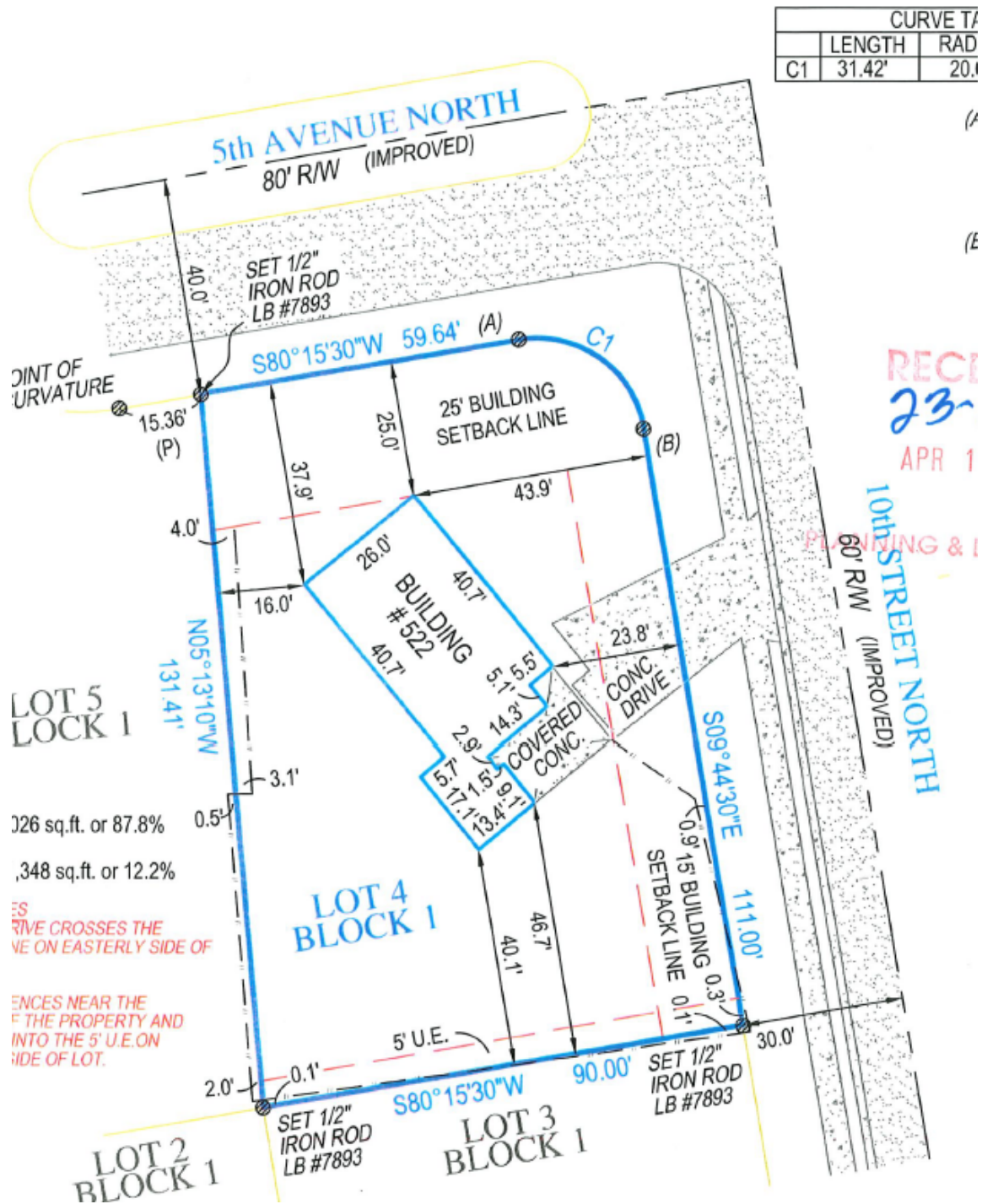
Staff Recommendation

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#23-100051.**

Location Map (property boundaries are representative only)



Existing Survey



[illegible]



APPLICATION FOR VARIANCE

BOA No. 23-100051

HEARING DATE 6.21.23

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.

APR 19 2023

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Sheepco Holdings, LLC Telephone: 904 210 8842
Mailing Address: 3655 Hendricks Ave. E-Mail: adam @ sheepco.com
Jacksonville, FL 32207

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

Landowner Name: Sheepco Holdings, LLC Telephone: 904 210 8842
Mailing Address: 3655 Hendricks Ave. E-Mail: adam @ sheepco.com
Jacksonville, FL 32207

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: 522 10th Street N. 177361-0000
Legal description of property (Attach copy of deed): Lot 4, Block 1, Palm Courts
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).
close in garage and below min-house size

AFFIDAVIT

I, Adam Alexander, 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

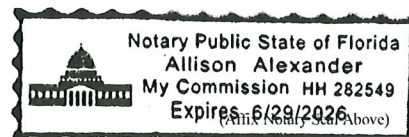
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17 day of April, 2023, by Adam Alexander, who is personally known to me, or produced _____ as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



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.2, for a corner side yard setback of 13 feet in lieu of 18 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required garage; and 34-336(e)(1)d, for conditioned living area of 1,348 square feet in lieu of 1,600 square feet required, to allow for the enclosure of an existing carport to expand interior space at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100051

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	built 1954 bringing into compliance
Special circumstances and conditions do not result from the actions of the applicant.	Yes	semi enclosed car port
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	improve fire hose and valve
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	nothing out of ordinary for neighborhood no additional 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	enclosing carport
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	not increasing residential density

RECEIVED
23-100051
APR 19 2023

PREPARED BY, RECORD AND RETURN TO:

Brian A. Wolf, Esquire (DBF)
Fisher, Tousey, Leas & Ball, P.A.
501 Riverside Avenue, Suite 700
Jacksonville, Florida 32202

PLANNING & DEVELOPMENT

NOTE TO CLERK: CONSIDERATION ON THIS TRANSFER IS IN THE AMOUNT OF \$350,000.00.
DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$2,450.00 IS BEING PAID ON THIS TRANSFER.

WARRANTY DEED

THIS INDENTURE, made as of the 24th day of JANUARY, 2023, between DANIEL SCOTT CAPO, a married man, conveying his non homestead property, whose address is 4982 Edmondson Pike #F11, Nashville, Tennessee 37211, JEREMY CHRISTOPHER CAPO, an unmarried man, whose address is 6083 Liana Lee Drive, Jacksonville, Florida 32234, MELINDA CAPO, an unmarried woman, whose address is 1734 Keuka Drive, Building 11 Apt. 208, New Port Richey, Florida 34655, and CHASE CAPO, a married man, conveying his non homestead property, whose address is 6083 Liana Lee Drive, Jacksonville, Florida 32234, parties of the first part, and SHEEPCO HOLDINGS LLC, a Florida limited liability company, whose address is 3655 Hendricks Avenue, Jacksonville, Florida 32207, party of the second part.

WITNESSETH:

That the parties of the first part, for and in consideration of the sum of Ten and No/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, and conveyed to the party of the second part, its successors and assigns forever, the following described lands, situate, lying and being in Duval County, Florida, to wit:

Lot 4, Block 1, PALM COURTS, according to the map or plat thereof as recorded in Plat Book 24, Page 59, of the current public records of Duval County, Florida.

Real Estate Assessment No.: 177361-0000

SUBJECT TO covenants, restrictions and easements of record and taxes assessed subsequent to December 31, 2022; provided however, this reference will not serve to reimpose any such covenants, restrictions or easements.

And the parties of the first part do hereby fully warrant the title to the property, and will defend the same against the lawful claims of all persons whomsoever.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned has hereunto set their hands and seals as of the day and year first above written.

Signed and Sealed in
Our Presence:

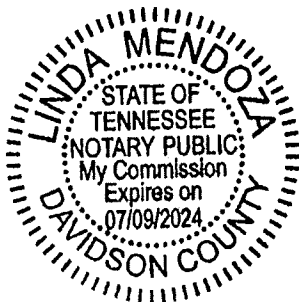
Sign: Kobie Mangala
Print Name: Kobie Mangala

Daniel Scott Capo
DANIEL SCOTT CAPO

Sign: Linda Mendoza
Print Name: Linda Mendoza

STATE OF Tennessee
COUNTY OF Davidson

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 20th day of January 2023, by DANIEL SCOTT CAPO, [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☐ who is personally known to me or ☒ who has produced a current FL (state) driver's license as identification.



Signature: Linda Mendoza
Printed Name: Linda Mendoza
NOTARY PUBLIC, State of Tennessee
Commission Number: N/A

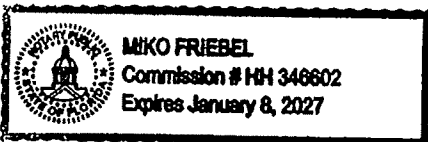
Sign: [Signature]
Print Name: Brian Wolf

Jeremy Christopher Capo, by Chase Capo
JEREMY CHRISTOPHER CAPO, by
CHASE CAPO, as his Agent as his agent
(attorney-in-fact) (attorney-in-fact)

Sign: [Signature]
Print Name: MIKO FRIEBEL

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 23rd day of January, 2023, by JEREMY CHRISTOPHER CAPO, by CHASE CAPO, as his Agent (attorney-in-fact) [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☐ who is personally known to me or ☒ who has produced a current FL (state) driver's license as identification.



Signature: [Signature]
Printed Name: MIKO FRIEBEL
NOTARY PUBLIC, State of Florida
Commission Number: _____

Sign: [Signature]
Print Name: R. CAI EINHAUS

Melinda Capo, by Mark Pendleton
MELINDA CAPO, by as her agent
MARK PENDLETON, as her Agent (attorney-in-fact)
(attorney-in-fact)

Sign: [Signature]
Print Name: JAMES W. MILLS

STATE OF NEW HAMPSHIRE
COUNTY OF Rockingham

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 21 day of JANUARY, 2023, by MELINDA CAPO, by MARK PENDLETON, as her Agent (attorney-in-fact) [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☒ who is personally known to me or ☐ who has produced a current _____ (state) driver's license as identification.

Signature: [Signature]
Printed Name: JAMES W. MILLS
NOTARY PUBLIC, State of NEW HAMPSHIRE
Commission Number: COMMISSION EXPIRES 10-3-23

JAMES W. MILLS
Notary Public - New Hampshire
My Commission Expires October 3, 2023

Sign: [Signature]

Print Name: Brian Wolf

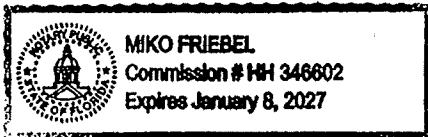
Chase Capo
CHASE CAPO

Sign: [Signature]

Print Name: MIKO FRIEBEL

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 23rd day of _____, 2023, by CHASE CAPO, [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☐ who is personally known to me or ☒ who has produced a current FL (state) driver's license as identification.



Signature: [Signature]
Printed Name: MIKO FRIEBEL
NOTARY PUBLIC, State of Florida
Commission Number: _____



23-100051

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

Detail by Entity Name

Florida Limited Liability Company

SHEEPCO HOLDINGS LLC

Filing Information

Document Number L18000226541
FEI/EIN Number 83-1996588
Date Filed 09/24/2018
Effective Date 09/24/2018
State FL
Status ACTIVE

Principal Address

3655 Hendricks Avenue
Jacksonville, FL 32207

Changed: 04/30/2021

Mailing Address

3655 Hendricks Avenue
Jacksonville, FL 32207

Changed: 04/30/2021

Registered Agent Name & Address

HIEBSCH, RYAN E
3655 Hendricks Avenue
Jacksonville, FL 32207

Address Changed: 04/30/2021

Authorized Person(s) Detail

Name & Address

Title MGR

HIEBSCH, RYAN E
3655 Hendricks Avenue
Jacksonville, FL 32207

Annual Reports

Report Year	Filed Date
-------------	------------

LEGAL DESCRIPTION AND CERTIFICATION

LOT 4, BLOCK 1, PALM COURTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 59, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Community Number: 120077 Panel: 0417 Suffix: J F.I.R.M. Date: Flood Zone: X Field Work: 9/13/2022

Certified To:

THE ESTATE OF EARL ANTHONY CAPO; MELINDA CAPO; CHASE CAPO; SHEEPCO HOLDINGS LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; FISHER, TOUSEY, LEAS & BALL, P.A.

Property Address:

522 10TH STREET NORTH
JACKSONVILLE BEACH, FL 32250

Survey Number: 560228

Client File Number:

RECEIVED
23-100051
APR 19 2023

PLANNING & DEVELOPMENT

ABBREVIATION DESCRIPTION:

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

SYMBOL DESCRIPTIONS:

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

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

GENERAL NOTES:

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



**TARGET
SURVEYING, LLC**
LB #7893
SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0578
WEBSITE: <http://targetsurveying.net>

BOUNDARY SURVEY

(A)= POINT OF CURVATURE SET 1/2" IRON ROD LB #7893

(B)= POINT OF CURVATURE FOUND 1/2" IRON ROD NO I.D.

PLANNING & DEVELOPMENT



(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

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

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CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
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D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
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PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

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- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
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- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



LB #7893

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



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

BOA#23-100052

Zoning: C-1
RE: 174681-0000
Legal: Lot 6, Block 73, Pablo Beach North Replat
Address: 1415 3rd Street North

Request

Section(s): 34-425(a)3, for no trees in lieu of 2 required trees; 34-425(b)1, for no landscape buffer adjacent to vehicular use area in lieu of a required 5-foot landscape buffer; and 34-425(c)1, for no vehicular area interior landscape islands in lieu of all required interior landscaping for a parking area of 10 spaces or more to allow for the conversion of an existing single use commercial space into a three-tenant shopping center

Existing Conditions

The subject property is a lot of record, (circa 1913) located in the Limited Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The subject parcel is 68.5 feet in width and 135 feet in depth, with a total area of 9,248 square feet. The subject parcel is currently occupied by a single commercial structure and associated parking, constructed in 1985. The structure predates the existing LDC. The subject parcel has roughly 14 to 15 parking spaces, though currently the existing striping is faded, so it is hard to calculate how many spaces are conforming in size. The property doesn't currently have a compliant ADA accessible space, nor does it have a dumpster enclosure. The most recent use of the property was "Amy's Turn" which was a retail store that occupied the entire structure. The property has sat vacant for several years. A previous variance was applied for to convert the space into a salon, which would have required 30 parking spaces, which the property couldn't accommodate, and was subsequently denied by the Board of Adjustment. The previous variance was denied on April 19, 2022. More than a year has elapsed since the previous request.

BOA#22-100031 for 12 parking spaces in lieu of 30 paces required for a hair salon.

Staff Analysis

The subject property was developed in 1985 as a commercial structure with parking in the front of the existing 3,088 square foot structure. The property was most recently used for retail sales, and has been vacant for several years. The applicant



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

is now proposing a substantial renovation, converting the single structure into three rentable tenant spaces. The proposed renovation would trigger a variance to address the existing nonconformities, which are primarily landscaping and buffering. The applicant's proposed conversion would result in a parking standard related to a three use shopping center, which is calculated on a project less than 399,999 square feet, at one space per every 250 square feet. The effective gross interior space of the structure is 2,852 square feet, as there is an outside overhang that covers the entrance but would not be considered in the parking calculations. The proposed parking design would be able to accommodate a dumpster enclosure, as well as a dedicated ADA accessible space, and still meet the minimum parking standards. The primary issues for this project relate to room for required landscaping. As the parking area is very small, all available space is currently dedicated to parking, and is already paved. The ability to add a landscape island will reduce the overall parking. Additionally there is limited area along the perimeter of the parking area for any buffers or other landscaping. There is also no room for the planting of required shade trees. The applicant is also proposing a sidewalk to connect the structure to the main sidewalk on 3rd Street to accommodate pedestrian access. Based on the goals of the 2030 Comprehensive Plan, the reuse of existing commercial spaces is intended to promote continued infill and reinvestment in existing commercial stock in the main commercial areas, rather than permitting new construction. The overall site will change little with regards to the existing parking area, with all the major renovations focused on the structure itself. Once the proposed sidewalk is added, the total lot coverage will 83%, below the maximum of 85%.

Minimum development and parking standards

Dimensional standards. The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the C-1 Zoning District.

- Minimum lot area: None.
- Minimum lot width: None.
- Minimum yards:
 - Front yard: Ten (10) feet.
 - Side yard: None, except where adjacent to streets. If adjacent to a street ten (10) feet, for a corner lot, the side yard on the corner shall be ten (10) feet.
 - Rear yard: None. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- Floor area: None.



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- Maximum lot coverage: Eighty-five (85) percent.
- Height: Thirty-five (35) feet.

Landscape Standards

- Tree planting and preservation requirements. The following tree planting and preservation standards shall apply to all development. They may be used to satisfy, in whole or in part, the landscape requirements for off-street parking and vehicular use area landscape buffers (section 34-425(b)), the landscape requirements for the interior of parking and vehicular use areas (section 34-425(c))
 - Nonresidential lot. One (1) tree shall be planted or preserved for every six thousand (6,000) square feet of a nonresidential lot or fraction thereof. Fifty (50) percent of all trees required to be planted or preserved in nonresidential zoning districts shall be shade trees. Pervious landscaped area shall be maintained in all zoning districts in accordance with the minimum requirements for the zoning district. In those zoning districts where it is required, the front and corner side yard setbacks shall include a ten-foot landscaped strip. The hedge requirement in the ten-foot landscaped strip is optional unless the ten (10) foot strip separates a parking area from a public right-of-way, in which case, the hedge is mandatory.
- Off-street parking and vehicular use area landscape buffers.
 - (1)Landscape buffers adjacent to public rights-of-way. A landscaped area at least five (5) feet in width shall be located between off-street parking areas and abutting rights-of-way. Wheel stops or curbing shall be used to assure that this five (5) foot strip is not overhung by car bumpers. This landscaped area shall include one (1) shade tree for every twenty-five (25) linear feet of frontage. In addition, a hedge of at least two (2) feet in height upon planting shall be placed along the parking lot side of the landscaped strip. If a barrier of non-living materials is used in-lieu of a hedge to satisfy the landscape buffer requirements of section 34-425(d)(1), such barrier shall not exceed four (4) feet in height. One (1) shrub or vine for every four (4) linear feet of barrier shall be planted abutting all barriers. Required shrubs or vines may be clustered rather than spaced evenly. Required shrubs or vines shall be planted along the street side of such barrier within the required landscape buffer. The remainder of the required landscape buffer shall be landscaped with grass, ground cover, or other landscape treatment. Turf grasses shall not comprise more than forty (40) percent of the pervious area.
 - Landscape buffers adjacent to public rights-of-way. A landscaped area at least five (5) feet in width shall be located between off-street parking areas and abutting rights-of-way. Wheel stops or curbing



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shall be used to assure that this five (5) foot strip is not overhung by car bumpers. This landscaped area shall include one (1) shade tree for every twenty-five (25) linear feet of frontage. In addition, a hedge of at least two (2) feet in height upon planting shall be placed along the parking lot side of the landscaped strip. If a barrier of non-living materials is used in-lieu of a hedge to satisfy the landscape buffer requirements of section 34-425(d)(1), such barrier shall not exceed four (4) feet in height. One (1) shrub or vine for every four (4) linear feet of barrier shall be planted abutting all barriers. Required shrubs or vines may be clustered rather than spaced evenly. Required shrubs or vines shall be planted along the street side of such barrier within the required landscape buffer. The remainder of the required landscape buffer shall be landscaped with grass, ground cover, or other landscape treatment. Turf grasses shall not comprise more than forty (40) percent of the pervious area.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The site is zoned C-1 and is a historically retail sales commercial use. The structure was built before the adoption of the existing LDC and has been occupied up until the closure of the previous retail use. The site is fully developed and is able to provide all required parking, but at the expense of code required additional landscaping. Therefore any attempt to meet landscape standards would only reduce available parking below the required number.

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 property was developed in 1985, and was never designed to accommodate the modern LDC requirements. The applicant purchased the property in its current state, but only after the property fell vacant for over a year. The applicant is now attempting to place the structure back into active use, and must address the existing nonconformities.



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

Staff finds that the proposed variance **will not** confer special privileges.

Throughout the C-1 zoning district, there are many nonconforming structures that are used for commercial purposes. Additionally the ability to renovate and maintain a commercial structure is not a special privilege but a requirement as a property owner.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Without relief from the LDC requirements, the structure could not be renovated and placed back into functional use. Without approval the applicant would have an undue hardship with an unoccupied structure that could not be fully renovated or placed back into use as a retail space, which is the primary use historically of this structure and a permitted use in the C-1 zoning district.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed commercial office building. The proposed variance will simply rectify existing nonconformities and will not intensify any of the nonconformities further. The renovation of the site will address noncompliance issues with ADA requirements for parking, and will include a required dumpster enclosure that the site is currently lacking.

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

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

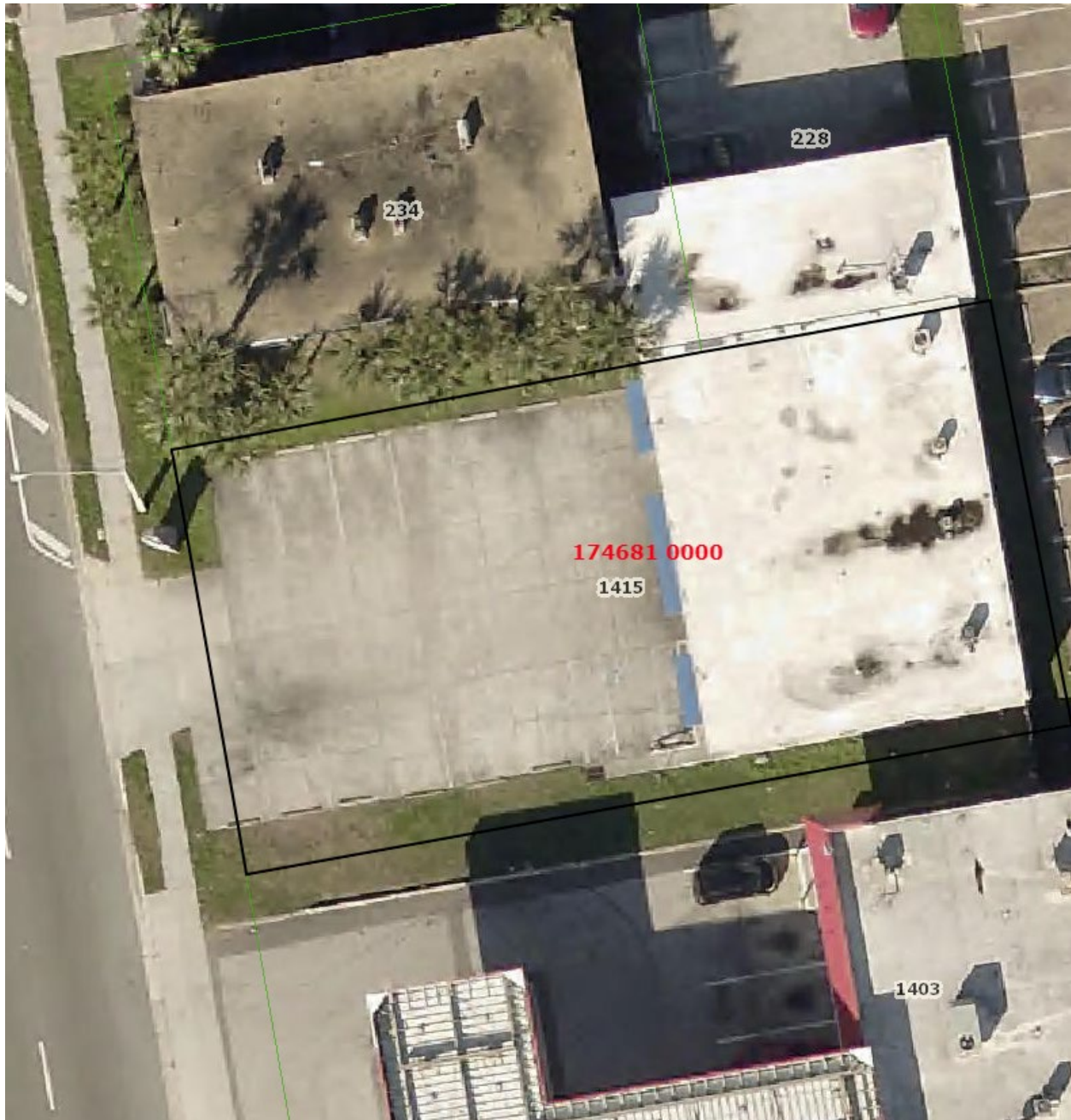


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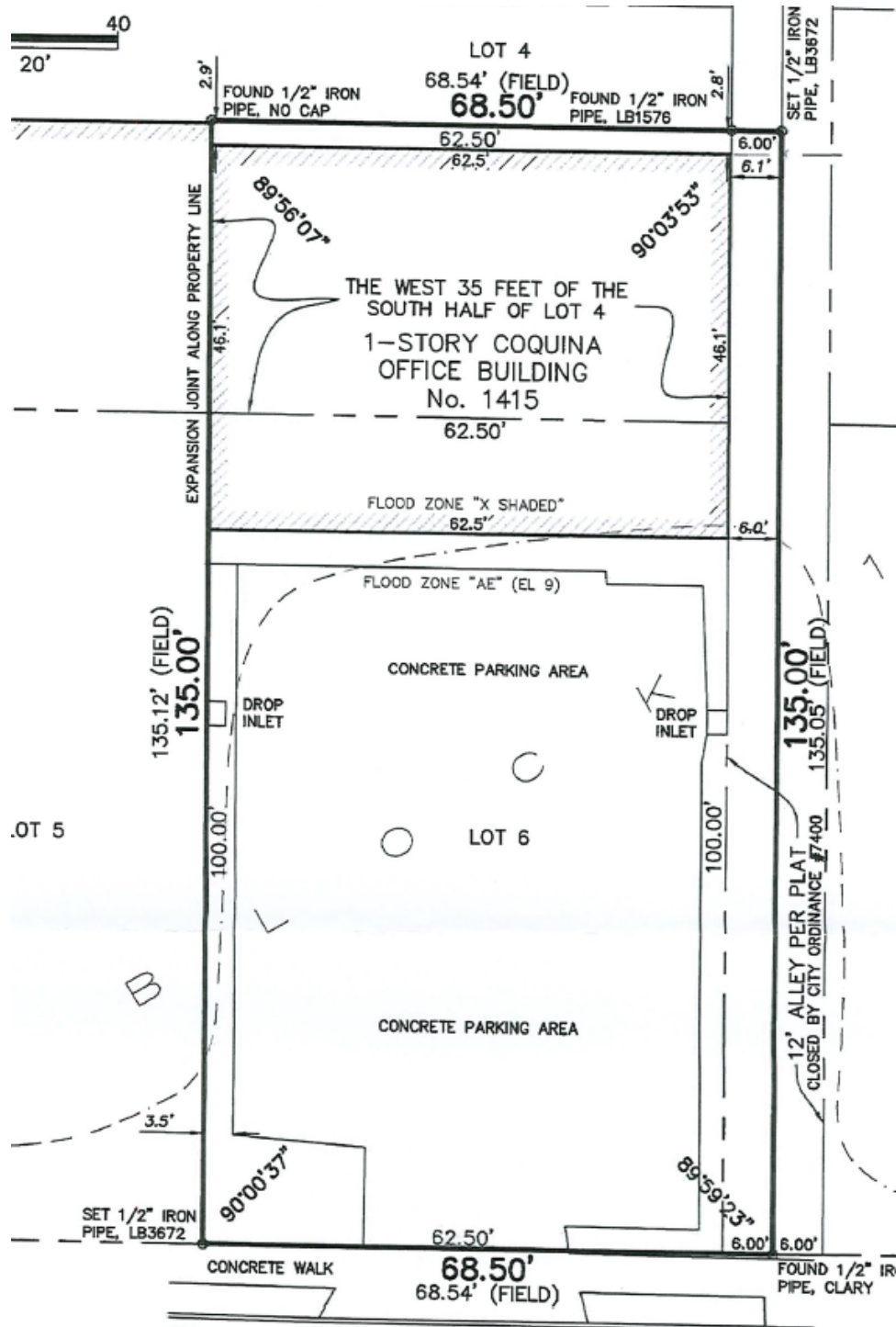
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#23-100052**

Location Map (property boundaries are representative only)



Existing Survey



[illegible]



APPLICATION FOR VARIANCE

BOA No. 23-100052
HEARING DATE 6.21.23

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

MAY - 3 2023

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Sarah Rocco owner of 1415 3rd St LLC Telephone: (904) 416-0069
Mailing Address: 807 2nd St S, Jacksonville Beach, FL 32250 E-Mail: thesarahrocco@gmail.com
Agent Name: Same as above. Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Same as above. Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1415 3rd St. N, Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): (See attached info)
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).
174681-0000

AFFIDAVIT

I, Sarah Rocco, 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.

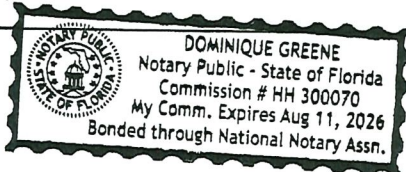
Sarah Rocco
APPLICANT SIGNATURE

Sarah Rocco
PRINT APPLICANT NAME

5.3.23
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of May, 2023, by Sarah Rocco, who is personally known to me or produced _____ as identification. D.G.



Dominique Greene
Dominique Greene

PRINT NOTARY NAME

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):

34-425(a)3, for no trees in lieu of 2 required trees; 34-425(b)1, for no landscape buffer adjacent to vehicular use area in lieu of a required 5 foot landscape buffer; and 34-425(c)1, for no vehicular area interior landscape islands in lieu of all required interior landscaping for a parking area of 10 spaces or more to allow for the conversion of an existing single use commercial space into a three tenant shopping center

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

23-100052

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	
Special circumstances and conditions do not result from the actions of the applicant.	YES	
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	
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	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	I have had trouble using/renting the structure because of the parking/landscaping issues.
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	

RE: 1415 3rd St N

May 3, 2023

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23-100052
MAY - 3 2023

To Whom It May Concern,

Attached is an application for a variance request of the following:

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1. To reduce the green space area on the Northside of the building to allow for a 5ft sidewalk connecting the building to the street sidewalk, per ADA Code and accessibility. I am requesting that the green space requirement not be increased, due to the request for the sidewalk.
2. To install a 6' fence on the North side parking lot (only) & South side of the parking lot AND the building with the required 10' setback.
3. Maintain the existing monument for signage and redesign it.
4. Raise the roof of the entire building, abiding within the allowable height range of commercial buildings by Jacksonville Beach, creating a more aesthetically pleasing exterior for the shopping plaza.

This concludes my variance requests. Thank you.

7020 2450 0000 7999 5540

Ref BOA-23-100052

April 22, 2022

Sarah Rocco
2873 Green Street
Jacksonville, FL 32205



CC: Mabyrd55@live.com

DEVELOPMENT ORDER FOR VARIANCE

BOA#22-100031

1415 3rd Street North

Lot 6 and the West 35 feet of the South 1/2 of Lot 4, Block 143, *Pablo Beach Improvement Company's Plat*

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday April 19, 2022, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

- 34-373, for 12 parking spaces in lieu of 30 required

To allow for the conversion of an existing commercial retail space to a salon

In support of its request for a variance, the applicant submitted an application, with supporting documentation. At the public hearing, the applicant supplemented the application with additional documentation and testimonial evidence.

Based on the review and discussion of said application and the consideration of any competent substantial evidence in the form of testimony provided during the duly advertised public hearing, the Board of Adjustment determined these application(s) for development **did not meet** all the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

Upon this competent substantial evidence, The Board **Denied** the request based on the applicant's inability to provide sufficient evidence to meet all the standards.

Pursuant to Section 34-158, successive applications for all or part of the same land shall not be considered for a period of one (1) year unless the subsequent applications are materially different. Please remove the public hearing notice(s) posted on your property. Attached is a copy of the submitted site plan for your records. If you have any questions regarding this development order please feel free to call me at (904) 247-6231.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

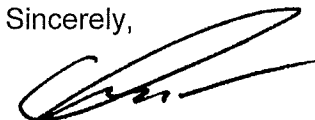
Planning@jaxbchfl.net

www.jacksonvillebeach.org



CONTINUED ON PAGE 2

Sincerely,



Christian Popoli
Senior Planner

DISCLAIMER

As provided by subsection 166.033(6), Florida Statutes, issuance of a variance by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. It is hereby a condition that all other applicable state or federal permits be obtained before commencement of the development.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



Prepared by and return to:
Ruth K. McDonald
Hathaway & Reynolds, PLLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: 2021-1078

Doc # 2021341040, OR BK 20076 Page 407.
Number Pages: 2
Recorded 12/29/2021 02:33 PM.
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$6853.00

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23-160052
MAY - 3 2023

PLANNING & DEVELOPMENT

(Space Above This Line For Recording Data)

Special Warranty Deed

SR

This Special Warranty Deed made this 24 day of December, 2021, between Gloria Schmidt, whose post office address is 55 San Juan Drive, Ponte Vedra Beach, FL 32082, and Amy's Turn, Inc., a Florida Corporation, whose post office address is 55 San Juan Drive, Ponte Vedra Beach, FL 32082, grantor, and 1415 3rd St LLC, a Florida Limited Liability Company, whose post office address is 2873 Green Street, Jacksonville, FL 32205, grantee:

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

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

Lot 6 and the West 35 feet of the South 1/2 of Lot 4, Block 143, Pablo Beach Improvement Company's Plat being a replat of part of the Northern Portion of Pablo Beach, according to plat thereof as recorded in Plat Book 5, page 66, of the current public records of Duval County, Florida.

Together with the North 6 foot of the 12 foot alley closed by Ordinance No. 7400, authenticated December 5, 1988.

Together with a non-exclusive easement for drainage as set out in Grant of Easement recorded February 11, 1985 in Official Records Book 5914, page 2000, of the current public records of Duval County, Florida.

Parcel Identification Number: 174681-0000

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

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, under, or through grantor, but against none other.

The property conveyed by this Special Warranty Deed is not the homestead of the grantor under the laws or constitution of the State of Florida, in that neither she nor anyone for whose support she is responsible resides or has ever resided on or adjacent thereto.

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

Two Different Witnesses have signed below (the Notary may be one of the Witnesses) and neither the Notary, nor any Witness, is related to the Signor or has a beneficial interest in the property described above.

Signed, sealed and delivered in our presence:

Ruth K. McDonald
Witness 1 Signature
Ruth K. McDonald
Witness 1 Printed Name
Nolan Winarchick
Witness 2 Signature
Nolan Winarchick
Witness 2 Printed Name

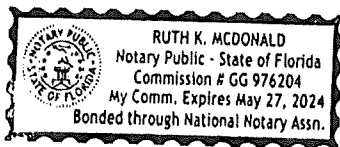
Gloria Schmidt
Gloria Schmidt

Amy's Turn, Inc., a Florida corporation

By: Gloria G. Schmidt, President
Gloria G. Schmidt, President

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of (X) Physical Presence or () Online Notarization, this 16th day of December, 2021, by Gloria Schmidt, individually and as President of Amy's Turn, Inc., a Florida corporation, on behalf of the corporation, who () is personally known to me or (X) has produced A valid FL Driver's License as identification.



Ruth K. McDonald
NOTARY PUBLIC
Printed Name Ruth K. McDonald
My Commission Expires May 27 2024



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23-100052
MAY - 3 2023

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

Detail by Entity Name

Florida Limited Liability Company
1415 3RD ST LLC

Filing Information

Document Number L21000522003
FEI/EIN Number NONE
Date Filed 12/10/2021
State FL
Status ACTIVE

Principal Address

2873 GREEN ST JACKSONVILLE, FL 32205
JACKSONVILLE, FL 32205

Mailing Address

2873 GREEN ST JACKSONVILLE, FL 32205
JACKSONVILLE, FL 32205

Registered Agent Name & Address

NORTHWEST REGISTERED AGENT LLC
7901 4TH ST N STE 300
ST. PETERSBURG, FL 33702

Authorized Person(s) Detail

Name & Address

Title AMBR

ROCK INVESTMENT HOLDINGS COMPANY LLC
30 N GOULD STREET SUITE N
SHERIDAN, WY 82801

Annual Reports

No Annual Reports Filed

Document Images

[12/10/2021 -- Florida Limited Liability](#)

[View image in PDF format](#)

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MAY - 3 2023

PLANNING & DEVELOPMENT

ROCK INVESTMENT HOLDINGS COMPANY
LLC
SARAH ROCCO SOLE MBR
2873 GREEN STREET
JACKSONVILLE, FL 32205

Date of this notice: 10-27-2021

Employer Identification Number:
87-3286721

Form: SS-4

Number of this notice: CP 575 G

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 87-3286721. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

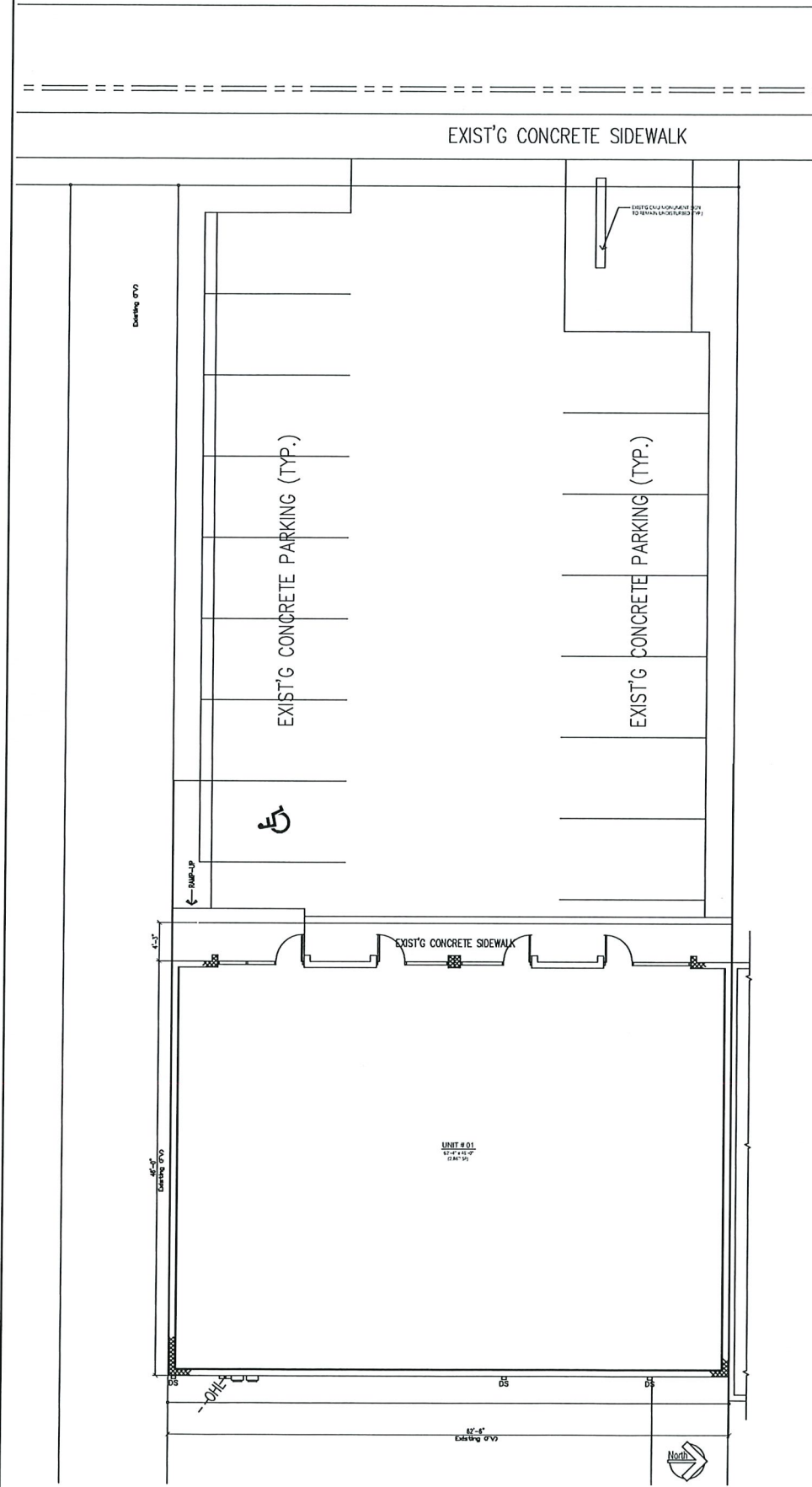
If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is ROCK. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

Proposed

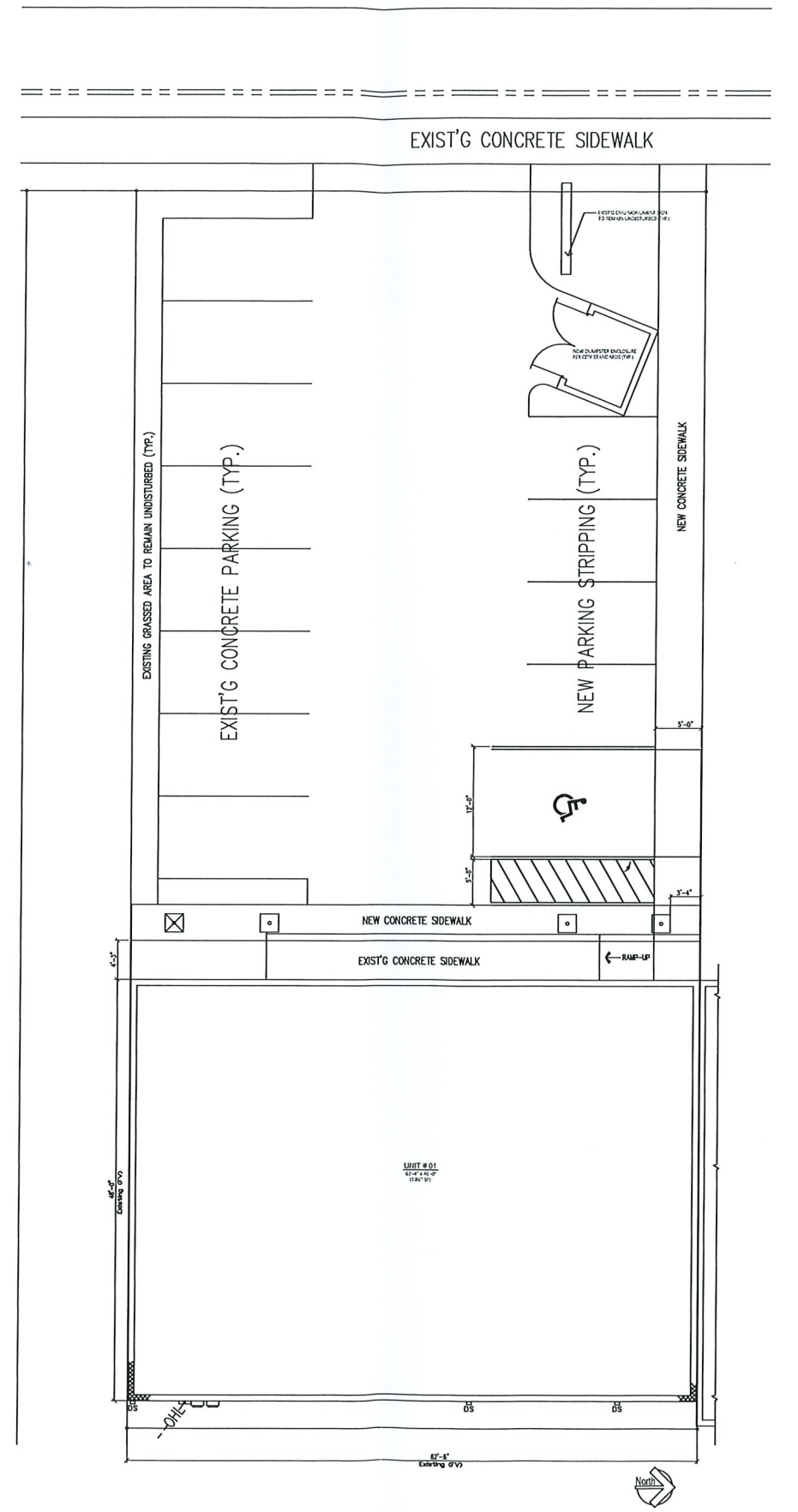
3 RD STREET, NORTH
(80' RIGHT OF WAY)



EXISTING SITE / SURVEY PLAN

SCALE: 1/8" = 1'-0"

3 RD STREET, NORTH
(80' RIGHT OF WAY)



NEW SITE PLAN

SCALE: 1/8" = 1'-0"

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23-100058
MAY - 3 2023

PLANNING & DEVELOPMENT



MICHAEL A. BYRD, NCARB, AIA
Architects Planners Interior Designers
5800 Beach Blvd., Suite 203 - 144
Jacksonville, Florida 32207
(904) 509-3937 AR - 09647

AS-BUILTS FOR EXISTING BUILDING
FOR 1415 3rd STREET, NORTH, LLC @
1415 3rd STREET, NORTH
JACKSONVILLE BEACH, FLORIDA 32250
SITE SURVEY / SITE PLAN & NOTES

SEAL :

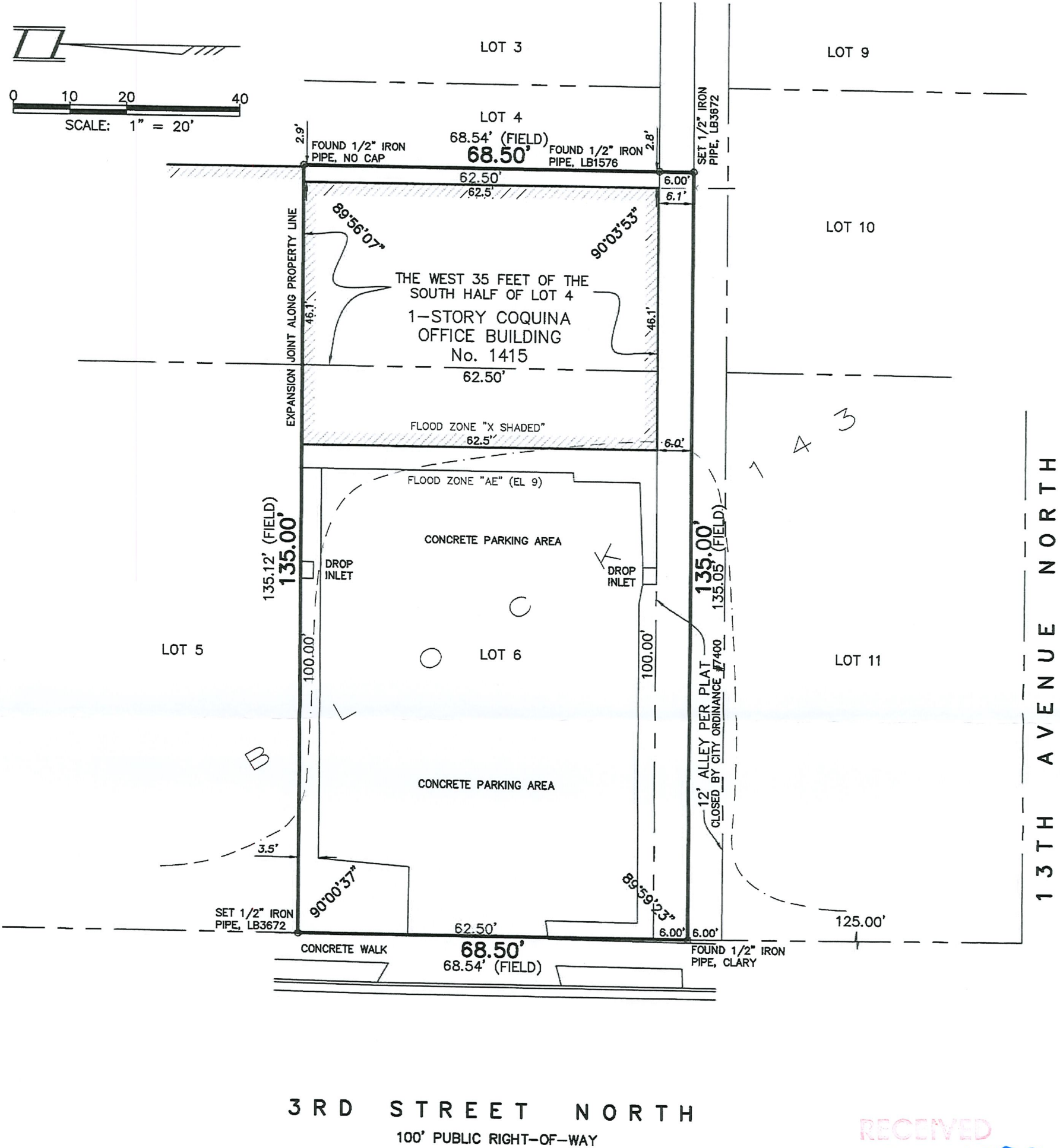
All reports, plans, specifications, drawings, data, notes and other documents and information prepared by the undersigned for the project of the undersigned and for the project of the undersigned are the property of the undersigned and shall remain the property of the undersigned. No part of this document shall be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the undersigned.			REVISIONS :	Δ	Δ	Δ	Δ
DRAWN	CHECKED	APPROVED					
STAFF	MAB	MAB					
DATE :	11-23-2021						
COMMISSION NO :	#P21-041						

SHEET NO.
C-01
2 OF 0

EXISTING

MAP SHOWING SURVEY OF

LOT 6, AND THE WEST 35 FEET OF THE SOUTH ONE HALF OF LOT 4, BLOCK 143, PABLO BEACH IMPROVEMENT COMPANY'S PLAT BEING A REPLAT OF THE NORTHERN PORTION OF PABLO BEACH, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. TOGETHER WITH THE PORTION OF THE NORTH ONE HALF OF THE CLOSED ALLEY LYING SOUTHERLY OF AND ADJACENT TO THE ABOVE DESCRIBED LANDS, AS CLOSED BY CITY ORDINANCE #7400.



3RD STREET NORTH
100' PUBLIC RIGHT-OF-WAY

RECEIVED
23-100052
MAY - 3 2023

PLANNING & DEVELOPMENT

- NOTES:
- 1. THIS IS A BOUNDARY SURVEY.
 - 2. INTERIOR ANGLES AS PER FIELD SURVEY.
 - 3. NO BUILDING RESTRICTION LINES PER PLAT.
 - 4. NORTH PROTRACTED FROM PLAT.

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X SHADED" (0.2% ANNUAL CHANCE FLOOD HAZARD) AND FLOOD ZONE "AE" (EL 9) AS DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY IS CERTIFIED TO:
SARAH ROCCO
HATHAWAY & REYNOLDS, PLLC
CHICAGO TITLE INSURANCE COMPANY

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

CHECKED BY: _____
DRAWN BY: JDB
FILE: 2021-1725

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE:
NOVEMBER 13, 2021
SHEET 1 OF 1



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

BOA#23-100053

Zoning: RM-2 (RS-3 Standards)
RE: 179379-0040
Legal: Lot 4, Block L, Permenter's Replat, Atlantic Camp Grounds
Address: 59 21st Avenue South

Request

Section(s): 34-338(e)(1)c.1, for a front yard setback of 7 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for a corner side yard of 10 feet in lieu of 13 feet minimum; 34-338(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; 34-373(a)5, for a gravel driveway in lieu of required paved driveway or paver strips; and 34-425(h)1, for a corner visibility triangle of 7 feet in depth in lieu of 10 feet required for the driveway, to allow for construction of a new single family dwelling

Existing Conditions

The Subject property is an existing nonconforming lot of record (circa 1925) located in the Medium Density future land use category. The property is located in the Residential Multifamily: RM-2 zoning district. The subject property is 65 feet wide and 40 feet deep. The subject property has an overall area 2,600 square feet. The subject lot is substantially undersized for the RM-2 zoning district for a single family dwelling. The minimum lot size is 6,000 square feet, with this lot measuring less than half that size. The lot is currently vacant. There are several previous variances, one that dates from 1989, which appears to be related to a proposed townhome project that was withdrawn. The second dates from 2021, which was for similar, but more intensive requested relief for a new single family home, which was denied. There are no active code cases on this property.

BZA-14-89 – Withdrawn.

BOA-21-100092: For a front yard setback of 15 feet in lieu of 20 feet, for a corner side yard setback of 4 feet in lieu of 13 feet required, for a combined side yard setback of 9 feet in lieu of 15 feet minimum, for a rear yard setback of 7 feet in lieu of 30 feet minimum, and for a lot coverage of 50% in lieu of 35% maximum for a new single family dwelling.



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Staff Analysis

The subject parcel is both substandard in area and has very unusually small dimensions. While technically meeting the 60 feet in width, the depth is only 40 feet, meaning there is physically no way to meet the front and rear setbacks. Additionally the applicant is meeting the minimum combined side yard setback, but has requested relief of 3 feet on the corner side yard. The lot is less than half the size of the required 6,000 square feet. The applicant is requesting 50% lot coverage, which if the lot were full sized, would equal only 21% lot coverage. The applicant will have a two car garage, so they will meet the minimum required paved parking, however to address lot coverage, they have proposed a gravel drive in lieu of a paved drive or wheel strips. Although gravel drives are typically not recommended, the entire home footprint is only 1,300 square feet, and if the driveway were completely paved, it would add an additional 5% lot coverage. Without relief the applicant could not build a single family home on the existing lot.

Minimum Dimensional Standards

- RM-2 (RS-3 Standards)
- Single family dwelling unit.
 - Minimum lot area: Six thousand (6,000) square feet.
 - Minimum lot width: Sixty (60) 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 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. Garages or carports 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.



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Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in area for the RM-2 zoning district. Although regular in shape, the dimensions make meeting the required setbacks for all required setbacks nearly impossible, regardless of which direction the house faces. Additionally, the lot coverage would only leave roughly 910 square feet of area for all lot coverage, including the house, driveway and any other hardscaping.

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 subject parcel was platted in 1925 and therefore is a buildable lot of record. The size and dimensions of the lot are original to the plat, and thus not the result of the actions of the applicant.

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

Staff **does find** that the proposed variance will not confer any special privileges. The approval of a variance is the only way to allow the construction of a single family home, based on the existing lot size and dimensions. A single family home is the least intensive use of this property.

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. Literal interpretation of the code would render the lot unbuildable for a single family home. When all setbacks are applied, the buildable area is only 330 square feet in area, and the overall lot coverage could not exceed 910 square feet. Building on an existing lot of record is a right commonly enjoyed by properties within the RM-2 zoning district.



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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 allow for the rear balcony and to rectify the lot coverage. The requested variance provides for a reasonably small home, with a required garage, and gravel driveway. The applicant has reduced the request from the previous variance in 2021, and has eliminated all the proposed cantilevered spaces that created the more substantial encroachments.

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#23-100053 with the following conditions: 1) the house must be outside the 20 foot corner visibility triangle. 2) the driveway must respect the 10 foot visibility triangle.**

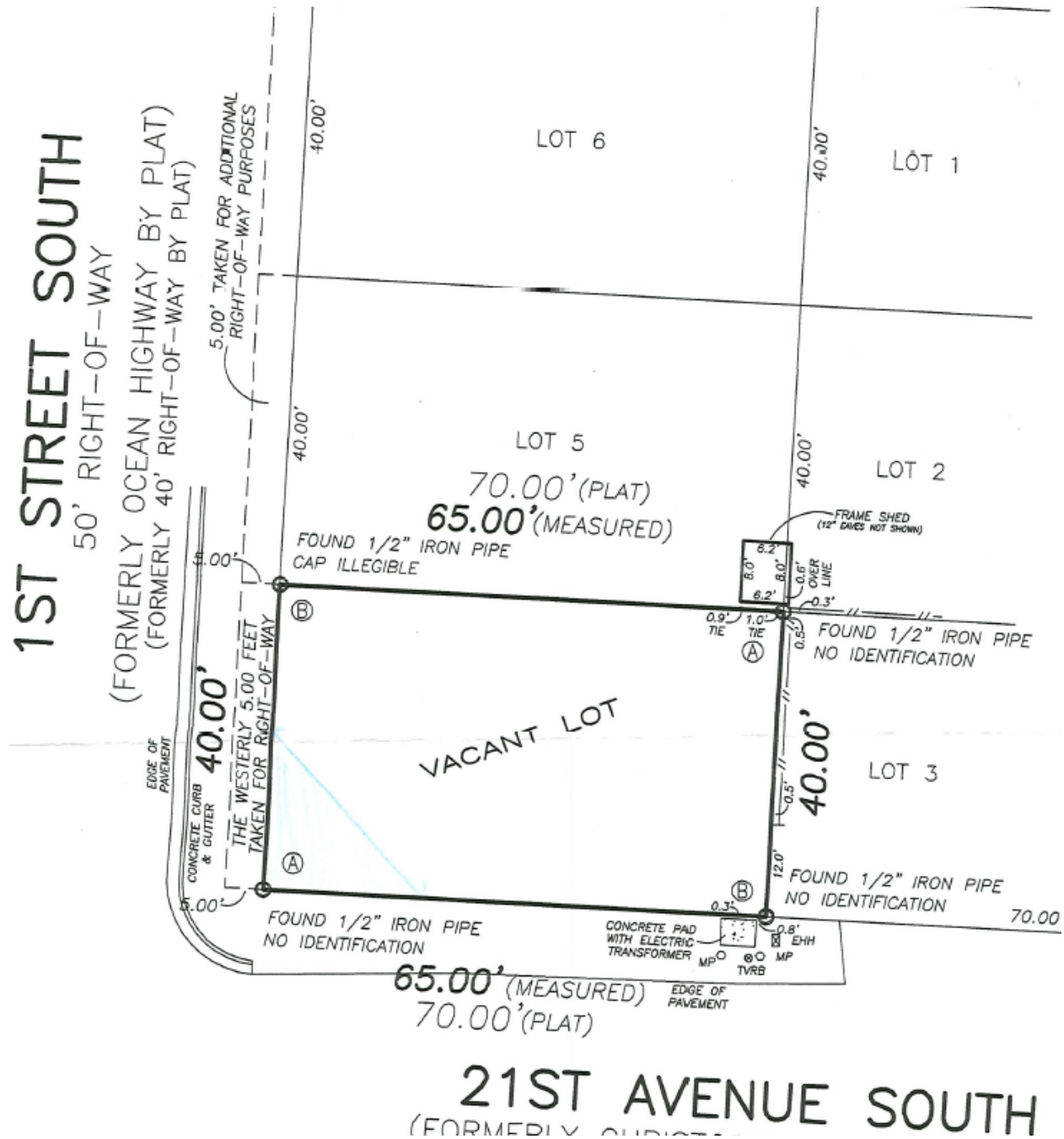
Location Map (property boundaries are reprehensive only)





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

Existing Survey

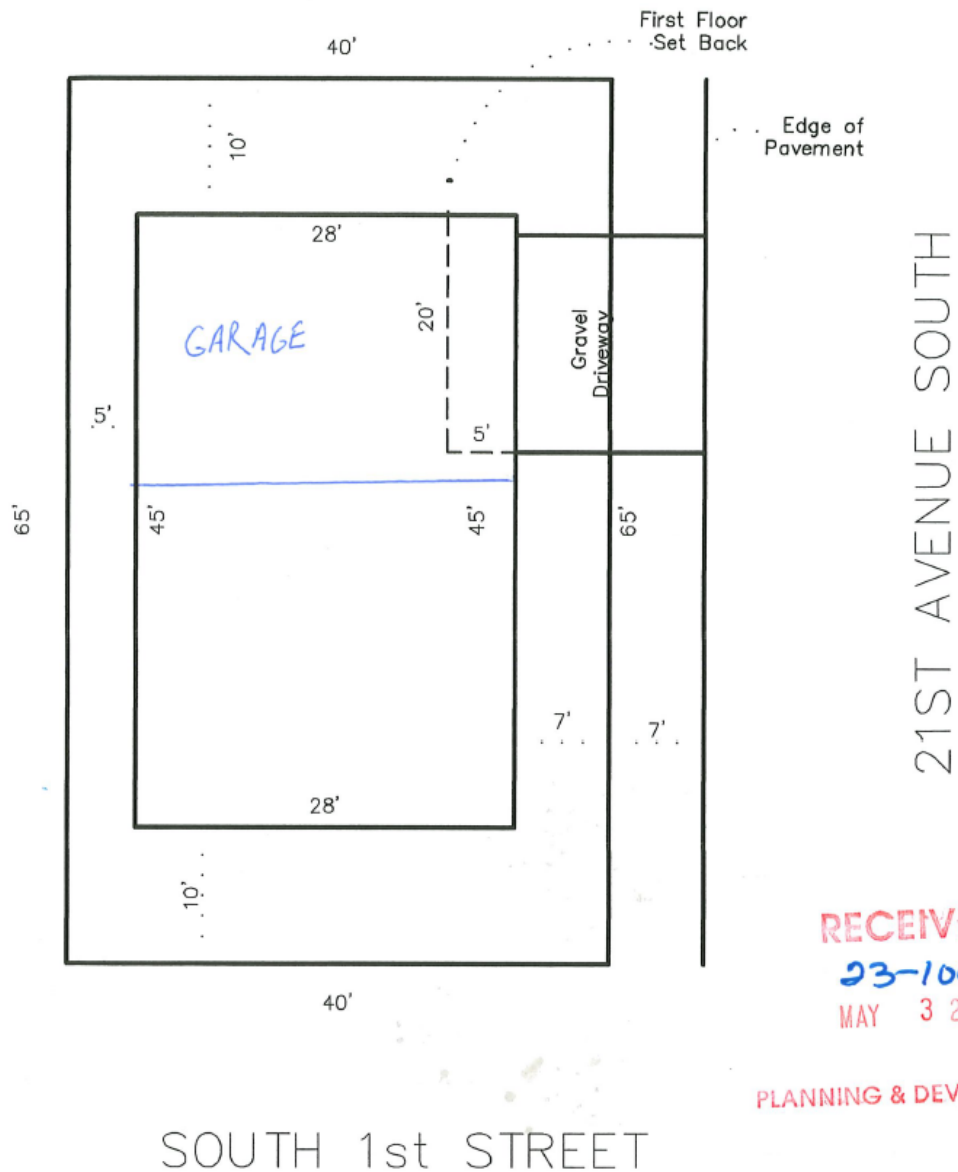




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Proposed Site Plan

PROPOSED



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23-100053
MAY 3 2023

PLANNING & DEVELOPMENT



APPLICATION FOR VARIANCE

BOA No. 23-100053
HEARING DATE 6-21-23

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, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller)
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
5. Completed application.

RECEIVED

3:30 pm

MAY 3 2023

APPLICANT INFORMATION

Applicant Name: Atkins Builders, Inc. **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:** atkinsbuilders@hotmail.com
Jacksonville Beach, Fl. 32240
Agent Name: John Atkins **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:**
Jacksonville Beach, Fl. 32240
Landowner Name: Atkins Builders, Inc. **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:**
Jacksonville Beach, Fl. 32240

PLANNING & DEVELOPMENT

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: 179379-0040. 0 21st Ave. S.
Legal description of property (Attach copy of deed): Lot 4, (Except the Westerly 5 feet) Block L, Permenter's replat of South Pablo or Atlantic Campgrounds
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Rear yard setback of 5' in lieu of 30' required. Front setback of 7' in lieu of 20' required.
50% lot coverage in lieu of 35% required.

AFFIDAVIT

I, John Atkins, 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

John Atkins

PRINT APPLICANT NAME

DATE

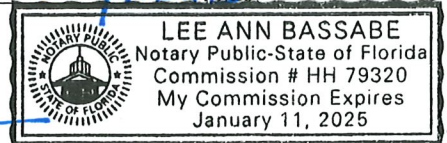
STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 3 day of May, 2023 by John Atkins, who

is personally known to me or has produced _____ 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: RM-2(RS-3 standards)

FLOOD ZONE: AE

CODE SECTION (S):
34-338(e)(1)c.1, for a front yard setback of 7 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for a corner side yard of 10 feet in lieu of 13 feet minimum; 34-338(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; 34-373 (a)5, for a gravel driveway in lieu of required paved driveway or paver strips; and 34-425(h)1, for a corner visibility triangle of 7 feet in depth in lieu of 10 feet required for the driveway, to allow for construction of a new single family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100053

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Lot is undersized. RECEIVED MAY - 3 2023 PLANNING & DEVELOPMENT
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Lots were platted undersized.
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, if not all properties in the area do not conform to the Land Development Code.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	All surrounding properties do not conform.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Applicant has met with neighbors to design house to be consistent with neighborhood.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting of the variance increase adjacent property values.

Prepared by:
Duane C. Romanello, Esquire
1919 Blanding Boulevard, Suite 8
Jacksonville, Florida 32210
File Number: 23-0433
Without Benefit of Title Examination or Review

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23-100053
MAY - 3 2023

PLANNING & DEVELOPMENT

QUIT CLAIM DEED

This Quit Claim Deed is made this 17 day of March 2023 by **Christian Allen and Kristen Allen, husband and wife, whose mailing address is 1014 Elder Ln. Jacksonville, FL 32207** ("Grantor") in favor of **Atkins Builders, Inc., a Florida Corporation whose mailing address is 1888 Foss Lane, Jacksonville Beach, FL 32250** ("Grantee").

(Whenever used herein the terms "grantor" and "grantee" include all 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 (\$10.00) Ten and No/100.....Dollars, in hand paid by the Grantee, the receipt of which is hereby acknowledged, has remised, released and quit-claimed, and by these presents does remise, release and quit-claim unto the Grantee, and their heirs, successors and assigns forever, all the right,¹ title and interest of the Grantor in and to the property located at 0 South 21st Avenue, Jacksonville Beach, FL 32250 in Duval County, Florida (the "Property"), to wit:

Lot 4, (except the Westerly 5 feet thereof) Block L, PERMENTER'S REPLAT OF SOUTH PABLO OR ATLANTIC CAMPGROUNDS, according to the Plat thereof, as recorded in Plat Book 9, Page 44, Public Records of Duval County, Florida.

Parcel Identification Number: 179379-0040

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoove of the Grantee, their heirs, successors and assigns forever.

Signature Page of Grantor on Following page

Signature Page of Christian Allen and Kristen Allen

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

Signed, Sealed and Delivered in our presence:

Witnesses

Michael O'Neil
Witness: *Michael O'Neil*

Josh Hogan
Witness: *Josh Hogan*

Grantor

Christian Allen
Christian Allen

Kristen Allen
Kristen Allen

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 17 day of March 2023, by **Christian Allen and Kristen Allen**. He ☒ is personally known to me or ☐ has produced _____ as identification.

Tiffany Gayton
Print Name: _____
Notary Public *Tiffany Gayton*
My Commission Expires: 12-26-26



CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 3065

July 28, 2021

**FILE COPY**

Ref BOA 23-100053

Alex Harden
1431 Riverplace Blvd. #901
Jacksonville, FL 32207

DEVELOPMENT ORDER FOR VARIANCE

BOA#21-100092

0 21st Avenue South

Lot 4, (except the westerly 5.00 feet thereof), Block L, *Permenters Replat of South Pablo or Atlantic Camp Grounds*

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, July 20, 2021, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

- 34-338(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum;
- 34-338(e)(1)c.2, for corner side-yard setbacks of 4 feet (cantilevered floor or deck) and 6 feet (principal structure) in lieu of 10 feet minimum and total side yards of 9 feet in lieu of 15 feet required;
- 34-338(e)(1)c.3, for rear yard setbacks of 7 feet (cantilevered floor or deck) and 10 feet (principal structure) in lieu of 30 feet minimum; and
- 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum

To allow for construction of a new single-family dwelling on a vacant lot located in an RM-2 zoning district

Based on the review and discussion of said application and the consideration of any testimony provided during the duly advertised public hearing, the Board of Adjustment determined this application for development **did not** meet the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

The Board **Denied** the request.

Please remove the public hearing notice posted on your property. Attached is a copy of the submitted site plan for your records. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

CONTINUED ON PAGE 2

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



Site plan showing a property with a house, garage, and driveway. The property is bounded by a 40' front line and a 65' side line. The house is 28' wide and 45' deep. The garage is 28' wide and 45' deep. The driveway is 7' wide. The plan includes setbacks: 10' from the front, 5' from the side, and 7' from the rear. A gravel driveway is shown leading to the house. The plan is labeled 'First Floor Set Back' and 'Edge of Pavement'.

RECEIVED
23-100053
MAY 3 2023

SOUTH 1st STREET

LOT SIZE	4600 S.F.
IMPERVIOUS AREA	1300 S.F.
LOT COVERAGE	50%

