



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Tuesday, July 18, 2023

6:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

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

CALL TO ORDER

ROLL CALL

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

Alternates: Matt Metz, Jennifer Williams

APPROVAL OF MINUTES

- A. Regular Board of Adjustment meeting held on June 21, 2023
- B. Regular Board of Adjustment meeting held July 5, 2023

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- A. **Case Number(s): BOA#23-100058**
 - Applicant: Craig J. Ansell
 - Agent: N/A
 - Owner: Craig J. Ansell
 - Property Address: 925 8th Avenue South
 - Parcel ID: 176596-0000
 - Legal Description: Lots 7, 8 and 9, Block 80, Oceanside Park
 - Current Zoning: I-1
 - Motion to Consider: 34-377, for 10 parking spaces in lieu of 26 spaces required, to allow for expansion of an existing dog play yard at an existing dog care facility
- B. **Case Number(s): BOA#23-100060**
 - Applicant: Scott Adeeb
 - Agent: N/A
 - Owner: Scott Adeeb
 - Property Address: 1618 Penman Road
 - Parcel ID: 177628-0300
 - Legal Description: Part of the Castro Y Ferrer Grant

Current Zoning: C-1
Motion to 34-377, for 54 parking spaces in lieu of 92 parking spaces required; and
Consider: 34-425(b), for no landscape buffer adjacent to public right-of-way in lieu of 5 feet required buffer, to allow for expansion and re-use of an existing commercial building as a restaurant with outdoor seating

C. **Case Number(s): BOA#23-100061**

Applicant: George J. Albertelli
Agent: N/A
Owner: George J. Albertelli
Property Address: 3717 Duval Drive
Parcel ID: 181699-0000
Legal Description: Lot 9, Block D-5, Ponte Vedra
Current Zoning: RS-1
Motion to 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for
Consider: construction of a new swimming pool deck adjacent to an existing swimming pool at an existing single-family dwelling for property addressed 3717 Duval Drive

PLANNING DEPARTMENT REPORT

- A. There are no cases for the August 1st meeting so the meeting will be canceled.
B. There are 6 cases for the August 15th meeting, which is a Tuesday.

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 Board of Adjustment Meeting
held Wednesday June 21, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

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

APPROVAL OF MINUTES:

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

- Joint Board Workshop held on May 31, 2023

CORRESPONDENCE:

Senior Planner Christian Popoli noted correspondence provided on the dais.

OLD BUSINESS:

A.	<u>Case Number:</u>	<u>BOA#23-100021</u>
	Applicant/Owner:	Gene Novak
	Agent:	N/A
	Property Address:	194 St. George Ct.
	Parcel ID:	181753-1012

City of Jacksonville Beach Land Development 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.

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

Applicant: Matt Hanson, 194 Saint George Court, Jacksonville Beach, stated the hardship was a substandard lot.

A discussion ensued about the existing conditions, pergola, and amending the request to an open-air structure.

Public Hearing:

No one came forward to speak. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#22-100021, with the amendment of an open-air structure in lieu of an accessory structure, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the previous incorrect notice.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Jennifer Williams, and Alexi Gonzalez.
The motion passed unanimously.

NEW BUSINESS:

A. **Case Number:** **BOA#23-100035**
Applicant/Owner Greg Barnett
Agent: N/A
Property Address: 1280 Plantation Oaks Drive
Parcel ID: 179997-5190

City of Jacksonville Beach Land Development 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 non-conforming structure and to rectify existing non-conformities at an existing single-family dwelling.

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

Applicant: Greg Barnett, 1280 Plantation Oaks Drive, Jacksonville Beach, stated the hardship was the legal non-conforming lot.

A discussion ensued about the footprint of the structure, pavers, and the front deck.

Public Hearing:

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

- Derrick Crapo, Jacksonville Beach
- Mary Ellen and Roger Harrison, Jacksonville Beach
- Jodi Snyder-Lee, Jacksonville Beach
- John and Barbara Ford, 1358 Willow Oaks Drive South, Jacksonville Beach
- Todd Bolen, Jacksonville Beach
- Reva and Charles Bond, 1312 Plantation Oaks Drive South, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-100035 as submitted and approved as it meets the requirements for the application.

Discussion: A discussion ensued about the hardship.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Jennifer Williams, and Alexi Gonzalez.
The motion passed unanimously.

- B. Case Number:** **BOA#23-100050**
Applicant Shotgun Jax Beach LLC, Michael Silvenro
Agent: N/A
Owner: Shotgun Jax Beach LLC
Property Address: 815 11th Ave South
Parcel ID: 176702-0000

City of Jacksonville Beach Land Development 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.

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

Applicant: Michael Silvenro, 815 11th Ave South, Jacksonville Beach, stated there was no hardship but described the lot coverage.

A discussion ensued about the lot coverage, driveway, and back patio.

Public Hearing:

No one came forward to speak. Ms. Gonzalez closed the public hearing.

Mr. Silvenro submitted a handout [on file].

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-100050, as amended to 37% lot coverage.

Discussion: A discussion ensued about the lot.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Jennifer Williams, and Alexi Gonzalez.
The motion passed unanimously.

- C. Case Number:** **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

City of Jacksonville Beach Land Development 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.

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

The applicant was not present.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to defer BOA#23-100051 to the July 5, 2023, meeting.

Vote: A voice vote resulted in all ayes by the board.
The motion passed unanimously.

D. Case Number: BOA#23-10052
Applicant/Owner: Sarah Rocco
Agent: N/A
Property Address: 1415 3rd Street North
Parcel ID: 174681-0000

City of Jacksonville Beach Land Development 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.

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

Applicant: Sarah Rocco, 1415 3rd Street North, Jacksonville Beach, stated the hardship was existing non-conformities.

A discussion ensued about the use and parking.

Public Hearing:

The following submitted a speaker card in opposition to the variance but was not present:

- Tony Davenport, 55 Tallwood Road, Jacksonville Beach

The following spoke in opposition to the variance:

- Alex Manolis, 222 14th Avenue North, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-10052 as submitted as it meets the requirements of the application.

Discussion: A discussion ensued about drainage and landscaping.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Jennifer Williams, and Alexi Gonzalez.
The motion passed unanimously.

E. Case Number: BOA#23-10053
Applicant: Atkins Builders INC, John Atkins
Agent: John Atkins

Owner: Atkins Builders INC
Property Address: 0 21st Ave South
Parcel ID: 179379-0040

City of Jacksonville Beach Land Development 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 for property addressed '0' 21st Avenue South, RE# 179379-0040.

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

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was an undersized lot. Mr. Atkins submitted handouts [on file].

A discussion ensued about the garage, site triangle, and lot coverage.

Public Hearing:

The following spoke in support of the variance:

- Jeanell Wilson, 2014 South Oceanfront, Jacksonville Beach

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

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach

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

- David and Cheryl Palazzolo, 2105 2nd Street South, Jacksonville Beach
- Julie Komaroski, 2008 Ocean Drive South, Jacksonville Beach

Mr. Atkins addressed concerns expressed during the public hearing.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-10053 as submitted with the removal of 34-425(h)1, for a corner visibility triangle of 7 feet in depth in lieu of 10 feet required for the driveway.

Discussion: A discussion ensued about the site triangle and correspondence.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Jennifer Williams, and Alexi Gonzalez.
The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

Mr. Popoli explained the recommendation of a moratorium on variances during the time of changes to the Land Development Code and adoption.

The next scheduled meeting is Wednesday, July 5, 2023, at 6:00 P.M.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:04 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

**Minutes of Board of Adjustment Meeting
held Wednesday July 5, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

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

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on June 6, 2023

CORRESPONDENCE: None

OLD BUSINESS:

A.	<u>Case Number:</u>	<u>BOA#23-100051</u>
	Applicant:	Sheepco Holdings LLC, Adam Alexander
	Agent:	N/A
	Owner:	Sheepco Holdings LLC
	Property Address:	522 10th Street North
	Parcel ID:	177361-0000

City of Jacksonville Beach Land Development 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.

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

Senior Planner Christian Popoli noted the applicant was not in attendance. Ms. Gonzalez confirmed the case was continued due to the applicant not attending a previous meeting.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to deny the application due to a lack of compliance with attending meetings.

Discussion: A discussion ensued about the denial and its impact on future variance requests.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Todd Smith, and Alexi Gonzalez.

The motion to deny passed unanimously.

NEW BUSINESS:

A. Case Number: **BOA#23-100055**
Applicant/Owner DSM Renovations LLC
Agent: N/A
Property Address: 1201 N 7th Ave
Parcel ID: 177803-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25' minimum; 34-336(e)(1)c.2, for an eastern side yard setback of 9 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 26 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum, to allow for construction of a new single-family dwelling with a covered rear patio, swimming pool and pool deck.

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

Applicant: Denise McPherson, 1433 Ponte Vedra Boulevard, Ponte Vedra Beach, stated the hardship was a substandard lot.

A discussion ensued about the line of sight, deck, lot coverage, and proposed site plan.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100055 for a lot coverage of 39% based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the updated site plan and lot coverage.

Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, Todd Smith, John Moreland, and Alexi Gonzalez.

The motion passed unanimously.

B. Case Number: **BOA#23-100057**
Applicant Kimberly Rohner
Agent: N/A
Owner: DSM Renovations LLC
Property Address: 708 Palm Tree Road
Parcel ID: 177825-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for side yard setbacks of 8 feet in lieu of 10 feet minimum; and 34-336(e)(1)e, for lot coverage of 49% in lieu of 35% maximum to allow for construction of a new single-family dwelling with a rear lanai, swimming pool and pool deck.

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

Applicant: Kimberly Rhoner, 104 Autumn Place, Ponte Vedra Beach, stated the hardship was lot size.

A discussion ensued about the demolished house, site plan, lot coverage, pool deck, and setback line.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100057 for lot coverage of 41% based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the request and lot coverage.

Motion to Amend: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to amend the motion to 49% lot coverage.

Motion to Amend Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, and Alexi Gonzalez.

Nays – Owen Curley

The motion to amend passed 4-1.

Discussion: A discussion ensued about the undersized lot and lot coverage.

Amended Motion Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Owen Curley, and Alexi Gonzalez.

The amended motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Wednesday, July 18, 2023, at 6:00 P.M. There are three scheduled cases.

Mr. Popoli noted the next round of Land Development Code and Comprehensive Plan workshops would be held in August.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:33 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT



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BOA#23-100058

Zoning: I-1 (industrial)
RE: 176596-0000
Legal: Lots 7, 8 & 9, Block 80, Oceanside Park
Address: 952 8th Avenue South.

Request

Section(s): 34-377, for 10 parking spaces in lieu of 26 spaces required, to allow for expansion of an existing dog play yard at an existing dog care facility

Existing Conditions

The subject property is currently in the Industrial future land use category and is in the Industrial: I-1 zoning district. The property is comprised of three lots of records (circa 1922). The subject property is roughly 150 feet in width, and 125 feet in depth, with a surveyed lot area of 18,750 square feet. The subject lot is currently occupied by a dog kennel business. The subject structure on the property takes up roughly one quarter of the lot area. The remainder is divided into the outdoor dog play yard, and the required parking. The applicant applied for a variance in 2020 for a reduction in required parking spaces and the use of gravel for some of the required parking. The applicant had requested 15 parking spaces in lieu of the required 26 based on the square footage of the structure, but was only approved for a reduction to 18 spaces.

BOA#20-100086 for 13 gravel parking spaces and a partial gravel loading area in lieu of paved parking required and for 15 total parking spaces in lieu of 26 required. Approved for 18 spaces in lieu of 26 required and approval of gravel parking a loading.

No current code enforcement cases.

Staff Analysis

The Land Development Code does not have a parking standard for this type of use, nor does it cleanly fall into a category that is similar. The current use consists of a dog kennel facility that involves the boarding of dogs. Based on statements by the applicant, customers drop off and pick up their pets, and are only parked for a short time. During normal business hours, the only long term parking is by the employees, of which there are typically two to three at a time. Additionally, as has been noted in the past, these types of facilities do not cleanly fit into any parking



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standard that really reflects the specific use and parking demand. A similar request was made by a dog training and boarding facility located in the I-1 zoning district. The applicant plans to reconfigure the site to accommodate the requested 10 parking spaces, with required ADA space in front of the structure, and convert the existing gravel parking into additional play yard for the dogs staying at the facility.

Staff has driven by the location on several occasions during normal business hours and has not seen more than a few cars in the parking area. For the sake of this specific use, staff would recommend the variance be tied to this use, but not the business itself, so if the applicant wished to sell the business, the variance for the facility would run with the property, but not if the use itself changes.

Minimum Parking Standards

Commercial Uses

- Commercial Uses not specifically listed: One (1) space per two hundred (200) sq. ft. of floor area.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject site is in the industrial zoning district, but the use of dog kennel is unique and not specifically addressed in the LDC in regards to parking requirements. The applicant has demonstrated that they do not need excessive parking and that the use of the commercial standards for parking are a hardship.

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 current use of the property is appropriate for the industrial zoning district, but there is not an applicable parking standard that makes sense with this unique use. The applicant has had the facility running for several years under the previous variance and has several years of observations that show the need



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for the extra 8 parking spaces are not necessary and the business would benefit from the extra area for dogs.

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. It does not appear that the required parking is being heavily utilized or needed for this specific business. The applicant has similar difficulties as other similar uses in the I-1 zoning district, caused primarily by the LDC and the type of use not specifically addressed in the parking standards. Approval will not grant the applicant any special privilege, and the use is currently there with no active code cased.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant has demonstrated that the parking area is more valuable as outside dog play space for the use, and the need for customer parking is accommodated by the proposed 10 spaces to remain with the reconfiguration of the existing paved parking area.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the increase in outside dog play area in lieu of excess parking. The applicant has demonstrated that they are capable of accommodating their customers on site for drop off and pick up and does not have a need for the extra parking. Additionally, the increase in outside play area will not necessarily translate to more customers, but more room for the dogs while outside.

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



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Staff **does** find that the request is consistent with the Goals, Objectives and Policies of the 2030 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#23-100058 with the condition that the Variance be approved for this use only, but may run with the land until such time as there is a change in use.**

Location Map (property boundaries are reprehensive only)

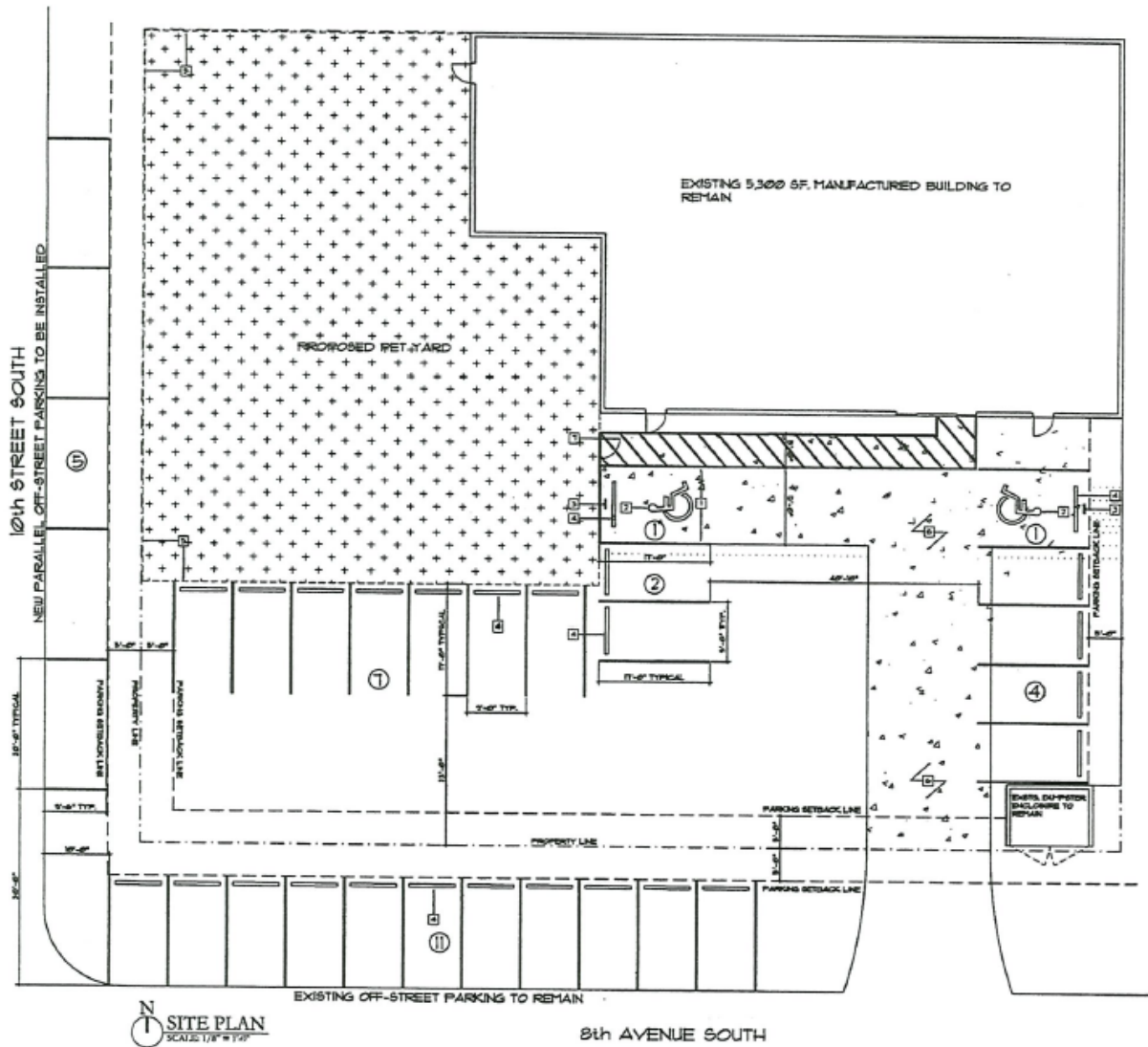




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Existing Survey

EXISTING BOA # 23-100058 925 8th Av



RECEIVED

JUN 14 2023
23-100058

PLANNING & DEVELOPMENT

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the property of
Group LLC.
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written
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- ① 3 parking spots - total of 10 parking spots
- ② Expanded dog play yard - 30' x 68'



APPLICATION FOR VARIANCE

BOA No. 23-100058
HEARING DATE 7-18-23

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

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. ATTACHED
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). ATTACHED
3. Proof of ownership (copy of deed or current property tax notification). ATTACHED
4. Copy of any previous variance and/or conditional use approval letters. NONE
5. If applicant is not owner, notarized written authorization from owner is required. ATTACHED
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal). PLANNING & DEVELOPMENT
7. Completed application.

APPLICANT INFORMATION

Applicant Name: Craig J. Ansell, Treasurer Telephone: 716-864-6770
Mailing Address: Everything is Possible E-Mail: cansell@ansellbuffington.com
925 8th Ave. South, Jacksonville Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Greg Wagner, Wagner Realty Services Inc Telephone: 904-962-8312
Mailing Address: 1281 Kings Rd. E-Mail: WCS.inc@comcast.net
Neptune Beach, FL

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: 925 8th Ave. South, Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): 176596-0000
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).
Elimination of seven parking spaces not needed. Space to be used for expansion of dog play yard to be similar to existing play yard.

AFFIDAVIT

I, Craig J. Ansell, 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

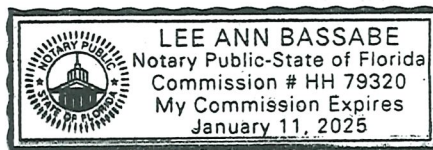
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26 day of May, 2023, by Craig J. Ansell, who is personally known to me or produced Florida Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: I-1

FLOOD ZONE: X

CODE SECTION (S):

34-377, for 10 parking spaces in lieu of 26 spaces required, to allow for expansion of an existing dog play yard at an existing dog care facility

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

23-100058

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.

MAY 26 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.

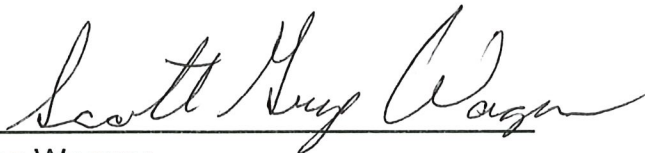
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	There is virtually never a time when there are more than three customer cars in our parking lot. Customers only stay for dog drop off or pickup.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	It is the nature of the dog kenneling and daycare business.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The unused parking area present now can be much more effective providing a larger play area for the dogs.
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	A competitor four blocks away has been granted a variance to a similar number of parking spaces for a larger building.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	It will provide two additional fenced in areas for dogs to play throughout the day.
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	All surrounding businesses are satisfied with our business practices. Further, road work nearly completed will provide ample parking for employees.

23-100058

To: City of Jacksonville Beach

Related to: Application for Dog Play Yard Expansion at
925 8th Avenue South, Jacksonville Beach FL 32250

I, Greg Wagner, owner of Wagner Realty, a company that owns the property at 925 8th Avenue South, Jacksonville Beach, FL 32250, agree to allow the tenants, Everything is Pawsible, Inc., represented by Craig Ansell, Treasurer, to expand the dog play yard by approximately 30 feet by 68 feet for a total of approximately 2,040 square feet. This yard expansion will eliminate seven existing parking spaces not being used by Everything is Pawsible.



Greg Wagner

4/25/2023

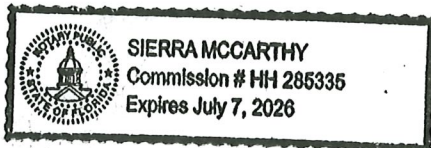
Date

RECEIVED

MAY 26 2023

PLANNING & DEVELOPMENT

Subscribed and sworn to before me this 25th day of April, 2023 by Greg Wagner





Notary Public

My commission expires 7/7/2026
Registration No. HH 285335



CERTIFIED MAIL RETURN - RECEIPT REQUESTED

CM# 7017 3040 0000 2086 1511

September 4, 2020

Craig J. Ansell
925 8th Avenue South
Jacksonville Beach, FL 32250

FILE COPY
Ref.
23-100058

RE: BOA#20-100086
925 8th Avenue South
Lots 7, 8 and 9, Block 80, *Oceanside Park*

Dear Mr. Ansell,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, September 1, 2020, in the City Council Chambers located 11 3rd Street North, Jacksonville Beach, Florida, to consider the above application for a variance from the requirements of the Land Development Code.

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

- 34-373(f), for 13 gravel parking spaces and a partial gravel loading area in lieu of required paving and
- 34-377, for a total of 15 parking spaces in lieu of 26 required spaces

Based on the Board's review and discussion of said application, applicant testimony, and/or public testimony provided during the public hearing, it was determined that this request met the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

The Board ***Amended and Approved*** the request as follows:

- 34-373(f), for 13 gravel parking spaces and a partial gravel loading area in lieu of required paving and
- 34-377, for a total of 18 parking spaces in lieu of 26 required spaces

To allow for a change of use for a new dog boarding (kennel) business.

This letter does not constitute final approval to commence the development proposed in the referenced application. The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements, and shall apply for and obtain all necessary permits before initiating 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



CONTINUED ON PAGE 2



Please remove the public hearing notice posted on your property. Information about permitting is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Attached is a copy of the submitted site plan for your records; an amended site plan will be required with your permit application. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

Sincerely,

George D. Knight, CBO
Building Official

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

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.

BOA#20-100086



Proposed New Lay out

RECEIVED

23-100058

MAY 26 2023

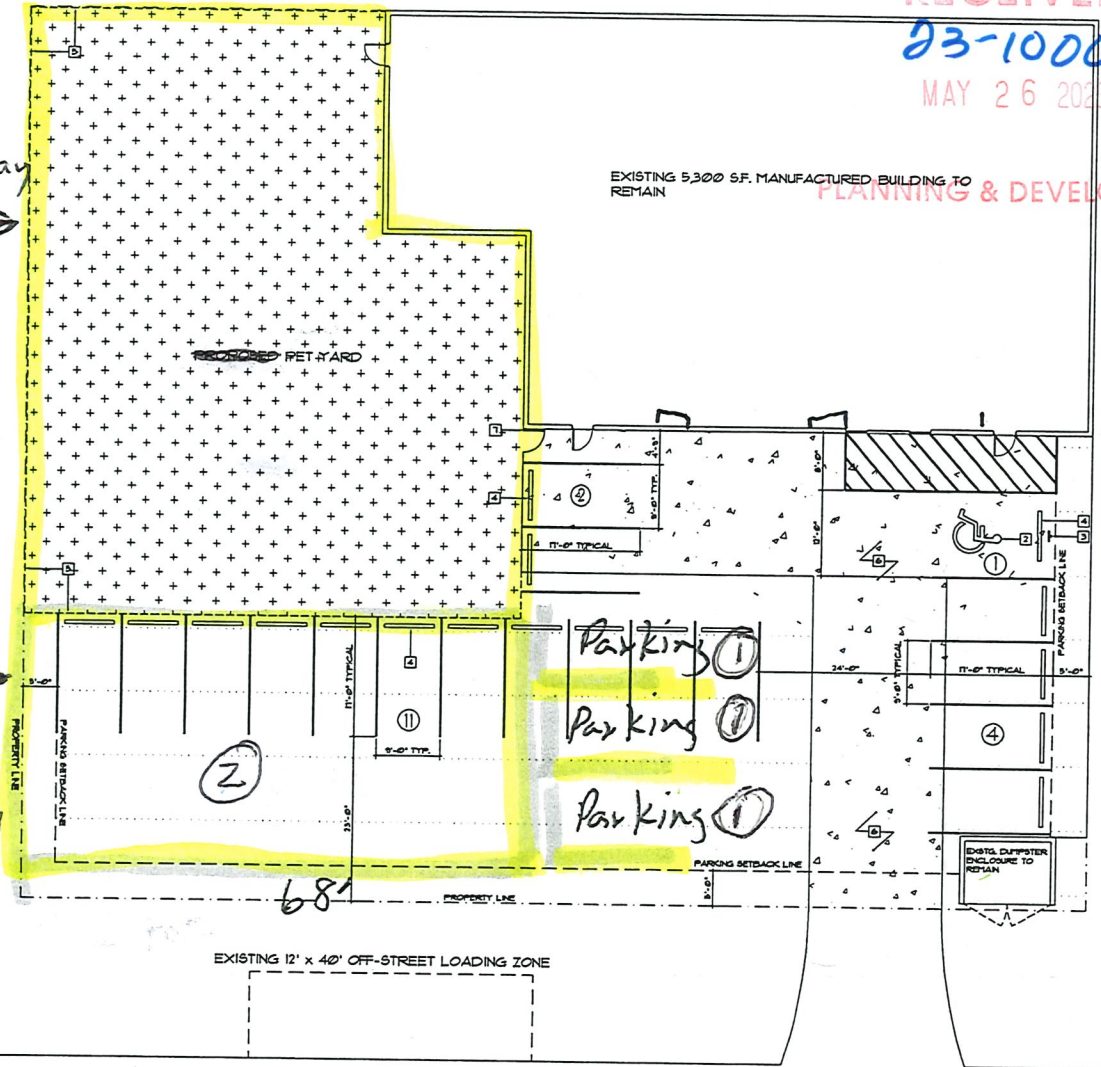
Existing play yard →

EXISTING 5,300 SF. MANUFACTURED BUILDING TO REMAIN

PLANNING & DEVELOPMENT

10th STREET SOUTH

Proposed Additional Play Yard

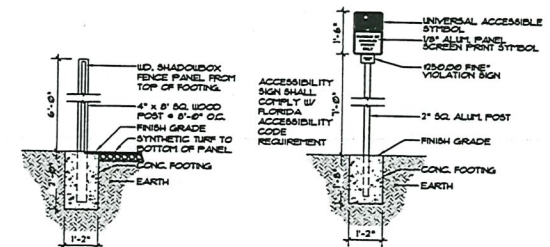


N
SITE PLAN
SCALE: 1/8" = 1'-0"

8th AVENUE SOUTH

- ① 3 parking spots - total of 10 parking spots
- ② Expanded dog play yard - 30' x 68'

SITE DATA & TABULATIONS	
ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES, STANDARDS AND GOVERNING AUTHORITIES INCLUDING BUT NOT LIMITED TO THE FOLLOWING: FLORIDA BUILDING CODE (2017 EDITION) FLORIDA PLUMBING CODE (2017 EDITION) FLORIDA MECHANICAL CODE (2017 EDITION) NATIONAL ELECTRIC CODE NEC (2017 EDITION) LIFE SAFETY CODE NFPA 101 (2022 EDITION)	
EXISTING ZONING CLASSIFICATION - ZONING DISTRICT "COMMERCIAL" OCCUPANCY CLASSIFICATION - GROUP B, BUSINESS - RETAIL PROJECT CLASSIFIED AS ADDITION & LEVEL 1 ALTERATION TO EXISTING CONSTRUCTION SCOPE OF WORK INVOLVES MINOR ALTERATION TO SITE, MAJOR ALTERATION & ADDITION TO EXISTING OFFICE FACILITY.	
SITE DATA: EXISTING LOT AREA ADDITION LOT COVERAGE EXISTING PERVIOUS AREA EXISTING PAVED AREA	AS ACRES 18,750 S.F. (100%) 5,300 S.F. (28.2%) 1141 S.F. (6.1%) 1,405 S.F. (7.5%)
SITE PLAN GENERAL NOTES	
1. NEW CIP, CONC. ACCESSIBLE PARKING SPACES & ACCESSIBLES TO HAVE CROSS SLOPE NOT IN EXCESS OF 1/4%. 2. EXISTING PARKING LOT TO BE PERVIOUS MATERIAL, ACCEPTABLE TO THE CITY OF JACKSONVILLE BEACH COMMUNITY DEVELOPMENT STANDARDS, COORDINATE MATERIAL W/ CITY REQUIREMENTS, PARKING SPACE STRIPES SHOWN FOR PURPOSES OF PROVIDING PARKING COUNT FOR TYPICAL 3' X 10' FOOT SPACES. 3. EXISTING CHAIN LINK FENCE, GATES & ALL ASSOCIATED HARDWARE & COMPONENTS TO BE REMOVED.	
SITE PLAN KEYNOTES	
① NEW TYPICAL 4" WIDE ACCESSIBLE PARKING SPACE STRIPING & ACCESSIBLE TO COMPLY W/ FAC. 202, ADA & STATE OF FL. D.O.T. ESTABLISHED STANDARDS ("D.O.T. BLUE"). ② NEW INTERNATIONAL SYMBOL OF ACCESSIBILITY TO BE STRIPED IN COMPLIANCE W/ FAC. 202, ADA & STATE OF FL. D.O.T. ESTABLISHED STANDARDS ("D.O.T. BLUE"). ③ NEW ACCESSIBLE PARKING SPACE SIGN & POST TO BE INSTALLED PER FAC. 302.6.1. PROVIDE "VAN ACCESSIBLE" SIGN & ONE ACCESSIBLE SPACE (COORD. W/ OWNER). SEE SECTION 10401. ④ TYPICAL NEW 1'-0" WIDE PRECAST CONC. WHEEL STOP TO BE INSTALLED, PROVIDE STEEL DOG, INTO APPROX. 4" (MIN) EMBED. ENSURE DOGEL DOES NOT PROJECT ABOVE TOP OF WHEEL STOP. ⑤ NEW 6" HIGH WOOD STOCKADE FENCE TO BE INSTALLED, SEE SECTION 24001. ⑥ EXISTING CAST-IN-PLACE CONCRETE PAD TO REMAIN. ⑦ 3'-0" WIDE STOCKADE EGRESS GATE IN NEW STOCKADE FENCE.	
SITE PLAN LEGEND NOTES	
NEW PERVIOUS SYNTHETIC TURF SURFACE TO BE INSTALLED. NEW ACCESSIBLE PARKING SPACES & ACCESS AISLE & EXISTING CIP, CONCRETE PAD & EXISTING CONCRETE DRIVEWAY. EXISTING PERVIOUS PARKING LOT MATERIAL TO REMAIN.	



○ FENCE POST SECTION
SCALE: 1/2" = 1'-0"

① ACCESSIBLE PARKING SIGN SECTION
SCALE: 1/2" = 1'-0"

Progress Set

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All rights reserved.

Consultant:

CDG Project #: 19.18
Site Plan

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

Date: 08.09.20
Drawn By: KPC
Drawing Number:

SP1.1

Seal:

John P. Connors, III
P.E. No. 18874

CDG ARC
ARCHITECTURE
CONNORS DESIGN GROUP LLC
830-13 AIA N, Suite 10
Ponte Vedra Beach, FL 32082
Phone: 904-464-8559
www.connorsdesign.com
FL LIC. TA-00000455

Everything is Pawsible

925 8th Avenue South
Jacksonville Beach, Florida
32250

Revisions:

925 8th Avenue S.



RECEIVED

JUN 14 2023
23-100058

PLANNING & DEVELOPMENT

The image contains two technical drawings of fence post sections, labeled 1 and 2, showing both side and cross-sectional views.

Diagram 1: FENCE POST SECTION
 This diagram shows a standard fence post. The side view indicates a height of 6'-0" and a post diameter of 4" x 8" S.G. WOOD POST = 3'-0" O.C. The cross-section shows a 1"-2" wide post with a 1/2" SHADOWBOX FENCE PANEL attached to the top. The post is set in a 1'-2" wide hole in the ground, with 1/2" CONCRETE FOOTING and EARTH surrounding it. The bottom of the post is labeled FINISH GRADE.

Diagram 2: ACCESSIBLE PARKING SIGN SECTION
 This diagram shows a fence post for an accessible parking sign. The side view indicates a height of 1'-6" and a post diameter of 2" S.G. ALUM. POST. The cross-section shows a 1"-2" wide post with a 1/2" ALUM. PANEL SCREEN MOUNT SYMBOL and a 1/2" UNIVERSAL ACCESSIBLE SYMBOL. The post is set in a 1'-2" wide hole in the ground, with 1/2" CONCRETE FOOTING and EARTH surrounding it. The bottom of the post is labeled FINISH GRADE.

SP1.1

925 8th Avenue South
Jacksonville Beach, Florida
32250

Revisions:



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

BOA#23-100060

Zoning: C-1
RE: 177628-0300 & 177467-0110
Legal: Parcel A, Part of the Bartolomeo De Castro Y Ferro Grant, Section 38
Address: 1618 Penman Road.

Request

Section(s): 34-377, for 54 parking spaces in lieu of 92 parking spaces required; and 34-425(b), for no landscape buffer adjacent to public right-of-way in lieu of 5 feet required buffer, to allow for expansion and re-use of an existing commercial building as a restaurant with outdoor seating

Existing Conditions

The subject property is a lot of record, (1899) located in the Limited Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The subject parcel is 266 feet in width and 160 feet in depth, with a total area of 42,560 square feet. The subject parcel is occupied by the former Terry's Country Store, a former convenience / small grocery store with retail sales. The main parcel contains the structure, built in 1964, and the existing paved parking area. The structure has been vacant for over a year, and therefore any existing nonconformities would need to be rectified. The second lot to the south is currently undeveloped, but cleared of all vegetation and is mostly bare ground. The subject property received conditional use approval from the Planning Commission for the microbrewery / restaurant with outside seating on May 22nd, 2023. Although the former retail establishment has adequate parking, the site was not stripped to accommodate the most amount of cars, and has zero landscaping along Penman Road, or internally to the parking area in the form of landscape islands.

PC#09-23 for Microbrewery and Restaurant with outside seating.
No previous BOAs
No open Code Enforcement cases.

Staff Analysis

The subject property consists of the former Terry's Country Store, a retail grocery and convenience store with adjacent paved parking and a vacant lot to the south. The intent is to rehabilitate the existing structure, and converting it into a microbrewery with a restaurant and outside seating. The applicant is proposing to



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revamp the entire structure on the inside, while redeveloping the front of the structure, creating outside seating areas as well as an area with roll up walls. Additionally the site will brew its own beer on site, similar to the recently opened Jekyll Brewing downtown. The applicant intends to add as much property designated as parking as possible. The applicant has also coordinated with the City of Jacksonville on the proposed Penman Road redevelopment project to ensure their proposed design will be compatible with the current designs in development. Though these plans for Penman Road are not finalized, the applicant is committed to working with them to ensure a seamless transition to the new intersection design, once fully completed. This will include an 8 foot wide multiuse path for bicycles and pedestrians that will run along the same side of Penman Road. The proposed design will reduce the driveways to two standard driveways, one, to the north, will be a right in only, the second, which connects to the existing intersection, will be a two way drive. The business has one location in the Historic Springfield Neighborhood in Jacksonville as well. The applicant has noted that the inclusion of the required 5 foot buffer along Penman Road, would reduce the area internally in front of the existing structure and make area too small for the applicant to supply a second row of parking and the required 23 of isle width. The proposed use, as noted previously, will include a brewery as part of the overall facility. The LDC does not have a separate parking standard for microbreweries. The practical matter is the brewing equipment will occupy over a third of the size of the structure. Typically in a restaurant, the space is either allocated to the kitchen facility or the floor of the restaurant, hence the parking is calculated on the combined carrying capacity for the staff and the customers. With a microbrewery, the brewing area isn't constantly occupied, and when occupied, the staffing level is much lower than a kitchen. The remaining square footage, if counted as the only area needed to provide parking for, would be very close to the number of spaces they can provide onsite.

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.



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

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

Off Street Parking Requirements:

Restaurants	One (1) space per one hundred (100) sq. ft. of floor area.
-------------	--

Landscape Standards

- 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.



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 site is zoned C-1 and is a historic retail sales grocery and convenience store. The parking standards for retail sales are more than double the square footage per parking space. The applicant is renovating the existing structure, which is located in an awkward location on the lot. Additionally the applicant is proposing a use that does not have a specific parking standard in the code, and therefore is required to have an excess of parking based on the amount of the structure taken up by the brewing equipment.

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

Staff **does not** find that circumstances are a result of the applicant. The applicant is proposing to reuse an existing structure, and is proposing a use not accounted for in the parking standards, both of which are circumstances beyond their control. Additionally they are adding as much parking as they can, but are physically limited by the size of the lot to provide more parking and require landscape buffers. The current lot does not have any buffers, but rather one long driveway that spans nearly all of the frontage along penman. The applicant will reduce this to two standard drive isles, thus maximizing the amount of parking

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 or residential purposes. Approval of this variance will not confer any special privilege but will simply allow the continued use of the existing structure and allow for the completion of the renovations and bring the structure back into active use. The specific use of microbrewery and restaurant have been approved by the Planning Commission, and can be found throughout the C-1 Zoning District.

4. **Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other**



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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 converted to a new use, and placed back into service. The applicant will be making substantial improvements to the building and the site, but without relief, will be unable to use the site. As noted above, there are many microbreweries within the City, and specifically others in the C-1 district.

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

Staff **does** find that the requested variances are the minimum variances needed to accommodate the proposed new restaurant and microbrewery with outdoor seating. The proposed variance will allow for improvements to the site, and is the smallest variance necessary to allow for the full renovation of the site.

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, especially those related to the reuse of older commercial buildings and promoting infill in existing commercial area vs the establishment of new areas.

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#23-100060**

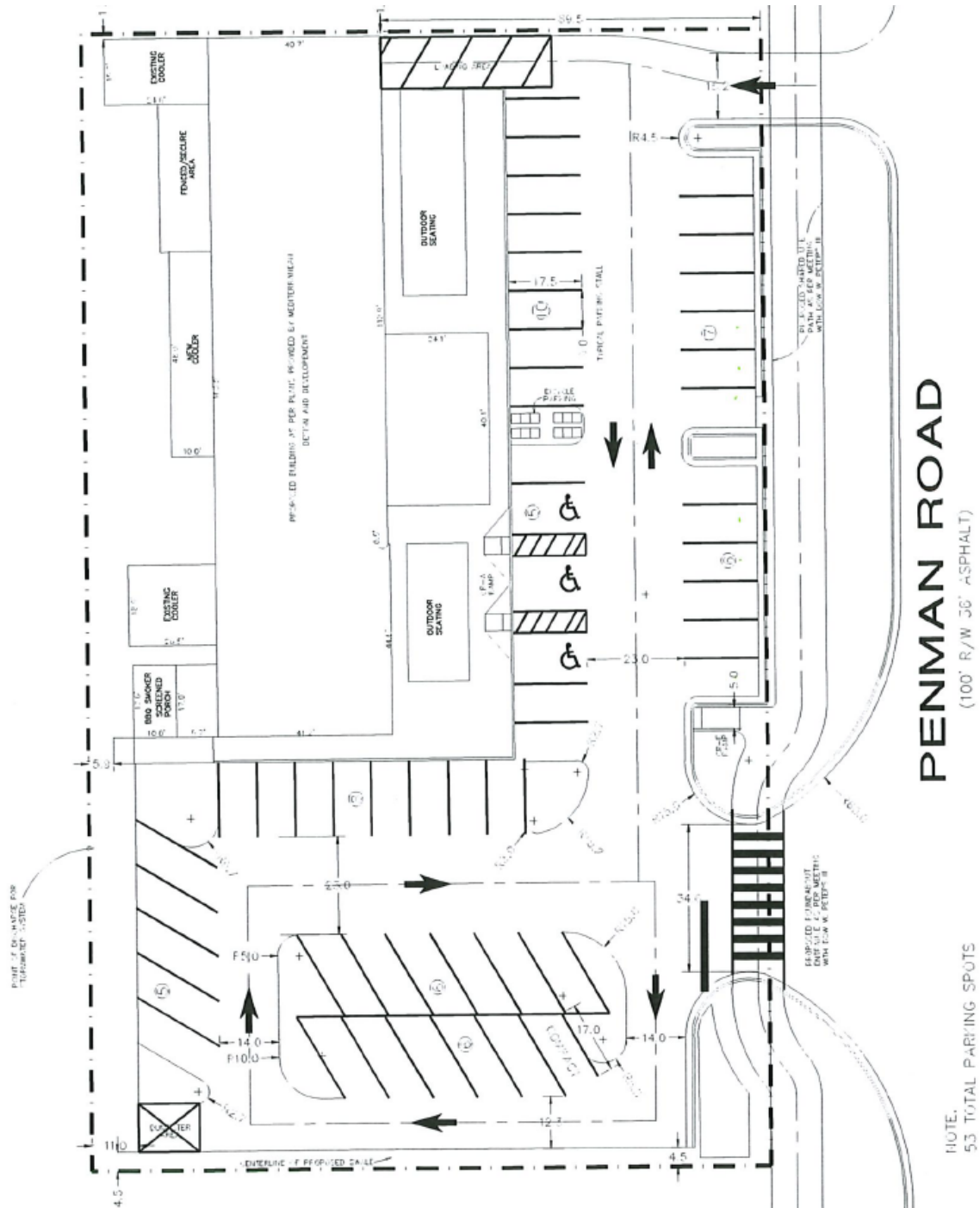
Location Map (property boundaries are representative only)





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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 23-100060

HEARING DATE 7.18.23

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

REQUIRED DOCUMENTATION

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

APPLICANT INFORMATION

Applicant Name: Scott Adeeb - Team Adeeb
Mailing Address: 1618 Penman Rd.
Jacksonville Beach, FL 32250

Telephone: 904.838-0662
E-Mail: SCOTT@SPRINKLESBREWERY.COM

Agent Name: _____
Mailing Address: _____

Telephone: _____
E-Mail: _____

Landowner Name: SAME
Mailing Address: _____

Telephone: _____
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: 1618 Penman Road Jacksonville Beach, FL 32250

Legal description of property (Attach copy of deed): Deed Attached

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

Reduce required off-street parking spaces, and remove required 5' landscape buffer between right of way and off-street parking

AFFIDAVIT

I, Scott Adeeb, 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

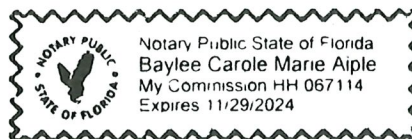
Scott Adeeb
PRINT APPLICANT NAME

5/31/2023
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31 day of May, 2023, by Scott Adeeb, who is personally known to me or produced Driver's License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Baylee Aiple
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: X

CODE SECTION (S):
34-377, for 54 parking spaces in lieu of 92 parking spaces required; and 34-425(b), for no landscape buffer adjacent to public right-of-way in lieu of 5 feet required buffer, to allow for expansion and re-use of an existing commercial building as a restaurant with outdoor seating

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100060

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	There is not enough space on the lot for the required parking. Also there is not enough space between the existing building and the front property line for 2 way parking aisle (23 feet) and the 5' landscape buffer to be placed in between parking and the front property line.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The building is existing and therefore the circumstances are created by the existing building. A sizable portion of the square footage of this building will be used as a brewery and will not be open to the public, but it's square footage was used during calculation of required parking spots
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The current design of the parking area including removing the 5' landscape buffer accommodates the planned right of way changes being designed for the city by Dow W. Peters, III, including a planned encroachment onto the property by a planned roundabout.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	In order to reduce the required parking, and redesign the parking lot to accommodate the 5' landscape buffer, the applicant would have to demolish in at least part of the building that already exists on the property.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Reducing the required off street parking on site and removing the required 5' landscape buffer, allow the property to be usable with the existing building
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	Acceptance of this variance will not adversely affect the adjoining properties to the North and South, and the planned right of way changes by the city will be accommodated

RECEIVED
93-100060
MAY 31 2023

Prepared By and Return To:

William Li
Landmark Title, LLC
135 Durbin Station Court
Suite 501
Saint Johns, FL 32259

PLANNING & DEVELOPMENT

General Warranty Deed

Made effective the 13th day of January, 2023, by Karen S. Brown, a married person, Jennifer D. Scott, a married person, and Susan Renee Elliott, also known as Susan Renee Elliot, a married person, hereinafter called the Grantor, whose address is 12403 White Feather Drive, Jacksonville, FL 32225 to Team Adeeb, Inc, a Florida Corporation, whose post office address is: 1850 N Main St, Jacksonville, FL 32206, hereinafter called the Grantee:

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

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienates, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Duval County, Florida, more particularly described as follows:

Parcel A:

A part of the Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: Commence at the Southeast corner of Lot 24, Block 6, OCEAN FORUM, UNIT ONE, as recorded in Plat Book 25, page 28A, of the current public records of Duval County, Florida; thence S 00°19'15"E, along the West line of Penman Road a distance of 233.62 feet to the Point of Beginning; thence continue S 00°19'15" E, a distance of 166.00 feet to a point; thence S 89°38'15" W, a distance of 160.00 feet to a point; thence N 00°19'15" W, a distance of 166.00 feet to a point; thence N 89°38'15" E, a distance of 160.00 feet to the Point of Beginning.

Parcel B:

PARCEL 1:

A PART OF THE CASTRO Y. FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF LOT 24, BLOCK 6, OCEAN FOREST UNIT ONE, AS RECORDED IN PLAT BOOK 25, PAGES 28, 28A AND 28B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 09 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF PENMAN ROAD AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY, A DISTANCE OF 459.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 19 MINUTES 15 SECONDS EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 15 SECONDS WEST, A DISTANCE OF 160.00 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 15 SECONDS WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89 DEGREES 38 MINUTES 15 SECONDS EAST, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

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Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 177628-0300

Subject to taxes accruing subsequent to December 31, 2022.

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

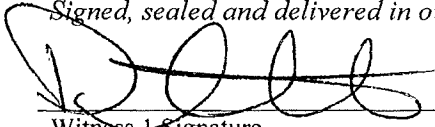
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

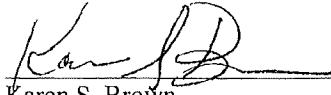
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

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

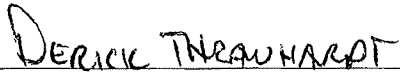
Signed, sealed and delivered in our presence:



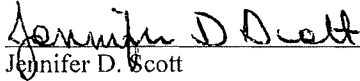
Witness 1 Signature



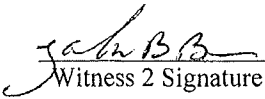
Karen S. Brown



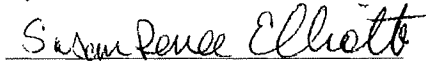
Witness 1 Printed Name



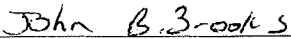
Jennifer D. Scott



Witness 2 Signature



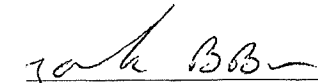
Susan Renee Elliott, also known as Susan Renee Elliot



Witness 2 Printed Name

STATE OF FLORIDA
COUNTY OF DUVAL

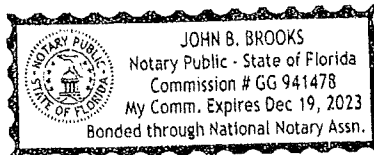
The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization this 13th day of January, 2023, by Karen S. Brown, Jennifer D. Scott, and Susan Renee Elliott, also known as Susan Renee Elliot.



Signature of Notary Public

Print, Type/Stamp Name of Notary

John B Brooks



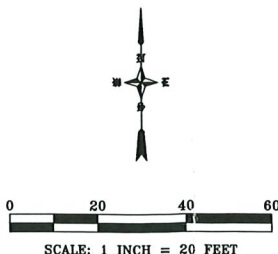
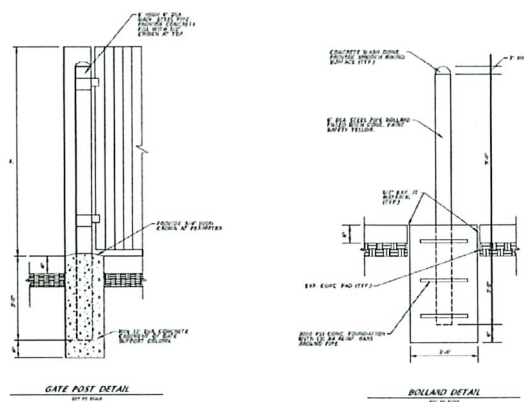
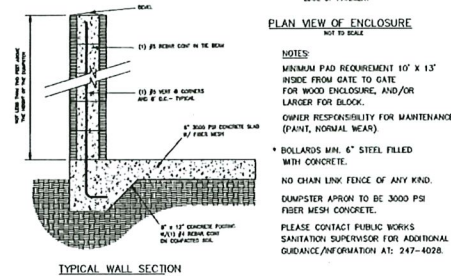
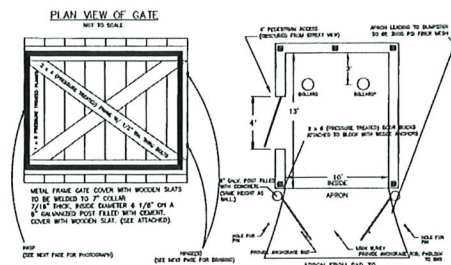
Personally Known: _____ OR Produced Identification: X

Type of Identification

Produced: Driver's License

PROPOSED.

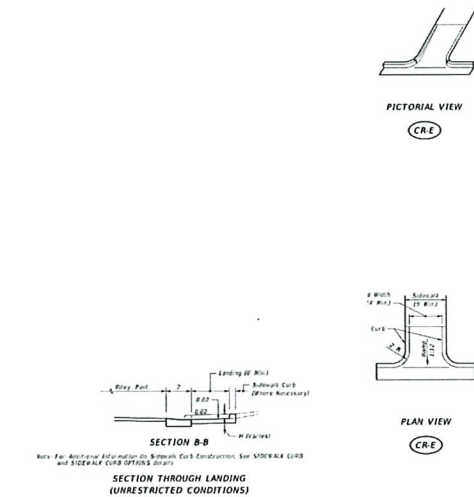
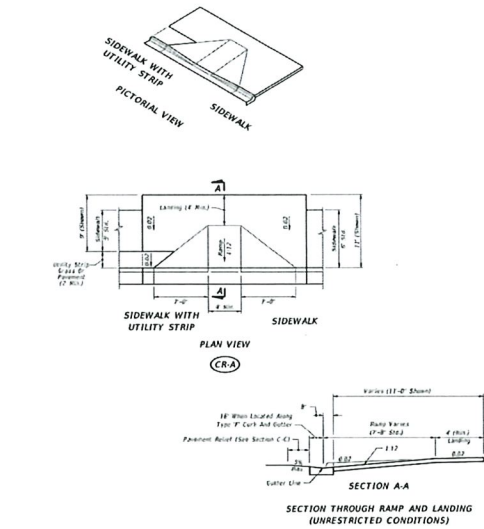
DUMPSTER DETAILS



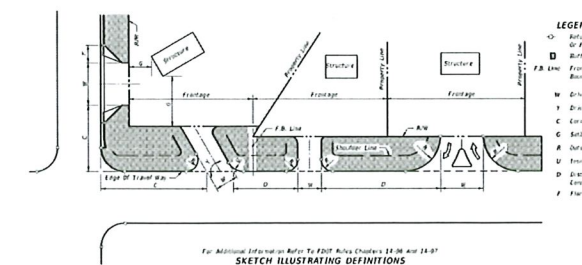
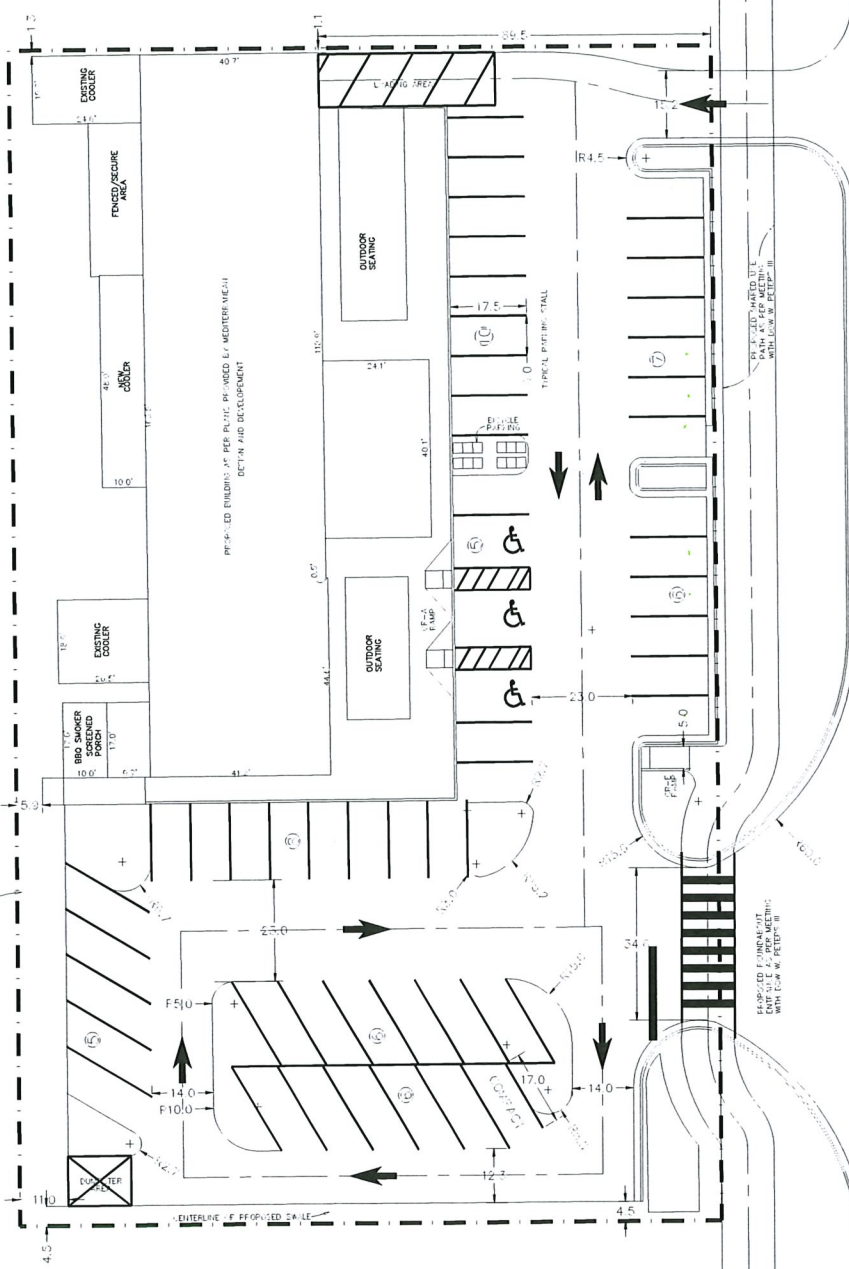
SITE DATA TABLE	
DESCRIPTION	AREA (SQUARE FEET)
PARCEL	42577.1
PROPOSED BUILDING	3223.3
PROPOSED CONCRETE	410.1
PROPOSED ASPHALT	20620.0
TOTAL IMPERVIOUS	33953.1
IMPERVIOUS RATIO	0.80

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MAY 31 2023

RAMP DETAILS



ENTRANCE DETAILS

[illegible][illegible]

NOTE:
5.3 TOTAL PARKING SPOTS

BY	DATE	SYMBOL	REVISION NOTES	 IME CIVIL & SURVEYING, LLC	DESIGNER: EDS	DESIGN ENGINEER BRANDON SHUGART, P.E. FLORIDA PE #86700 CERTIFICATE OF AUTHORIZATION	STRINGS RESTAURANT 1618 PENMAN ROAD	GEOMETRY PLAN PROPOSED RIGHT OF WAY	DRAWING NO. C-08A
					DRAWN BY: EDS				
					DATE: 05/22/2023				
					CHECKED BY: BKB				
					DATE: 05/22/2023				

EXISTING

LEGEND

- = BELL SYSTEM MANHOLE
- = MONITORING WELL
- = SIGN
- = CABLE/INTERNET UTILITIES BOX
- = POWER POLE
- = WATER METER
- = FOUND YELLOW CAPPED 1/2" IRON ROD WITH NO IDENTIFICATION
- = FOUND 1/2" IRON ROD LB#7337
- = BLOCK CORNER FOUND 1/2" IRON ROD LB#3672
- = SET 1/2" IRON ROD LB#8139
- = FOUND 1/2" IRON PIPE WITH NO IDENTIFICATION

○ = EXISTING GROUND ELEVATION

○ = EXISTING TREE

METAL FENCE

PVC/VINYL FENCE

(10.0) = EXISTING ELEVATION

○ = EXISTING CONCRETE

○ = COVERED AREA

○ = EXISTING GRAVEL

○ = EXISTING WOOD DECK, STAIRS, ETC.

○ = EXISTING ASPHALT

- A/C = AIR CONDITIONER ON PAD
- BRL = BUILDING RESTRICTION LINE (SETBACK) LINE
- CB = CHORD BEARING
- CH = CHORD DISTANCE
- DB = DEED BOOK
- FFE = FINISHED FLOOR ELEVATION
- L = ARC LENGTH
- LB = LICENSED SURVEY BUSINESS
- LS = LICENSED SURVEYOR
- OHV = OVERHEAD WIRE/LINE
- ORB = OFFICIAL RECORDS BOOK
- PC = POINT OF CURVATURE
- PG = PAGE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- PSM = PROFESSIONAL SURVEYOR AND MAPPER
- R = RADIUS
- RBL = REFERENCE BEARING LINE
- R/W = RIGHT-OF-WAY LINE
- STY = STORY
- TYP = TYPICAL
- (P) = PLAT CALL
- (M) = FIELD MEASURED VALUE
- (D) = DEED CALL
- (C) = CALCULATED VALUE, FROM FIELD MEASUREMENTS
- (R) = RECORD VALUE

LEGAL DESCRIPTION

PARCEL A:

A PART OF THE CASTRO Y FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF LOT 24, BLOCK 6, OCEAN FORUM, UNIT ONE, AS RECORDED IN PLAT BOOK 25, PAGE 28A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE S 00°19'15"E, ALONG THE WEST LINE OF PENMAN ROAD A DISTANCE OF 233.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00°19'15"E, A DISTANCE OF 166.00 FEET TO A POINT; THENCE S 89°38'15" W, A DISTANCE OF 160.00 FEET TO A POINT; THENCE N 00°19'15" W, A DISTANCE OF 166.00 FEET TO A POINT; THENCE N 89°38' 15" E, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

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23" LAUREL OAK

15" PIGNUT HICKORY

15" LIVE OAK

32" CODOM LIVE OAK

17" CABBAGE PALM

28" LIVE OAK

25" LIVE OAK

ELECTRICAL TRANSFORMER

23" LAUREL OAK

20' ALLEYWAY AS PER OCEAN FOREST PLAT BOOK 25 PAGES 28, 28A, AND 28B

N00°19'15"W 266.00' (R)

N07°03'3"W 266.27'(M)

32" LIVE OAK

52" CODOM LIVE OAK

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20' ALLEYWAY AS PER OCEAN FOREST PLAT BOOK 25 PAGES 28, 28A, AND 28B

N00°19'15"W 266.00' (R)

N07°03'3"W 266.27'(M)

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32" LIVE OAK

52" CODOM LIVE OAK

RECEIVED

LeeAnn Bassabe

From: lakono <katpacki@gmail.com>
Sent: Thursday, July 6, 2023 6:16 AM
To: Planning Division
Subject: 1618 Penman Road

JUL - 6 2023
23-100060
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 received the public notice regarding this property.

I am not apposed to the reduction in car parking, however, if you allow the variance for car parking from 92 spaces to 54 spaces, please require them to provide several smaller golf cart parking spaces and many bike parking racks.

Laurie Santana
1650 Sunset Dr, Jacksonville Beach, FL 32250



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

BOA#23-100061

Zoning: RS-1
RE: 181699-0000
Legal: Lot 9, Block D-5, Ponte Vedra
Address: 3717 Duval Drive

Request

Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for construction of a new swimming pool deck adjacent to an existing swimming pool at an existing single-family dwelling **for property addressed** 3717 Duval Drive, **RE#** 181699-0000, **legally described as** Lot 9, Block D-5, Ponte Vedra

Existing Conditions

The subject property is a nonconforming lot of record 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, with a more narrow front width than the rear. The subject home was constructed in 2016, it has a width of 69 feet and 203 feet in depth with an overall area of 10,902 square feet. The subject property currently has a two story 7,960 square foot home. The home is on a beach front and surrounded by similar single-family homes. The applicant plans on adding a paver pool deck around his existing pool and wood deck. Additionally, there are two previous variances for this address. The first on in 1996 to allow a northerly side yard of 8 feet, in lieu of 10 feet to allow a small addition to an existing house, which was approved. The second variance was in 2010 for 50% lot coverage In lieu of 35% maximum and it was denied.

BOA#79-96: For side yard of 8 feet, in lieu of 10 feet to allow a small addition
BOA#10-100038: For 50% lot coverage In lieu of 35% maximum. No active code enforcement cases.



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

Staff Analysis

The subject property is substandard in width, it measures 38 in width on the easterly side and 69 feet in width on the westerly side rather than the 90 feet minimum requirement in the RS-1 zoning district. The applicant is proposing to add a paver pool deck adjacent to an existing swimming pool to an existing single-family dwelling. The applicant plans on adding 412 square feet of pavers for the pool deck. There is no compelling reason in the record to not approve more lot coverage, the applicant is asking for 40% but proposes to only use 38.8%. There is a hardship justified by having a nonconforming lot. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

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.
- 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 not conforming and substandard. The existing lot does have nonconformities that could constitute a hardship as it would be difficult to add the new paver pool deck without exceeding 35% lot coverage.

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

Staff **does not** find that circumstances are a result of the applicant. The lot is substandard, the existing lot coverage and setbacks for the home are not the result of the applicant, and therefore are not self-imposed. The new paver pool deck that would increase the lot coverage without a recognized hardship would not be self-imposed.

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

Staff finds that the proposed variance **will not** confer special privileges. The request to add additional lot coverage to a lot that does not meet the minimum lot size or width for the RS-1 zoning district would not confer a special privilege as compared to other properties in the same zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Due to the size and shape of this property, you cannot add any accessory structures and meet RS-1 standards. This situation is not the fault of the applicant and will would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with non-conforming lots.



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

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed addition to the exiting property. The minimum variance needed would be to approve the proposed 40% lot coverage.

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.

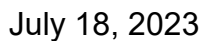
Staff Recommendation

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#23-100061**

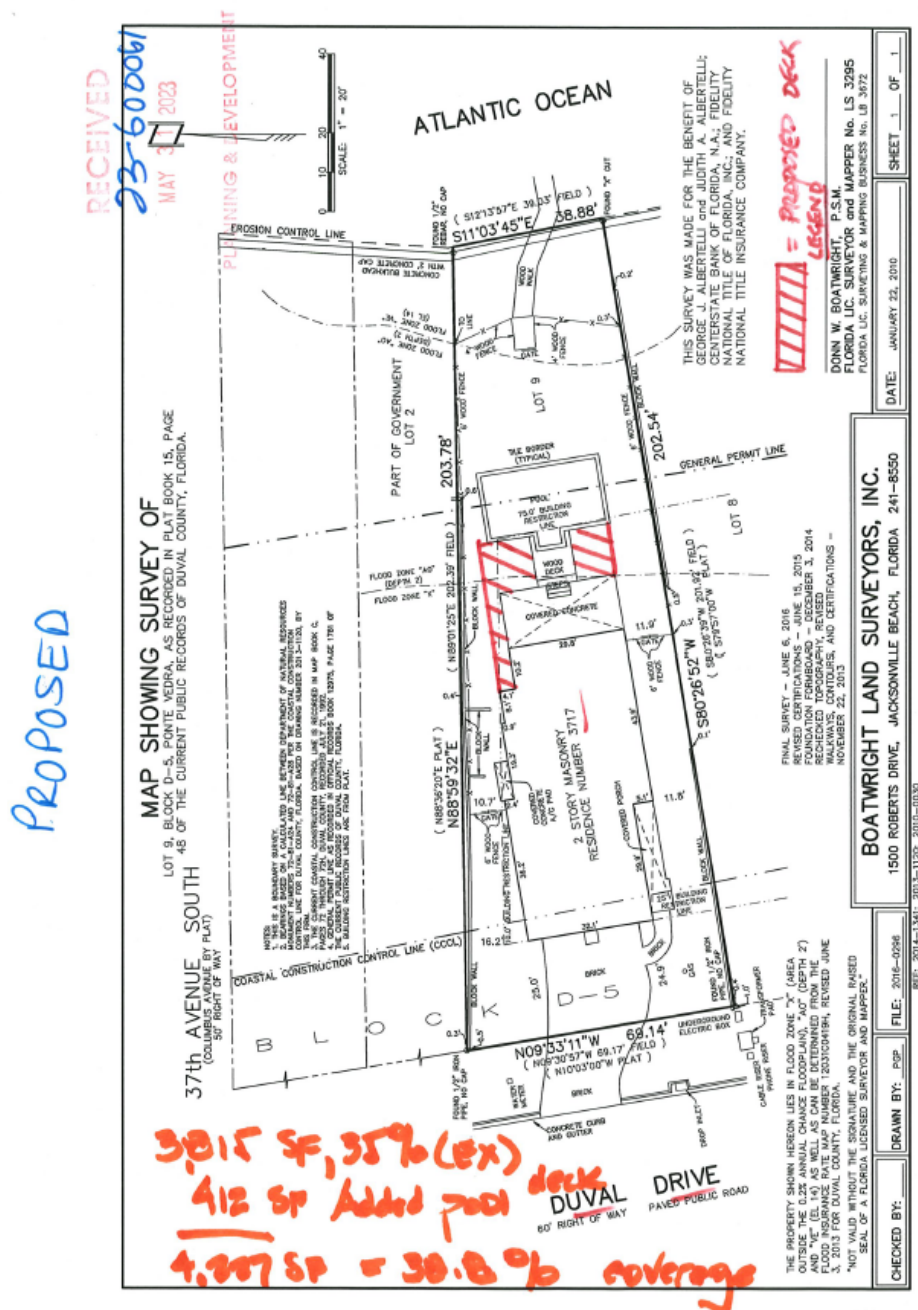
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 23-100061

HEARING DATE 7.18.23

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

REQUIRED DOCUMENTATION

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

RECEIVED

MAY 31 2023

3:00PM

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: George J. Albertelli Telephone: (904) 699-0642
Mailing Address: 3717 Duval Drive, Jacksonville Beach, FL 32250 E-Mail: george@albertellilaw.com

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

Landowner Name: George J. Albertelli Telephone: (904) 699-0642
Mailing Address: 3717 Duval Drive, Jacksonville Beach, FL 32250 E-Mail: george@albertellilaw.com

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

VARIANCE DATA

Street address of property and Real Estate Number: 3717 Duval Drive; RE 181699-0000
Legal description of property (Attach copy of deed): Lot 9, Block D-5, Ponte Vedra
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Increase Lot Coverage to 40%. See annotated copy of survey. to add paver pool deck.

AFFIDAVIT

I, George Albertelli, 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 _____ George J Albertelli _____ 5/15/23
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 15th day of May, 20 23, by George J Albertelli, who is personally known to me or produced _____ as identification.

Theresa M Blair
NOTARY PUBLIC SIGNATURE
Theresa M Blair
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

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

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

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100067

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.

JUN 1 MAY 2023 1 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	On-site grades, designed to meet original contours, and DEP elevation requirements resulted in a grade difference that presents a potential danger.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This variance request will not result in special circumstances and conditions by the applicant.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This variance request is site specific and does not confer upon the applicant any special privileges denied to other parcels of land or buildings/structures in the same zoning in the neighborhood.
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	Additional on-grade deck of concrete pavers will eliminate tripping hazard (grade difference) and provide better and safer access to pool and pool bath.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Will enable safer utilization of rear yard.
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	Will enhance neighborhood values with no adverse effect (visible or physical) to the immediate neighbors.

RECEIVED
23-600061
MAY 31 2023

Prepared by, and after
recording, return to:

Ross H. Chafin, Esq.
Smith Hulsey & Busey
225 Water Street, Suite 1800
Jacksonville, FL 32202-5182

PLANNING & DEVELOPMENT

Parcel I.D. #: 181699-0000

TRUSTEE'S WARRANTY DEED

THIS TRUSTEE'S WARRANTY DEED, is made this 1st day of July, 2013, between JONATHAN SAWYER, AS TRUSTEE under that certain land trust dated January 2, 2012, and known as the 3717 Duval Land Trust, whose mailing address is 208 N. Laura Street, Suite 900, Jacksonville, FL 32202, hereinafter referred to as "Grantor" and GEORGE J. ALBERTELLI and JUDITH A. ALBERTELLI, husband and wife, whose address is 11651 Olde Mandarin Road, Jacksonville, Florida 32223, hereinafter called "Grantee."

WITNESSETH:

Grantor, pursuant to the powers and authority granted by the terms and provisions of the aforesaid trust, and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt and legal sufficiency of which is hereby acknowledged, has granted, bargained, sold, conveyed, confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee that certain real property situate and lying in Duval County, Florida, more particularly described below (the "Property"):

Lot 9, Block D-5, PONTE VEDRA, according to plat thereof as recorded in Plat Book 15, page 48 of the current public records of Duval County, Florida

TO HAVE AND TO HOLD the Property in fee simple forever.

Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

THE PROPERTY IS NEITHER THE HOMESTEAD OF THE GRANTOR NOR ANY BENEFICIARY UNDER THE 3717 DUVAL LAND TRUST DATED JANUARY 2, 2012.

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

Signed, sealed and delivered in our presence:

Jonathan Sawyer

Jonathan Sawyer

Jonathan Sawyer, as Trustee of the
3717 Duval Land Trust dated
January 2, 2012

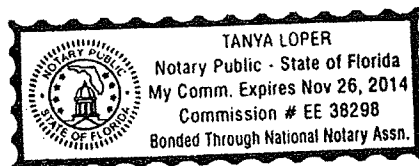
Tanya Loper
Print Name of Witness

Shannon Curtis
Print Name of Witness

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 14 day of July, 2013, by Jonathan Sawyer, as Trustee of the 3717 Duval Land Trust dated January 2, 2012, who is personally known to me or who has produced _____, as identification.

Tanya Loper
Notary Public
My Commission Expires:



23-100061

EXHIBIT "A"

Post Office address: 3717 Duval Drive, Jacksonville, FL 32250

Legal Description:

Lot 9, Block D-5, PONTE VEDRA, according to plat thereof as recorded in Plat Book 15, page 48 of the current public records of Duval County, Florida.

Real Property Tax ID Number: 181699-0000



City of Jacksonville Beach

904 / 249-2381

• ELEVEN NORTH THIRD STREET •

JACKSONVILLE BEACH, FLORIDA 32250

April 2, 1996

Robb Trippsmith
3717 Duval Drive
Jacksonville Beach, FL 32250

RE: Case Number: BOA 79-96
3717 Duval Drive

Dear Mr. Trippsmith:

The City of Jacksonville Beach has received your application for a variance from the requirements of Section 34-336(e)(1)c.2., of the Land Development Code. As indicated in the application, the variance requested is to allow a northerly side yard of eight feet, in lieu of ten feet to allow a small addition to an existing house. A copy of your receipt for the \$100.00 non-refundable processing fee is attached for your records.

The Board of Adjustment, for the City of Jacksonville Beach, will meet and hold a public hearing at 7:30 p.m. on Tuesday, April 16, 1996, in the Council Chambers, located at 14 North 2nd Street, Jacksonville Beach, to consider this variance application.

It is mandatory that you, or a representative, attend this meeting. If you are not present the request will either be carried over to the next regular scheduled meeting of the Board or the request may be denied.

If you have any questions, please contact our office at 247-6235.

Sincerely,

Beverly Clarkson
Senior Secretary

Attachment

Reference

RECEIVED
23-100061
MAY 31 2023

PLANNING & DEVELOPMENT



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

Reference

April 8, 2010

Batey McGraw
1717 Horn Street
Jacksonville Beach, FL 32250

RE: BOA 10-100038
3717 Duval Drive

Dear Mr. McGraw:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 6, 2010, to consider your variance application.

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

- 34-336(e)(1)c, for 50% lot coverage in lieu of 35% maximum
to allow for a new single family dwelling

The results of the meeting were:

- Denied.

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

Sincerely,

Jon Hays, CBO
Building Department

cc: Mark McCumber

RECEIVED
23-100061
MAY 31 2023

PLANNING & DEVELOPMENT

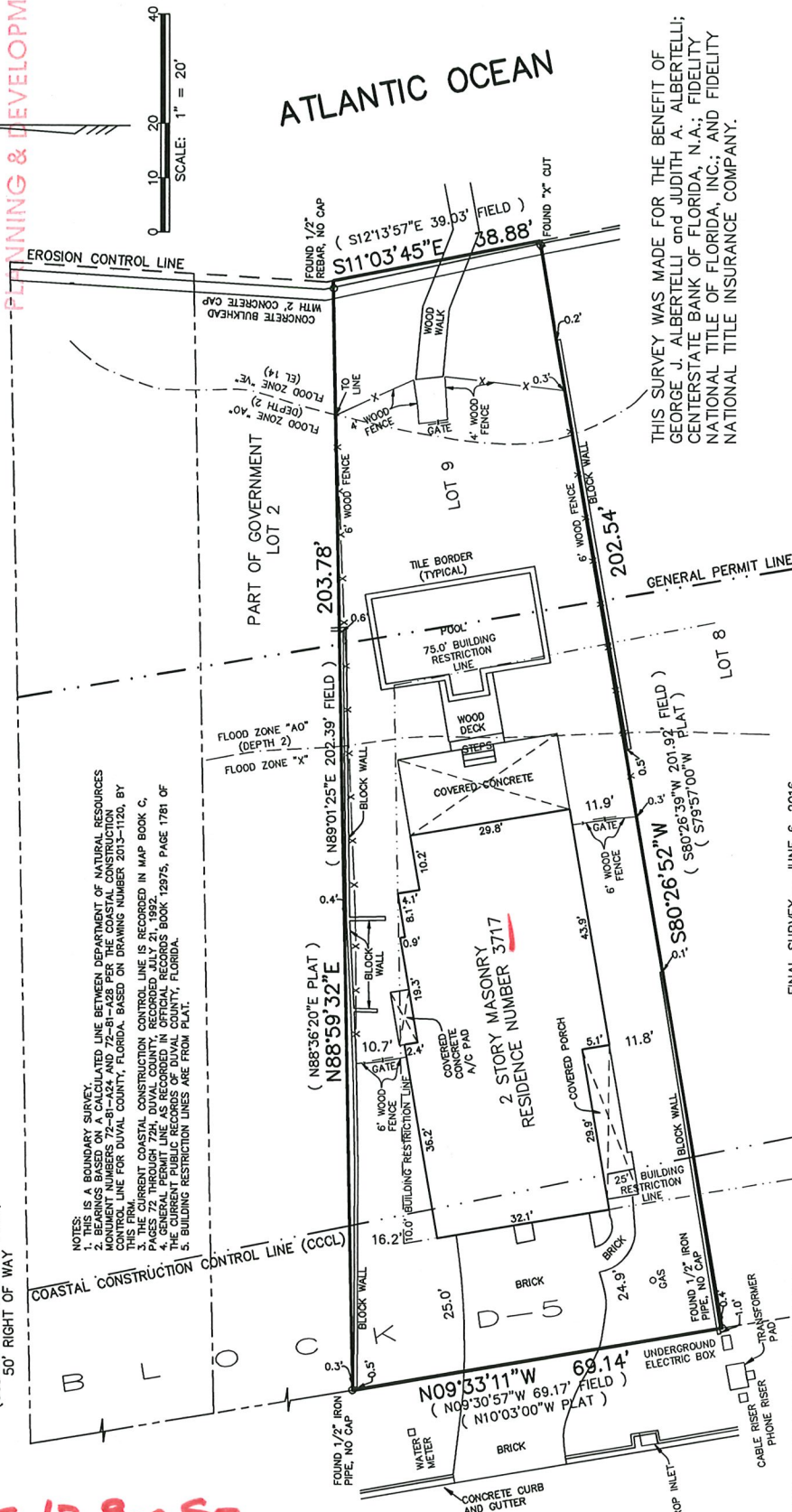
RECEIVED
03-100

MAY 31 2023

MAP SHOWING SURVEY OF
LOT 9, BLOCK D-5, PONTE VEDRA, AS RECORDED IN PLAT BOOK 15, PAGE
148 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA.

37th AVENUE SOUTH
(COLUMBUS AVENUE BY PLAT)
50' RIGHT OF WAY

PLANNING & DEVELOPMENT



THIS SURVEY WAS MADE FOR THE BENEFIT OF
GEORGE J. ALBERTELLI and JUDITH A. ALBERTELLI;
CENTERSTATE BANK OF FLORIDA, N.A.; FIDELITY
NATIONAL TITLE OF FLORIDA, INC.; AND FIDELITY
NATIONAL TITLE INSURANCE COMPANY.

FINAL SURVEY – JUNE 6, 2016
 REVISED CERTIFICATIONS – JUNE 15, 2015
 FOUNDATION FORMBOARD – DECEMBER 3, 2014
 RECHECKED TOPOGRAPHY, REVISED
 WALKWAYS, CONTOURS, AND CERTIFICATIONS –
 NOVEMBER 22, 2013

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), "AO" (DEPTH 2') AND "VE" (EL 14') AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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

DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPING
FLORIDA LIC. SURVEYING & MAPPING B

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32218-8550

SHEET 1 OF 1

DATE: JANUARY 22, 2010

FILE #: 2016-0296

DRAWN BY: PGP

REF: 2014-1341; 2013-1120; 2010-0030

$$L_{OT} = 10,902 \text{ SF}$$

Grade-level home = 3,960 SF

Driveway & Pool Deck = 855 SF

3,815 SF = 55% coverage

DUVAL
RIGHT OF WAY

DRIVE
PAVED PUBLIC ROAD

DE
UN
UNIVERSITY
OF
TORONTO

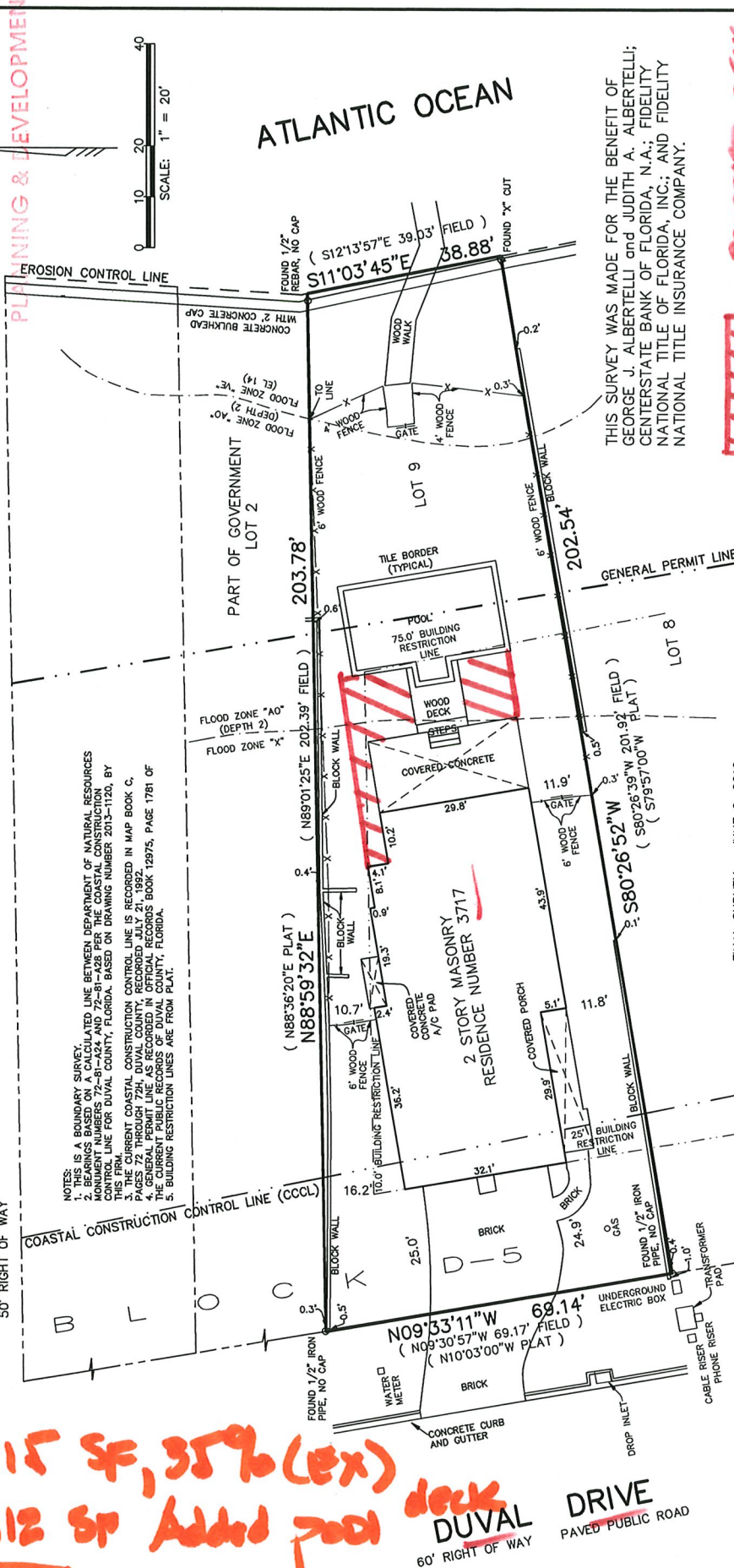
19009-86

MAY 31 2023

MAP SHOWING SURVEY OF
LOT 9, BLOCK D-5, PONTE VEDRA, AS RECORDED IN PLAT BOOK 15, PAGE
48 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA.

37th AVENUE SOUTH
(COLUMBUS AVENUE BY PLAT)
50' RIGHT OF WAY

PLANNING & DEVELOPMENT



THIS SURVEY WAS MADE FOR THE BENEFIT OF
GEORGE J. ALBERTELLI and JUDITH A. ALBERTELLI;
CENTERSTATE BANK OF FLORIDA, N.A.; FIDELITY
NATIONAL TITLE OF FLORIDA, INC.; AND FIDELITY
NATIONAL TITLE INSURANCE COMPANY.

FINAL SURVEY – JUNE 6, 2016
REVISED CERTIFICATIONS – JUNE 15, 2015
FOUNDATION FORMBOARD – DECEMBER 3, 2014
RECHECKED TOPOGRAPHY, REVISED
WALKWAYS, CONTOURS, AND CERTIFICATIONS –
NOVEMBER 22, 2013

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) "AO" (DEPTH 2') AND "VE" (EL 14) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32211-8550

DATE: JANUARY 22, 2010

SHEET 1 OF 1

REF: 2014-1341; 2013-1120; 2010-0030

FILE: 2016-0296

DRAWN BY: PGP

CHECKED BY:

3,015 SF, 35% (ex)
412 SF Added pool

deck
DUVAL
60' RIGHT OF WAY

DRIVE
PAVED PUBLIC ROAD

4,287 SP = 38.8% coverage



FILE COPY

LeeAnn Bassabe

From: Planning Division
Sent: Monday, June 12, 2023 3:17 PM
To: 'george@albertellilaw.com'
Subject: Variance Application Insufficiency BOA#23-100061; 3717 Duval Dr.
Attachments: 23-100061.pdf

Importance: High

Good Afternoon,

The City of Jacksonville Beach has received your Variance Application for property located at 3717 Duval Drive. The application is insufficient as follows:

- Application Standards and Conditions page needs to be complete, two boxes listed under circumstances/explanation are blank (see attachment)

To remain tentatively on the Tuesday, July 18, 2023 meeting, please submit this document no later than 4:30pm, Friday, June 18, 2023. Once received, we will re-review for sufficiency. Please respond directly to this email with any questions.

Thank you.

Lee Ann Bassabe
COJB Planning & Development – Planning Division
11 3rd Street North | Jacksonville Beach, FL 32250
(P) (904)247-6231 | (F) (904)247-6107
Permitting and Zoning Applications and Checklists
Jacksonville Beach Code of Ordinances
COAST Permitting and Zoning Applications and Checklist



FILE COPY

LeeAnn Bassabe

From: Planning Division
Sent: Friday, June 16, 2023 3:54 PM
To: 'george@albertellilaw.com'
Subject: Variance Application Sufficiency - BOA#23-100061; 3717 Duval Dr.

Importance: High

Good Afternoon,

The City of Jacksonville Beach has received your Variance Application for property located at 3717 Duval Drive. The application is sufficient and will be reviewed by staff.

The application is tentatively scheduled for the Tuesday, July 18, 2023 Board of Adjustment Meeting, at City Hall at 6:00PM. It is required that you or a representative be present at the meeting.

You will receive an email identifying the specifics of your request and confirming the public hearing date and time. Please let us know if you have any questions.

Thank you.

Lee Ann Bassabe
COJB Planning & Development – Planning Division
11 3rd Street North | Jacksonville Beach, FL 32250
(P) (904)247-6231 | (F) (904)247-6107
Permitting and Zoning Applications and Checklists
Jacksonville Beach Code of Ordinances
COAST Permitting and Zoning Applications and Checklist

Danevsky Joseph

From: Danevsky Joseph
Sent: Friday, June 23, 2023 10:12 AM
To: 'george@albertellilaw.com'
Subject: Variance #23-100061
Attachments: BOA#23-100061.pdf



Good Morning Mr. Albertelli

Please find attached a copy of your notice of hearing for property located at

****NOTE**** If corrections are required, please contact me no later than 4:30pm, Monday, June 26, 2023.

If you have any additional questions or need further assistance, please don't hesitate to contact me.

Thank you.

Danevsky Joseph
Planner, Planning and Development Department
City of Jacksonville Beach
djoseph@jaxbchfl.net
www.jacksonvillebeach.org



EMAIL – DELIVERY & READ RECEIPT REQUESTED



June 23, 2023

George J. Albertelli
3717 Duval Drive
Jacksonville Beach, FL 32250

RE: Application Number: **BOA#23-100061**
Property Address: 3717 Duval Drive

Good Afternoon,

Notice is hereby given that a public hearing will be held by the Board of Adjustment for the City of Jacksonville Beach on **Tuesday, July 18, 2023 at 6:00 p.m.** located in the **City Council Chambers**, located at **11 North 3rd Street**, Jacksonville Beach, Florida to consider your development permit application for a variance from the requirements of the Land Development Code (LDC) as described below:

Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for construction of a new swimming pool deck adjacent to an existing swimming pool at an existing single-family dwelling **for property addressed** 3717 Duval Drive, **RE#** 181699-0000, **legally described as** Lot 9, Block D-5, *Ponte Vedra*

Please verify this accurately reflects your request. If corrections are required, or if you have any questions, please contact our office at (904) 247-6231 no later than **Monday, June 26, 2023 by 4:30pm.**

Sincerely,


LeeAnn Bassabe
Permit Specialist

NOTICE

It is the applicant's responsibility to present accurate, substantial competent evidence and/or to demonstrate compliance with the City's Code of Ordinances, land development regulations, and/or comprehensive plan to support a development permit application. The applicant, or an authorized representative, must be present at any public hearing. Failure to appear shall be sufficient cause to deny a request due to lack of evidence or to defer a request to a subsequent public hearing.

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 no later than 5:00 p.m. on the day preceding the meeting. If you plan on attending or presenting at the hearing then you may use this website www.jacksonvillebeach.org/publichearinginfo for information concerning the hearing process. This information is also available in the City Hall first floor display case.

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.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

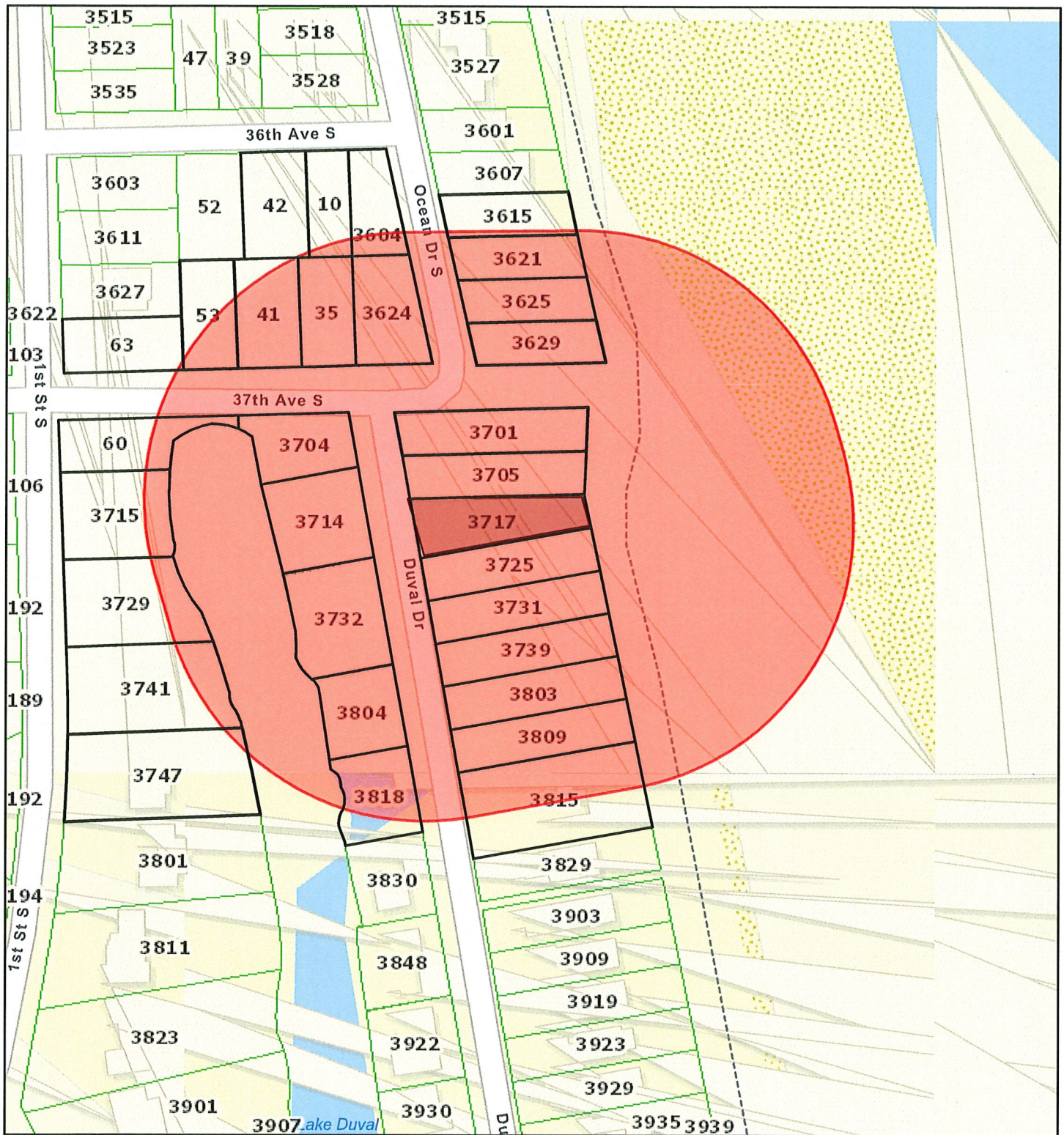
Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

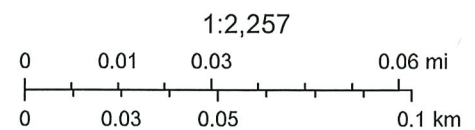
www.jacksonvillebeach.org





June 21, 2023

 Parcels



RE	LNAME	MAIL_ADDR1	MAIL_ADDR2	MAIL_CITY	MA	MAIL_ZIP
181696 0000	3739 DUVAL DR LLC	4310 PABLO OAKS CT		JACKSONVILLE	FL	32224
181440 0000	BARKER JOINT REVOCABLE LIVING TRUST	35 S 37TH AVE		JACKSONVILLE BEACH	FL	32250
181442 0000	BARNETT HALL	53 37TH AVE S		JACKSONVILLE BEACH	FL	32250
181762 0000	BIONDO ANNE LIVING TRUST	103 37TH AVE S		JACKSONVILLE BEACH	FL	32250-6021
181721 0000	BIONDO NICHOLAS JOSEPH LIFE ESTATE ET AL	3729 1ST ST S		JACKSONVILLE BEACH	FL	32250-5801
181437 0000	BOLAND RICHARD E JR	102 LAGUNA VILLA BLVD UNIT H 33		JACKSONVILLE BEACH	FL	32250
181720 0000	BOYD PAUL D	3715 1ST ST S		JACKSONVILLE BEACH	FL	32250-5801
181705 0000	CONE AYAKO S	3818 DUVAL DR		JACKSONVILLE BEACH	FL	32250-5808
181439 0000	DANAHER WILLIAM JAMES	3622 OCEAN DR		JACKSONVILLE BEACH	FL	32250-5971
181760 0000	DICKINSON JOHN F	3747 1ST ST S		JACKSONVILLE BEACH	FL	32250-5801
181436 0000	DITZEL ALAN E	42 S 36TH AVE		JACKSONVILLE BEACH	FL	32250
181420 0000	EDWARDS THOMAS S JR	4401 SALISBURY RD SUITE 200		JACKSONVILLE	FL	32216
181431 0000	FILLION DANIEL H	63 S 37TH AVE		JACKSONVILLE BEACH	FL	32250
181703 0000	GATES DENNIS P	3732 DUVAL DR		JACKSONVILLE BEACH	FL	32250-5806
181763 0000	HEALY E ANDRUS	3705 DUVAL DR		JACKSONVILLE BEACH	FL	32250
181693 0000	JOHN P ECKSTEIN REVOCABLE TRUST ET AL	3815 DUVAL DR		JACKSONVILLE	FL	32250
181419 0000	LEWIS SCOTT E	3625 OCEAN DR		JACKSONVILLE BEACH	FL	32250
181701 0000	LOCK JOHN D	3704 DUVAL DR		JACKSONVILLE BEACH	FL	32250
181695 0000	MAISCH ROBERT	3803 DUVAL DR		JACKSONVILLE BEACH	FL	32250
181761 0000	MOSELY THADDEUS	3701 DUVAL DR		JACKSONVILLE BEACH	FL	32250-5805
181418 0000	OCEAN DRIVE HOME LLC	3107 PEACHTREE RD NE UNIT 1902		ATLANTA	GA	30305
181694 0000	ROBERT J PAPE ET AL TRUST	3809 DUVAL DR		JACKSONVILLE BEACH	FL	32250
181419 0010	SAWYER J CHARLES TRUST	PO BOX 550658		JACKSONVILLE	FL	32255-0658
181441 0000	SIMPSON KURT ANDREW	41 S 37TH AVE		JACKSONVILLE BEACH	FL	32250
181698 0000	SMITH CECELIA T TRUST	C/O ROBERT SMITH POSR	3725 DUVAL DR	JACKSONVILLE BEACH	FL	32250
181702 0000	SODERBERG NANCY E	3714 DUVAL DR		JACKSONVILLE BEACH	FL	32250-5806
181704 0000	TRONSRUE GEORGE M III	3804 DUVAL DR		JACKSONVILLE BEACH	FL	32250
181697 0000	WILLIAMS STEPHEN B	3731 DUVAL DR		JACKSONVILLE BEACH	FL	32250-5805
181438 0000	YARBROUGH GAIL DAPHNE	3604 OCEAN DR		JACKSONVILLE BEACH	FL	32250-5971



DEPARTMENT OF PLANNING AND DEVELOPMENT
City of Jacksonville Beach – City Hall Building
11 North Third Street, Jacksonville Beach, FL 32250
Phone: 904.247.6231 Planning@jaxbchfl.net
www.jacksonvillebeach.org



July 3, 2023

Jacksonville Beach Property Owner
3732 Duval Dr
Jacksonville Beach, FL 32250-5806



FILE COPY

PUBLIC NOTICE

You have received this notice because our records indicate that you own property within 300 feet of real property that is the subject of this notice.

The **Board of Adjustment** for the City of Jacksonville Beach, Florida will meet and hold a public hearing on **Tuesday, July 18, 2023, at 6:00 p.m. in the Council Chambers**, located at **11 North 3rd Street**, Jacksonville Beach, Florida to consider the following application(s) for a variance from the requirements of the Land Development Code:

BOA#23-100061

Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for construction of a new swimming pool deck adjacent to an existing swimming pool at an existing single-family dwelling **for property addressed** 3717 Duval Drive, **RE#** 181699-0000, **legally described as** Lot 9, Block D-5, *Ponte Vedra*

This application is on file with the Planning & Development Department and is open to public review during regular business hours. Please be advised you may attend the public hearing indicated in this notice and state your opinions, or you may respond by postal mail or e-mail to: planning@jaxbchfl.net no later than five (5) business days prior to the hearing. If you choose to respond in writing, please include the public hearing date and the BOA number listed above. Your response will be acknowledged at said Public Hearing.

Board of Adjustment
City of Jacksonville Beach

NOTICE

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Board. 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. 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 no later than 5:00 p.m. on the day preceding the meeting.

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.

SIGN POSTING AFFIDAVIT

I, Clark Stuck, posted official notice concerning a hearing to be held by the **BOARD OF ADJUSTMENT** at **6:00 p.m.** on the 18th day of July, 2023 regarding the following:

Property location: 3717 Duval Drive

BOA#23-100061

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for construction of a new swimming pool deck adjacent to an existing swimming pool at an existing single-family dwelling **for property addressed** 3717 Duval Drive, **RE#** 181699-0000, **legally described as** Lot 9, Block D-5, *Ponte Vedra*

Sign 1: Duval Drive

Clark Stuck
Signature

7/3/23 11:55 AM
Date/Time