



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Tuesday, October 17, 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 October 3, 2023

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#23-100079**

Applicant: James Smithson

Agent: Stratum Contracting & Construction Management LLC

Owner: James Smithson

Property Address: 422 6th Ave S

Parcel ID: 176328-0000

Legal Description: Lot 3, Block 1 , Oceanside Park

Current Zoning: RS-2

Motion to Consider: **Section(s):** 34-337(e)(1)c.(1), for front yard setback of 14.6 feet in lieu of 20 feet minimum; and 34-337(e)(1)c.(3), for a rear yard setback of 17 feet in lieu of 30 feet minimum to allow for a covered front patio to an existing single-family dwelling **for property addressed** 422 South 6th Avenue, **RE#** 176328-0000, **legally described as** Lot 3, Block 1 , Oceanside Park

NEW BUSINESS

A. **Case Number(s): BOA#23-100098**

Applicant: Sara Uselman

Agent: N/A

Owner: Sara Uselman

Property Address: 2599 Merrill Blvd
Parcel ID: 180858-0070
Legal Description: Lot 4, Block 4, *Jacksonville Beach Heights*
Current Zoning: RS-2
Motion to Consider: **Section(s):** 34-337(e)(1)e, for lot coverage of 51% in lieu of 35% maximum, to allow for new swimming pool and paver deck to an existing single-family dwelling **for property addressed** 2599 Merrill Blvd, **RE#** 180858-0070, **legally described as** Lot 4, Block 4, *Jacksonville Beach Heights*

B. **Case Number(s): BOA#23-100099**

Applicant: James Groak
Agent: Corinne Groak
Owner: James & Corinne Groak
Property Address: 113 S 3rd Ave
Parcel ID: 175671-0000
Legal Description: Lot 7, Block 22, *Pablo Beach South*
Current Zoning: RM-2
Motion to Consider: **Section(s):** (RM-2 using RS-3 standards) 34-338(e)(1)(c)1, for front yard set backs of 13 feet in lieu of 20 feet maximum, to extend second floor porch area over existing driveway, of an existing two story single family dwelling **for property addressed** 113 S 3rd Ave, **RE#** 175671-0000, **legally described as** Lot 7, Block 22, *Pablo Beach South*

C. **Case Number(s): BOA#23-100100**

Applicant: Anthony Simonetta
Agent: N/A
Owner: LAS Holding LLC
Property Address: 948 Gonzales Ave Lot 5
Parcel ID: 176631-0000
Legal Description: Lot 5, Block 98 , *Oceanside Park*
Current Zoning: RS-3
Motion to Consider: **Section(s):** 34-338(e)(1)(c)(3), for rear yard set back of 20 feet in lieu of 30 feet; and 34-338(e)(1)(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home **for property addressed** 948 Gonzales Ave Lot 5, **RE#** 176631-0000, **legally described as** Lot 5, Block 98 , *Oceanside Park*

D. **Case Number(s): BOA#23-100101**

Applicant: Anthony Simonetta
Agent: N/A
Owner: LAS Holdings LLC
Property Address: 948 Gonzales Ave Lot 6
Parcel ID: 176631-0000
Legal Description: Lot 6, Block 98 , *Oceanside Park*
Current Zoning: RS-3
Motion to Consider: **Section(s):** 34-338(e)(1)(c)(3), for rear yard set back of 20 feet in lieu of 30 feet; and 34-338(e)(1)(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home **for property addressed** 948 Gonzales Ave Lot 6, **RE#** 176631-0000, **legally described as** Lot 6, Block 98 ,

Oceanside Park

PLANNING DEPARTMENT REPORT**COURTESY OF THE FLOOR TO VISITORS****ADJOURNMENT**

NOTICE

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

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

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

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

cc: Mike Staffopoulos, City Manager; City Attorney

**Minutes of Board of Adjustment Meeting
held Tuesday, October 3, 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 (absent) John Moreland Todd Smith
Alternates: Matt Metz Jennifer Williams

Senior Planner Christian Popoli, Planner Nevs 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 September 6, 2023
- Regular Board of Adjustment Meeting held on September 19, 2023

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: **BOA#23-100090**
Applicant/Owner: Wayne Pollard
Agent: The Batts Company
Property Address: 1182 N 19th St
Parcel ID: 179110-0032

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)e, for lot coverage of 49% in lieu of 35% maximum, to allow for new swimming pool, deck and to relocate shed to southwest rear cover of property to an existing single-family dwelling for property addressed 1182 N 19th St, RE# 179110-0032, legally described as Lot 1, Block 43, SEC A Jacksonville Beach.

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

Agent: James Batts III, 225 Tallwood Road, Jacksonville Beach, stated the hardship was an undersized lot.

A discussion ensued about the shed, pool equipment, and lot coverage.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100090 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

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

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Moreland, to amend the motion for 46% lot coverage.

Discussion: A discussion continued about the lot coverage.

Motion to Amend Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, and Alexi Gonzalez.

The motion to amend passed unanimously.

Discussion: A discussion ensued about the requested lot coverage percentage.

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

The amended motion passed unanimously.

B. Case Number: **BOA#23-100093**
Applicant: Charles Allen
Agent: N/A
Owner: Melisa Allen & Charles Allen
Property Address: 540 Barbara Ln
Parcel ID: 174962-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-336(e)(1)e, for lot coverage of 44% in lieu of 35% maximum, to allow for a new swimming pool and surrounding decking, to an existing single-family dwelling for property addressed 540 Barbara Ln, RE# 174962-0000, legally described as Lot 9, Block 1, Beach Homesites Unit 1.

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

Applicant: Charles Allen, 540 Barbara Lane, Jacksonville Beach, stated the hardship was an undersized lot.

A discussion ensued about the lot coverage and garage.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100093 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the nonconforming lot and lot shape.

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

The motion passed unanimously.

C. Case Number: **BOA#23-100095**
Applicant: Barnett Custom Homes
Agent: N/A
Owner: Nick Stam
Property Address: 2703 Madrid St
Parcel ID: 180688-0020

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-336(e)(1)c(2), for side yard setback of 7.5 feet in lieu of 10 feet; and 34-336(e)(1)e for lot coverage of 46% in lieu of 35% maximum to allow for the addition of a pool, paved driveway, and paved sidewalk to an existing single-family dwelling for property addressed 2703 Madrid St, RE# 180688-0020, legally described as Lot 8, Block 24, Atlantic Shores Replat UNIT 1.

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 a nonconforming undersized lot.

A discussion ensued about pavers, lot coverage, and the pool.

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100095 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

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

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

The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The Board agreed to meet on November 21, 2023, and December 19, 2023.

The next scheduled meeting is Tuesday, October 17, 2023, at 6:00 P.M. There are five scheduled cases.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:25 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT



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

BOA#23-100079

Zoning: RS-2
RE: 176328-0000
Legal: Lot 3, Block 1, *Oceanside Park*
Address: 422 South 6th Ave

Request

Section(s): 34-337(e)(1)c.(1), for front yard setback of 14.6 feet in lieu of 20 feet minimum; and 34-337(e)(1)c.(3), for a rear yard setback of 17 feet in lieu of 30 feet minimum to allow for a covered front patio to an existing single-family dwelling **for property addressed** 422 South 6th Avenue, **RE#** 176328-0000, **legally described as** Lot 3, Block 1 , Oceanside Park

Existing Conditions

The subject property is a nonconforming lot of record located in the Medium Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The lot is 50 feet in width, and 100 feet in depth, with an overall lot area of 5,000 square feet. The subject home was constructed in 1986, prior to the current LDC. The lot currently has an existing house and rear screened porch. The applicant is applying for this variance for a front yard setback of 14.6 feet and for a rear yard setback of 17 feet for a front patio and expanded rear covered patio. The applicant attended our Board of Adjustment meeting on September 6th 2023 and was deferred due to failing to showing lot coverage on proposed survey.

No previous BOA, no active code case.

Staff Analysis

The subject property is substandard in width, it measures 50 feet in width rather than the 75 feet minimum requirement in the RS-2 zoning district and is nonconforming in size at 5,000 square feet. The applicant is proposing to construct a front patio and rear covered patio. A variance to allow the proposed project is a reasonable request, as the applicant cannot add the additions without encroaching on in front and rear setbacks. The applicant has not provided before and after lot coverage, but has supplied a statement that when construction is completed, they will be reducing the overall lot coverage by 14.8 square feet. The applicant will have to demonstrate this prior to the issuance of the CO, as the Building Inspection



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Division requires an as-built survey. 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. Staff would additionally recommend the condition that pre-construction lot coverage be provided at the time of the building permit.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (7,500) square feet.
- Minimum lot width: Ninety (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (20) feet.
 - Side yard: Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single-family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in size and width. It also appears to be over lot coverage based on the existing structure and hardscaping.



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

Staff **does not** find that circumstances are a result of the applicant. The applicant purchased the property with the nonconforming conditions. Based on the applicant's testimony, they will reduce the overall lot coverage with the completion of this project.

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 construct a front patio and cover rear patio addition to a lot that does not meet the minimum lot width for the RS-2 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 addition onto the main structure and meet RS-2 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.

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 for a front yard setback of 14.6 feet and for a rear yard setback of 17 feet for a front patio and expanded rear covered patio.

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



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

Staff Recommendation

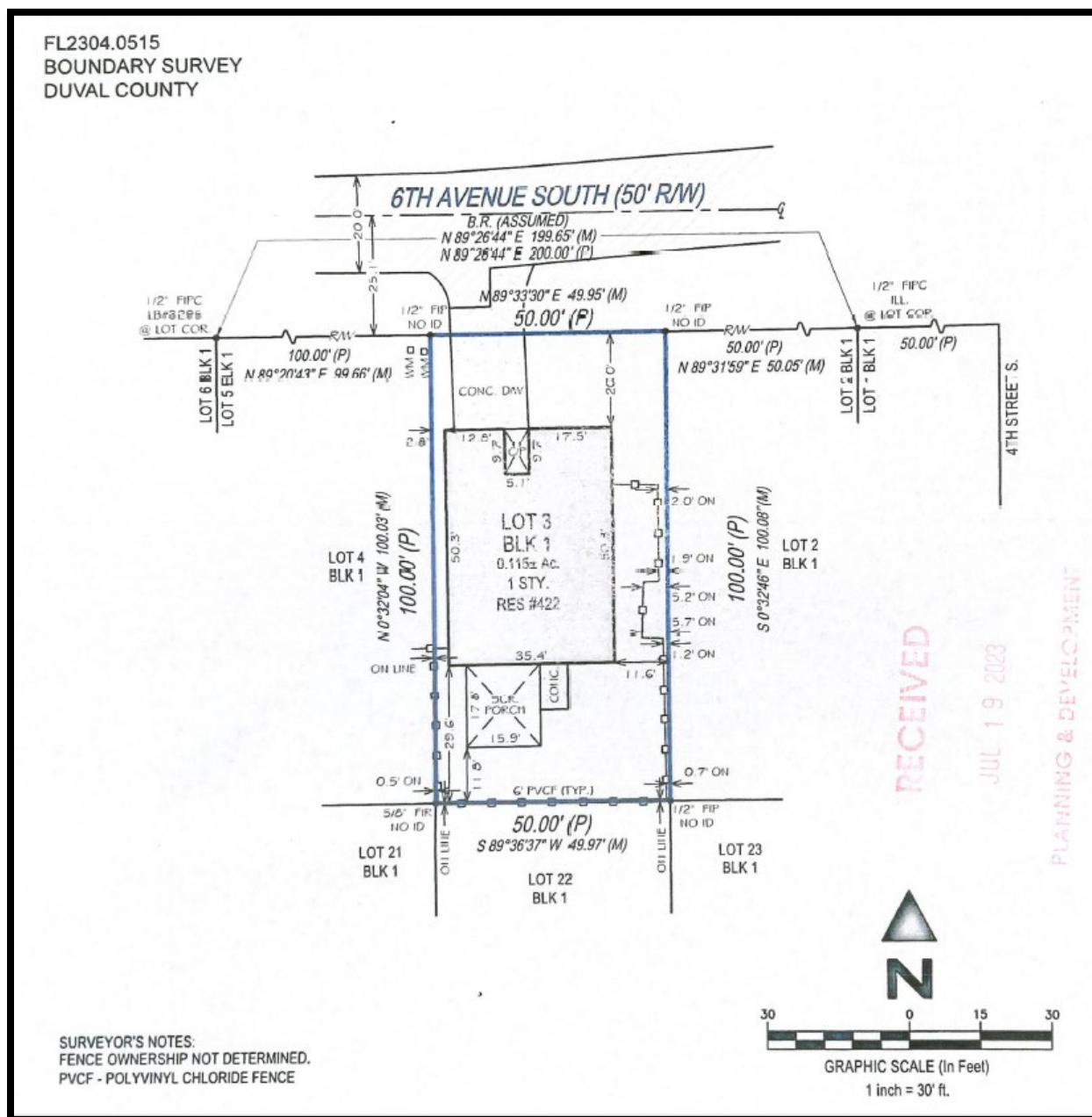
Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#23-100079 with the following condition:**

Pre-construction lot coverage be provided at the time of the building permit.

Location Map (property boundaries are representative only)

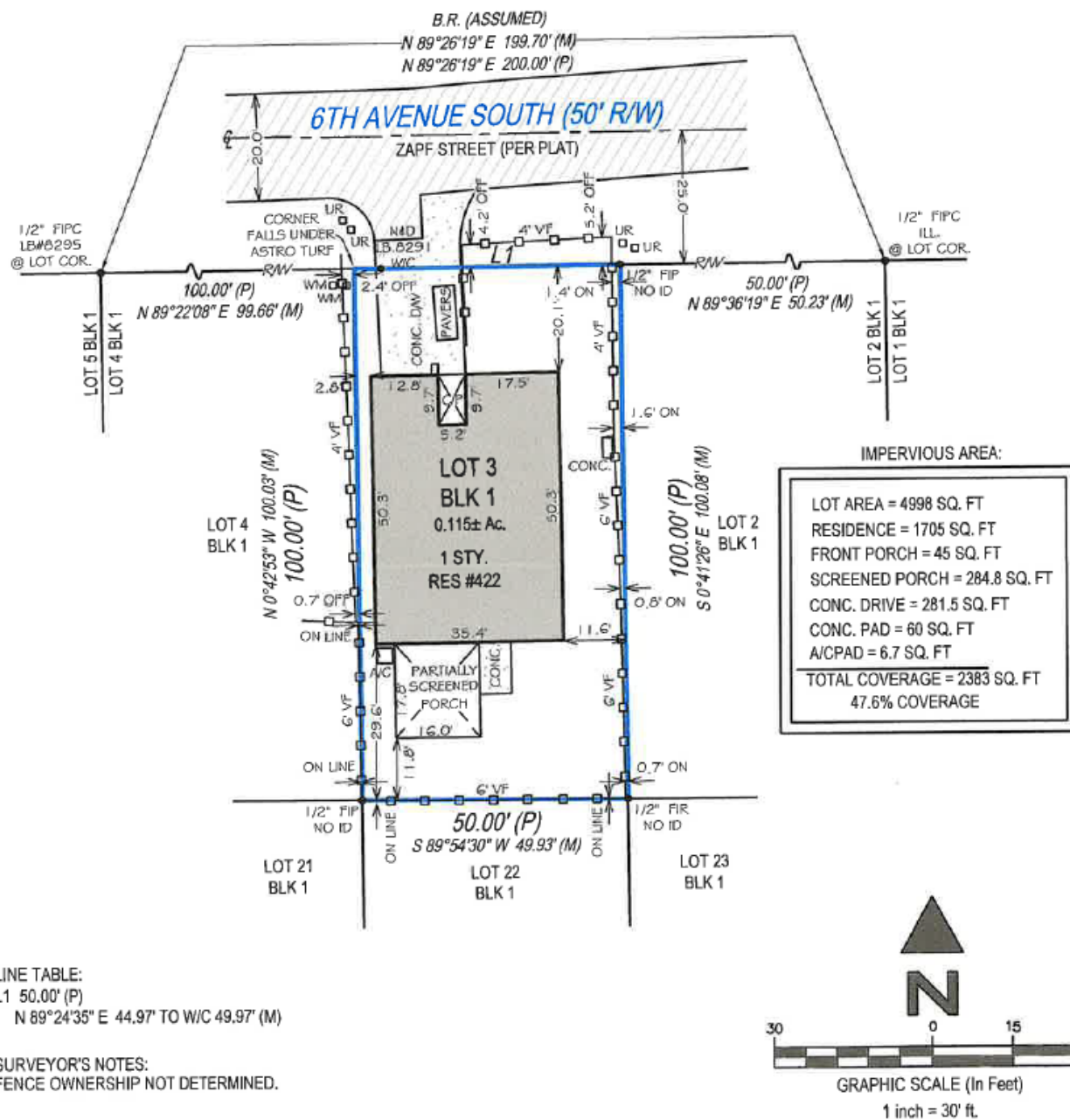


Existing Survey

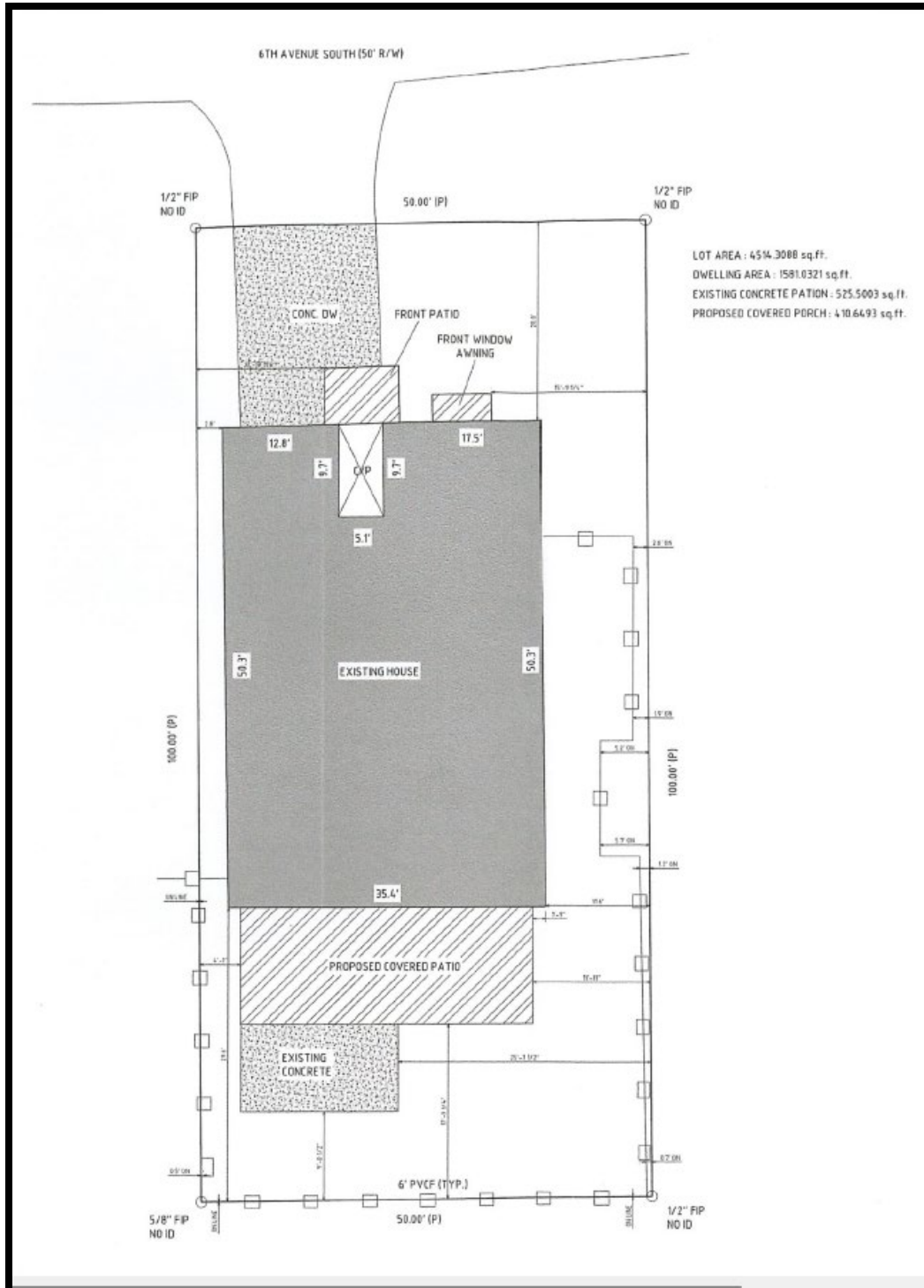


Proposed Survey

2309.1138
BOUNDARY SURVEY
DUVAL COUNTY



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 23-100079
HEARING DATE 9-06-23

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: James Smithson **Telephone:** (904) 523-5649
Mailing Address: 45 W 6th Street **E-Mail:** jsmithson@stratumcorporation.com
Atlantic Beach, FL 32233
Agent Name: Stratum Contracting & Construction Management LLC **Telephone:** (904) 720-2783
Mailing Address: 45 W 6th Street **E-Mail:** _____
Atlantic Beach, FL 32233
Landowner Name: James Smithson **Telephone:** (904) 523-5649
Mailing Address: 422 6th Ave South **E-Mail:** _____
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 422 6th Ave S 176328.0000
Legal description of property (Attach copy of deed): Lot 3 Block 1 Oceanside Park
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Front yard set back of 14'6" in lieu of 20ft front covered patio addition to enhance front gable ended residence. This patio will be placed over an existing portion of the driveway so no added impervious area. Front yard addition of window awning (smaller bump out) to match commensurate with front patio addition. See drawings attached for review.

AFFIDAVIT

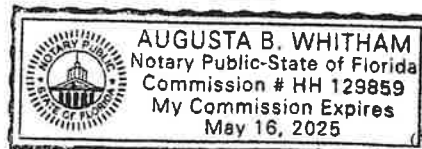
I, James Smithson, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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] James Smithson 7/19/2023
APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19th day of July, 2023, by James Smithson, who is personally known to me or produced _____ as identification.

Augusta B. Whitham
NOTARY PUBLIC SIGNATURE
Augusta B. Whitham
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: XS/AE
CODE SECTION(S):
Section(s): 34-337(e)(1)c.(1), for front yard setback of 14.6 feet in lieu of 20 feet minimum; and 34-337(e)(1)c.(3), for a rear yard setback of 17 feet in lieu of 30 feet minimum to allow for a covered front patio to an existing single-family dwelling for property addressed 422 South 6th Avenue, RE# 176328-0000, legally described as Lot 3, Block 1, Oceanside Park

Prepared by and return to:
Lynn Shippee
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: 23-1242

Doc # 2023092343, OR BK 20670 Page 1772,
Number Pages: 2
Recorded 05/08/2023 03:11 PM,
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$4200.00

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 26th day of April, 2023, between **Fletcher Don Rydalch, an unmarried man**, whose post office address is **565 Pioneer Road, Unit 138, Rexburg, ID 83440**, grantor, and **James T. Smithson, an unmarried man**, whose post office address is **422 6th Avenue South, Jacksonville Beach, FL 32250**, grantee:

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

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

Lot 3, Block 1 of OCEANSIDE PARK, according to the Plat thereof as recorded in Plat Book 8, Page(s) 13, of Public Records of Duval County, Florida.

Parcel Identification Number: 176328-0000

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

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

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

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

RECEIVED

JUL 19 2023

PLANNING & DEVELOPMENT

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

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

Signed, sealed and delivered in our presence:


Witness 1 Signature

Herbert Reynolds

Witness 1 Printed Name


Fletcher Don Rydalc

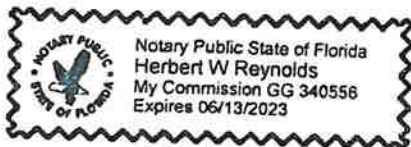

Witness 2 Signature

Lynn Shippee

Witness 2 Printed Name

State of **Florida**
County of **St. Johns**

The foregoing instrument was acknowledged before me by means of (X) Physical Presence or () Online Notarization, this **26th day of April, 2023**, by **Fletcher Don Rydalc**, ~~an unmarried man~~, who () is personally known to me or (X) has produced Valid Driver License as identification.




NOTARY PUBLIC
Printed Name: Herbert Reynolds
My Commission Expires: _____

RECEIVED

JUL 19 2023

PLANNING & DEVELOPMENT

CERTIFIED MAIL RETURN - RECEIPT REQUESTED

9589 0710 5270 0627 3379 37

September 12, 2023

James Smithson
45 W 6th Street
Atlantic Beach, FL 32233

DEVELOPMENT ORDER FOR VARIANCE

BOA#23-100079
422 S 6th Ave
Lot 3, Block 1 , Oceanside Park

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 6:00 p.m. on Wednesday, September 6, 2023 in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider development permit application(s) requesting to deviate from the requirements of the Land Development Code as described below:

- 34-337(e)(1)c.(1), for front yard setback of 14.6 feet in lieu of 20 feet minimum
- 34-337(e)(1)c.(3), for a rear yard setback of 17 feet in lieu of 30 feet minimum

To allow for a covered front patio to an existing single-family dwelling

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

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



Based on the review and discussion of said application and the consideration of any competent and substantial evidence in the form of the staff report and testimony provided during the duly advertised public hearing, the Board of Adjustment determined this application for development **met** all the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

Upon this competent substantial evidence, The Board **Amended and Deferred** the request and will rereview the application when lot coverage is provided at our October 17, 2023 meeting.

- Applicant must show lot coverage at 10/17 meeting

To allow for an existing pool, rear patio pavers, pavilion and driveway to address existing nonconformities of single-family dwelling

This development order does not constitute final approval to commence the development proposed in the referenced application(s). 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. Information about permitting, including official address assignments, application forms, and checklists, is available in our office or online at www.jacksonvillebeach.org/coast.

CONTINUED ON PAGE 2

Attached is a copy of the submitted site plan for your records. Copies of this development order and the attached site plan shall be submitted when applying for any future development or building permit applications.

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

Sincerely,



Danevsky Joseph
Planner

DISCLAIMER

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



BOA#23-100079

Augusta B Whitham

From: James Smithson
Sent: Friday, September 15, 2023 12:01 PM
To: Augusta B Whitham
Subject: FW: Variance for 422 6th Ave S Jacksonville Beach FL 32250 (Deferred for Updated Survey)
Attachments: s37XXK_833815_survey_r1.pdf

RECEIVED

SEP 15 2023

PLANNING
DEPARTMENT

From: James Smithson
Sent: Friday, September 15, 2023 11:58 AM
To: popoli@jaxbchfl.net
Cc: Danevsky Joseph <djoseph@jaxbchfl.net>
Subject: Variance for 422 6th Ave S Jacksonville Beach FL 32250 (Deferred for Updated Survey)

Christian:

Per the Board of Adjustments Meeting that was held on Sept 6th, it was requested that an updated survey be provided showing lot coverage. Please see the attached.

My proposed covered area, in the back, on the plans is 30'x11' or 330sqft.

The existing survey shows that current area is covered by 344.80 sqft.

What I am proposing to build would reduce the coverage as I can cut the concrete clean to be more squared off when I build thus removing approximately 14.8 sqft back to pervious.

Hopeful this will solve the question for the board and city.

Have a great weekend.

James

James T Smithson | President – Owner | Stratum Contracting and Construction Management | Mobile: (904) 523-5649 Office: (904) 720-2783 | www.stratumcorporation.com
| CBC #1264832 | Federal UEI #J2YUDPFLBD5 CAGE #9DGR8



**Service-Disabled Veteran Owned Business
Licensed, Bonded, and Insured**

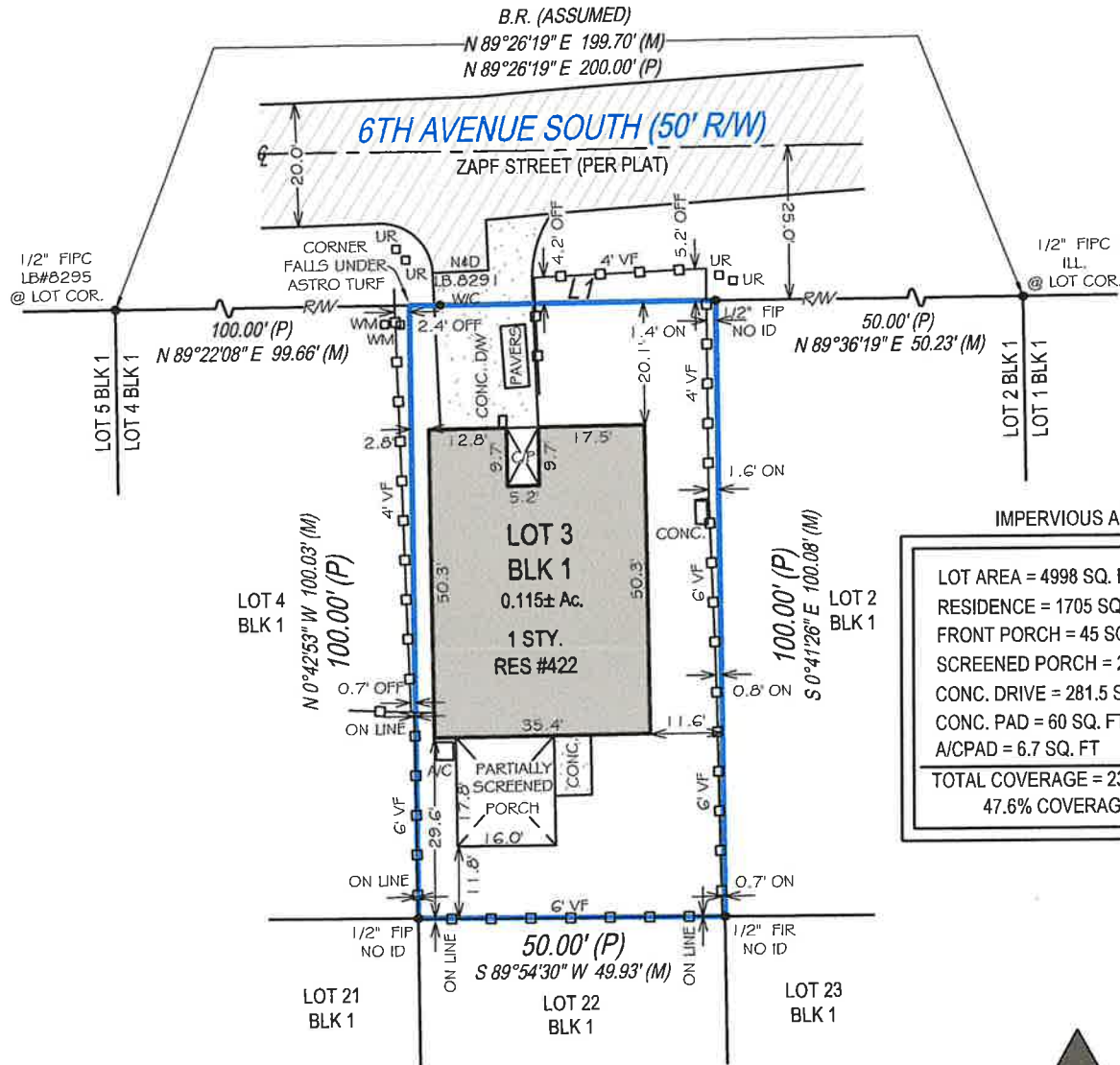
This e-mail, its content and any files transmitted with it are intended solely for the addressee(s) and are PRIVILEGED and CONFIDENTIAL. Access by any other party is unauthorized without the express prior written permission of *Stratum Corporation*. If you have received this e-mail in error you may not copy, disclose to any third party or use the contents, attachments or information in any way. Please delete all copies of the e-mail and the attachment(s), if any and notify the sender. Thank You



PROPERTY ADDRESS: 422 6TH AVENUE S, JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: 2309.1138

2309.1138
BOUNDARY SURVEY
DUVAL COUNTY



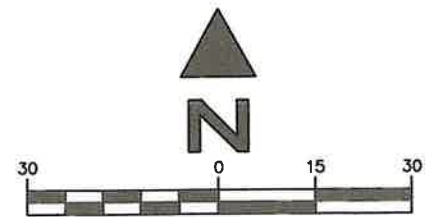
LINE TABLE:

L1 50.00' (P)

N 89°24'35" E 44.97' TO W/C 49.97' (M)

SURVEYOR'S NOTES:

FENCE OWNERSHIP NOT DETERMINED.



GRAPHIC SCALE (In Feet)

1 inch = 30' ft.

SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-15.050 through 5J-15.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. This survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor

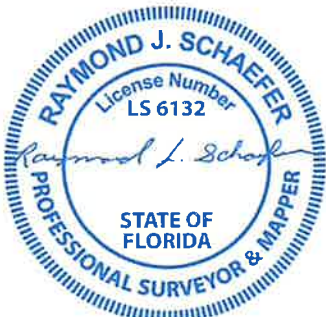
POINTS OF INTEREST:

NONE VISIBLE

Exacta Land Surveyors, LLC
LB# 8291

o: 866.735.1916 | f: 866.744.2892

131 West Broadway Street, Suite 1001, Oviedo, FL 32765



LEGAL DESCRIPTION:

LOT 3, BLOCK 1 OF OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE(S) 13, OF PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

GENERAL SURVEYOR NOTES:

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the Title Commitment Number is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
2. The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
3. If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
4. This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
5. Alterations to this survey map and report by other than the signing surveyor are prohibited.
6. Dimensions are in feet and decimals thereof.
7. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
8. Unless otherwise noted "SIRC" indicates a Set Iron Rebar with a Cap stamped LB#8291, a minimum half inch in diameter and eighteen inches long.
9. If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter 5J17.062 (3) of the Florida Administrative Code and Florida Statute 472.025. The Electronic Signature File related to this document is prominently displayed on the invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor.
10. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
11. Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
12. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
13. The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
14. Pursuant to F.S. 558.0035, an individual employee or agent may not be held individually liable for negligence.
15. Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.

SURVEYOR'S LEGEND

LINETYPES	
	Boundary Line
	Center Line
	Chain Link or Wire Fence
	Easement
	Edge of Water
	Iron Fence
	Overhead Lines
	Structure
	Survey Tie Line
	Vinyl Fence
	Wall or Party Wall
	Wood Fence
SURFACE TYPES	
	Asphalt
	Brick or Tile
	Concrete
	Covered Area
	Water
	Wood
SYMBOLS	
	Benchmark
	Center Line
	Central Angle or Delta
	Common Ownership
	Control Point
	Catch Basin

	Elevation
	Fire Hydrant
	Find or Set Monument
	Guywire or Anchor
	Manhole
	Tree
	Utility or Light Pole
	Well

ABBREVIATIONS

(C) - Calculated
(D) - Deed
(F) - Field
(M) - Measured
(P) - Plat
(R) - Record
(S) - Survey
A/C - Air Conditioning
AE - Access Easement
ANE - Anchor Easement
ASBL - Accessory Setback Line
B/W - Bay/Box Window
BC - Block Corner
BFP - Backflow Preventer
BLDG - Building
BLK - Block
BM - Benchmark
BR - Bearing Reference
BRL - Building Restriction Line
BSMT - Basement
C - Curve
C/L - Center Line

C/P - Covered Porch
C/S - Concrete Slab
CATV - Cable TV Riser
CB - Concrete Block
CH - Chord Bearing
CHIM - Chimney
CLF - Chain Link Fence
CME - Canal Maintenance Easement
CO - Clean Out
CONC - Concrete
COR - Corner
CS/W - Concrete Sidewalk
CUE - Control Utility Easement
CVG - Concrete Valley Gutter
D/W - Driveway
DE - Drainage Easement
DF - Drain Field
DH - Drill Hole
DUE - Drainage & Utility Easement
ELEV - Elevation
EM - Electric Meter
ENCL - Enclosure
ENT - Entrance
EOP - Edge of Pavement
EOW - Edge of Water
ESMT - Easement
EUB - Electric Utility Box
F/DH - Found Drill Hole
FCM - Found Concrete Monument
FF - Finished Floor
FIP - Found Iron Pipe
FIPC - Found Iron Pipe & Cap

FIR - Found Iron Rod
FIRC - Found Iron Rod & Cap
FN - Found Nail
FN&D - Found Nail & Disc
FRSPK - Found Rail Road Spike
GAR - Garage
GM - Gas Meter
ID - Identification
IE/EE - Ingress/Egress Easement
ILL - Illegible
INST - Instrument
INT - Intersection
IRRE - Irrigation Easement
L - Length
LAE - Limited Access Easement
LB# - License No. (Business)
LBE - Limited Buffer Easement
LE - Landscape Easement
LME - Lake/Landscape Maintenance Easement
LS# - License No. (Surveyor)
MB - Map Book
ME - Maintenance Easement
MES - Mitered End Section
MF - Metal Fence
MH - Manhole
MHWL - Mean High Water Line
NR - Non-Radial
NTS - Not to Scale
NAVD88 - North American Vertical Datum 1988
NGVD29 - National Geodetic Vertical Datum 1929
OG - On Ground

ORB - Official Records Book
ORV - Official Record Volume
O/A - Overall
O/S - Offset
OFF - Outside Subject Property
OH - Overhang
OHL - Overhead Utility Lines
OHWL - Ordinary High Water Line
ON - Inside Subject Property
P/E - Pool Equipment
PB - Plat Book
PC - Point of Curvature
PCC - Point of Compound Curvature
PCP - Permanent Control Point
PI - Point of Intersection
PLS - Professional Land Surveyor
PLT - Planter
POB - Point of Beginning
POC - Point of Commencement
PRC - Point of Reverse Curvature
PRM - Permanent Reference Monument
PSM - Professional Surveyor & Mapper
PT - Point of Tangency
PUE - Public Utility Easement
R - Radius or Radial
R/W - Right of Way
RES - Residential
RGE - Range
ROE - Roof Overhang Easement
RP - Radius Point
S/W - Sidewalk
SBL - Setback Line
SCL - Survey Closure Line
SCR - Screen
SEC - Section
SEP - Septic Tank
SEW - Sewer
SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement
SN&D - Set Nail and Disc
SQFT - Square Feet
STL - Survey Tie Line
STY - Story
SV - Sewer Valve
SWE - Sidewalk Easement
TBM - Temporary Bench Mark
TEL - Telephone Facilities
TOB - Top of Bank
TUE - Technological Utility Easement
TWP - Township
TX - Transformer
TYP - Typical
UE - Utility Easement
UG - Underground
UP - Utility Pole
UR - Utility Riser
VF - Vinyl Fence
W/C - Witness Corner
W/F - Water Filter
WF - Wood Fence
WM - Water Meter/Valve Box
WV - Water valve

CERTIFIED TO:

JAMES SMITHSON;

FLOOD ZONE INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X SHADED, AE (WITH A BASE FLOOD ELEVATION OF 9). THIS PROPERTY WAS FOUND IN CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, PANEL NUMBER 0417 DATED 11/2/2018.

DATE SIGNED: 09/14/23

BUYER: JAMES SMITHSON



SURVEY NUMBER: FL2304.0515

existing

GRAPHIC SCALE (in Feet)

1 inch = 30' ft.

POINTS OF INTEREST:
NONE VISIBLE

Exacta Land Surveyors, LLC
 LB# R297
 o: 866.735.1916 | f: 866.744.2882
 3846 Blanding Boulevard, Jacksonville, FL 32210

AFFILIATE MEMBERS

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES



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

BOA#23-100098

Zoning: RS-2
RE: 180858-0070
Legal: Lot 4, Block 4, Jacksonville Beach Heights
Address: 2599 Merrill Blvd

Request

Section(s): 34-337(e)(1)e, for lot coverage of 51% in lieu of 35% maximum, to allow for new swimming pool and paver deck to an existing single-family dwelling **for property addressed** 2599 Merrill Blvd, **RE#** 180858-0070, **legally described as** Lot 4, Block 4, *Jacksonville Beach Heights*

Existing Conditions

The subject property is a nonconforming lot of record (circa 1926) located in the South Beach district future land use category. The property is currently located in the Residential Single Family: RS-2 Zoning District. The lot is 50 feet in width, and 120 feet in depth, with an overall lot area of 6,000 square feet. The subject property currently has an existing two story dwelling constructed in 2005, which currently has a lot coverage of 39%, less than the 42% approved in the previous variance. The applicant is applying for this variance for lot coverage of 51% in lieu of 35% maximum, to allow for new swimming pool and paver deck addition to an existing single-family dwelling. The proposed pool and deck will be substantially similar with several of the homes in the neighborhood due to similar lot size nonconformities.

BOA#04-100157 for lot coverage of 42% in lieu of 35% maximum. To allow for a new single family home.

No active code case.

Staff Analysis

The subject property is substandard in width, it measures 50 feet in width rather than the 75 feet minimum requirement in the RS-2 zoning district and is nonconforming in size at 6,000 square feet which is below the RS-2 minimum lot size of 7,500 square feet. The applicant is proposing to make home improvements that will add a new swimming pool and paver deck. A variance to allow the proposed project is a reasonable request, as the applicant cannot add the additions without exceeding lot coverage approved by the previous variance. Any addition to the property requires an increase of lot coverage. There is a hardship justified by having a nonconforming lot in width and area. Staff would recommend that the application be approved, as this is the minimum variance needed to accomplish the proposed design, and were this a full sized RS-2 lot, the lot coverage would be 40%.



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Minimum Dimensional Standards

- Minimum lot area: Ten thousand (7,500) square feet.
- Minimum lot width: Ninety (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (20) feet.
 - Side yard: Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single-family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in area and width. The property measures 50 feet in width rather than the 75 feet minimum and nonconforming in size at 6,000 square feet, less than the required 7,500 square foot minimum. Additionally, the home was constructed at 39% lot coverage with the approval of BOA#04-100157 at 41% allowable lot coverage.

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

Staff **does not** find that circumstances are not a result of the applicant. The lot is a nonconforming lot of record platted in 1926 and the applicant purchased the property with approved lot coverage of 41% without any rear yard amenities except a small rear patio. Additionally, the applicant purchased the home in 2023.



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

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

Staff finds that the proposed variance **will not** confer special privileges. The request to add a new swimming pool and paver deck to an existing single family home which does not meet the minimum lot width and area for the RS-2 zoning district would not confer a special privilege as compared to other properties in the same zoning district. Similar properties have been granted variances for similar projects.

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 nonconforming area and width of this property, any addition would require a further variance from the RS-2 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. The builder of the home maximized the home size without consideration for future expansion of rear yard accessory uses.

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 to accomplish the proposed design for a pool deck and to retain is for 51% lot coverage in lieu of 35%. Without additional relief the applicant cannot make any improvements to the rear yard.

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

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



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Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#23-100098**

Location Map (property boundaries are representative only)



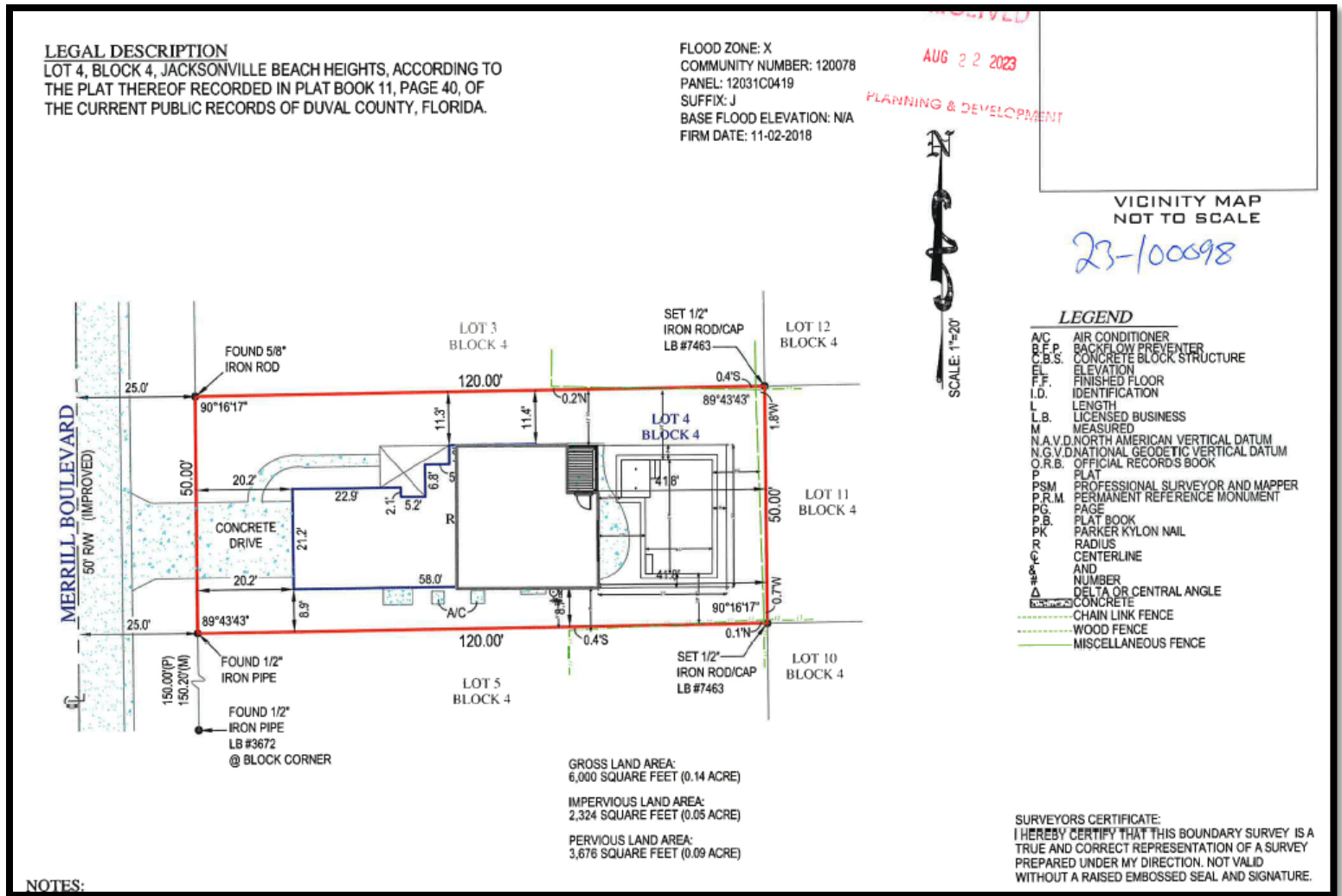
SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A
TRUE AND CORRECT REPRESENTATION OF A SURVEY
PREPARED UNDER MY DIRECTION, NOT VALID
WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

NOTES:



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

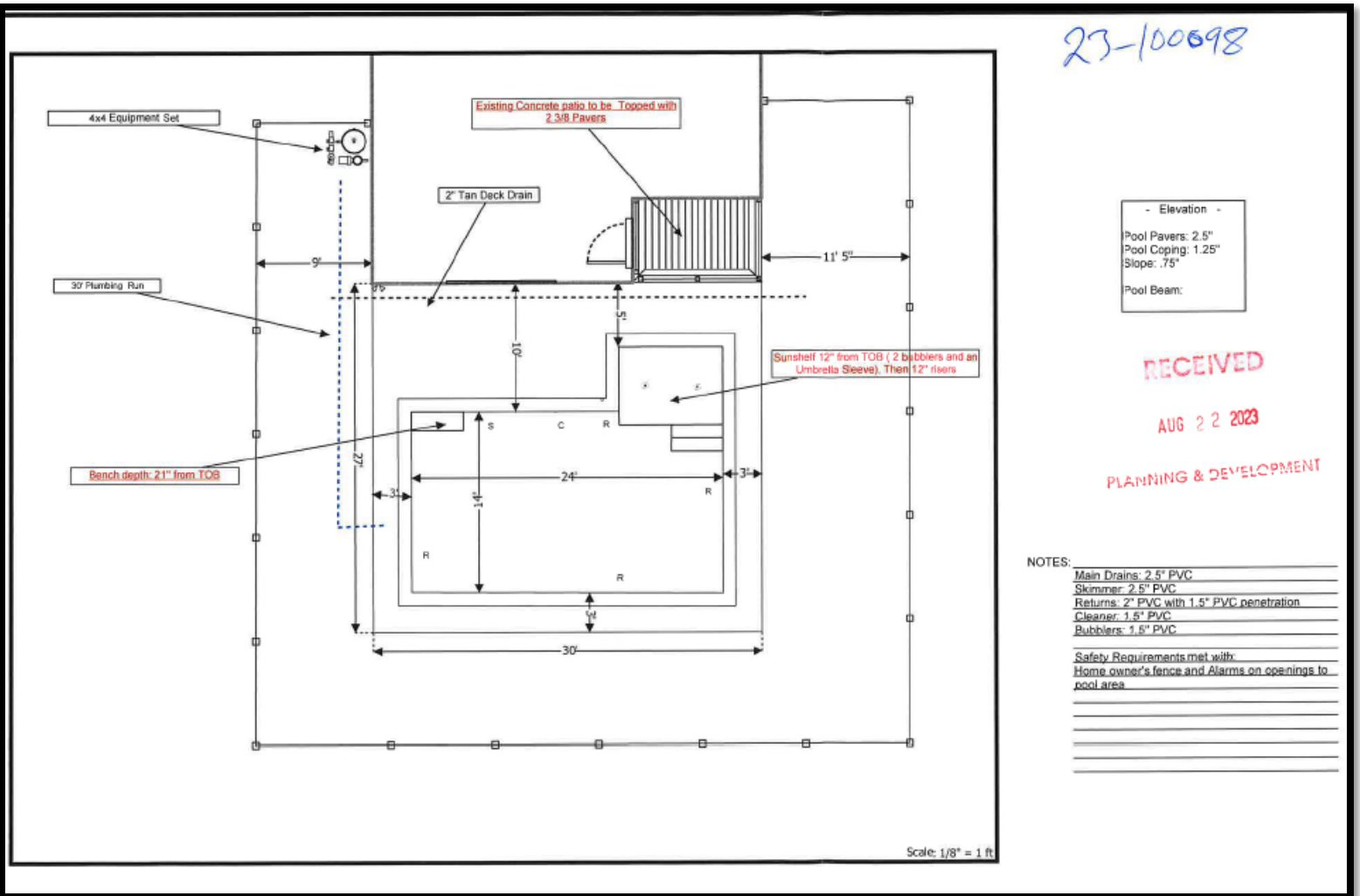
Proposed Site Plan



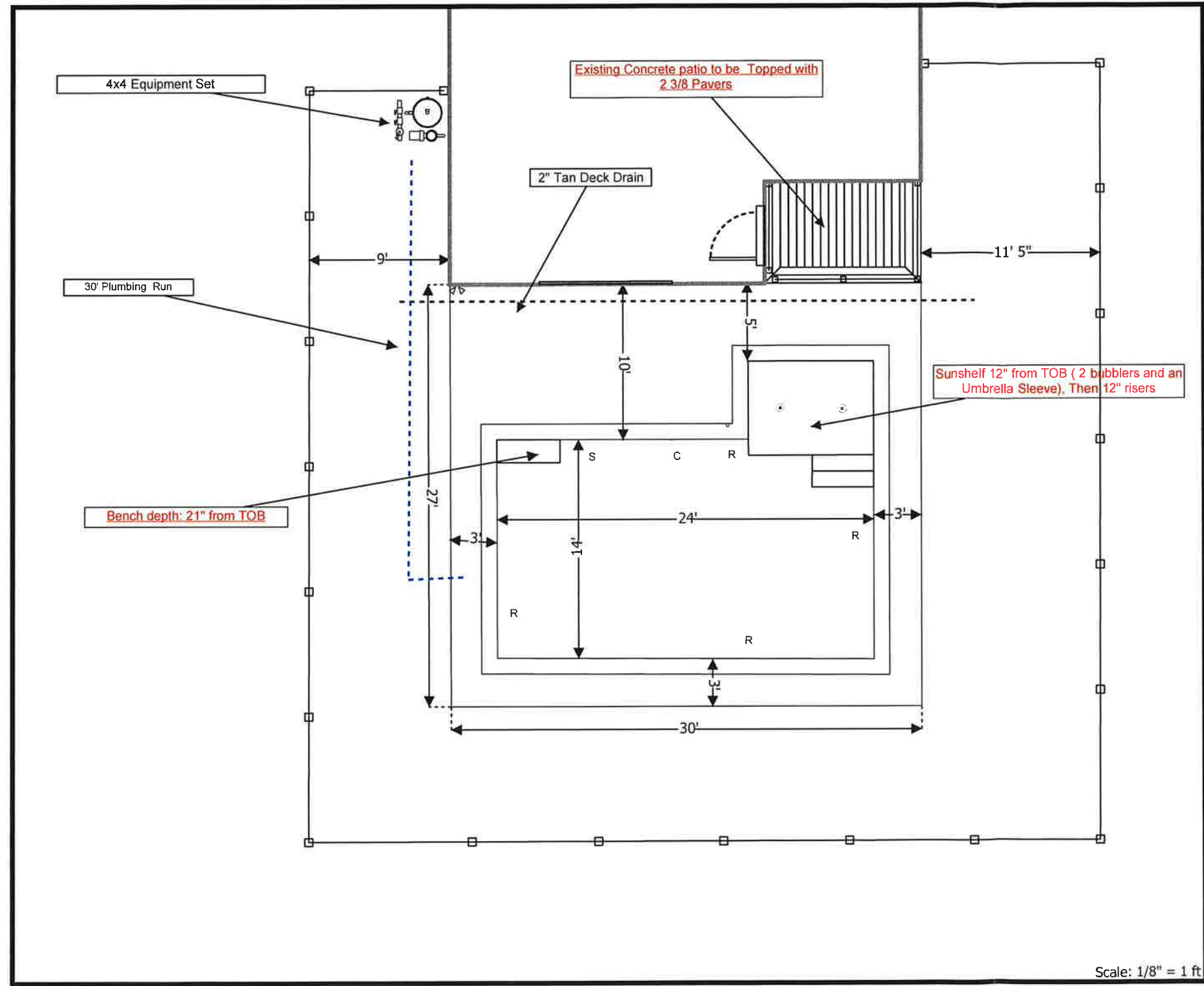


City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Pool & Deck Plan



23-100898



- Elevation -
Pool Pavers: 2.5"
Pool Coping: 1.25"
Slope: .75"
Pool Beam:

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AUG 22 2023
PLANNING & DEVELOPMENT

NOTES:
Main Drains: 2.5" PVC
Skimmer: 2.5" PVC
Returns: 2" PVC with 1.5" PVC penetration
Cleaner: 1.5" PVC
Bubblers: 1.5" PVC
Safety Requirements met with:
Home owner's fence and Alarms on openings to pool area

Pool Specs

SQ FT: 376.25 ft² Perimeter: 86'
Depth: 6' to 3' 5" Gallons: 10,665
Tile: TBD
Grout: TBD
Interior Finish: Mini Pebble

Plumbing

Returns: 4 Skimmers: 1
Cleaner Line: Yes Drains: 0
Water Feature: 2 Bubblers Lights: 1

Deck Spec

Deck: TBD Area: 408.73 ft²
Coping: TBD
Coping Material:
Termite Company:

Equipment

Pool Pump: Sta-rite VS
Filter: STA-RITE PLM 300
Pool Light: 1 IntelliBrite LED
Chlorinator: Intellichlor Cleaner: Pre Plumb IC40
Electrical: Standard

Approval

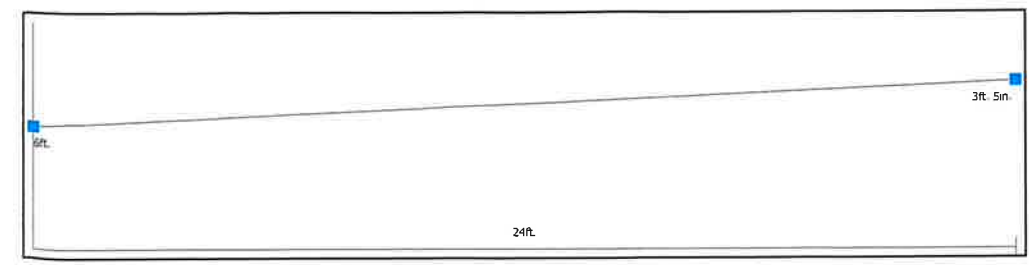
I/we (the undersigned) have reviewed this plan and approve it as correct within reasonable tolerance. I/we understand that any changes made to a shape or to a location may delay the project and/or result in additional cost.

X



Customer Name: Sara Uselman
Phone: _____
Address: _____
City: _____
State: _____
Zip Code: _____
Designer Name: Bradley Thompson

Pool Depth Profile





APPLICATION FOR VARIANCE

BOA No. 23-100098

HEARING DATE 10/17/23

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

REQUIRED DOCUMENTATION

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

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AUG 22 2023

APPLICANT INFORMATION

Applicant Name: Sara Uselman Telephone: 904-805-3800
 Mailing Address: 2599 Merrill Blvd. E-Mail: Sara.uselman@gmail.com
Jacksonville Beach, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____

Landowner Name: Sara Uselman / Erin Richman Telephone: 904-805-3800
 Mailing Address: 2599 Merrill Blvd. E-Mail: Sara.uselman@gmail.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 2599 Merrill Blvd. 180858-0070
 Legal description of property (Attach copy of deed): _____
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Increase max lot coverage from 35% to 51%

AFFIDAVIT

I, Sara Uselman, 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.

Sara Uselman
 APPLICANT SIGNATURE

Sara Uselman
 PRINT APPLICANT NAME

8-22-23
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22 day of August, 2023, by Sara Uselman, who is personally known to me or produced _____ as identification.

Kayla M. Rhoden
 NOTARY PUBLIC SIGNATURE
Kayla M. Rhoden
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2

FLOOD ZONE: X

CODE SECTION (S):

Section(s): 34-337(e)(1)e, for lot coverage of 51% in lieu of 35% maximum, to allow for new swimming pool and paver deck to an existing single-family dwelling for property addressed 2599 Merrill Blvd, RE# 180858-0070, legally described as Lot 4, Block 4, Jacksonville Beach Heights

23-10098

Record & Return to:
Rock Solid Law & Title
220 Ponte Vedra Park Drive #280
Ponte Vedra Beach, Florida 32082

File Number: JM23-1064

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AUG 22 2023

PLANNING & DEVELOPMENT

Warranty Deed

Made this July 14, 2023 A.D. By **Robert Lombardo and Deanna Lombardo f/k/a Deanna Thornton, a married couple**, whose address is: 3548 Waterchase Way E., Jacksonville, Florida 32224, hereinafter called the grantor, to **Erin L. Richman and Sara R. Uselman, a married couple**, whose post office address is: 2599 Merrill Blvd., Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

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

Lot 4, Block 4, JACKSONVILLE BEACH HEIGHTS, according to the Plat thereof recorded in Plat Book 11, Page 40, of the Current Public Records of Duval County, Florida.

Parcel ID Number: **180858-0070**

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

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

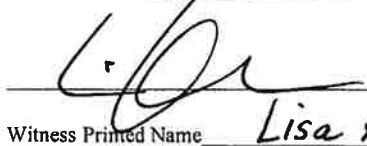
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2022.

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

Signed, sealed and delivered in our presence:



Witness Printed Name Charles W. Unfricht



Witness Printed Name Lisa Krevo



Robert Lombardo (Seal)



Deanna Lombardo f/k/a Deanna Thornton (Seal)

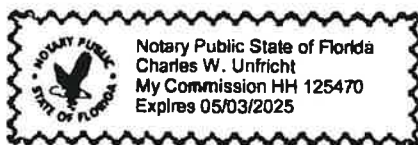
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AUG 22 2023

State of Florida
County of St. Johns

PLANNING & DEVELOPMENT

The foregoing instrument was acknowledged before me by means of physical presence, this 12th day of July, 2023, by Robert Lombardo and Deanna Lombardo f/k/a Deanna Thornton, a married couple, who is/are personally known to me or who has produced Doner's License as identification.





Notary Public
Print Name: _____
My Commission Expires: _____

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100098

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The parcel is a small lot by city of Jax Beach Standards, as are most of the lots in this zoning district. The lot was developed in 2005 with correct structure.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We have not altered the land in any way
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The Variance will not confer b/c all surroundings are undersized.
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	Several homes within the surrounding blocks have maximized lot coverage with pools by obtaining variance. Literal interpretation of ordinance would deprive us of these same privileges.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	minimal decking to ensure the least possible impact
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	Adjacent land will not be impacted

LEGAL DESCRIPTION

LOT 4, BLOCK 4, JACKSONVILLE BEACH HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGE 40, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FLOOD ZONE: X
COMMUNITY NUMBER: 120078
PANEL: 12031C0419
SUFFIX: J
BASE FLOOD ELEVATION: N/A
FIRM DATE: 11-02-2018

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AUG 22 2023
PLANNING & DEVELOPMENT

SCALE: 1"=20'

VICINITY MAP
NOT TO SCALE

23-100098

LEGEND

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

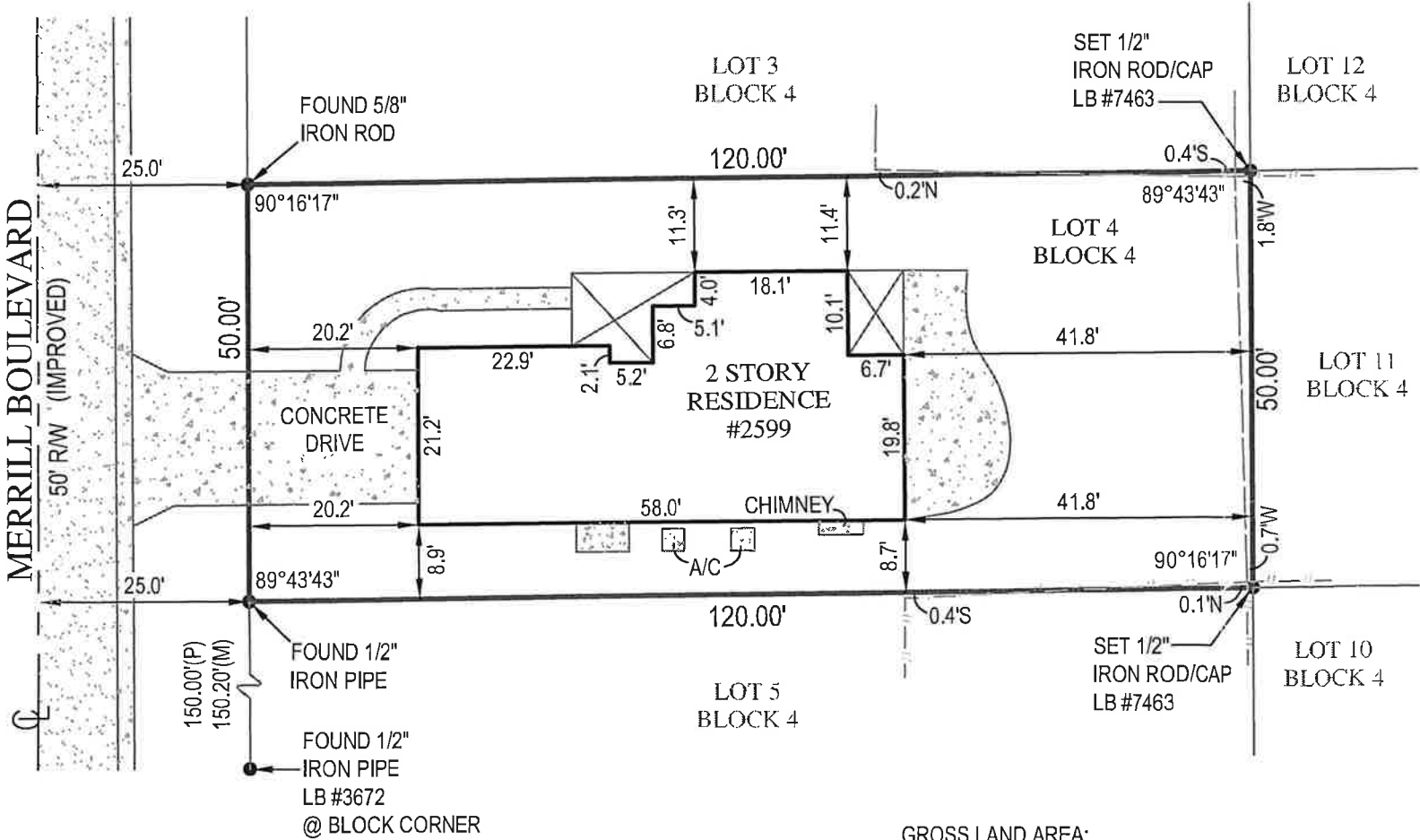
BOUNDARY SURVEY OF
2599 MERRILL BOULEVARD
JACKSONVILLE BEACH, FL. 32250
PREPARED FOR
LISA KREVO

Project	C-596424	Sheet	
Date	07-14-2023		
Scale	1"=20'	1 OF 1	

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

COMPASS
SURVEYING

LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576



GROSS LAND AREA:
6,000 SQUARE FEET (0.14 ACRE)
IMPERVIOUS LAND AREA:
2,324 SQUARE FEET (0.05 ACRE)
PERVIOUS LAND AREA:
3,676 SQUARE FEET (0.09 ACRE)

NOTES:

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

DATE OF FIELD WORK: 07-14-2023
DATE OF MAP: 07-18-2023

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

(SIGNED)
KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

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PLANNING & DEVELOPMENT



SCALE: 1"=20'

VICINITY MAP
NOT TO SCALE

23-100098

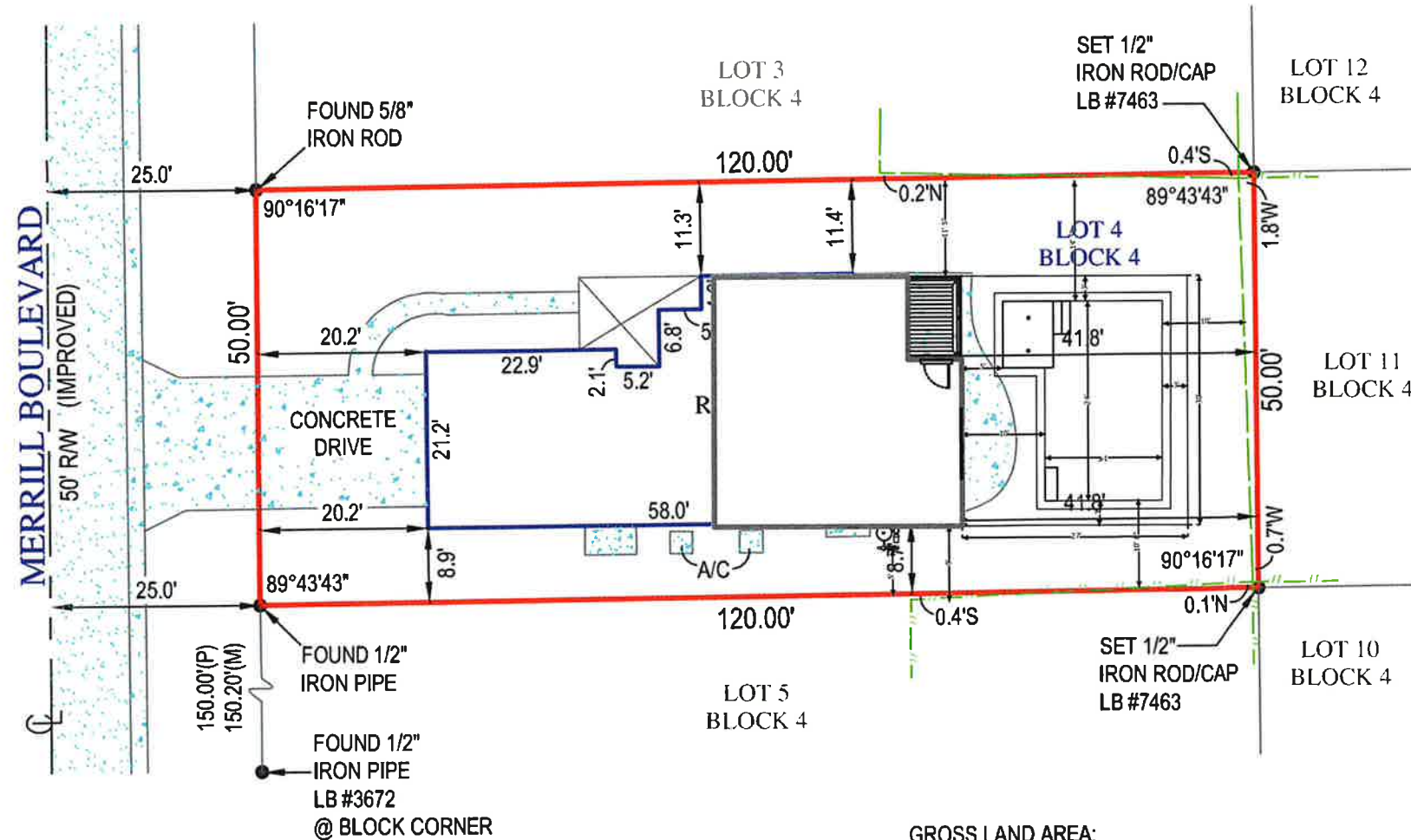
LEGEND

A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
EL.	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLAT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
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CHAIN LINK FENCE	CHAIN LINK FENCE
WOOD FENCE	WOOD FENCE
MISCELLANEOUS FENCE	MISCELLANEOUS FENCE

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(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415



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6,000 SQUARE FEET (0.14 ACRE)
IMPERVIOUS LAND AREA:
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5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.

DATE OF FIELD WORK: 07-14-2023
DATE OF MAP: 07-18-2023

BOUNDARY SURVEY OF
2599 MERRILL BOULEVARD
JACKSONVILLE BEACH, FL. 32250
PREPARED FOR
LISA KREVO

C-596424
07-14-2023
1"=20'
1 OF 1

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

COMPASS
SURVEYING

LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576



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

BOA#23-100099

Zoning: RM-2
RE: 175671-0000
Legal: Lot 7, Block 22, *Pablo Beach South*
Address: 113 S 3rd Ave

Request

Section(s): (RM-2 using RS-3 standards) 34-338(e)1(c)1, for front yard setbacks of 13 feet in lieu of 20 feet maximum, to extend second floor porch area over existing driveway, of an existing two story single family dwelling **for property addressed** 113 S 3rd Ave, **RE#** 175671-0000, **legally described as** Lot 7, Block 22, *Pablo Beach South*

Existing Conditions

The subject property is a nonconforming lot of record (circa 1909) located in the High Density Residential future land use category. The property is currently zoned Residential Multiple Family: RM-2. The lot is 34 feet in width, and 80 feet in depth, with an overall lot area of 2,720 square feet. The subject home was constructed in 2016, the subject lot currently has an existing two story home with brick paver driveway, which do not conform to the current dimensional standards in the RM-2 zoning district. The applicant is applying for this variance, for front yard setbacks of 13 feet in lieu of 20 feet maximum, to extend second floor porch area over existing driveway to an existing two story single family dwelling. The builder was granted a variance at the BOA meeting on March 17th and May 5th 2015. At the March meeting the property was still addressed 107 3rd Ave. The developer was granted a variance for side yard of 4 feet in lieu of 10 feet, for a corner side yard of 10 feet in lieu of 20 feet, for rear yard of 8 feet in lieu of 30 feet, and for 61% lot coverage in lieu of 35%. To allow for two, two-family dwellings. In May of 2015 the applicant was granted a variance for a front yard setback of 10 feet in lieu of 20 feet, for a side yard setback of 4 in lieu of 10 feet, for 8 foot rear yard setback for the two westerly units and 4 foot rear yard setback for the two easterly units in lieu of 30 feet, and for lot coverage of 58% for westerly units and 59% for easterly units in lieu of 35%. Lastly there was a condition that the north west unit provide 20 foot front yard for parking /vehicle use area, to allow for two, two-family dwellings. After completion of the two family dwellings, the property was subsequently divided into 4 separate homes by the developer. The current owner, and applicant for this variance, purchased the newly created, even more nonconforming property in 2016. The two family dwelling was constructed as two single family structures connected by a breezeway.

BOA#15-100017: 34-340(e)(1) c.2, for side yard setback of 4 feet in lieu of 10 feet and for corner side yard of 10 feet in lieu of 20 minimum; 34-340(e)(1)c.3, for rear yard setback of 8 feet in lieu of 30 feet; 34-338(e)(1)c.3, for a rear yard setback of 10 feet in lieu of 30 feet minimum; and 34-338(e)1f, for lot coverage of 61% in lieu of 35% maximum to allow for two, two-family dwellings.



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

BOA#15-100059: 34-340(e)(1) c.1, for front yard of 10 feet in lieu of 20 feet for two easterly units; 34-340(e)(1) c.2, for 4 foot side yards in lieu of 10 feet; 34-340(e)(1) c.3, for 8 foot rear for the westerly units and 4 foot rear for the two easterly units in lieu of 30 feet; 34-340(e)(1)(f), for 58% for westerly units and 59% for easterly units in lieu of 35%, and a condition that the north west unit provide 20 foot front yard for parking /vehicle use area, to allow for two, two-family dwellings.

Staff Analysis

The subject property is substandard in width, it measures 34 feet in width rather than the 60 feet minimum requirement in the RM-2 zoning district and is nonconforming in size at 2,720 square feet. The applicant is proposing to extend second floor porch area over existing driveway to an existing single-family dwelling. This would increase the encroachment into the front yard setback, without adding any additional lot coverage. A variance to allow the proposed project is a reasonable request, as the applicant is not at fault regarding the circumstances existing to the subject parcel of land, as the developer created the conditions that they then sold to the new owner. There is a hardship justified by having a nonconforming lot. The second floor porch area will not lower or impede street visibility and will not reduce room for driveway parking. 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 (6,000) square feet.
- Minimum lot width: Ninety (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (20) feet.
 - Side yard: Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A two-family dwelling structure shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area. Each unit within a duplex structure shall contain a minimum of eight hundred (800) square feet of conditioned living area excluding garage or carport.
- Wall separation. Two-family dwellings shall contain a two (2) hour fire resistant wall between units.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.



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- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in size and width, it is 34 feet in width and 2,720 in lot size. It was originally constructed as a two family dwelling and was subdivided prior to sale.

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

Staff **does not** find that circumstances are a result of the applicant. The applicant purchased the property with the nonconforming conditions. Additionally, it was constructed as a two family dwelling, and was divided into septate dwellings prior to purchase.

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 lowest intensity use for RM-2 is single family. The applicant would not receive any special privilege, but would simply be allowed to utilize their property for the intended use of residential construction. Given the limited size of the lot, the second floor porch area addition would add outside space on smaller lot for single family development without any real rear yard for outdoor enjoyment.

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. If the code were applied literally, the applicant would struggle to meet all the requirements for home size requirements and overall be severely hampered in design as compared to other structures in the RM-2 district additionally all four of these structures suffer from the same nonconforming nature based on the limits placed on each lot by the lot split.



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

Staff does find that the requested variances are the minimum variance needed to accommodate the proposed addition to the exiting property. The minimum variance needed would be to approve the front yard setbacks of 13 feet in lieu of 20 feet maximum, to extend second floor porch area over existing driveway, of an existing two story single family dwelling. Any other outside amenity or addition would also require a variance of some type, and although this does encroach into the front setback, it does not increase the 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#23-100099**

Location Map (property boundaries are representative only)



MAP SHOWING SURVEY OF
THE EASTERLY 34.00 FEET OF THE WESTERLY 74.00' OF THEE
SOUTHERLY 80.00 FEET OF LOTS 7, BLOCK 22, PABLO BEACH
SOUTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

12' ALLEY

75.00'

12.00'

45.00'

LOT 7, EXCEPT THE SOUTH 80.00 FEET

SCALE: 1" = 20'

33.91'(FIELD)
34.00'

SET X-CUT

1.00'

FOUND 1/2" IRON PIPE, 1048

40.00'

SET X-CUT

3.8'

90°00'43"

26.3'

A/C PAD

2 STORY FRAME RESIDENCE #113

80.00'

80.22'(FIELD)

32.2'

40.0'

THE SOUTH 80.00' OF LOT 7 EXCEPT THE EAST 35.0'

2 STORY FRAME RESIDENCE #125

80.00'

80.00'

3.9'

20.3'

12.0'

COVERED SIDEWALK

6.1'

BRICK PAVERS

20.0'

90°43'27"

1.00'

FOUND 1" IRON PIPE, NO CAP

40.00'

89°52'44"

ELECTRIC MANHOLE

47.68'

FOUND CONCRETE MONUMENT, LB 6845

75.03'

1.00'

FOUND 1/2" IRON PIPE, NO CAP

34.00'

34.08'(FIELD)

SET 1/2" IRON PIPE & CAP 'LB 3672"

80' RIGHT OF WAY (FORMERLY GREINER AVENUE)

THIRD (3rd) AVENUE SOUTH

78.37'

FOUND MAG NAIL AND DISK 'LB 3672"

FOUND MAG NAIL

FIRST (1st) STREET SOUTH

50' RIGHT OF WAY

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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THE EASTERLY 34.00 FEET OF THE WESTERLY 74.00' OF THEE
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34.00'

SET X-CUT

1.00'

FOUND 1/2" IRON PIPE, 1048

40.00'

6

90°03'01"

CONCRETE WALL

80.00'

THE SOUTH 80.00' OF LOT 7 EXCEPT THE EAST 35.0'

80.22'(FIELD)

80.00'

2 STORY FRAME RESIDENCE #113

26.3'

A/C PAD

3.8'

30°00'43"

8

40.0'

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80.00'

CONCRETE

52.2'

6.1'

12.0'

CORNER CONCRETE

20.3'

BRICK PAVERS

20.0'

90°18'54"

89°13'22"

80.00'

80.13'(FIELD)

40.00'

FOUND 1" IRON PIPE, NO CAP

89°52'44"

40.00'

ELECTRIC MANHOLE

47.88'

SET 1/2" IRON PIPE & CAP LB 3672"

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Proposed Porch





APPLICATION FOR VARIANCE

BOA NO. 100899
HEARING DATE 10-17-23

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

RECEIVED

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 8 1/2" x 11" 24 2023
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.

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: James Groark Telephone: 856-304-1844
Mailing Address: 113 3rd Ave. S. E-Mail: jgroark1818@comcast.net
Jacksonville Beach, FL 32250
Agent Name: Corinne Groark Telephone: 609-230-0849
Mailing Address: 113 3rd Ave. S. E-Mail: cgroark18@comcast.net
Jacksonville Beach FL 32250
Landowner Name: James & Corinne Groark Telephone: 856-304-1844
Mailing Address: 113 3rd Ave S. E-Mail:
Jacksonville Beach FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 113 3rd Ave. S. Block 22 Lot 7
Legal description of property (Attach copy of deed):
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Front yard setback 13' in lieu of 20'
to extend 2nd floor porch area over existing
driveway and walk

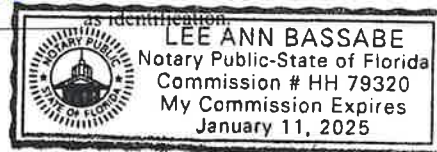
Corinne Groark **AFFIDAVIT**
I, James Groark, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary 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.

James Groark Corinne Groark 8/24/2023
APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24 day of August 2023, by Corinne D. Groark who is personally known to me or produced by FL Drivers License.

Lee Ann Bassabe
NOTARY PUBLIC SIGNATURE
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: Ac/X-Shaded

CODE SECTION(S):
Section(s): (RM-2 using RS-3 standards) 34-338(e)1(c)1, for front yard set backs of 13 feet in lieu of 20 feet maximum, to extend second floor porch area over existing driveway, of an existing two story single family dwelling for property addressed 113 S 3rd Ave, RE# 175671-0000, legally described as Lot 7, Block 22, Pablo Beach South

RECEIVED

AUG 24 2023

RECORDED ELECTRONICALLY
ID: 2016081722 County: Duval
Date: 8/5/2016 Time: 3:23 PM
Copyright: www.e-sign.com 8/5/2016

PLANNING & DEVELOPMENT

Atkins Builders, Inc.
Block 22, Lot 7, 4 units,
Beach & Oak EIT
2215 Beach Street South, Suite 101E
Jacksonville Beach, Florida 32250
E. J. Smith, Esq.

OR BAK 17453 page 899

23-100099

Corporate Warranty Deed

This Indenture, made this 5th day of February, 2016, between Atkins Builders, Inc., a Florida corporation, whose post office address is: P. O. Box 51262, Jacksonville Beach, Florida 32250, Grantor, and James Groark and Corinne Groark, husband and wife, whose post office address is: 26 Silverwood Drive, Delran, New Jersey 08075, Grantee

Witnesseth, that the said Grantor, for and in consideration of the sum of \$565,000.00, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described Land, situate, lying and being in the County of Duval, State of Florida, to wit:

The East 34 feet of the West 74 feet of the South 80 feet of Lot 7, Block 22, Pablo Beach South, a subdivision according to the plat thereof recorded at Plat Book 3, Page 28, in the Public Records of Duval County, Florida.

Parcel Identification No.: 175671-0000

Subject to taxes subsequent to December 31, 2015, covenants, restrictions and easements of record, if any.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Signed and Sealed in Our Presence:

Atkins Builders, Inc., a Florida corporation



Notary Public Signature


Print Notary Name


Notary Public Signature


Print Notary Name

By: 

John Atkins
Its President

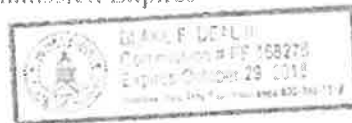
State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 5th day of February, 2016, by John Atkins, the President of Atkins Builders, Inc., a Florida corporation existing under the laws of the State of Florida, on behalf of the corporation, who is personally known to me or has produced a driver's license as identification.



Notary Public
My Commission Expires

Notary Seal



VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 23-100099

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

AUG 24 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	Due to the small size of the lot, it does not allow enough space to enjoy the outdoors. By extending our porch, it would allow for comfortable seating & dining space
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We purchased house as is We do not plan to exceed current % lot coverage approval
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	We only intend on extending porch & railing (not roof) using minimalistic railings to not interfere with our neighbors
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	Each of the other 3 properties that were built together, have more outdoor entertaining space
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	at a depth of 14ft our porch will be able to have comfortable seating as well as dining area
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	we plan to maintain integrity of current style.

23-00099



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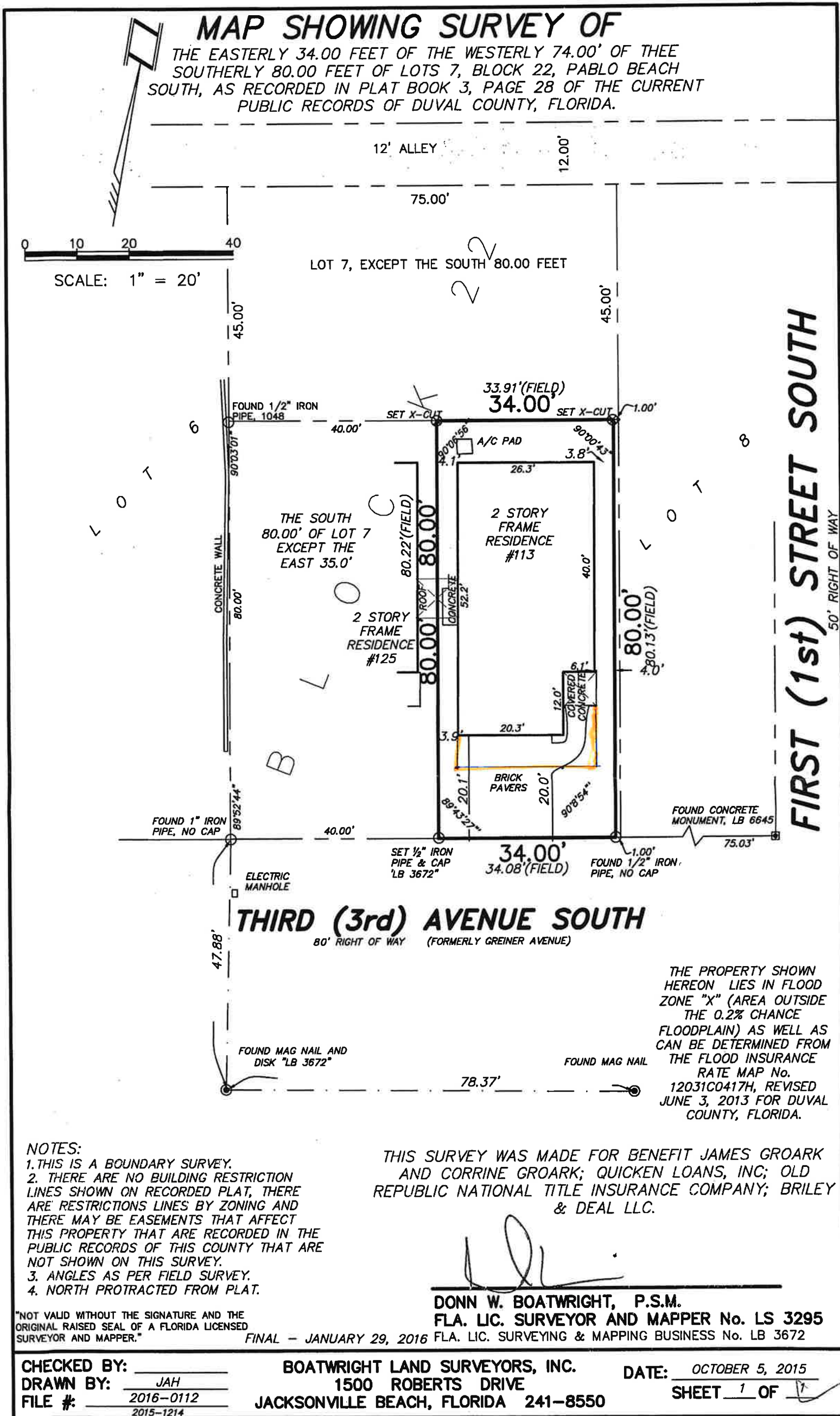
PLANNING & DEVELOPMENT

23-100099



PROPOSED

23-100099



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PLANNING & DEVELOPMENT



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

BOA#23-100100

Zoning: RS-3
RE: 176631-0000
Legal: Lot 5, Block 98 , *Oceanside Park*
Address: 948 Gonzales Ave Lot 5

Request

Section(s): 34-338(e)(1)c(3), for rear yard setback of 20 feet in lieu of 30 feet; and 34-338(e)1(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home **for property addressed** 948 Gonzales Ave Lot 5, **RE#** 176631-0000, **legally described as** Lot 5, Block 98 , *Oceanside Park*

Existing Conditions

The subject property is a nonconforming lot of record (circa 1922), located in the Medium Density Residential future land use category. The property is currently zoned Residential, single-family: RS-3. The subject parcel is 50 feet in width and 87 feet in depth, with a total area of 4,350 square feet. The subject parcel is half of a current double lot (lots 5 & 6, Oceanside Park) which is proposed to be split into the two platted lots of record. The double lot is occupied by a single family dwelling, detached garage, and concrete driveway/walkway surrounding the property. The existing home and accessory structures will be demolished to allow for the construction of the new dwelling. The current home was constructed in 1988. The applicant plans on splitting the subject lot in order a new single family dwelling. The proposed new dwelling will have a total of 50% lot coverage.

BZA#10-88: **Denied;** For 2.8 feet side yard (1.4 feet each side); for 16 feet setback in lieu of 7.4 feet on each side, to face paved street.

No active code cases.

Staff Analysis

The existing structures will be demolished and the split the lot, to allow the applicant to build two new single family dwellings. The subject property, even undivided, is irregular as compared to the surrounding lot pattern. The two lots of record appear to be unique as a result of the intersection of the Oceanside Park plat portion that makes up the upper and lower streets, which form a north / south aligned square, and the remainder of the plat that is aligned with the rest of the city, which follows the diagonal line of the beach. The subject property will be occupied by a new single-family dwelling that will exceed the minimum lot coverage for a lot in the RS-3 Zoning District and required setbacks if approved. The proposed new structure would not meet the rear yard setbacks, and would increase the overall lot coverage to 50% due to the historic nonconforming lots of record being undersized. Although the proposed structure would lot exceeds the minimum lot coverage, this is the minimum variance needed to allow the construction of the proposed new home on a newly split lot 5.



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Minimum Dimensional Standards

(1) Single family dwelling unit.

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear Yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. Garages or carports shall not be included as part of the single-family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject parcel is nonconforming in both width and lot area. The subject parcel is 4,350 square feet and 50 feet in width. The minimum lot area: Six thousand (6,000) square feet and the minimum width is 50 feet.



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

Staff **does not** find that circumstances are a result of the applicant. The subject property is a nonconforming lot of record that represents half of the current parent parcel. Per 34-624, platted lots of record are considered buildable per the LDC, so the split of the parent parcel into the two platted lots is allowed by the LDC and the two created lots are nonconforming in size, and we platted in 1922.

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

Staff **does** find that the proposed variance will confer special privileges. The proposed structure will supersede minimum lot coverage, and could be constructed smaller, as the minimum home size is 1,200 square feet with a garage or carport and a minimum of two parking spaces. 35% of the platted lot would be 1,522 square feet and could accommodate a smaller house and driveway, within the required setbacks, but may result in a future variance, should the new owner desire any rear yard amenities.

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

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. It is possible for the applicant to build a single family dwelling with associated car port and driveway within the specified lot coverage and setbacks.

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

Staff **does not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The applicant is able to construct the new home much smaller in order to meet land development code minimum standards for lot coverage and rear yard setback as required by the RS-3 zoning district.

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

Staff **does** believe the request is consistent with the comprehensive plan. The applicant does not meet land development codes but does meet the comprehensive plan with regards to use and density in the medium density residential future land use.



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Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends
DENIAL of BOA#23-100100

Location Map (property boundaries are comprehensive only)



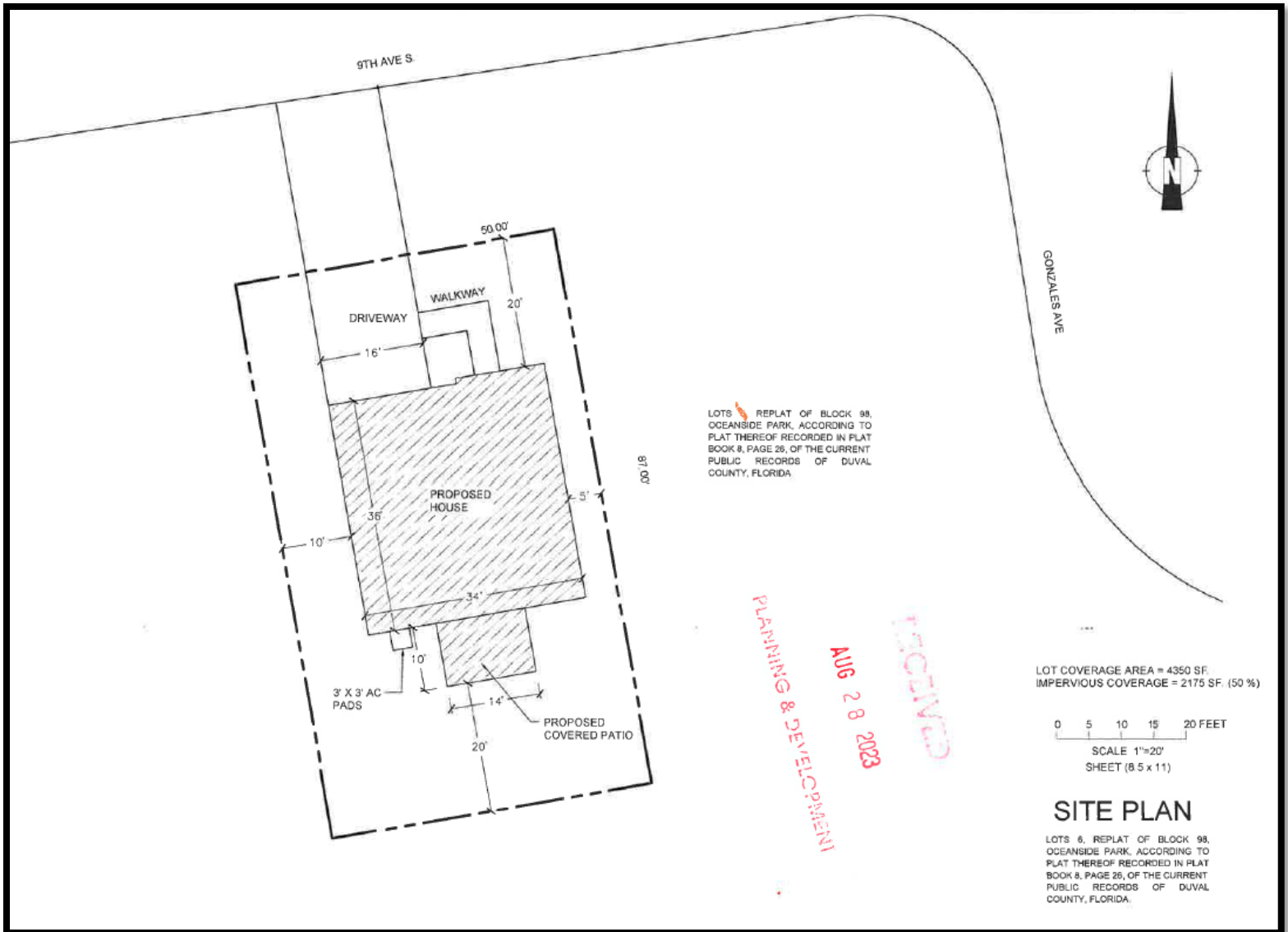
SURVEY NUMBER: FL2308.2106

LINE TABLE:
 L1 50.00' (P)
 S 79°56'48" W 50.00' (M)

SURVEYOR'S NOTES:
 FENCE OWNERSHIP NOT DETERMINED.

GRAPHIC SCALE (In Feet)
 1 inch = 30' ft.

Proposed Survey





APPLICATION FOR VARIANCE

BOA NO. 23-100/000

HEARING DATE 10-17-23

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

REQUIRED DOCUMENTATION

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

APPLICANT INFORMATION

Applicant Name: Anthony Simonetta Telephone: (904) 838-1265
Mailing Address: 637 South Pokeberry PL E-Mail: viptwo@yahoo.com
Jacksonville FL 32259

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

Landowner Name: LAS Holdings LLC Telephone: (904) 333-7873
Mailing Address: 19 12th St South E-Mail: RE904@icloud.com
Jacksonville Beach FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 948 Gonzales Ave, Jacksonville Beach FL 32250

Legal description of property (Attach copy of deed): Oceanside Park Lot 5, Block 98

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

Rear yard setback of 20' in lieu of 30'

Lot coverage of 50% in lieu of 35%

AFFIDAVIT

I, Anthony Simonetta, 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

Anthony Simonetta

PRINT APPLICANT NAME

DATE 8/23/23

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of August 23rd, 2023, by Anthony Simonetta, who is personally known to me or produced _____ as identification.

NOTARY PUBLIC SIGNATURE

Ryan Wetherhold
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3

FLOOD ZONE: X

CODE SECTION (s):

Section(s): 34-338(e)(1)c(3), for rear yard set back of 20 feet in lieu of 30 feet; and 34-338(e)(1)(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home for property addressed 948 Gonzales Ave Lot 5, RE# 176631-0000, legally described as Lot 5, Block 98, Oceanside Park

U.S. Department of Housing and Urban Development

23-1000/200

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Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following:

- HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services;
- Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate;
- Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

Settlement Charges		
700. Total First Mortgage Settlement Fees	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
701. Division of commission (line 700) as follows:		
702.		
703. Commission paid at settlement		
704. Brokerage Fee to Engel & Volkers First Coast		
800. Items Payable in Connection with Loan		
801. Our origination charge		
802. Your credit or charge (points) for the specific interest rate chosen		
803. Appraisal fee		
804. Credit report		
805. Tax service		
806. Flood certification		
807.		
808.		
809.		
810.		
900. Items Requested by Lender to be Paid in Advance		
901. Daily interest charges from 08/23/2023 to 09/01/2023		
902. Mortgage Insurance premium		
903. Homeowner's Insurance		
904.		
1000. Reserves Deposited with Lender		
1001. Initial deposit for your escrow account		
1002. Homeowner's Insurance		
1003. Mortgage Insurance		
1004. Property taxes		
1005.		
1006.		
1007. Aggregate Adjustment \$0.00		
1100. Title Charges		
1101. Settlement or closing fee to Ponte Vedra Title, LLC		
1102. Owner's title insurance to First American Title Insurance Company		
1103. Lender's title insurance to First American Title Insurance Company		
1104. Lender's title policy limit \$		
1105. Owner's title policy limit \$625,000.00		
1106. Title - Settlement Fee to Ponte Vedra Title, LLC		
1107.		
1108.		
1109. Title - Title Search Fee to First American Title Insurance Company		
1200. Government Recording and Transfer Charges		
1201. Recording fees: Deed \$18.50 Mortgage \$ Release \$ to Clerk of Court		
1202. City/County tax/stamps Deed \$ Mortgage \$		
1203. State tax/stamps Deed \$4,375.00 Mortgage \$ to Clerk of Court		
1204. Recording Fee: Trust Cert.		
1300. Additional Settlement Charges		
1301.		
1302. Municipal Lien Report to City of Jax Beach - Pd In Adv by PVT		
1303. Survey Fee to Exacta Land Surveyors, LLC		
1304.		
1305. Escrowed Funds for Post-Occupancy Agmt (from TC proceeds) to Ponte Vedra Title Escrow Account		
1306.		
1307. Net Proceeds to Seller to Thomas Harold Courson		
1308. Net Proceeds to Seller to Michael John Courson		
1309.		
1310.		
1400. Total Settlement Charges (enter on File 103, Section J and 502, Section K)		

See signature addendum

REC'D
AUG 28 2023
TRAINING & DEVELOPMENT

Signature Addendum

LAS Holdings LLC, a Florida Limited Liability Company

By: Anthony J. Simonetta

datloop verified
08/22/23 2:14 PM EDT
A7064QDB B0MAB CBEU

Anthony J. Simonetta, Manager

Michael J. Courson 8/18/23
Date
Michael John Courson

Thomas Harold Courson 8/18/23
Date
Thomas Harold Courson

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

8/23/23

Date

3

JOB SPECIFIC SURVEYOR NOTES:

THE ASSUMED BEARING REFERENCE OF SOUTH 79 DEGREES 56 MINUTES 48 SECONDS WEST IS BASED ON THE SOUTHERLY PROPERTY LINE OF LOT 5 AND 6, LOCATED WITHIN REPLAT OF BLOCK 98, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 26 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

23-1001000

LEGAL DESCRIPTION:

LOTS 5 AND 6, REPLAT OF BLOCK 98, OCEANSIDE PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 26, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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GENERAL SURVEYOR NOTES:

- The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the Title Commitment Number is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
- The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
- If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
- This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
- Alterations to this survey map and report by other than the signing surveyor are prohibited.
- Dimensions are in feet and decimals thereof.
- Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
- Unless otherwise noted "SIRC" indicates a Set Iron Rebar with a Cap stamped LB#8291, a minimum half inch in diameter and eighteen inches long.
- If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter 5J17.062 (3) of the Florida Administrative Code and Florida Statute 472.025. The Electronic Signature File related to this document is prominently displayed on the invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor.
- The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
- Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
- Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
- The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
- Pursuant to F.S. 558.0035, an individual employee or agent may not be held individually liable for negligence.
- Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.

SURVEYOR'S LEGEND

LINETYPES	
	Boundary Line
	Center Line
	Chain Link or Wire Fence
	Easement
	Edge of Water
	Iron Fence
	Overhead Lines
	Structure
	Survey Tie Line
	Vinyl Fence
	Wall or Party Wall
	Wood Fence
SURFACE TYPES	
	Asphalt
	Brick or Tile
	Concrete
	Covered Area
	Water
	Wood
SYMBOLS	
	Benchmark
	Center Line
	Central Angle or Delta
	Common Ownership
	Control Point
	Catch Basin

Symbol	Elevation
	Fire Hydrant
	Find or Set Monument
	Guywire or Anchor
	Manhole
	Tree
	Utility or Light Pole
	Well

ABBREVIATIONS

(C) - Calculated	C/P - Covered Porch
(D) - Deed	C/S - Concrete Slab
(F) - Field	CATV - Cable TV Riser
(M) - Measured	CB - Concrete Block
(P) - Plat	CH - Chord Bearing
(R) - Record	CHIM - Chimney
(S) - Survey	CLF - Chain Link Fence
A/C - Air Conditioning	CME - Canal Maintenance Easement
AE - Access Easement	CO - Clean Out
ANE - Anchor Easement	CONC - Concrete
ASBL - Accessory Setback Line	COR - Corner
B/W - Bay/Box Window	COR/W - Concrete Sidewalk
BC - Block Corner	CUE - Control Utility Easement
BFP - Backflow Preventer	CVG - Concrete Valley Gutter
BLDG - Building	D/W - Driveway
BLK - Block	DE - Drainage Easement
BM - Benchmark	DF - Drain Field
BR - Bearing Reference	DH - Drill Hole
BRL - Building Restriction Line	DUE - Drainage & Utility Easement
BSMT - Basement	ELEV - Elevation
C - Curve	EM - Electric Meter
C/L - Center Line	ENCL - Enclosure
	ENT - Entrance
	EOP - Edge of Pavement
	EOW - Edge of Water
	ESMT - Easement
	EUB - Electric Utility Box
	F/DH - Found Drill Hole
	FCM - Found Concrete Monument
	FF - Finished Floor
	FIP - Found Iron Pipe
	FIPC - Found Iron Pipe & Cap

FIR - Found Iron Rod	ORB - Official Records Book
FIRC - Found Iron Rod & Cap	ORV - Official Record Volume
FN - Found Nail	O/A - Overall
FN&D - Found Nail & Disc	O/S - Offset
FRRSPK - Found Rail Road Spike	OFF - Outside Subject Property
GAR - Garage	OH - Overhang
GM - Gas Meter	OHL - Overhead Utility Lines
ID - Identification	OHWL - Ordinary High Water Line
IE/EE - Ingress/Egress Easement	ON - Inside Subject Property
ILL - Illegible	P/E - Pool Equipment
INST - Instrument	PB - Plat Book
INT - Intersection	PC - Point of Curvature
IRRE - Irrigation Easement	PCC - Point of Compound Curvature
L - Length	PCP - Permanent Control Point
LAE - Limited Access Easement	PI - Point of Intersection
LB# - License No. (Business)	PLS - Professional Land Surveyor
LBE - Limited Buffer Easement	PLT - Planter
LE - Landscape Easement	POB - Point of Beginning
LME - Lake/Landscape Maintenance Easement	POC - Point of Commencement
LS# - License No. (Surveyor)	PRC - Point of Reverse Curvature
MB - Map Book	PRM - Permanent Reference Monument
ME - Maintenance Easement	PSM - Professional Surveyor & Mapper
MES - Mitered End Section	PT - Point of Tangency
MF - Metal Fence	PUE - Public Utility Easement
MH - Manhole	R - Radius or Radial
MHWL - Mean High Water Line	R/W - Right of Way
NR - Non-Radial	RES - Residential
NTS - Not to Scale	RGE - Range
NAVD88 - North American Vertical Datum 1988	ROE - Roof Overhang Easement
NGVD29 - National Geodetic Vertical Datum 1929	RP - Radius Point
OG - On Ground	

S/W - Sidewalk	SBL - Setback Line
SCL - Survey Closure Line	SCR - Screen
SEC - Section	SEP - Septic Tank
SEW - Sewer	SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement	SN&D - Set Nail and Disc
SQFT - Square Feet	STL - Survey Tie Line
STY - Story	SV - Sewer Valve
SWE - Sidewalk Easement	TBM - Temporary Bench Mark
TEL - Telephone Facilities	TOB - Top of Bank
TUE - Technological Utility Easement	TWP - Township
TX - Transformer	TYP - Typical
UE - Utility Easement	UG - Underground
UP - Utility Pole	UR - Utility Riser
VF - Vinyl Fence	W/C - Witness Corner
W/F - Water Filter	WF - Wood Fence
WM - Water Meter/Valve Box	WV - Water valve

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-1001000

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	THIS IS A PLATTED LOT OF RECORD THAT IS MUCH SHALLOWER THAN CODE REQUIRES
Special circumstances and conditions do not result from the actions of the applicant.	YES	THIS IS A PLATTED LOT OF RECORD PRIOR TO THE CURRENT LAND DEVELOPMENT CODE
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 WOULD BE CONSISTENT WITH OTHER VARIANCES GRANTED TO THE SAME PARCELS ALL ACROSS THE CITY
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	IT WOULD BE IMPOSSIBLE TO MEET CODE REQUIREMENTS AND BUILD WITHIN REASON
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	YES THIS REQUEST IN VERY CONSERVATIVE AND FAIR
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	A NEW HOME WOULD BE CONSISTENT WITHIN THE OVERALL NEIGHBORHOOD, MORE THAN ADEQUATE PARKING IS ALLOCATED



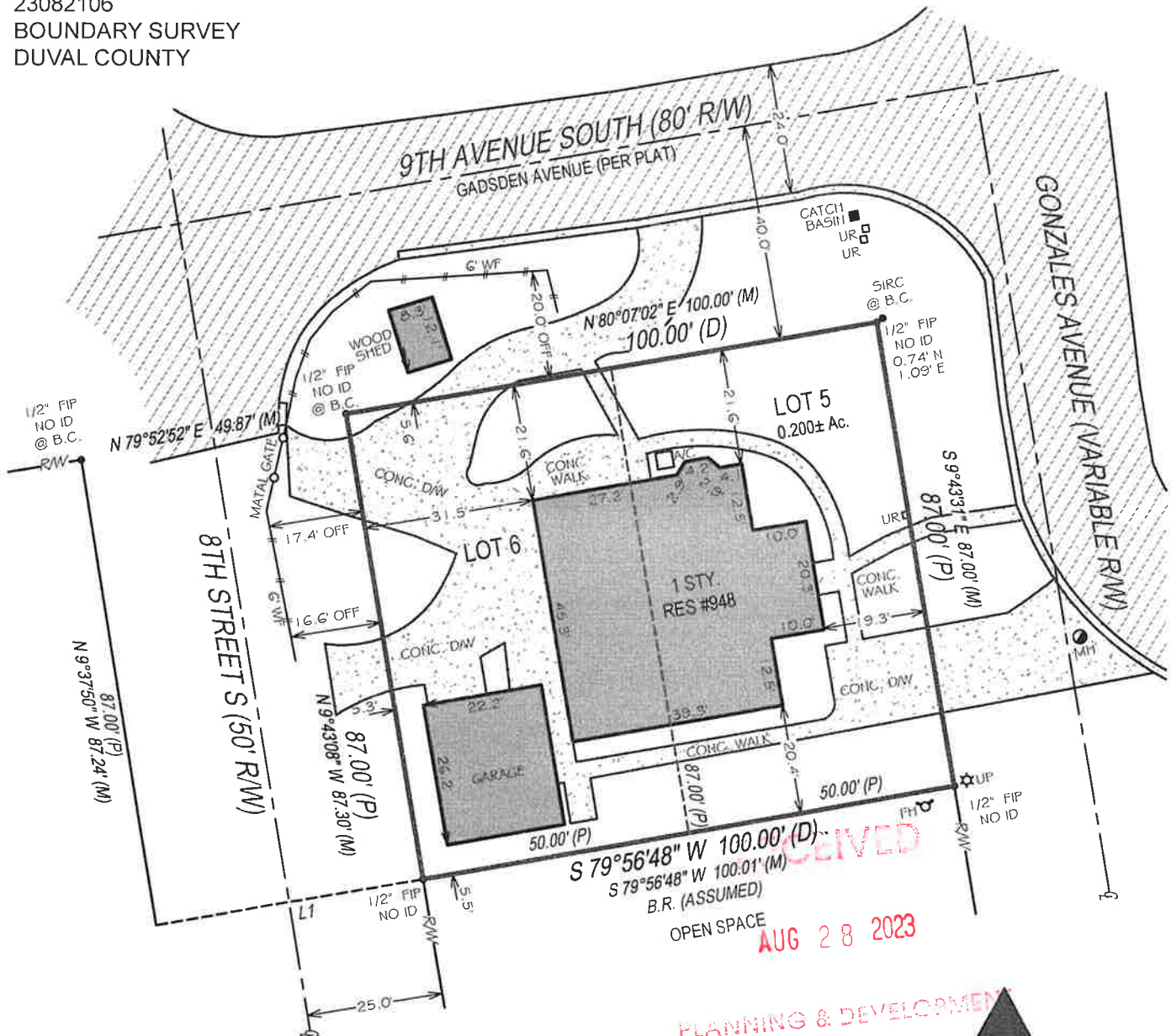
www.exactaland.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 948 GONZALES AVENUE, JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL2308,2106

23082106
BOUNDARY SURVEY
DUVAL COUNTY



LINE TABLE:
L1 50.00' (P)
S 79°56'48" W 50.00' (M)

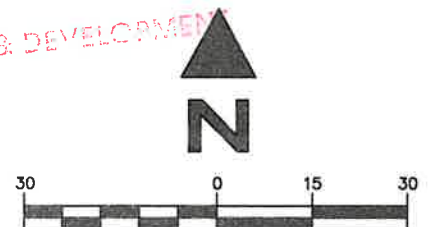
SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.

SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands

POINTS OF INTEREST:

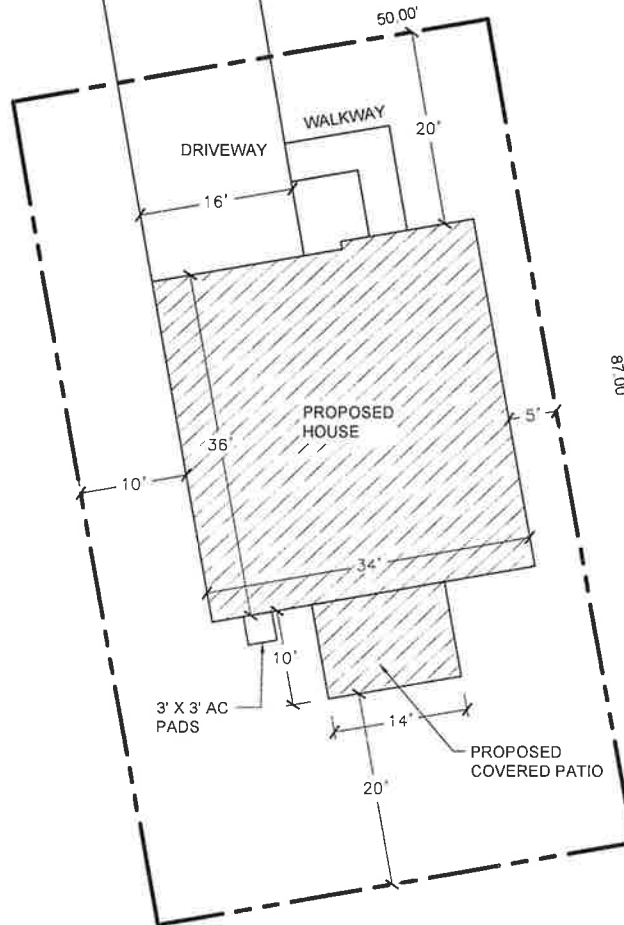
NONE VISIBLE



GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

9TH AVE S.

GONZALES AVE



LOTS 6, REPLAT OF BLOCK 98,
OCEANSIDE PARK, ACCORDING TO
PLAT THEREOF RECORDED IN PLAT
BOOK 8, PAGE 26, OF THE CURRENT
PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

PLANNING & DEVELOPMENT

AUG 28 2023

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LOT COVERAGE AREA = 4350 SF.
IMPERVIOUS COVERAGE = 2175 SF. (50 %)

0 5 10 15 20 FEET

SCALE 1"=20'
SHEET (8.5 x 11)

SITE PLAN

LOTS 6, REPLAT OF BLOCK 98,
OCEANSIDE PARK, ACCORDING TO
PLAT THEREOF RECORDED IN PLAT
BOOK 8, PAGE 26, OF THE CURRENT
PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

23-100000

23-

Danevsky Joseph

From: Building Inspection Division
Sent: Tuesday, October 3, 2023 11:44 AM
To: 'Kaz@achllc.net'
Cc: Danevsky Joseph
Subject: RE: Online Form Submission #22995 for Address Assignment Application

Good Morning Kaz,

If the variances get approved at the upcoming BOA meeting, the preliminary addresses are

Lot 5= 786 S 9th Ave (BOA#23-100100)

Lot 6= 740 S 9th Ave (BOA#23-100101)

Thanks,
Chandra Medford
Permit Administrator
904-247-6235

 **FILE COPY**

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, October 2, 2023 9:39 PM
To: Building Inspection Division <buildinginspection@jaxbchfl.net>
Subject: Online Form Submission #22995 for Address Assignment Application

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

Address Assignment Application

Request Type	Apply for New Address
Reason for Request	Construct a new building on a parcel with no address, Other
Additional Description	tear down current structure and build on lots 5 & 6
Current Use of Property	One or Two-Family Residential
Boundary Survey	7xx 9th Ave S 32250 Lot 5 Plot Plan.pdf
Proposed Use of Property	One or Two-Family Residential
Site Plan	7xx 9th Ave S 32250 Lot 6 Plot Plan.pdf
Property Owner of Record	H & H Seaside Development



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

BOA#23-100101

Zoning: RS-3
RE: 176631-0000
Legal: Lot 6, Block 98 , *Oceanside Park*
Address: 948 Gonzales Ave Lot 6

Request

Section(s): 34-338(e)(1)c(3), for rear yard setback of 20 feet in lieu of 30 feet; and 34-338(e)1(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home **for property addressed** 948 Gonzales Ave Lot 6, **RE#** 176631-0000, **legally described as** Lot 6, Block 98 , *Oceanside Park*

Existing Conditions

The subject property is a nonconforming lot of record (circa 1922), located in the Medium Density Residential future land use category. The property is currently zoned Residential, single-family: RS-3. The subject parcel is 50 feet in width and 87 feet in depth, with a total area of 4,350 square feet. The subject parcel is half of a current double lot (lots 5 & 6, Oceanside Park) which is proposed to be split into the two platted lots of record. The double lot is occupied by a single family dwelling, detached garage, and concrete driveway/walkway surrounding the property. The existing home and accessory structures will be demolished to allow for the construction of the new dwelling. The current home was constructed in 1988. The applicant plans on splitting the subject lot in order a new single family dwelling. The proposed new dwelling will have a total of 50% lot coverage

BZA#10-88: **Denied;** For 2.8 feet side yard (1.4 feet each side); for 16 feet setback in lieu of 7.4 feet on each side, to face paved street.

No active code cases.

Staff Analysis

The existing structures will be demolished and the split the lot, to allow the applicant to build two new single family dwellings. The subject property, even undivided, is irregular as compared to the surrounding lot pattern. The two lots of record appear to be unique as a result of the intersection of the Oceanside Park plat portion that makes up the upper and lower streets, which form a north / south aligned square, and the remainder of the plat that is aligned with the rest of the city, which follows the diagonal line of the beach. The subject property will be occupied by a new single-family dwelling that will exceed the minimum lot coverage for a lot in the RS-3 Zoning District and required setbacks if approved. The proposed new structure would not meet the rear yard setbacks, and would increase the overall lot coverage to 50% due to the historic nonconforming lots of record being



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undersized. Although the proposed structure would not exceed the minimum lot coverage, this is the minimum variance needed to allow the construction of the proposed new home on a newly split lot 6.

Minimum Dimensional Standards

(1) Single family dwelling unit.

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear Yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. Garages or carports shall not be included as part of the single-family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.



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Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject parcel is nonconforming in both width and lot area. The subject parcel is 4,350 square feet and 50 feet in width. The minimum lot area: Six thousand (6,000) square feet and the minimum width is 50 feet.

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

Staff does not find that circumstances are a result of the applicant. The subject property is a nonconforming lot of record that represents half of the current parent parcel. Per 34-624, platted lots of record are considered buildable per the LDC, so the split of the parent parcel into the two platted lots is allowed by the LDC and the two created lots are nonconforming in size, and we platted in 1922.

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

Staff does find that the proposed variance will confer special privileges. The proposed structure will supersede minimum lot coverage, and could be constructed smaller, as the minimum home size is 1,200 square feet with a garage or carport and a minimum of two parking spaces. 35% of the platted lot would be 1,522 square feet and could accommodate a smaller house and driveway, within the required setbacks, but may result in a future variance, should the new owner desire any rear yard amenities.

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

Staff does not find that literal interpretation of the code would deprive the applicant of rights and privileges. It is possible for the applicant to build a single family dwelling with associated car port and driveway within the specified lot coverage and setbacks.

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

Staff does not find that the requested variances are the minimum variance needed to accommodate the proposed new home. The applicant is able to construct the new home much smaller in order to meet land development code minimum standards for lot coverage and rear yard setback as required by the RS-3 zoning district.



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

Staff **does** believe the request is consistent with the comprehensive plan. The applicant does not meet land development codes but does meet the comprehensive plan with regards to use and density in the medium density residential future land use.

Staff Recommendation

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

DENIAL of BOA#23-100101

Location Map (property boundaries are comprehensive only)



SURVEY NUMBER: FL2308.2106

23082106
BOUNDARY SURVEY
DUVAL COUNTY

9TH AVENUE SOUTH (80' R/W)
GARDEN AVENUE (PER PLAT)

LOT 5
0.200± Ac.

LOT 6

1STY. RES #348

GARAGE

WOOD SHED

CATCH BASIN

8TH STREET S (50' R/W)

GONZALES AVENUE (VARIABLE R/W)

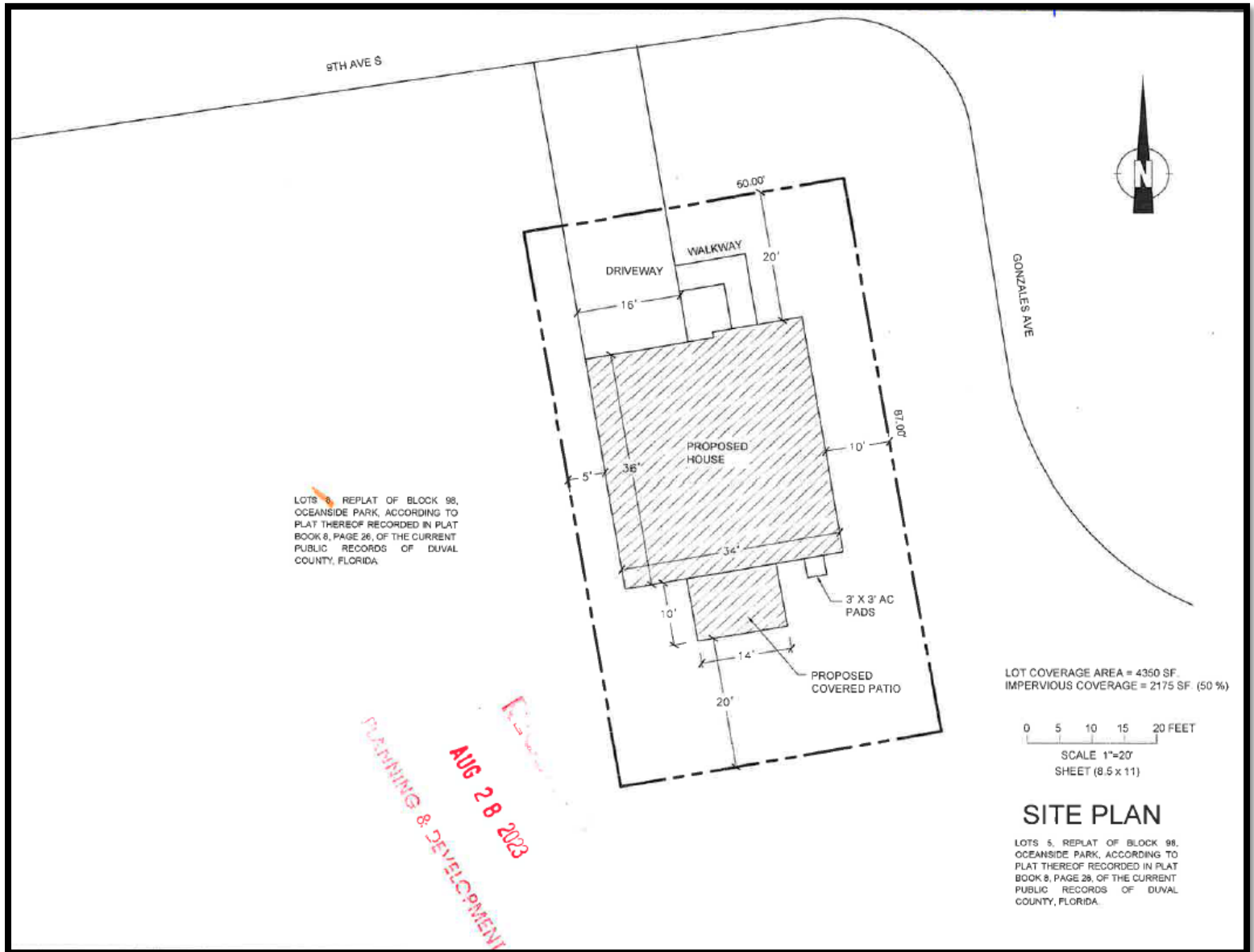
LINE TABLE:
L1 50.00' (P)
S 79°56'48" W 50.00' (M)

SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.

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GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

Proposed Survey





APPLICATION FOR VARIANCE

BOA No.

23-100101

HEARING DATE

10/17/23

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

REQUIRED DOCUMENTATION

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

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AUG 28 2023

APPLICANT INFORMATION

Applicant Name: Anthony Simonetta **Telephone:** (904) 838-1265
Mailing Address: 637 South Pokeberry PL **E-Mail:** viptwo@yahoo.com
Jacksonville FL 32259
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: LAS Holdings LLC **Telephone:** (904) 333-7873
Mailing Address: 19 12th St South **E-Mail:** RE904@icloud.com
Jacksonville Beach FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 948 Gonzales Ave, Jacksonville Beach FL 32250

Legal description of property (Attach copy of deed): Oceanside Park Lot 6, Block 98

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

Rear yard setback of 20' in lieu of 30'

Lot coverage of 50% in lieu of 35%

AFFIDAVIT

I, Anthony Simonetta, 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

Anthony Simonetta

PRINT APPLICANT NAME

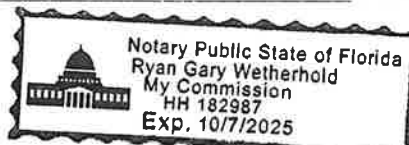
DATE

6/23/23

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of August 23rd, 2023, by Anthony Simonetta, who is personally known to me or produced _____ as identification.

Ryan Wetherhold
 NOTARY PUBLIC SIGNATURE
Ryan Wetherhold



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3

FLOOD ZONE: X

CODE SECTION (s):

Section(s): 34-338(e)(1)c(3), for rear yard set back of 20 feet in lieu of 30 feet; and 34-338(e)(1)(e) for lot coverage of 50% in lieu of 35% maximum to allow for a new single family home for property addressed 948 Gonzales Ave Lot 6, RE# 176631-0000, legally described as Lot 6, Block 98, Oceanside Park

A. Settlement Statement

U.S. Department of Housing and Urban Development

OMB Approval No 2502-0265

23-100101

B. Type of Loan					
1. ☐ FHA	2. ☐ RHS	3. ☐ Conv. Unins.	6. File No. 23-1602	7. Loan No.	8. Mortgage Insurance Case No.
4. ☐ VA	5. ☐ Conv Ins.				
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.					
D. Name & Address of Borrower: LAS Holdings LLC 637 South Pokeberry Place Jacksonville, FL 32259		E. Name & Address of Seller: Michael John Courson and Thomas Harold Courson 725 10th Avenue South Jacksonville Beach, FL 32250		F. Name & Address of Lender:	
G. Property Location: 948 Gonzales Avenue Jacksonville Beach, FL 32250		H. Settlement Agent: Ponte Vedra Title, LLC Place of Settlement: 50 A1A North, Suite 108 Ponte Vedra Beach, FL 32082		I. Settlement Date: 08/23/2023 Funding Date: 08/23/2023 Disbursement Date: 08/23/2023	
J. Summary of Borrower's Transactions			K. Summary of Seller's Transactions		
100. Gross Amount Due from Borrower 101. Contract sales price 102. Personal property 103. Settlement charges to borrower (line 1400) 104. 105. Adjustment for items paid by seller in advance 106. City/Town Taxes 107. County Taxes 108. Assessments 109. 110. 111. 112. 120. Gross Amount Due from Borrower 200. Amount Paid by or In Behalf of Borrower 201. Deposit 202. Principal amount of new loan(s) 203. Existing loan(s) taken subject to 204. 205. 206. 207. 208. 209. Adjustments for items unpaid by seller 210. City/Town Taxes 211. County Taxes 01/01/2023 to 08/23/2023 212. Assessments 213. 214. 215. 216. 217. 218. 219. 220. Total Paid by/for Borrower 300. Cash at Settlement from/to Borrower 301. Gross amount due from borrower (line 120) 302. Less amounts paid by/for borrower (line 220) 303. Cash ☒ From ☐ To Borrower			400. Gross Amount Due to Seller 401. Contract sales price 402. Personal property 403. 404. 405. Adjustment for items paid by seller in advance 406. City/Town Taxes 407. County Taxes 408. Assessments 409. 410. 411. 412. 420. Gross Amount Due to Seller 500. Reductions in Amount Due to Seller 501. Excess deposit (see instructions) 502. Settlement charges to seller (line 1400) 503. Existing loan(s) taken subject to 504. Payoff of First Mortgage 505. Payoff of Second Mortgage 506. 507. 508. 509. Adjustments for items unpaid by seller 510. City/Town Taxes 511. County Taxes 01/01/2023 to 08/23/2023 512. Assessments 513. 514. 515. 516. 517. 518. 519. 520. Total Reduction Amount Due Seller 600. Cash at Settlement to/from Seller 601. Gross amount due to seller (line 420) 602. Less reductions in amounts due seller (line 520) 603. Cash ☒ To ☐ From Seller		

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Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: • HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services; • Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; • Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

Settlement Charges		
	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
700. Total Real Estate Broker Fees		
Division of commission (line 700) as follows:		
701.		
702.		
703. Commission paid at settlement		
704. Brokerage Fee to Engel & Volkers First Coast		
800. Items Payable in Connection with Loan		
801. Our origination charge		
802. Your credit or charge (points) for the specific interest rate chosen		
803. Appraisal fee		
804. Credit report		
805. Tax service		
806. Flood certification		
807.		
808.		
809.		
810.		
900. Items Required by Lender to be Paid in Advance		
901. Daily interest charges from 08/23/2023 to 09/01/2023		
902. Mortgage insurance premium		
903. Homeowner's insurance		
904.		
1000. Reserves Deposited with Lender		
1001. Initial deposit for your escrow account		
1002. Homeowner's insurance		
1003. Mortgage insurance		
1004. Property taxes		
1005.		
1006.		
1007. Aggregate Adjustment \$0.00		
1100. Title Charges		
1101. Settlement or closing fee to Ponte Vedra Title, LLC		
1102. Owner's title insurance to First American Title Insurance Company		
1103. Lender's title insurance to First American Title Insurance Company		
1104. Lender's title policy limit \$		
1105. Owner's title policy limit \$425,000.00		
1106. Title - Settlement Fee to Ponte Vedra Title, LLC		
1107.		
1108.		
1109. Title - Title Search Fee to First American Title Insurance Company		
1200. Government Recording and Transfer Charges		
1201. Recording fees: Deed \$18.50 Mortgage \$ Release \$ to Clerk of Court		
1202. City/County tax/stamps Deed \$ Mortgage \$		
1203. State tax/stamps Deed \$4,375.00 Mortgage \$ to Clerk of Court		
1204. Recording Fee: Trust Cert.		
1300. Additional Settlement Charges		
1301.		
1302. Municipal Lien Report to City of Jax Beach - Pd In Adv by PVT		
1303. Survey Fee to Exacta Land Surveyors, LLC		
1304.		
1305. Escrowed Funds for Post-Occupancy Agmt (from TC proceeds) to Ponte Vedra Title Escrow Account		
1306.		
1307. Net Proceeds to Seller to Thomas Harold Courson		
1308. Net Proceeds to Seller to Michael John Courson		
1309.		
1310.		
1400. Total Settlement Charges (enter on line 102, Section I and 502, Section K)		

REC
AUG 28 2023
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See signature addendum

Signature Addendum

LAS Holdings LLC, a Florida Limited Liability Company

By: Anthony J. Simonetta

datloop verified
08/23/23 2:14 PM EDT
A206-100B-80MB-CDEU

Anthony J. Simonetta, Manager

Date

Michael John Courson

8/18/23
Date

Thomas Harold Courson

Thomas Harold Courson

8/18/23
Date

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

8/23/23

Date

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JOB SPECIFIC SURVEYOR NOTES:

THE ASSUMED BEARING REFERENCE OF SOUTH 79 DEGREES 56 MINUTES 48 SECONDS WEST IS BASED ON THE SOUTHERLY PROPERTY LINE OF LOT 5 AND 6, LOCATED WITHIN REPLAT OF BLOCK 98, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 26 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

23-100101

LEGAL DESCRIPTION:

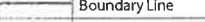
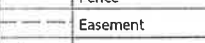
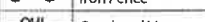
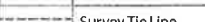
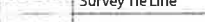
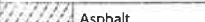
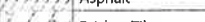
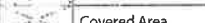
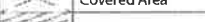
LOTS 5 AND 6, REPLAT OF BLOCK 98, OCEANSIDE PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 26, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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GENERAL SURVEYOR NOTES:

- The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the Title Commitment Number is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
- The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
- If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
- This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
- Alterations to this survey map and report by other than the signing surveyor are prohibited.
- Dimensions are in feet and decimals thereof.
- Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
- Unless otherwise noted "SIRC" indicates a Set Iron Rebar with a Cap stamped LB#8291, a minimum half inch in diameter and eighteen inches long.
- If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter 5J17.062 (3) of the Florida Administrative Code and Florida Statute 472.025. The Electronic Signature File related to this document is prominently displayed on the invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor.
- The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
- Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
- Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
- The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
- Pursuant to F.S. 558.0035, an individual employee or agent may not be held individually liable for negligence.
- Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.

SURVEYOR'S LEGEND

LINETYPES	 Elevation	C/P - Covered Porch	FIR - Found Iron Rod	ORB - Official Records Book	S/W - Sidewalk
 Boundary Line	 Fire Hydrant	C/S - Concrete Slab	FIRC - Found Iron Rod & Cap	ORV - Official Record Volume	SBL - Setback Line
 Center Line	 Find or Set Monument	CATV - Cable TV Riser	FN - Found Nail	O/A - Overall	SCL - Survey Closure Line
 Chain Link or Wire Fence	 Guywire or Anchor	CB - Concrete Block	FN&D - Found Nail & Disc	O/S - Offset	SCR - Screen
 Easement	 Manhole	CH - Chord Bearing	FRRSBK - Found Rail Road Spike	OFF - Outside Subject Property	SEC - Section
 Edge of Water	 Tree	CHIM - Chimney	GAR - Garage	OH - Overhang	SEP - Septic Tank
 Iron Fence	 Utility or Light Pole	CLF - Chain Link Fence	GM - Gas Meter	OHL - Overhead Utility Lines	SEW - Sewer
 Overhead Lines	 Well	CME - Canal Maintenance Easement	ID - Identification	OHWL - Ordinary High Water Line	SIRC - Set Iron Rod & Cap
 Structure		CO - Clean Out	IE/EE - Ingress/Egress Easement	ON - Inside Subject Property	SMWE - Storm Water Management Easement
 Survey Tie Line		CONC - Concrete	ILL - Illegible	P/E - Pool Equipment	SN&D - Set Nail and Disc
 Vinyl Fence		COR - Corner	INST - Instrument	PB - Plat Book	SQFT - Square Feet
 Wall or Party Wall		CS/W - Concrete Sidewalk	INT - Intersection	PC - Point of Curvature	STL - Survey Tie Line
 Wood Fence		CUE - Control Utility Easement	IRRE - Irrigation Easement	PCC - Point of Compound Curvature	STY - Story
SURFACE TYPES		CVG - Concrete Valley Gutter	L - Length	PCP - Permanent Control Point	SV - Sewer Valve
 Asphalt		D/W - Driveway	LAE - Limited Access Easement	PI - Point of Intersection	SWE - Sidewalk Easement
 Brick or Tile		DE - Drainage Easement	LB# - License No. (Business)	PLS - Professional Land Surveyor	TBM - Temporary Bench Mark
 Concrete		DF - Drain Field	LBE - Limited Buffer Easement	PLT - Planter	TEL - Telephone Facilities
 Covered Area		DH - Drill Hole	LE - Landscape Easement	POB - Point of Beginning	TOB - Top of Bank
 Water		DUE - Drainage & Utility Easement	LME - Lake/Landscape Maintenance Easement	POC - Point of Commencement	TUE - Technological Utility Easement
 Wood		ELEV - Elevation	LS# - License No. (Surveyor)	PRC - Point of Reverse Curvature	TWP - Township
SYMBOLS		EM - Electric Meter	MB - Map Book	PRM - Permanent Reference Monument	TX - Transformer
 Benchmark		ENCL - Enclosure	ME - Maintenance Easement	PSM - Professional Surveyor & Mapper	TYP - Typical
 Center Line		ENT - Entrance	MES - Mitered End Section	PT - Point of Tangency	UE - Utility Easement
 Central Angle or Delta		EOP - Edge of Pavement	MF - Metal Fence	PUE - Public Utility Easement	UG - Underground
 Common Ownership		EOW - Edge of Water	MH - Manhole	R - Radius or Radial	UP - Utility Pole
 Control Point		ESMT - Easement	MHWL - Mean High Water Line	R/W - Right of Way	UR - Utility Riser
 Catch Basin		EUB - Electric Utility Box	NR - Non-Radial	RES - Residential	VF - Vinyl Fence
		F/DH - Found Drill Hole	NTS - Not to Scale	RGE - Range	W/C - Witness Corner
		FCM - Found Concrete Monument	NAVD88 - North American Vertical Datum 1988	ROE - Roof Overhang Easement	W/F - Water Filter
		FF - Finished Floor	NGVD29 - National Geodetic Vertical Datum 1929	RP - Radius Point	WF - Wood Fence
		FIP - Found Iron Pipe	OG - On Ground		WM - Water Meter/Valve Box
		FIPC - Found Iron Pipe & Cap			WV - Water valve

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22/00101

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.

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PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	THIS IS A PLATTED LOT OF RECORD THAT IS MUCH SHALLOWER THAN CODE REQUIRES
Special circumstances and conditions do not result from the actions of the applicant.	YES	THIS IS A PLATTED LOT OF RECORD PRIOR TO THE CURRENT LAND DEVELOPMENT CODE
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 WOULD BE CONSISTENT WITH OTHER VARIANCES GRANTED TO THE SAME PARCELS ALL ACROSS THE CITY
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	IT WOULD BE IMPOSSIBLE TO MEET CODE REQUIREMENTS AND BUILD WITHIN REASON
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	YES THIS REQUEST IN VERY CONSERVATIVE AND FAIR
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	A NEW HOME WOULD BE CONSISTENT WITHIN THE OVERALL NEIGHBORHOOD, MORE THAN ADEQUATE PARKING IS ALLOCATED



www.exactaland.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 948 GONZALES AVENUE, JACKSONVILLE BEACH, FLORIDA 32250

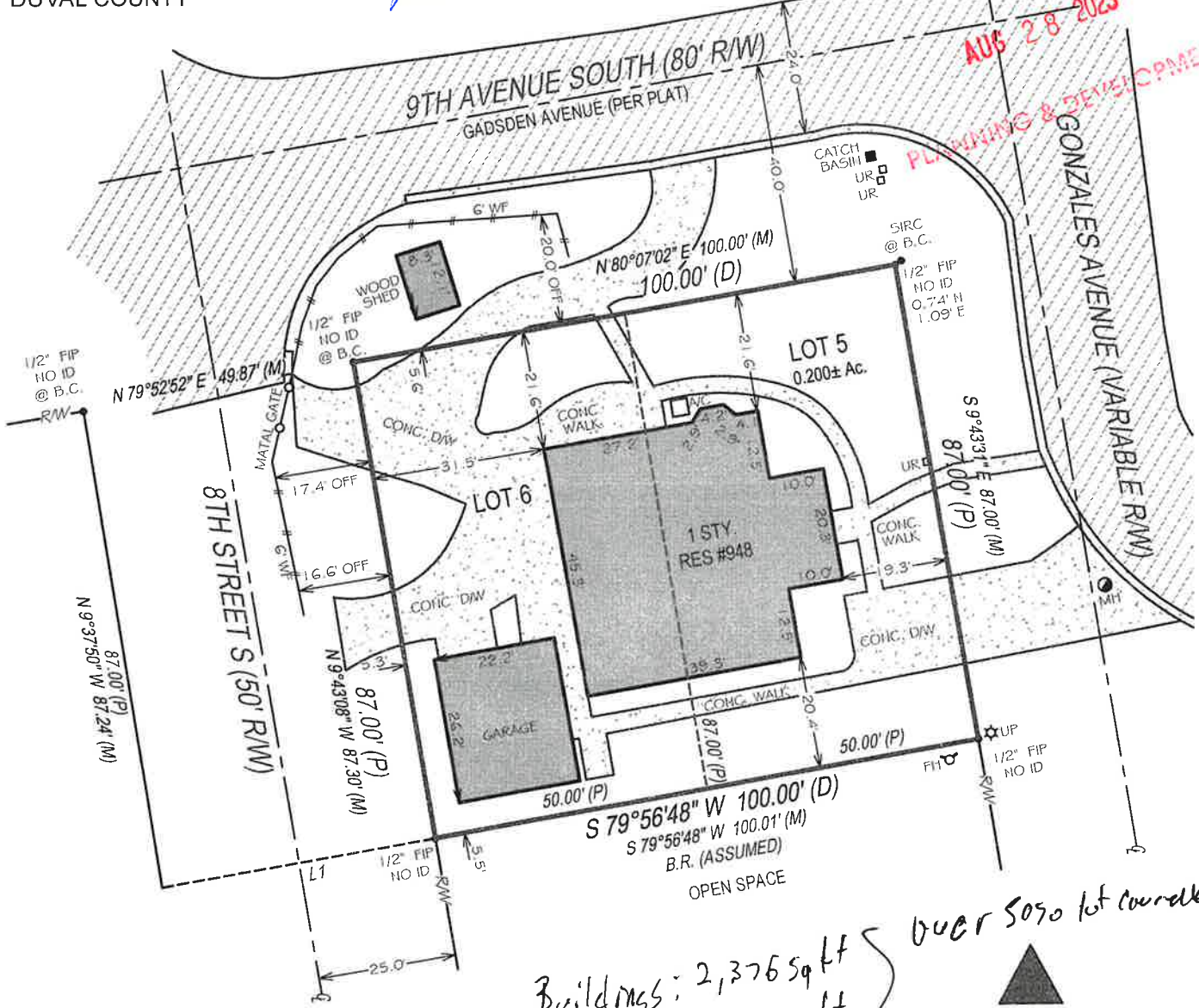
SURVEY NUMBER: FL2308.2106

23082106
BOUNDARY SURVEY
DUVAL COUNTY

23-10001

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AUG 28 2023

PLANNING & DEVELOPMENT



LINE TABLE:
L1 50.00' (P)
S 79°56'48" W 50.00' (M)

SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED. ROW

Buildings: 2,376 sq ft
Other Improvement Areas: 21,000 sq ft
4,376 sq ft
Over 5000 lot covered
1,000 ft



GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

SURVEYORS CERTIFICATION:

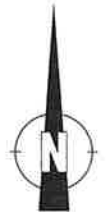
I hereby certify that this Survey of the lands

POINTS OF INTEREST:

NONE VISIBLE

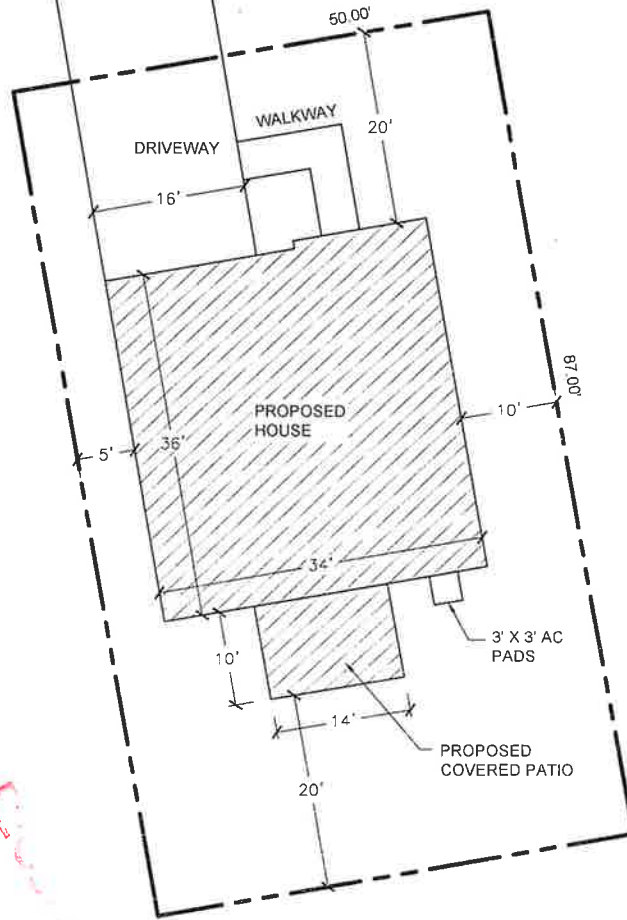
Proposed

9TH AVE S



GONZALES AVE

LOTS 5, REPLAT OF BLOCK 98,
OCEANSIDE PARK, ACCORDING TO
PLAT THEREOF RECORDED IN PLAT
BOOK 8, PAGE 26, OF THE CURRENT
PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.



LOT COVERAGE AREA = 4350 SF.
IMPERVIOUS COVERAGE = 2175 SF. (50 %)

0 5 10 15 20 FEET
SCALE 1"=20'
SHEET (8.5 x 11)

SITE PLAN

LOTS 5, REPLAT OF BLOCK 98,
OCEANSIDE PARK, ACCORDING TO
PLAT THEREOF RECORDED IN PLAT
BOOK 8, PAGE 26, OF THE CURRENT
PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

PLANNING & DEVELOPMENT
AUG 28 2023

Danevsky Joseph

From: Building Inspection Division
Sent: Tuesday, October 3, 2023 11:44 AM
To: 'Kaz@achllc.net'
Cc: Danevsky Joseph
Subject: RE: Online Form Submission #22995 for Address Assignment Application

Good Morning Kaz,

If the variances get approved at the upcoming BOA meeting, the preliminary addresses are

Lot 5= 786 S 9th Ave (BOA#23-100100)

Lot 6= 740 S 9th Ave (BOA#23-100101)

Thanks,
Chandra Medford
Permit Administrator
904-247-6235

 **FILE COPY**

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, October 2, 2023 9:39 PM
To: Building Inspection Division <buildinginspection@jaxbchfl.net>
Subject: Online Form Submission #22995 for Address Assignment Application

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

Address Assignment Application

Request Type	Apply for New Address
Reason for Request	Construct a new building on a parcel with no address, Other
Additional Description	tear down current structure and build on lots 5 & 6
Current Use of Property	One or Two-Family Residential
Boundary Survey	7xx 9th Ave S 32250 Lot 5 Plot Plan.pdf
Proposed Use of Property	One or Two-Family Residential
Site Plan	7xx 9th Ave S 32250 Lot 6 Plot Plan.pdf
Property Owner of Record	H & H Seaside Development