



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Tuesday, December 19, 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 November 21, 2023
- B. Minutes for December 5, 2023

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#23-100119**

Applicant: Jordan Quick

Agent: N/A

Owner: Jordan Quick

Property Address: 1382 N Eastwind Dr

Parcel ID: 179459-3190

Legal Description: Lot 38, *Seabreeze Park*

Current Zoning: RS-3

Motion to Consider: **Section(s):** 34-338(e)(1)g, for a east side, southeast, south west, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, 34-338(e)(1)e, for lot coverage of 60% in lieu of 35% maximum, 34-338(e)(1)d, for no garage or carport, 34-338(e)(1)(c)3, for rear yard setback 4 feet in lieu of 30 minimum, 34-373(d), driveway setback of 0 in lieu of 5 to allow for new pool addition and to address current nonconformities to an existing single-family dwelling **for property addressed** 1382 N Eastwind Dr, **RE#** 179459-3190 **legally described as** Lot 38, Seabreeze Park

NEW BUSINESS

A. **Case Number(s): BOA#23-100120**

Applicant: Nicolas Notaro
Agent: N/A
Owner: Nicolas Notaro
Property Address: 700 S 9th St
Parcel ID: 176590-0000
Legal Description: Lot 1, Block 80, *Oceanside Park*
Current Zoning: I-1
Motion to Consider: **Section(s):** 34-373(a)(1) for 3 compact spaces in lieu of standard off street space dimensions, Section(s): 34-373(b) for a parking isle of less than 23 feet for 90-degree parking, Section(s): 34-373(c) for back out parking for a commercial use in lieu of internal turning and maneuvering. Section(s): 34-377, for 6 off street parking (on site) spaces in lieu of 12 required off-street parking spaces (on site) and 34-425, for no landscaping in lieu of all required landscaping for the creation of a coffee shop in conjunction with an existing motorcycle repair facility **for property addressed** 700 S 9th St, **RE#** 176590-0000, **legally described as** Lot 1, Block 80, *Oceanside Park*

B. **Case Number(s): BOA#23-100121**

Applicant: David & Joelle Caldwell
Agent: N/A
Owner: David & Joelle Caldwell
Property Address: 6 Hopson Rd
Parcel ID: 177304-0020
Legal Description: Lot 1, *Waterway Estates Unit 1*
Current Zoning: RS-1
Motion to Consider: **Section(s):** 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum, to allow for replacement of existing gravel driveway for new paver driveway to an existing single-family dwelling **for property addressed** 6 Hopson Rd, **RE#** 177304-0020, **legally described as** Lot 1, *Waterway Estates Unit 1*

C. **Case Number(s): BOA#23-100123**

Applicant: Michael Bowen
Agent: N/A
Owner: Michael Bowen
Property Address: 118 N 10th Ave
Parcel ID: 174528-0080
Legal Description: Lot 4 and 5, Block 102, *Pablo Beach North*
Current Zoning: RM-2
Motion to Consider: **Section(s):** 34-340(e)(1)e, for lot coverage of 80% in lieu of 35% maximum for expansion of existing pool perimeter paver patio around home, small paver pad, and concrete pad adjacent to the existing pool equipment pad and 34-340(e)(1)g, for accessory side and rear yard setbacks of 1 foot in lieu of 5 feet minimum, **for property addressed** 118 N 10th Ave, **RE#** 174528-0080, **legally described as** Lot 4 and 5, Block 102, *Pablo Beach North*

PLANNING DEPARTMENT REPORT

A. Joint Board Workshop for proposed comprehensive plan draft January 10th, 2024.

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, November 21, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

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

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: **BOA#23-100111**
Applicant/Owner: D. Evan Lamolinara
Agent: N/A
Property Address: 1795 Marshside Dr.
Parcel ID: 179997-6070

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-336(e)(1)c(1), for front yard setback of 10 feet in lieu of 25 feet; 34-336(e)(1)c(2), for side yard setback of 5 feet in lieu of 10 feet and 34-373(f), for turf blocks / Eco blocks in lieu of standard pavement., for construction of a new single-family dwelling for property addressed 1795 Marshside Dr, RE# 179997-6070, legally described as Lot 13, Replat of Marshside.

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

Applicant: Evan Lamolinara and Brittany Lamolinara, 1795 Marshside Drive, Jacksonville Beach, stated the hardship was flooding issues.

A brief discussion ensued about the proposed plan, the HOA, and neighbors' feedback.

Roger Russell, 3455 Thalia Road, Jacksonville, answered questions from the board on behalf of the applicant.

Public Hearing:

The following spoke on the variance:

- Leigh Gardner, 3376 Sanctuary Boulevard, Jacksonville Beach
- Kaye Lee, 11774 Jocelyn Road, Jacksonville
- Chris Craft, 1655 Marshside Drive, Jacksonville Beach

The following spoke in support of the variance:

- Stephanie Runac, 1754 Marshside Drive, Jacksonville Beach

Mr. Lamolinara addressed the speakers' concerns.

Mr. Russell addressed questions from the board.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100111 for a front yard setback of 20 feet based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the elevation, lot coverage, hardship, and sightline of the street.

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

The motion passed unanimously.

B. Case Number: BOA#23-100114
Applicant/Owner: Thomas Puleo
Agent: N/A
Property Address: 1325 N 16th Ave
Parcel ID: 175335-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-336(e)(1)(c)2, for a northern side yard setback of 8 feet in lieu of 10 feet minimum and for a southern side yard setback of 9.6 feet in lieu of 10 feet minimum, 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback along the southern property line of 4.7 feet in lieu of 5 feet minimum for an existing shed, to allow for new pavers to an existing single-family dwelling and to address existing nonconformities for property addressed 1325 N 16th Ave, RE# 175335-0000, legally described as Lot 2, Block 14, Beach Homesites Unit 3.

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

Applicant: Thomas Puleo, 1325 North 16th Ave, Jacksonville Beach, stated the hardship was an undersized lot and provided background on the project.

A discussion ensued about the existing nonconformities and neighbors' feedback.

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#23-100114 for based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

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

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

The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Tuesday, December 5, 2023, at 6:00 P.M. There are three scheduled cases. Planner Nevs Joseph stated the board would need to decide if they would hold a meeting on January 2nd, 2024, and they would vote for a chairperson at the second meeting in January.

The board confirmed there would be a quorum for the January 2nd, 2024 meeting.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:37 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

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



CALL TO ORDER:

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

ROLL CALL:

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

Senior Planner Christian Popoli, Planner Danevsky Joseph, and Administrative Assistant Monica McDaniel 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 October 17, 2023

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#23-100115

Applicant/Owner: Kevin J Wells
Agent: N/A
Property Address: 910 3rd Ave N
Parcel ID: 173853-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum for construction of a new only coping pool perimeter paver patio around home, small paver pad, and concrete pad for pool equipment, for property addressed 910 N 3rd Ave, RE# 173853-0000, legally described as Lot 3, Block 9, Atlantic Park.

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

Applicant: Kevin Wells, 910 3rd Ave North, Jacksonville Beach, stated the hardship was a nonconforming lot.

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#23-100115 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 coverage.

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

The motion passed unanimously.

B. Case Number: BOA#23-100116

Applicant/Owner: Taylor Janoe
Agent: N/A
Property Address: 622 10th Ave S
Parcel ID: 176676-0000

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)g, for rear accessory structure setback of 2 feet in lieu of 5 feet minimum, 34-338(e)(1)e, for lot coverage of 55% in lieu of 35% maximum, to allow for accessory structure and shed to an existing single-family dwelling for property addressed 622 S 10th Ave, RE# 176676-0000, legally described as Lot 4, Block 107, Oceanside Park.

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

Applicant: Taylor Janoe, 622 10th Ave South, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about the work completed by the current owner, the proposed plan, communication with neighbors, variance criteria, lot coverage, and hardship.

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#23-100116 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the pavers, pool, and the hardship.

Motion to Amend: It was moved by Mr. Moreland, seconded by Mr. Curley, to modify the lot coverage from 55% to 49.5%.

Discussion: A discussion ensued about the motion to amend, re-advertisement, lot coverage, shed, and pool.

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

The motion passed unanimously.

Discussion: A discussion ensued about the amended motion and lot coverage.

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

The amended motion passed unanimously.

C. Case Number: **BOA#23-100119**
Applicant/Owner: Jordan Quick
Agent: N/A
Property Address: 1382 N Eastwind Dr
Parcel ID: 179459-3190

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)g, for a east side, southeast, southwest, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, 34-338(e)(1)e, for lot coverage of 60% in lieu of 35% maximum, 34-338(e)(1)d, for no garage or carport, 34-338(e)(1)(c)3, for rear yard setback 4 feet in lieu of 30 minimum, 34-373(d), driveway setback of 0 in lieu of 5 to allow for new pool addition and to address current nonconformities to an existing single-family dwelling for property addressed 1382 N Eastwind Dr, RE# 179459-3190 legally described as Lot 38, Seabreeze Park.

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

Applicant: The applicant was not present.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to postpone BOA#23-100119 to the December 19, 2023, meeting.

In a voice vote, the motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Tuesday, December 19, 2023, at 6:00 P.M. There are three scheduled cases. The proposed date for the Comprehensive Plan workshop with all city boards will be January 10, 2024. Voting for the chairperson and vice-chairperson will occur at the meeting on January 17, 2024.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:42 P.M.

Submitted by: Monica McDaniel
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	12/08/2023
SUBJECT:	BOA #23-100119 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, December 19, 2023 Board of Adjustment Meeting.

BOA #23-100119

ZONING: RS-2
 RE NO.: 179459-3190
 LEGAL: Lot 38, *Seabreeze Park*
 ADDRESS: 1382 N Eastwind Dr

REQUEST:

Section(s): 34-338(e)(1)g, for a east side, southeast, south west, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, 34-338(e)(1)e, for lot coverage of 60% in lieu of 35% maximum, 34-338(e)(1)d, for no garage or carport, 34-338(e)(1)(c)3, for rear yard setback 4 feet in lieu of 30 minimum, 34-373(d), driveway setback of 0 in lieu of 5 to allow for new pool addition and to address current nonconformities to an existing single-family dwelling **for property addressed** 1382 N Eastwind Dr, **RE#** 179459-3190 **legally described as** Lot 38, *Seabreeze Park*

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1989), located in the Medium Density Residential future land use category. The property is currently zoned Residential, single-family: RS-3 zoning district. The subject parcel is 50 ft in width with a total area of 4,445.86 square feet. These dimensions do not conform with the RS-3 standards. The subject property is occupied by a single-family dwelling, a driveway, backyard patio, and concrete slabs on the east and west sides of property. This totals 2,719.71 sq ft of impervious space or 60.982% lot coverage. The applicant is asking for a variance for an east side, southeast, southwest, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, for lot coverage of 60% in lieu of 35% maximum, for no garage or carport, for rear yard setback 4ft in lieu of 30ft minimum, for a driveway setback of 0 in lieu of 5, all to allow for a new pool addition, outdoor living space, and to address current nonconformities to an existing single- family dwelling. Additionally, there are three previous variances for this property. In 1988 a variance was approved for rear setback of 20 ft in lieu of 30 ft, 1992 approved as amended for a rear yard setback of 12ft in lieu of 20ft, and 1997 approved for an accessory structure of 0.67 ft in lieu of 5ft.

BZA#31-87: Approved; For rear yard setback of 20ft in lieu of 30ft.

BZA#38-92: Approved as Amended; For rear yard setback of 12ft in lieu of 20ft.

BOA#6-97: Approved; Allow accessory structure of 0.67 ft in lieu of 5ft from interior lot line. No active code cases.

STAFF ANALYSIS:

The subject property is substandard in width, as it originally measured 50 in width rather than the 60 feet minimum requirement in the RS-3 zoning district. The applicant is requesting a variance for a east side, southeast, south west, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, for lot coverage of 60% in lieu of 35% maximum, for no garage or carport, for rear yard setback 4ft in lieu of 30ft minimum, for driveway setback of 0 in lieu of 5, all to allow for new pool addition and to address existing nonconformities. The subject property is irregular as compared to the surrounding lot pattern to its rear. The applicant plans on reducing the driveway to 427.89 sq ft, remove the east and west side concrete pavers, add pavers between outdoor living space and pool, and 270 sq ft of outdoor living space, a pool, pool skirt, and pool equipment slab. This will total 266.92 sq ft, 58.79 sq ft less than the current lot coverage. The applicant will go from 60.982% to 58.664%. There is a hardship justified by having a nonconforming lot. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

- Minimum lot area: 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:
 - o Front yard: Twenty (20) feet.
 - o 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.
 - o 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 4,459.86 sq ft square feet and 50 feet in width. The minimum lot area: Six thousand (6,000) square feet and the minimum width is 60 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 lot is substandard, the existing lot coverage and setbacks for the home are not the result of the applicant, and therefore are not self-imposed.

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 allow for a east side, southeast, south west, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, for lot coverage of 60% in lieu of 35% maximum, for no garage or carport, for rear yard setback 4ft in lieu of 30ft minimum, for driveway setback of 0 in lieu of 5, all to allow for a new pool addition and to address existing nonconformities to a lot that does not meet the minimum lot size or width for the RS-3 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 cause 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 irregular shape of this property, you cannot add any accessory structures and meet RS-3 standards. This situation is not the fault of the applicant and will 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 existing nonconformities as well as the proposed additions. The minimum variance needed would be to approve the proposed east side, southeast, southwest, and north yard accessory structure setback of less than 5 feet in lieu of 5 feet minimum, for lot coverage of 60% in lieu of 35% maximum, for no garage or carport, for rear yard setback 4ft in lieu of 30ft minimum, for driveway setback of 0 in lieu of 5 to allow for new pool and addition and to address current nonconformities.

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

Staff does find that the request is consistent with the comprehensive plan. The subject property 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 **Approval** of BOA#23-100119

ATTACHMENTS:



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

1. 23-100119 pics
2. 23-100119



Location Map (property boundaries are reprehensive only)

Existing Survey

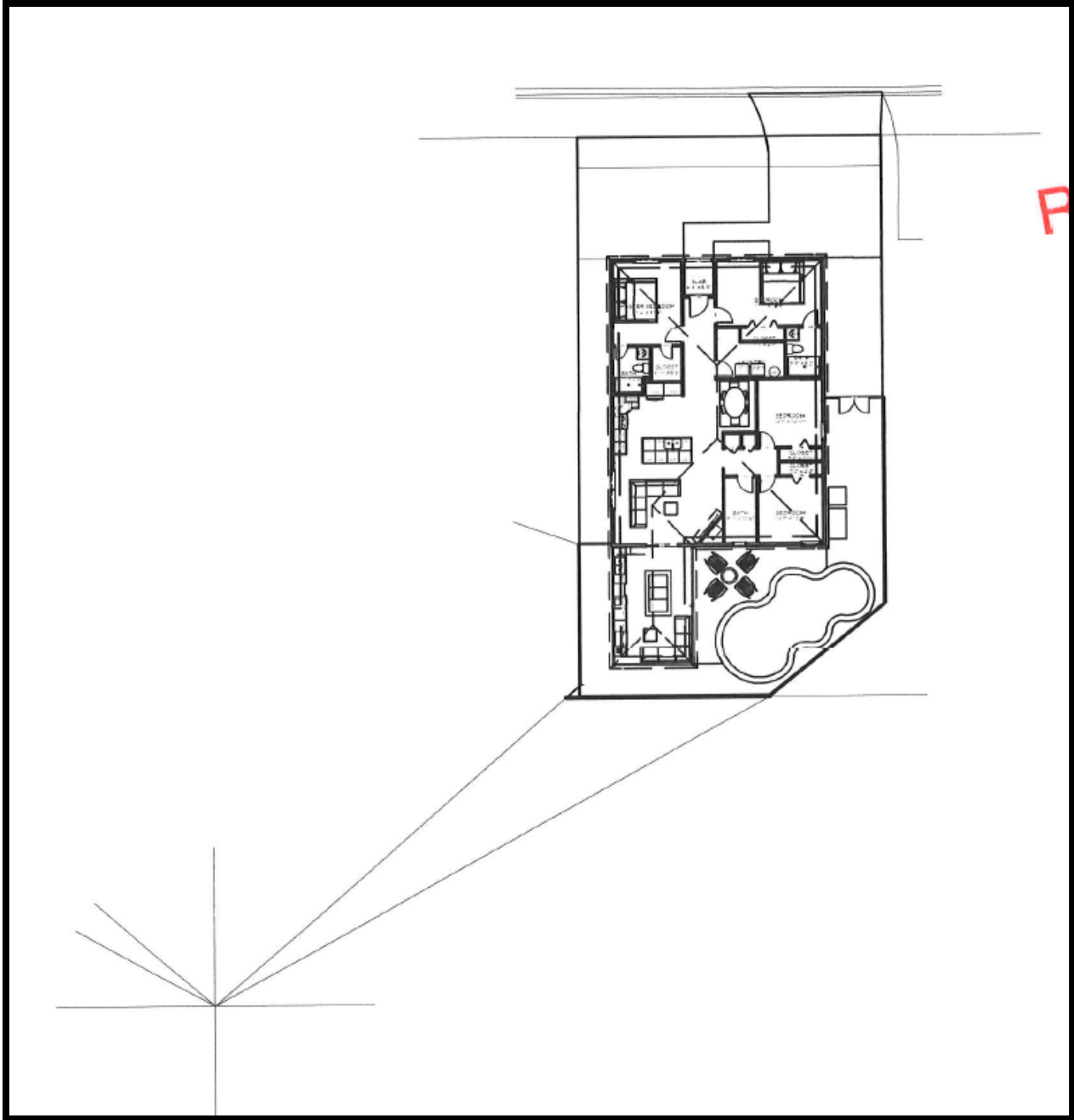


City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Lot Coverage:

Driveway/Walkway:	639.43 sq ft
Concrete Foyer:	28.16 sq ft
House:	1640.93 sq ft
West Concrete Slab:	33.83 sq ft
Backyard Patio:	321.54 sq ft
A/C Slab:	8.58 sq ft
East Concrete Slab:	47.24 sq ft
 Total:	 2719.71 sq ft
 Lot Size:	 4459.86 sq ft
 Lot Coverage:	 $(2719.71 / 4459.86) * 100 = 60.982\%$

Proposed Survey





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

Lot Coverage:

Driveway/Walkway:	427.89 sq ft
Concrete Foyer:	29.16 sq ft
House:	1640.93 sq ft
Pavers between OLS and Pool:	197.68 sq ft
Outdoor Living Space (OLS):	270 sq ft
A/C Slab:	9 sq ft
Pool Equipment Slab	15 sq ft
Pool Skirt:	305.5 (Area of skirt plus pool) - 234.24 (Pool) = 71.26 sq ft
Total:	2660.92 sq ft (58.79 sq ft less to account for error)
Current Total:	2719.71 sq ft
Lot Size:	4459.86 sq ft
Lot Coverage:	$(2660.92 / 4459.86) * 100 = 59.664\%$ (Current percentage of coverage 60.982%)

RECEIVED
OCT 24 2023
PLANNING
DEPARTMENT



APPLICATION FOR VARIANCE

BOA No. 23-100119

HEARING DATE 12-05-23

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

REQUIRED DOCUMENTATION

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

RECEIVED

OCT 18 2023

PLANNING
DEPARTMENT

APPLICANT INFORMATION

Applicant Name: Jordan Quick Telephone: (803) 640-2136
 Mailing Address: 1382 Eastwind Drive N E-Mail: jordan-quick@yahoo.com
Jacksonville Beach FL 32250
 Agent Name: Same Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Same Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1382 Eastwind Dr. N 1795 179459-3190
 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).
garage conversion; East, Southeast, South, and west yard setback of less than one foot to allow for outdoor living space and pool addition

AFFIDAVIT

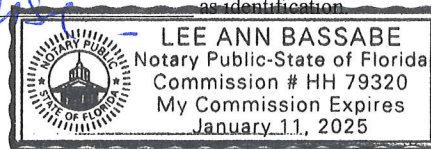
I, Jordan Quick, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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: [Signature] PRINT APPLICANT NAME: Jordan Quick DATE: 10/18/23

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 day of October, 2023, by Jordan T. Quick, who is personally known to me, or produced Florida Drivers License as identification.

NOTARY PUBLIC SIGNATURE: [Signature]
 PRINT NOTARY NAME: Lee Ann Bassabe



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: R5-3

FLOOD ZONE: X

CODE SECTION (S): _____

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-108119

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	yes	lot undersized by width (50 ft) and area (4459.86 sq. ft)
Special circumstances and conditions do not result from the actions of the applicant.	yes	no land was platted before LDC
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	will not grant special privileges
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	lot undersized by width and area
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	without variances addition would not be possible
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	will allow use of land as intended (not looking to increase lot coverage)

Prepared by and return to:
Crabtree Law Group, P.A.
8777 San Jose Blvd Suite 200, Bldg A
Jacksonville, Florida 32217

File Number: 23Q-0266MB
Contract Sales Price: \$515,000.00

23 100119
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OCT 18 2023

PLANNING
DEPARTMENT

General Warranty Deed

Made this 6th day of August, 2023 A.D., By **Christina Dai and Victor H. Ma, wife and husband, and Xing Z. Day, a single woman**, whose mailing address is 26 Coverly Avenue, Staten Island, NY 10301, hereinafter called the "grantor", to **Jordan T. Quick, a single man**, whose mailing address is 1382 Eastwind Drive North, Jacksonville Beach, FL 32250, hereinafter called the "grantee".

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 38, SEABREEZE PARK, according to the plat thereof recorded in Plat Book 45, Pages 22 and 22A, of the Public Records of Duval County, Florida.

Excepting therefrom the following described portion of said Lot 38: For point of beginning commence at the most Westerly corner of said Lot 38 and run North 47° 50' 08" seconds East, along the common lot line between Lot 38 and Lot 37 of said Seabreeze Park, a distance of 76.35 feet to a point; run thence North 88° 45' 00" East, a distance of 33.31 feet to an angle point on the Southeasterly line of said Lot 38; run thence South 59° 57' 47" West, along the common lot line between said Lot 38 and Lot 40, of said Seabreeze Park, a distance of 103.83 feet to the point of beginning.

Parcel ID Number: 179459-3190

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

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.

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OCT 18 2023

PLANNING
DEPARTMENT

23-100119

new

BEARINGS SHOWN HEREON ARE
BASED ON PLAT BOOK 45, PAGE 22



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OCT 18 2023

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DEPARTMENT

- TITLE AND BOUNDARY NOTES**
- DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED AS GRID.
 - THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS MAP THAT MAY BE FOUND IN PUBLIC RECORDS OF THIS COUNTY.
 - UNDERGROUND FOOTINGS, FOUNDATIONS, UTILITIES, OR OTHER FEATURES WERE NOT LOCATED OR SHOWN.
 - FENCE OWNERSHIP IS NOT DETERMINED.
 - THE LOT SHOWN HEREON IS LOCATED IN FLOOD ZONE X (AREA OF MINIMAL FLOOD HAZARD) AS SHOWN ON COMMUNITY PANEL NO. 12031C0419J, EFFECTIVE DATE OF 11/02/2018.

EASTWIND DRIVE

(40' WIDE)

N88°45'00"E

50.00'

SYMBOL LEGEND

- MONUMENT FND
- I.P. / I.B. FND
- SET 5/8 RBR W/ORANGE
- CAP STAMPED SCALICE
- LAND SURVEY LB8534
- STAKE
- CROSS CUT
- SPOT ELEVATIONS
- LIGHT POLE
- SIGN
- FIRE HYDRANT
- MANHOLE
- "A"-INLET
- "B"-INLET
- YARD INLET
- CAS METER
- WATER METER
- CAS VALVE
- WATER VALVE
- TEST HOLE
- TREE
- SHRUB
- BOLLARD
- WETLAND FLAG
- A/C UNIT
- ELECTRIC METER
- PVC FENCE (PVC)
- STOCKADE FENCE (STK)
- CHAIN LINK FENCE (CLF)
- WIRE FENCE
- UTILITY POLE
- CUY WIRE
- D.C. DEPRESSED CURB
- FE. FENCE
- MAS. MASONRY
- PLAT. PLATFORM
- W.W. WINDOW WELL
- B/W BAY WINDOW
- C/E CELLAR ENTRANCE
- O/H OVERHANG
- R/O ROOF OVER
- CANT. CANTILEVER
- G.O.L. GENERALLY ON LINE
- O/L ON LINE
- IPC IRON PIN AND CAP
- R.O.W. RIGHT OF WAY

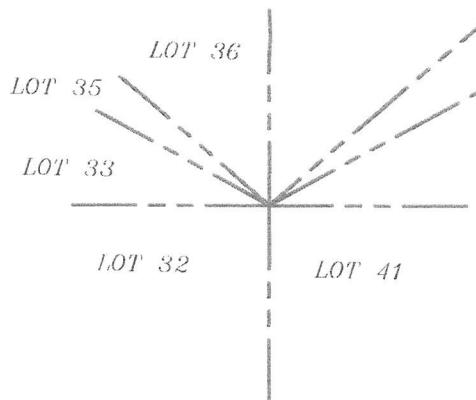
PREPARED FOR AND CERTIFIED TO:

JORDAN QUICK
CRABTREE LAW GROUP PA
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

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OCT 18 2023

PLANNING
DEPARTMENT



GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.

LEGAL DESCRIPTION

LOT 38, SEABREEZE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 45, PAGES 22 AND 22A, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION OF SAID LOT 38: FOR POINT OF BEGINNING COMMENCE AT THE MOST WESTERLY CORNER OF SAID LOT 38 AND RUN NORTH 47° 50' 08" EAST, ALONG THE COMMON LOT LINE BETWEEN LOT 38 AND LOT 37 OF SAID SEABREEZE PARK, A DISTANCE OF 76.35 FEET TO A POINT; RUN THENCE NORTH 88° 45' 00" EAST, A DISTANCE OF 33.31 FEET TO AN ANGLE POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 38; RUN THENCE SOUTH 59° 57' 47" WEST, ALONG THE COMMON LOT LINE BETWEEN SAID LOT 38 AND LOT 40, OF SAID SEABREEZE PARK, A DISTANCE OF 103.83 FEET TO THE POINT OF BEGINNING.

SURVEYORS CERTIFICATE

"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, NOT VALID WITHOUT AN ORIGINAL SIGNATURE OR AN AUTHENTICATED ELECTRONIC SIGNATURE."

DANIEL J. JACKSON - FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 7447



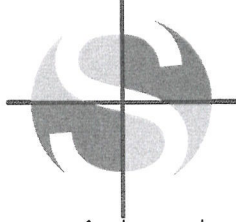
SCAN ME

LOT AREA
4,459.86 S.F.
0.102 AC.

2	08/25/2023	ADDED OFFSET PIN	JDL	DJ
1	08/24/2023	REMOVED THE EXCEPTED PORTION OF PROPERTY	JDL	DJ
REV	DATE	DESCRIPTION	BY	CHK



FIRM LB8534



SCALICE

land surveying

mjslandsurveying.com P:904-413-9355

425 Town Plaza Ave
Ponte Vedra, FL 32081

BOUNDARY SURVEY

1382 EASTWIND DRIVE NORTH, JACKSONVILLE BEACH, FLORIDA 32250
LOT 38, SEABREEZE PARK, ACCORDING TO THE MAP OR PLAT
THEREOF IN PLAT BOOK 45, PAGE 22
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

JOB No.

D23-3059

TAX NO.

179459-3190

SCALE: 1" = 30'

DATE SURVEYED:

08/02/2023

CREW:JT

DR.:MC

(1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF LAW. (2) ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S SEAL & SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION. (3) CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE STATE OF FLORIDA. THE CERTIFICATION IS LIMITED TO PERSONS FOR WHOM THE BOUNDARY SURVEY MAP IS PREPARED, TO THE TITLE COMPANY, TO THE GOVERNMENTAL AGENCY, AND TO THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP. (4) THE CERTIFICATIONS HEREIN ARE NOT TRANSFERABLE. (5) THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS SURVEY. (6) THE OFFSET (OR DIMENSIONS) SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, RETAINING WALLS, POOLS, PATIOS PLANTING AREAS, ADDITIONS TO BUILDINGS, AND ANY OTHER TYPE OF CONSTRUCTION. (7) THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED. (8) SURVEY IS SUBJECT TO ANY STATE OF FACTS WHICH AN UP-TO-DATE TITLE EXAMINATION MAY DISCLOSE.

Current Design

Lot Coverage:

Driveway/Walkway:	639.43 sq ft
Concrete Foyer:	28.16 sq ft
House:	1640.93 sq ft
West Concrete Slab:	33.83 sq ft
Backyard Patio:	321.54 sq ft
A/C Slab:	8.58 sq ft
East Concrete Slab:	47.24 sq ft
Total:	2719.71 sq ft
Lot Size:	4459.86 sq ft
Lot Coverage:	$(2719.71 / 4459.86) * 100 = 60.982\%$

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OCT 24 2023
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DEPARTMENT

BEARINGS SHOWN HEREON ARE
BASED ON PLAT BOOK 45, PAGE 22



TITLE AND BOUNDARY NOTES

1. DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED AS GRID.
2. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS MAP THAT MAY BE FOUND IN PUBLIC RECORDS OF THIS COUNTY.
3. UNDERGROUND FOOTINGS, FOUNDATIONS, UTILITIES, OR OTHER FEATURES WERE NOT LOCATED OR SHOWN.
4. FENCE OWNERSHIP IS NOT DETERMINED.
5. THE LOT SHOWN HEREON IS LOCATED IN FLOOD ZONE X (AREA OF MINIMAL FLOOD HAZARD) AS SHOWN ON COMMUNITY PANEL NO. 12031C0419J, EFFECTIVE DATE OF 11/02/2018.

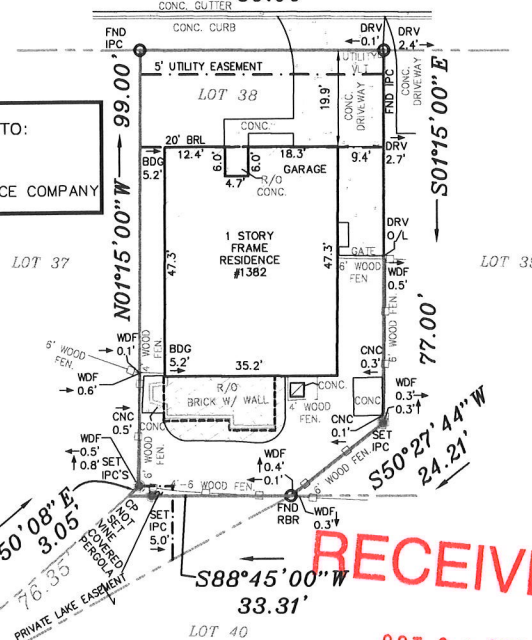
EASTWIND DRIVE

(40' WIDE)

N88°45'00"E

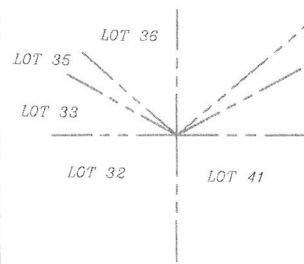
50.00'

PREPARED FOR AND CERTIFIED TO:
JORDAN QUICK
CRABTREE LAW GROUP PA
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY



SYMBOL LEGEND

- MONUMENT FND
- 1/2\"/>



GRAPHIC SCALE
30 0 15 30
(IN FEET)
1 inch = 30 ft.

LEGAL DESCRIPTION

LOT 38, SEABREEZE PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 45, PAGES 22 AND 22A, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION OF SAID LOT 38: FOR POINT OF BEGINNING COMMENCE AT THE MOST WISHERLY CORNER OF SAID LOT 38 AND RUN NORTH 47° 50' 08\"/>

SURVEYORS CERTIFICATE

"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, NOT VALID WITHOUT AN ORIGINAL SIGNATURE OR AN AUTHENTICATED ELECTRONIC SIGNATURE."

DANIEL J. JACKSON - FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 7447



SCAN ME

LOT AREA
4,459.86 S.F.
0.102 AC.

2	08/25/2023	ADDED OFFSET PIN	JDL	DJ
1	08/24/2023	REMOVED THE EXCEPTED PORTION OF PROPERTY	JDL	DJ
REV	DATE	DESCRIPTION	BY	CHK



FIRM LB8534



SCALICE

land surveying

mjslandsurvey.com P:904-413-9355

425 Town Plaza Ave
Ponte Vedra, FL 32081

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THEREOF IN PLAT BOOK 45, PAGE 22
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

JOB No.
023-3059

TAX NO.
179459-3190

SCALE: 1" = 30'

DATE SURVEYED:
08/02/2023

CREW: JT

DR: MC

(1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF LAW. (2) ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S SEAL & SIGNATURE ARE CONTAINING TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND SHOWN. (3) CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EDITION CODE OF PRACTICE FOR LAND SURVEYING ADOPTED BY THE STATE OF FLORIDA. THE CERTIFICATION IS LIMITED TO PERSONS FOR WHOM THE BOUNDARY SURVEY MAP IS PREPARED, TO THE TITLE COMPANY, TO THE GOVERNMENTAL AGENCY, AND TO THE ENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP. (4) THE CERTIFICATIONS HEREON ARE NOT TRANSFERABLE. (5) THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS CORRECT AND MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS SURVEY. (6) THE OFFSET (OR DIMENSIONS) SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, REMAINING WALLS, POOLS, PATIO PLANTING AREAS, ADDITIONS TO BUILDINGS, AND ANY OTHER TYPE OF CONSTRUCTION. (7) THE EXISTENCE OF RIGHTS OF ANY AND/OR INCIDENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED. (8) SURVEY IS SUBJECT TO ANY STATE OF FACTS WHICH AN APPROPRIATE TITLE EXAMINATION MAY DISCLOSE.



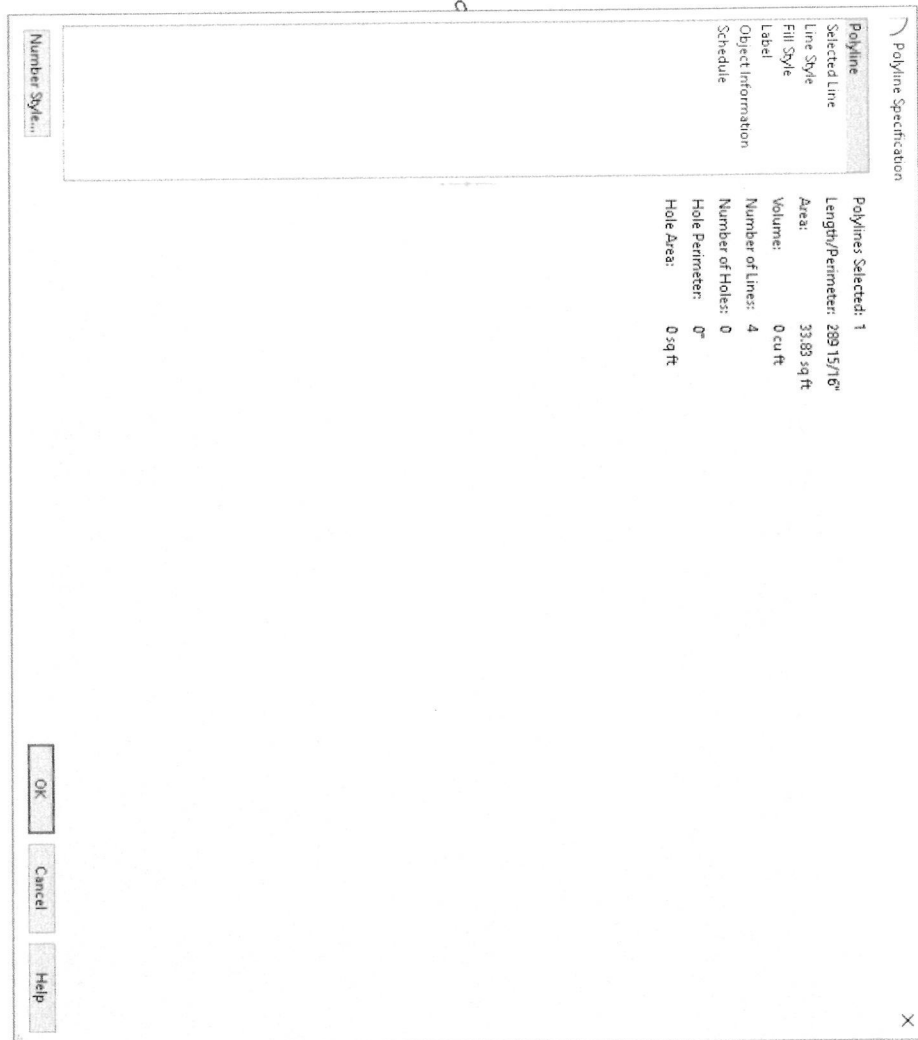
Polyline Specification

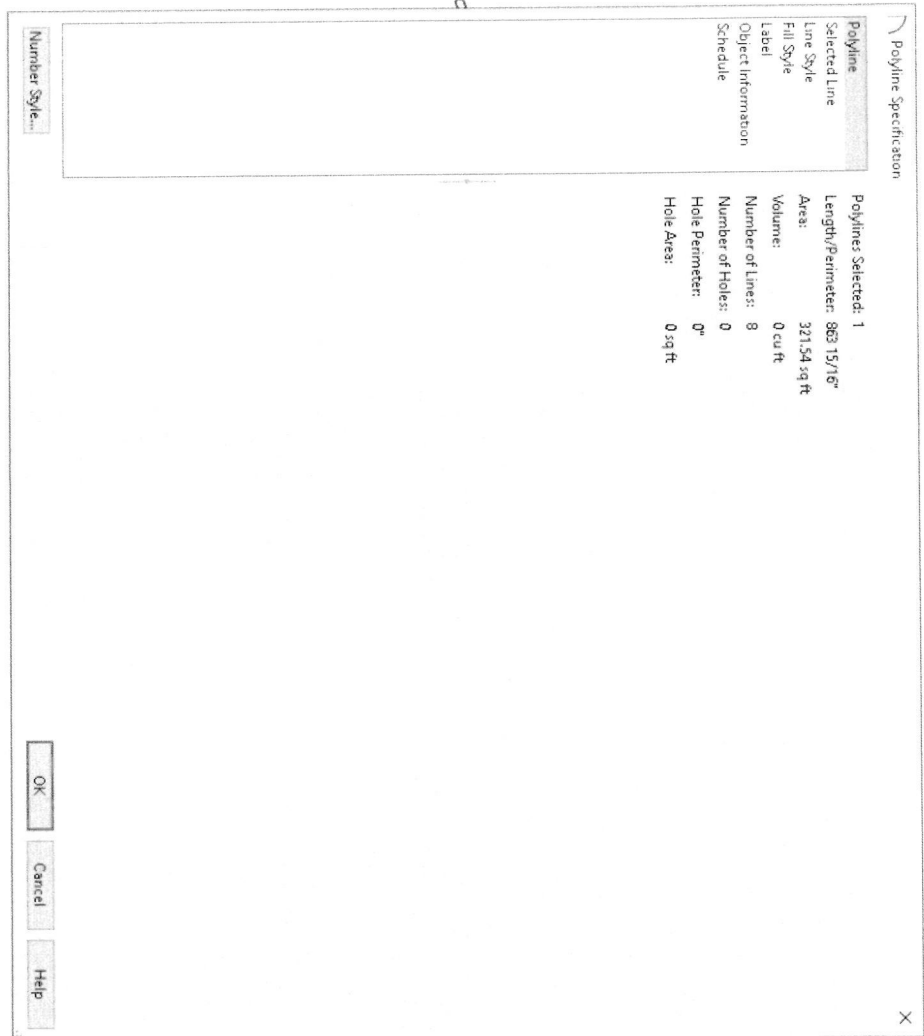
Polyline	
Selected Line	
Line Style	
Fill Style	
Label	
Object Information	
Schedule	

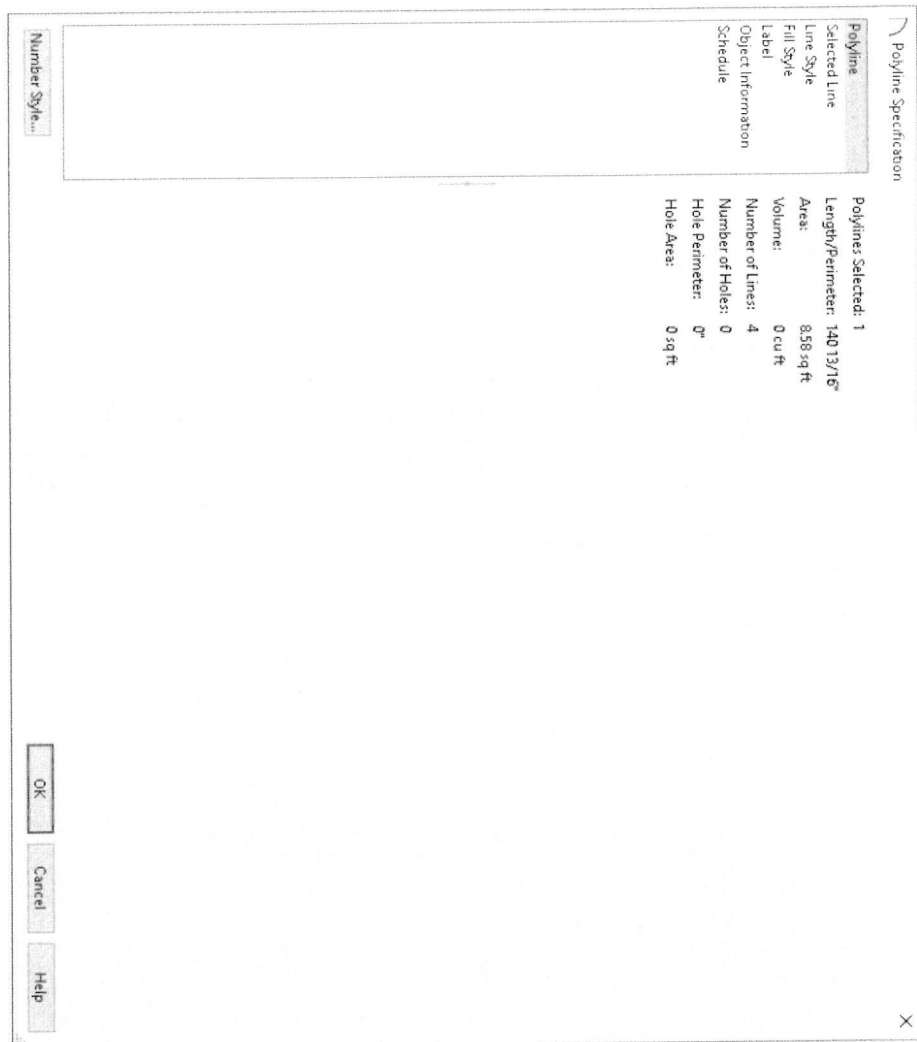
Polylines Selected:	1
Length/Perimeter:	1873 1/2"
Area:	639.43 sq ft
Volume:	0 cu ft
Number of Lines:	15
Number of Holes:	0
Hole Perimeter:	0'
Hole Area:	0 sq ft

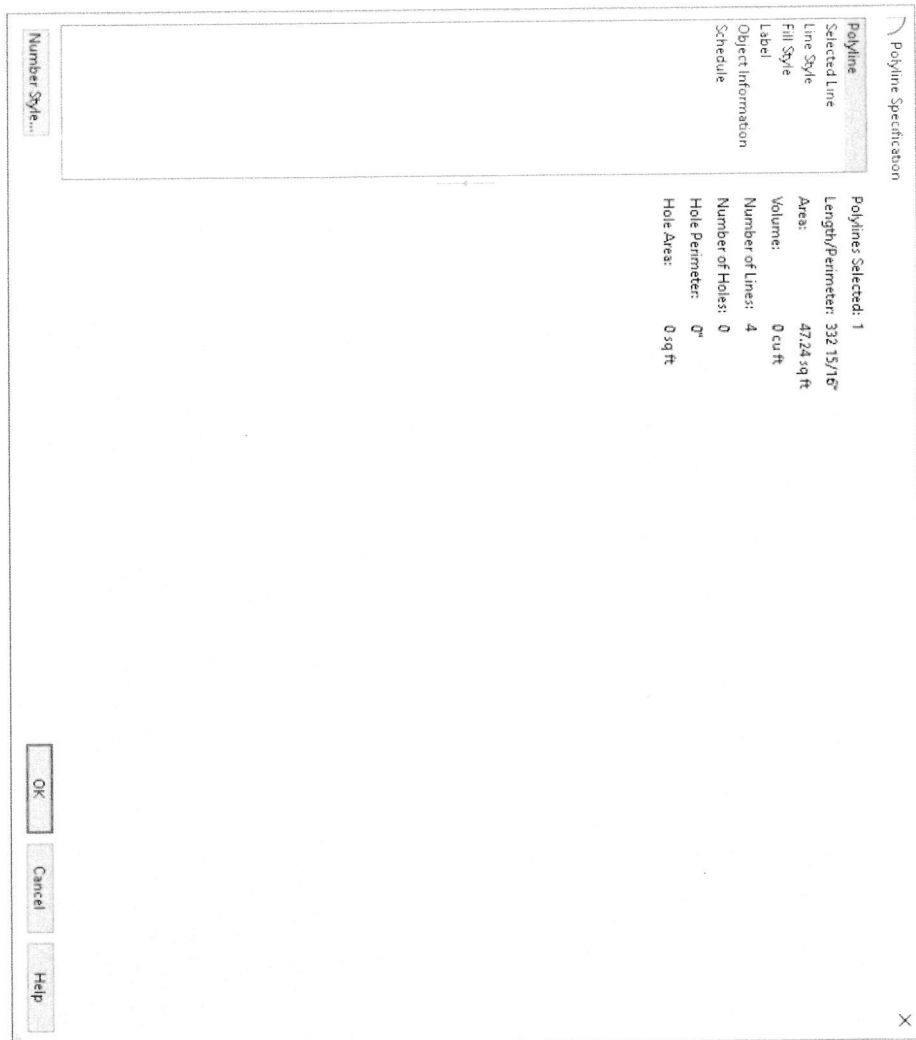


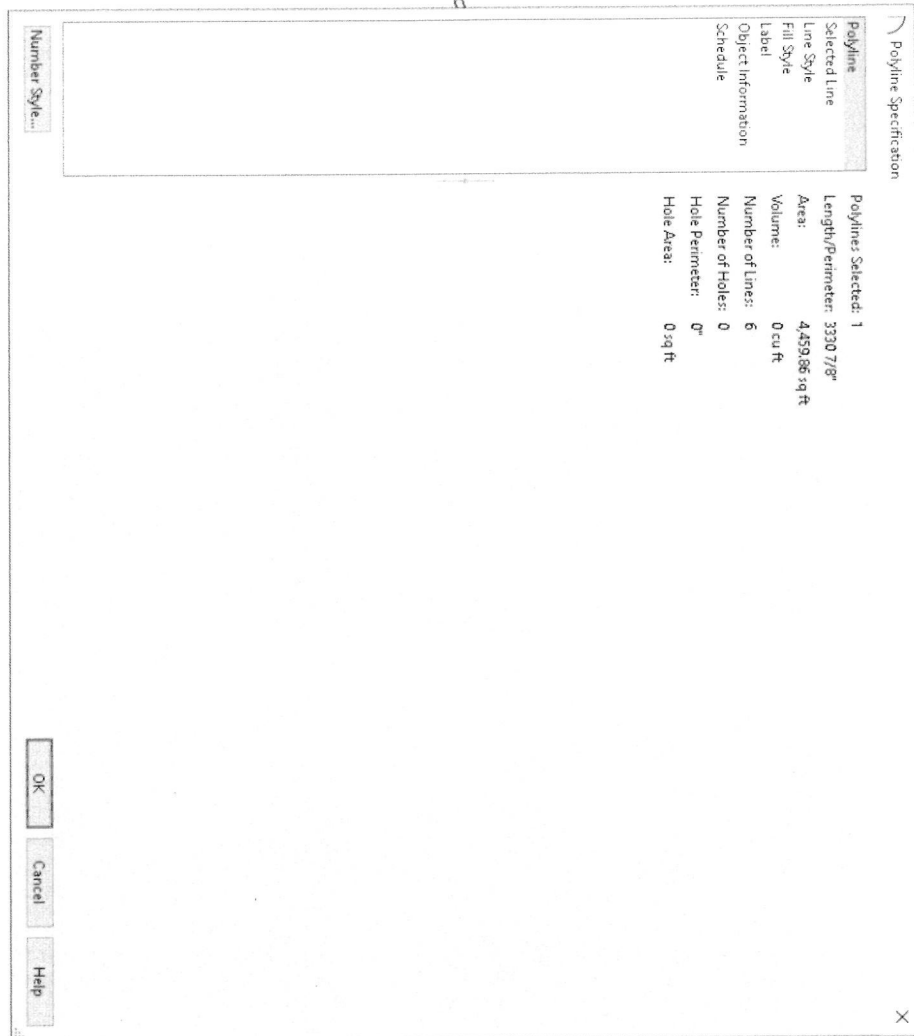
OK Cancel Help











Proposed Design

Lot Coverage:

Driveway/Walkway:

427.89 sq ft

Concrete Foyer:

29.16 sq ft

House:

1640.93 sq ft

Pavers between OLS and Pool:

197.68 sq ft

Outdoor Living Space (OLS):

270 sq ft

A/C Slab:

9 sq ft

Pool Equipment Slab

15 sq ft

Pool Skirt:

305.5 (Area of skirt plus pool) - 234.24 (Pool) = 71.26 sq ft

Total:

2660.92 sq ft (58.79 sq ft less to account for error)

Current Total:

2719.71 sq ft

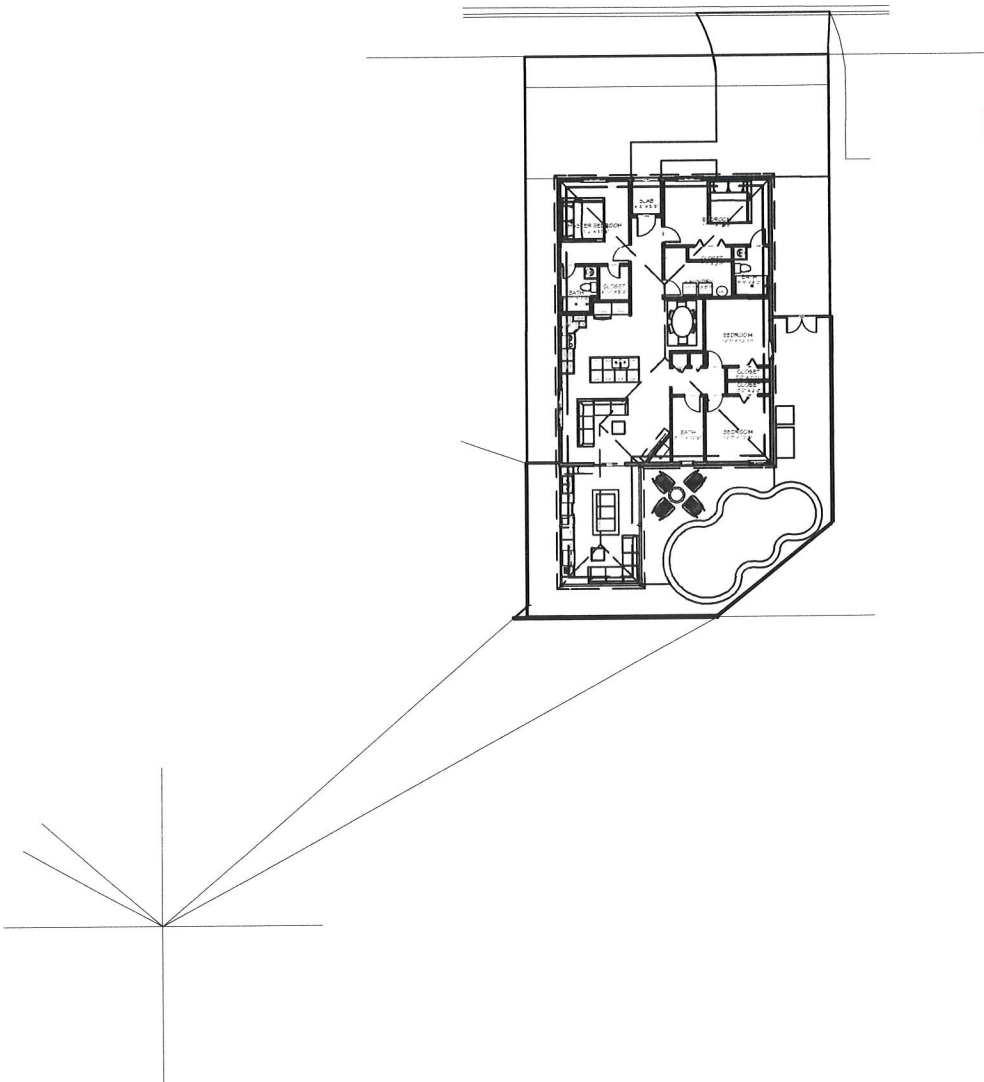
Lot Size:

4459.86 sq ft

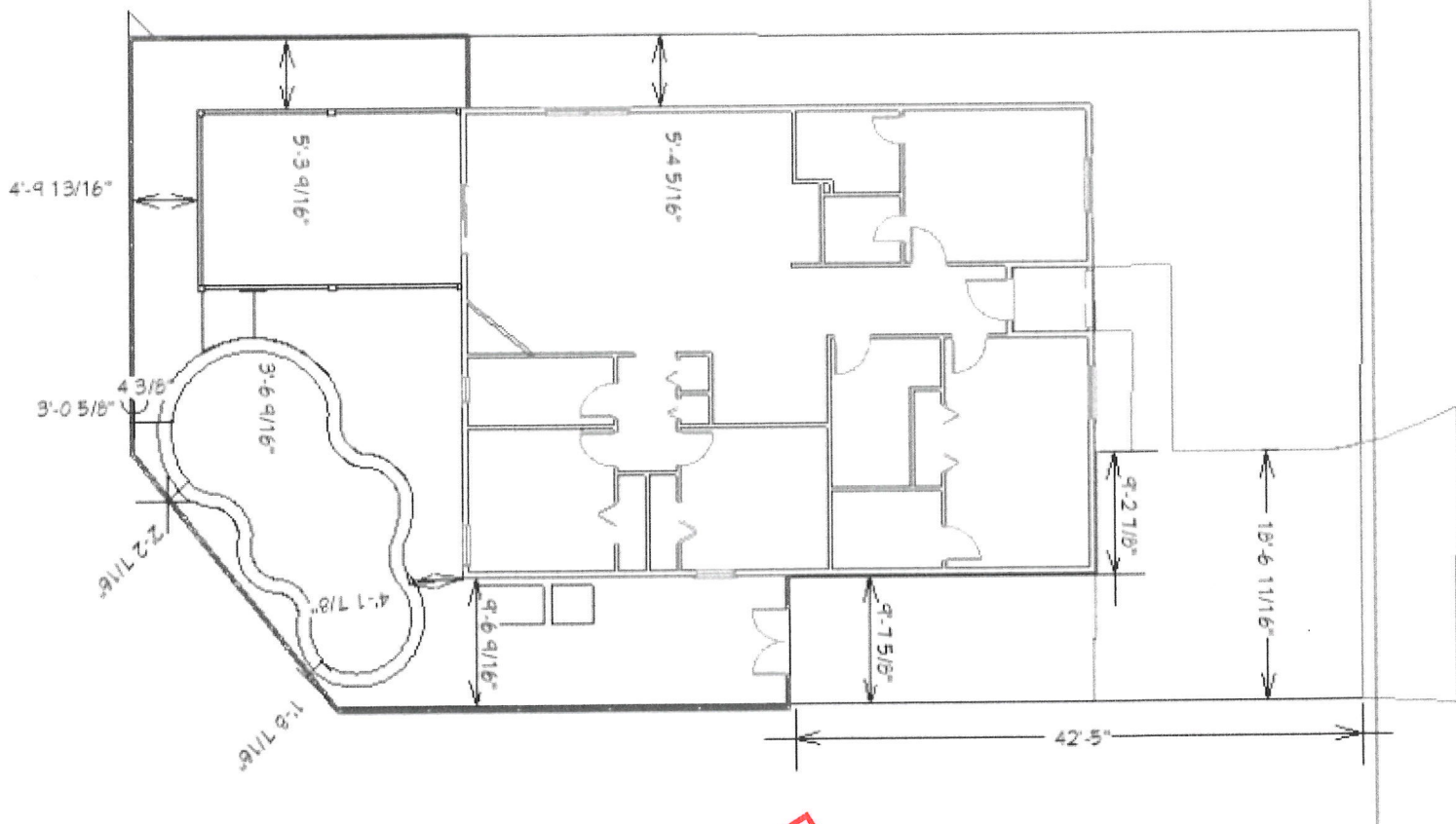
Lot Coverage:

$(2660.92 / 4459.86) * 100 = 59.664\%$ (Current percentage of coverage 60.982%)

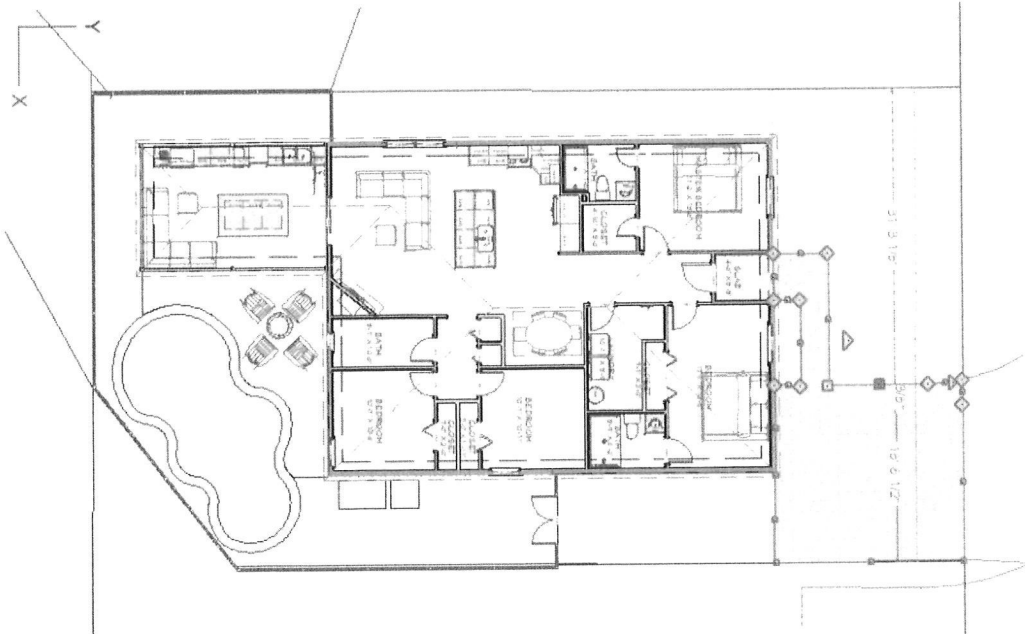
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Terrain Path Specification

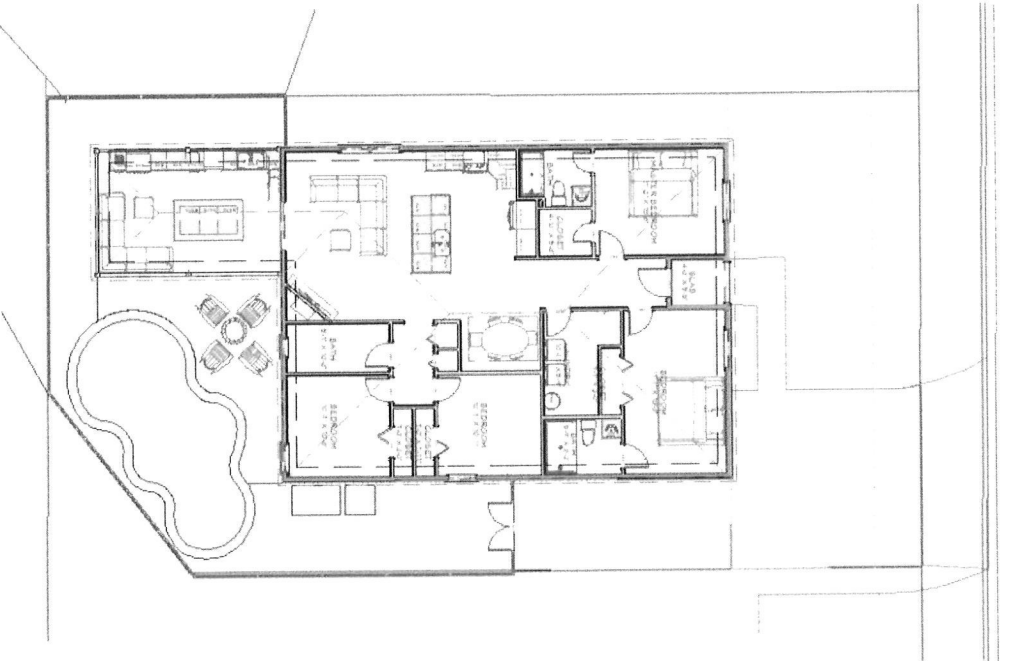
General	
Polyline	
Selected Line	
Line Style	
Fill Style	
Materials	
Label	
Components	
Object Information	
Schedule	

Polylines Selected:	1
Length/Perimeter:	1335"
Area:	427.89 sq ft
Volume:	142.63 cu ft
Number of Lines:	18
Number of Holes:	0
Hole Perimeter:	0'
Hole Area:	0 sq ft



OK Cancel Help

Help



Room Specification

- General
- Structure
- Deck
- Deck Support
- Moldings
- Wall Covering
- Fill Style
- Materials
- Components
- Schedule

General

Room Type:

Slab

Room Name:

Slab

☒ Show Room Label

Living Area

- ☐ Include in Total Living Area Calculation
- ☐ Exclude from Total Living Area Calculation
- ☒ Use Default (Excluded)

Conditioned Room

- ☐ Conditioned
- ☐ Unconditioned
- ☒ Use Default (Unconditioned)

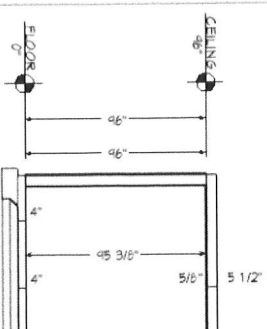
Options

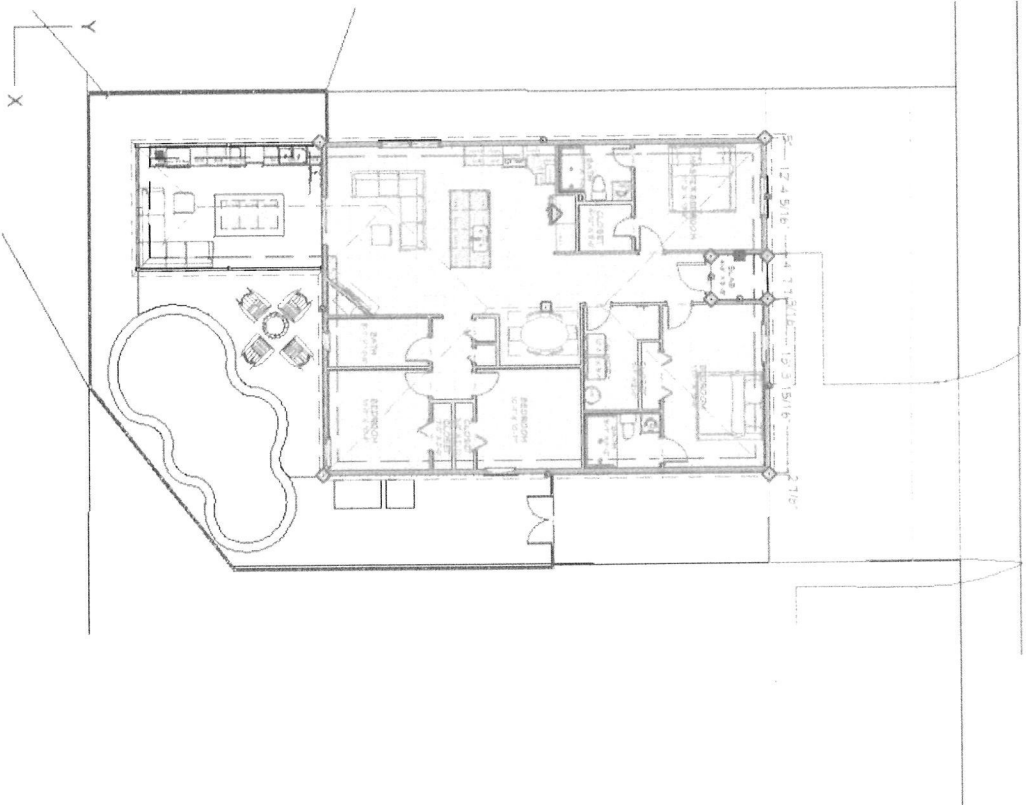
Roof Group:

Room Information

Rooms Selected: 1

Dimensions: 4'-8" x 5'-5"
Interior Perimeter: 243 1/8"
Standard Area: 29.16 sq ft
Interior Area: 25.5 sq ft
Volume: 204.71 cu ft





Polyline Specification

Polyline Selected: 1

Length/Perimeter: 2126.3/16"

Area: 1,640.93 sq ft

Volume: 0 cu ft

Number of Lines: 8

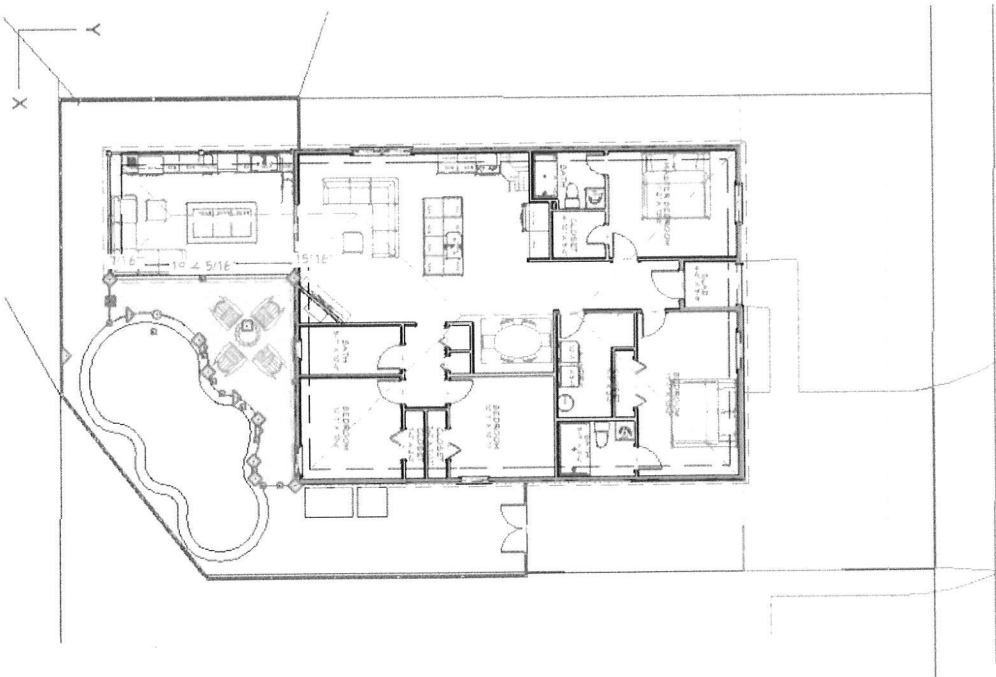
Number of Holes: 0

Hole Perimeter: 0"

Hole Area: 0 sq ft

Number Style...

OK Cancel Help



Terrain Feature Specification

General	
Polyline	Polylines Selected: 1
Selected Line	Length/Perimeter: 951 1/16"
Line Style	Area: 197.68 sq ft
Fill Style	Volume: 65.89 cu ft
Materials	Number of Lines: 14
Label	Number of Holes: 0
Components	Hole Perimeter: 0"
Object Information	Hole Area: 0 sq ft
Schedule	

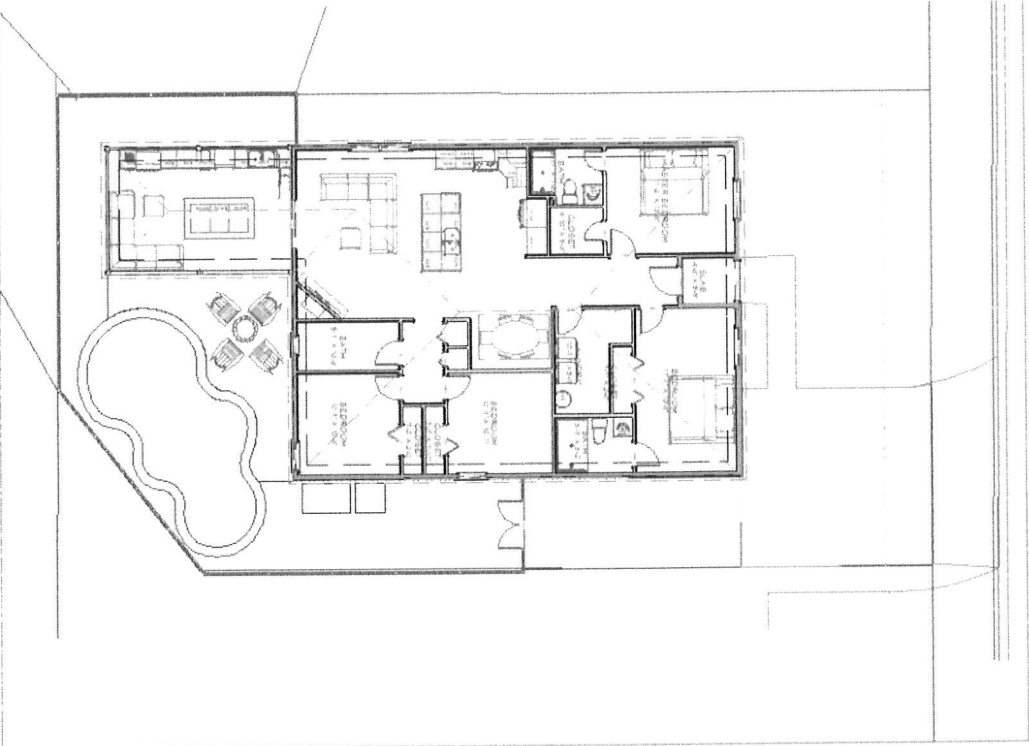
Number Style...

A 3D perspective view of a rectangular object, possibly a box or a piece of furniture, rendered in a dark gray color. The object is shown from a slightly elevated angle, showing its top and side surfaces.

OK

Cancel

Help



Room Specification

- General
- Structure
- Deck
- Deck Support
- Moldings
- Wall Covering
- Fill Style
- Materials
- Components
- Schedule

General

Room Type:

Patio

Define...

Room Name:

Patio

Define...

☐ Show Room Label

Living Area

- ☐ Include in Total Living Area Calculation
- ☐ Exclude from Total Living Area Calculation
- ☒ Use Default (Excluded)

Conditioned Room

- ☐ Conditioned
- ☐ Unconditioned
- ☒ Use Default (Unconditioned)

Options

Roof Group:

0

Room Information

Rooms Selected: 1

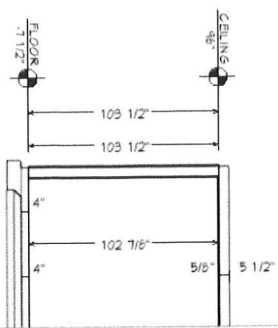
Dimensions: 13'-5" x 19'-7"

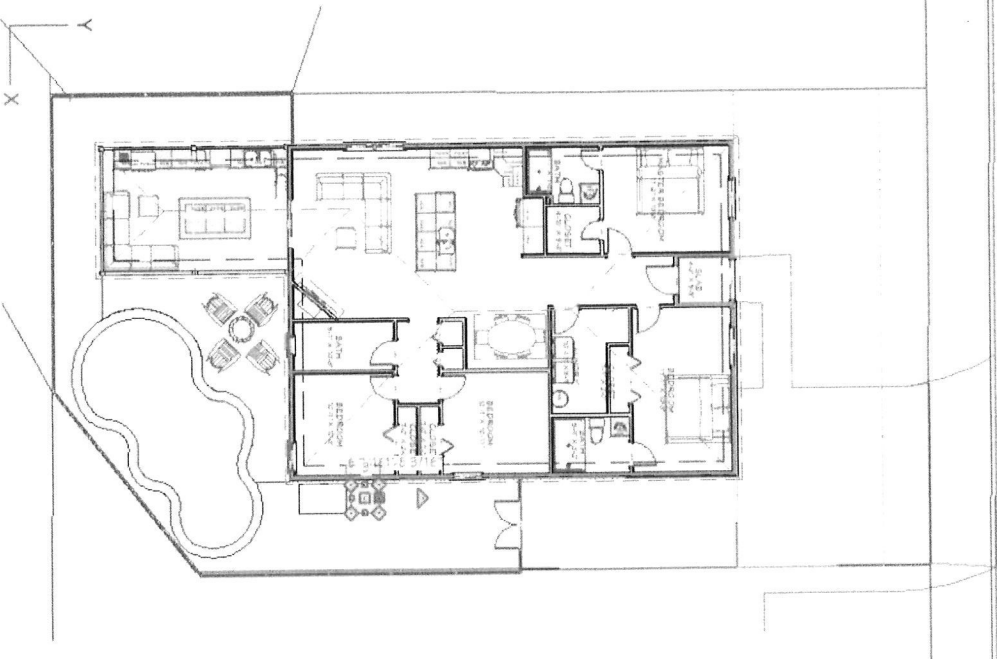
Interior Perimeter: 791 15/16"

Standard Area: 263.78 sq ft

Interior Area: 262.73 sq ft

Volume: 2,236.3 cu ft



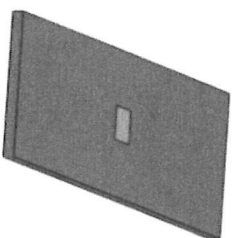


Terrain Feature Specification

General
Polyline
Selected Line
Line Style
Fill Style
Materials
Label
Components
Object Information
Schedule

Polyline Selected: 1
Length/Perimeter: 144"
Area: 9 sq ft
Volume: 3 cu ft
Number of Lines: 4
Number of Holes: 0
Hole Perimeter: 0"
Hole Area: 0 sq ft

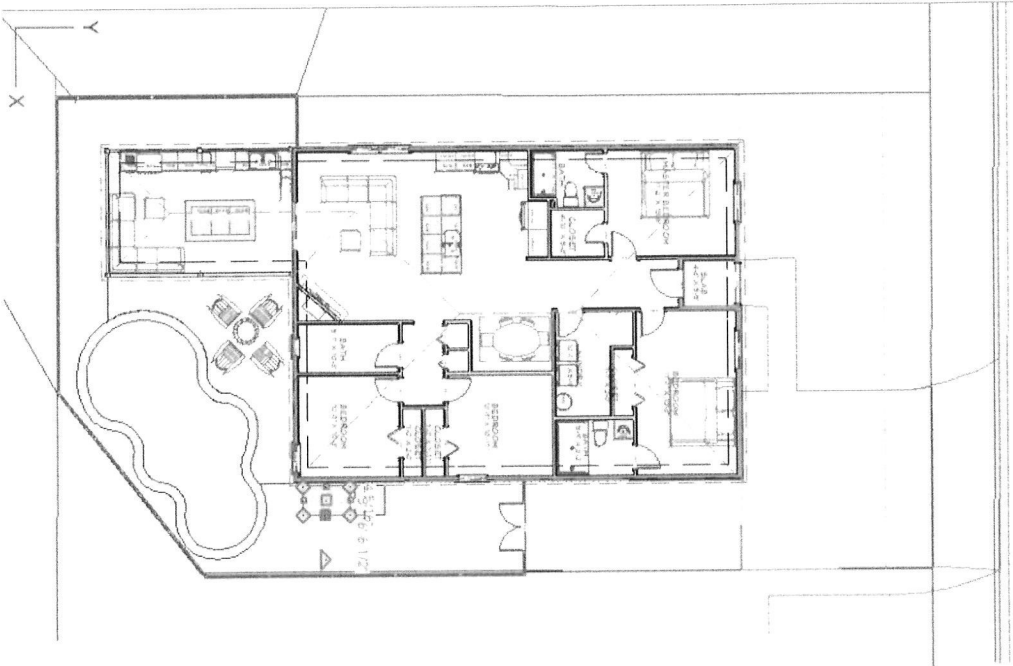
Number Style...



OK

Cancel

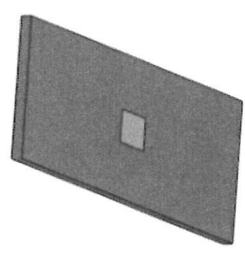
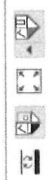
Help



Terrain Feature Specification

General	Polyline Selected: 1
Polyline	Length/Perimeter: 192"
Selected Line	Area: 15 sq ft
Line Style	Volume: 5 cu ft
Fill Style	Number of Lines: 4
Materials	Number of Holes: 0
Label	Hole Perimeter: 0"
Components	Hole Area: 0 sq ft
Object Information	
Schedule	

Number Style...



OK Cancel Help



Terrain Feature Specification

General

Polyline

Selected Arc

Line Style

Fill Style

Materials

Label

Components

Object Information

Schedule

Polyline Selected: 1

Length/Perimeter: 892.7/8"

Area: 305.5 sq ft

Volume: 101.83 cu ft

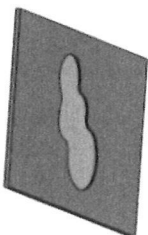
Number of Lines: 13

Number of Holes: 0

Hole Perimeter: 0"

Hole Area: 0 sq ft

Number Style...



OK

Cancel

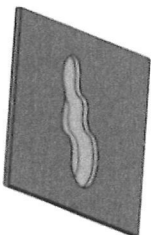
Help



Terrain Feature Specification

General	
Polyline	Polyline Selected: 1
Selected Arc	Length/Perimeter: 817.7/16"
Line Style	Area: 234.24 sq ft
Fill Style	Volume: 702.72 cu ft
Materials	Number of Lines: 13
Label	Number of Holes: 0
Components	Hole Perimeter: 0"
Object Information	Hole Area: 0 sq ft
Schedule	

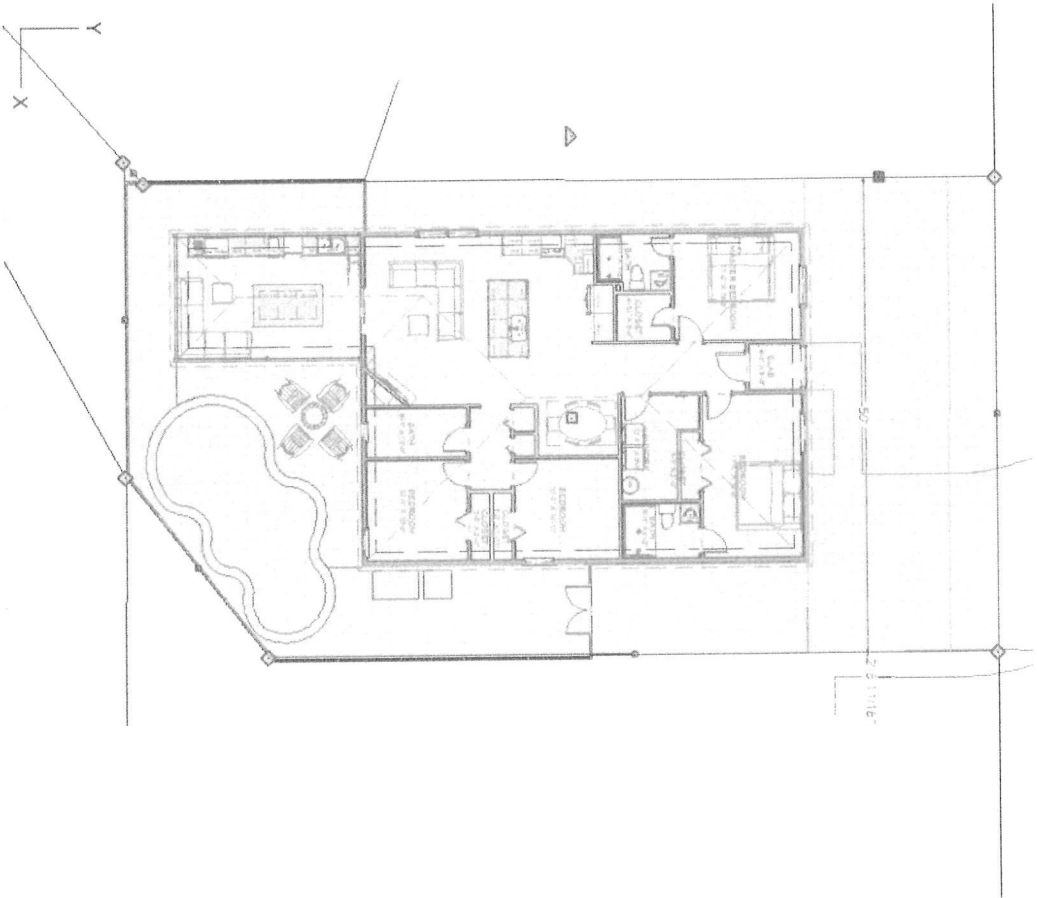
Number Style...



OK

Cancel

Help



Terrain Specification

General

Contours

Polyline

Selected Line

Line Style

Fill Style

Materials

Label

Object Information

Schedule

Polyline Selected: 1

Length/Perimeter: 3330.77'

Area: 4,453.85 sq ft

Volume: 1,486.62 cu ft

Number of Lines: 6

Number of Holes: 0

Hole Perimeter: 0'

Hole Area: 0 sq ft

Number Style...

OK

Cancel

Help

BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	11/27/2023
SUBJECT:	BOA #23-100120 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, December 19, 2023 Board of Adjustment Meeting.

BOA #23-100120

ZONING: I-1 (industrial)
 RE NO.: 176590-0000
 LEGAL: Lot 1, Block 80, *Oceanside Park*
 ADDRESS: 700 S 9th Street

REQUEST:

Section(s): 34-373(a)(1) for 3 compact spaces in lieu of standard off street space dimensions, Section(s): 34-373(b) for a parking isle of less than 23 feet for 90-degree parking, Section(s): 34-373(c) for back out parking for a commercial use in lieu of internal turning and maneuvering. Section(s): 34-377, for 6 off street parking (on site) spaces in lieu of 12 required off-street parking spaces (on site) and 34-425, for no landscaping in lieu of all required landscaping for the creation of a coffee shop in conjunction with an existing motorcycle repair facility **for property addressed** 700 S 9th St, **RE#** 176590-0000, **legally described as** Lot 1, Block 80, Oceanside Park

EXISTING CONDITIONS:

The subject property is a conforming lot of record (circa 1922) and is currently in the Industrial future land use category and is in the Industrial: I-1 zoning district, where there is no minimum lot area standard. The subject property is roughly 50 feet in width, and 125 feet in depth, with a lot area of 6,250 square feet. The subject lot is currently occupied by a motorcycle repair shop. The entirety of the site is covered with either building or concrete driveway. The site was developed in 1950 as an automotive repair facility. The site is currently used for motorcycle repair, though the space for the proposed coffee shop is currently used mostly for storage and is not actively used for motorcycle repair. Portions of the unused driveway will be converted to parking where room allows. Although the site is industrial in nature, the LDC allows for conditional use of a restaurant, with Planning Commission approval. The coffee shop space will be roughly 1,200 square feet in area, requiring 12 parking spaces. Roughly 500 square feet of the proposed use will be for seating. The Planning Commission approved the Conditional Use application at their December 11th meeting with no conditions.

No previous BOA, no active code case.

STAFF ANALYSIS:

The applicant is the current owner of the property and the existing structure. The site has been used as a motorcycle repair facility for many years, run by the property owner / applicant. The applicant has requested to convert the existing unused portion of the structure into a small coffee shop, mainly for both customers of the motorcycle shop, as well as, local surrounding businesses and residents.

The site currently has no designated parking, except for customers' motorcycles. The proposed site plan shows the applicant creating some of the required on-site parking, with the need for some relief of design standards for parking, as well as relief for the total number of parking spaces and landscaping. The variance will be for 3 compact spaces in lieu of standard off-street parking space dimensions, for a parking isle of less than 23 feet for 90-degree parking, for back out parking for a commercial use in lieu of internal turning and maneuvering, for 6 off-street parking (on site) spaces in lieu of 12 required off-street parking spaces (on site) and, for no landscaping in lieu of all required landscaping for the creation of a coffee shop in conjunction with an existing motorcycle repair facility.

The area along this portion of 7th Avenue South has a reasonable amount of unimproved on-street parking that is used by the motorcycle shop currently and can continue to be used by employees and customers as needed. Overall, staff does not anticipate that this site will be a destination for coffee, but will be used mostly by residents and employees of the immediate surrounding area. The property is located in the I-1 industrial zoning district, and is not located near other commercial restaurant uses or retail establishments, so it is not a natural area for citizens to travel to and congregate in the area for coffee, such as is common for shops along 3rd street. Given the location, it is not anticipated that this will be a tourist destination either. Based on the expected customer base, staff does not anticipate a large parking demand, and recommend approval of the proposed variance, as it will allow for some stripped on-site parking that is currently completely lacking for the current repair shop.

MINIMUM DIMENSIONAL STANDARDS:

- Minimum lot area: None
- Minimum lot width: None
- Minimum yards:
 - o Front yard: Ten (10) feet.
 - o Side yard: Five (5) feet except for a corner lot. On a corner lot, the side yard facing the corner shall be ten (10) feet.
 - o Rear yard: None
- Floor area: None
- Maximum lot coverage: Eighty-five (85) percent.
- Height: Thirty-five (35) feet.
- Off-street parking and loading. The off-street parking and loading standards for the I-1 zoning district are found in Article VIII, Division 1.

REVIEW OF CRITERIA:

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject property was developed in 1950 as an industrial automotive use. At the time of construction, the property was completely covered with structure and asphalt, with the majority taken up by the

structure itself and no space was provided for typical on site parking. The site currently has no formal stripped parking at all for the current motorcycle repair use.

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 no on-site parking, and no room for any required landscaping. The applicant has been operating the motorcycle shop for some time without any required parking, and previous owners and uses have operated as such as well.

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

Staff finds that the proposed variance will not confer special privileges. As noted, the current use has no required on site parking. The proposed use of coffee shop, while it may generate some additional traffic, will be partially mitigated by the creation of some, but not all of the required on site parking. Many industrial uses have very low parking standards and there are many sites in the industrial zoning district that have additional subordinate uses and a lack of parking.

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 cause an unnecessary and undue hardship.

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. The industrial zoning district allows for a number of diverse uses, either permitted or conditionally approved. Without approval of this variance, the property will be limited to motorcycle or automotive repair only, and should that use cease for more than 6 months, they will be required to either provide the required parking or seek a variance at that time.

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

Staff does find that the requested variances are the minimum variance needed to accommodate the existing nonconformities, as well as the additional use. The applicant is attempting to provide as much on-site parking as possible, and requires some relief to even provide the 6 spaces on the site plan. The remainder will be accounted for with on-street parking provided in the city right of way, though these are not yet improved.

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 not find that the request is consistent with the comprehensive plan.

STAFF RECOMMENDATION:

As provided for in Section 34-282 of the Land Development Code, and based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval** of BOA#23- 100120

ATTACHMENTS:

1. 23-100120
2. 23-100120 pics



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

AGENDA ITEM:	A.
MEETING DATE:	December 19, 2023



APPLICATION FOR VARIANCE

BOA No. 23-100120

HEARING DATE _____

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

REQUIRED DOCUMENTATION

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

RECEIVED

OCT 16 2023

APPLICANT INFORMATION

Applicant Name: Nicolas Notaro Telephone: (904) 742-7472
 Mailing Address: 700 9th st. South Jacksonville FL, 32250 E-Mail: garrisonmoto@gmail.com
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Nicolas Notaro Telephone: (904) 742-7472
 Mailing Address: 700 9th st South Jacksonville FL, 32250 E-Mail: garrisonmoto@gmail.com

PLANNING
DEPARTMENT

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: 700 9th st South, 32250
 Legal description of property (Attach copy of deed): 176590-0000
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Reduced required off street parking space.

AFFIDAVIT

I, Nicolas Notaro, 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.

Nicolas Notaro
 APPLICANT SIGNATURE

Nicolas Notaro
 PRINT APPLICANT NAME

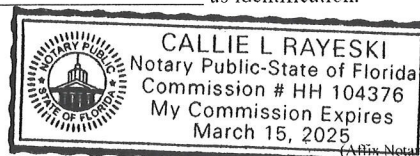
10-16-2023
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16th day of October, 2023, by Nicolas Notaro, who is personally known to me or produced drivers license as identification.

Callie Rayeski
 NOTARY PUBLIC SIGNATURE

Callie Rayeski - Bowling
 PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: E-1

FLOOD ZONE: X

CODE SECTION (S): _____

23-100/20

Prepared by and Return to:
Mary Rathbun, an employee of
First International Title, Inc.
9700 Philips Highway, Unit 105
Jacksonville, FL 32256
Our File No. 109335.1-43

RECEIVED

OCT 16 2023

PLANNING
DEPARTMENT

WARRANTY DEED

THIS INDENTURE is made on 6th day of April, 2018, between **Deam, Turner, Perkins, LLC, a Florida limited liability company**, having a business address at: 900 7th Avenue South, Jacksonville Beach, Florida 32250 ("Grantor"), and **Nicolas Y. Notaro, a single person**, having a mailing address of: 1648 Evans Drive S., Jacksonville, Florida 32250 ("Grantee"):

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged hereby grants, bargains, sells, remises, releases, conveys and confirms unto said "Grantee" all that certain land, situated, lying and being in the County of **Duval, Florida**, to-wit:

Lot 1, Block 80, OCEANSIDE PARK, according to the Plat thereof, recorded in Plat Book 8, Page(s) 13 of the Public Records of Duval County, Florida.

Parcel Identification Number: **176590-0000**

THIS DEED IS GIVEN TO WIND UP THE BUSINESS AND AFFAIRS OF THE LLC

Subject, however, to all reservations, covenants, conditions, restrictions and easements of record and all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

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

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

And 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, 2017**.

In Witness Whereof, Grantor has signed and sealed these presents on the date first above written.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100/20

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

RECEIVED

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

JUL 18 2023
**PLANNING
DEPARTMENT**

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	Building was already established with existing lot coverage and parking spaces.
Special circumstances and conditions do not result from the actions of the applicant.	yes	Building was already built with same use when purchased. Removing one bay for coffee shop that will be mostly used for patrons of shop and surrounding businesses. Adding as much parking on site as possible with ADA space, bike rack parking, and motorcycle parking since that's the primary vehicle use on site.
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	No, asking for relief due to constraints of parking on site based on the building footprint. Parking variances are often applied for with required spaces reduced.
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	Do have application in for the zoning variance, which is compatible. Only other issue that has arisen has been parking. Have figured out getting the ada space on site, motorcycle parking, bike parking and _____ number of additional spaces. Further there's 9 public parking spots just installed on the street. Coffee shop is designed as ancillary income to the shop, not a destination coffee shop. Customers will mostly be from the shop, and the few surrounding businesses/gyms/studios directly around the location so that parking issue is minimal.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	Minimum variance needed simply for off street parking. Will have on site ADA complaint space, asking for bike rack parking space, motorcycle parking spaces, and the acknowledgment of nine public parking spaces adjacent to property as most patrons will be from the shop and surrounding business.
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	Currently a motorcycle repair shop with Vfw adjacent with crossfit gyms and gymnastics/cheerleading gym. Also comparable use neighborhood residential coffee shop.

MAP SHOWING SKETCH OF LOT 1, BLOCK 80

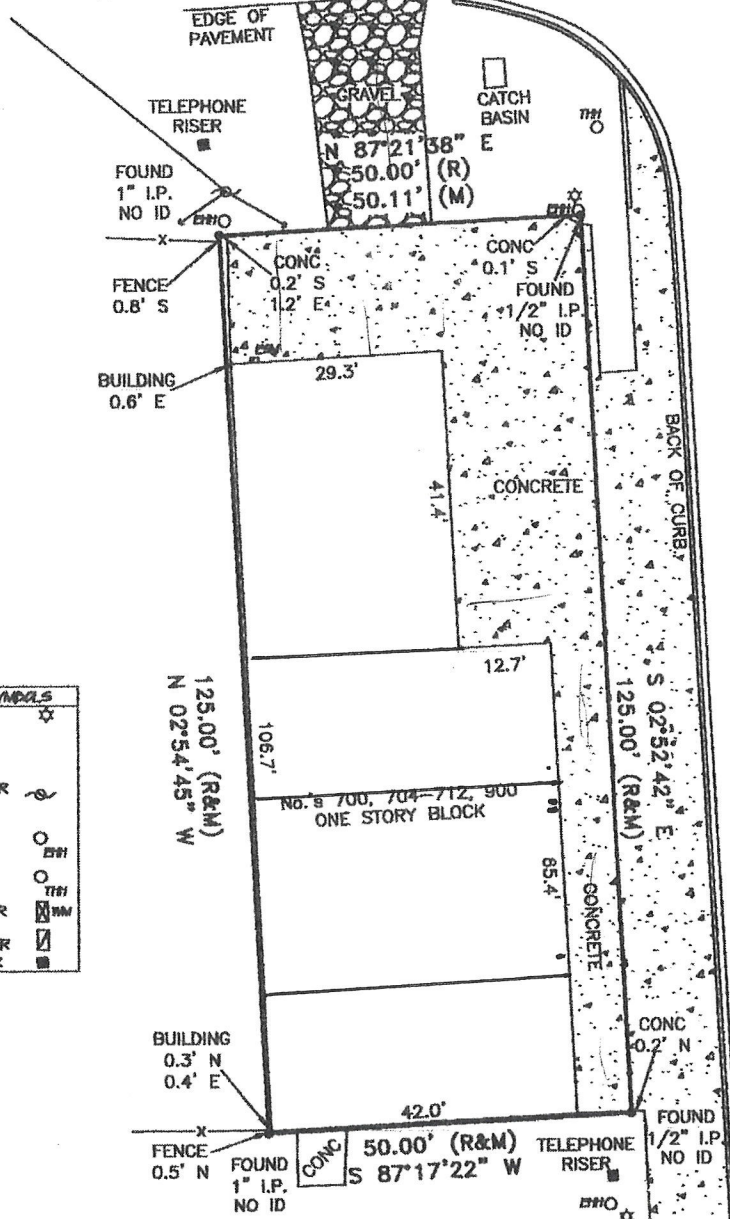
OCEANSIDE

AS RECORDED IN PLAT BOOK 8, PAGES 13 OF THE CURRENT PUBLIC RECORDS OF
DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
DEAM, TURNER, PERKINS, LLC
MICHAEL S. PRICE

7TH AVENUE SOUTH
80' RIGHT-OF-WAY (PER PLAT)

CURB
ENDS



UTILITY SYMBOLS	
LIMIT PILE	*
ELECTRIC SERVICE METER	⊗
WOOD POWER PILE	⊗
ELECTRIC HAND HALE	⊗
TELEPHONE HAND HALE	⊗
WATER METER	⊗
RE-USE WATER METER	⊗
UTILITY RISER	⊗

NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

- NOTES:**
- NO BEARINGS ON RECORD PLAT. BEARINGS SHOWN HEREON ARE ASSUMED.
 - THIS IS A MAP TO SHOW BOUNDARY SURVEY OF THE LANDS DESCRIBED HEREON.
 - ELEVATIONS SHOWN THIS (18.0) REFER TO THE US DEPARTMENT OF COMMERCE, NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA), NATIONAL GEODETIC SURVEY (NGS) DATUM, NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
 - BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON APPEARS TO LIES WITHIN ZONES: "X" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.), NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NUMBER: 120078 0419 H 1. MAP REVISED DATE: JUNE 3, 2013. MAP NUMBER 1203100419H.
 - UNLESS OTHERWISE NOTED, ANY PORTION OF THE PARCEL THAT MAY BE DEEMED AS WETLANDS BY STATE OR GOVERNMENTAL AGENCIES, HAS BEEN DETERMINED AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

P.C.P.	PERMANENT CONTROL POINT	P.M.T.	EASEMENT
P.R.M.	PERMANENT REFERENCE MONUMENT	L.B.	LICENSED BUSINESS
P.O.C.	POINT ON CURVE	WF	WIRE FENCE
P.O.B.	POINT OF BEGINNING	JE A E.	JACKSONVILLE ELECTRIC
P.O.R.	POINT OF REFERENCE	A/C	ASSOCIATION EASEMENT
P.C.	POINT OF CURVATURE	Q/L	AIR CONDITIONER
P.T.	POINT OF TANGENCY	Q/L	OVERHEAD LINES
P.C.C.	POINT OF COMPOUND CURVE	F.M.	FIELD MEASURED
P.R.C.	POINT OF REVERSE CURVATURE	R=	RADIUS EQUALS
P.I.	POINT OF INTERSECTION	L=	ARC LENGTH EQUALS
R/W	RIGHT OF WAY	CH=	CHORD BEARING & DISTANCE EQUALS
O.R.V.	OFFICIAL RECORDS VOLUME	Δ=	DELTA OR CENTRAL ANGLE EQUALS
D.B.	DEED BOOK	I.P.	IRON PIPE
P.D.	PAGE	CONC.	CONCRETE
B.R.L.	BUILDING RESTRICTION LINE		

LEGEND	
X-X	DEMOTES CONCRETE MONUMENT
⊗	DEMOTES FENCE
⊗	DEMOTES 1/2" IRON PIPE SET (AS NOTED)
⊗	DEMOTES IRON PIPE FOUND (AS NOTED)
X	DEMOTES CROSS CUT

A & J LAND SURVEYORS, INC.
CERTIFICATE OF AUTHORIZATION NO. LB 6661
PROFESSIONAL LAND SURVEYORS
5847 LUELLA STREET
JACKSONVILLE, FLORIDA 32207
OFFICE: (904) 346-1733
FAX: (904) 346-1736

[Signature]
JONATHAN B. BOWMAN, STATE OF FLORIDA,
REGISTERED LAND SURVEYOR, CERTIFICATE No. 4600

RECEIVED

OCT 16 2023

PLANNING
DEPARTMENT

50' RIGHT-OF-WAY (PER PLAT)
9TH STREET SOUTH

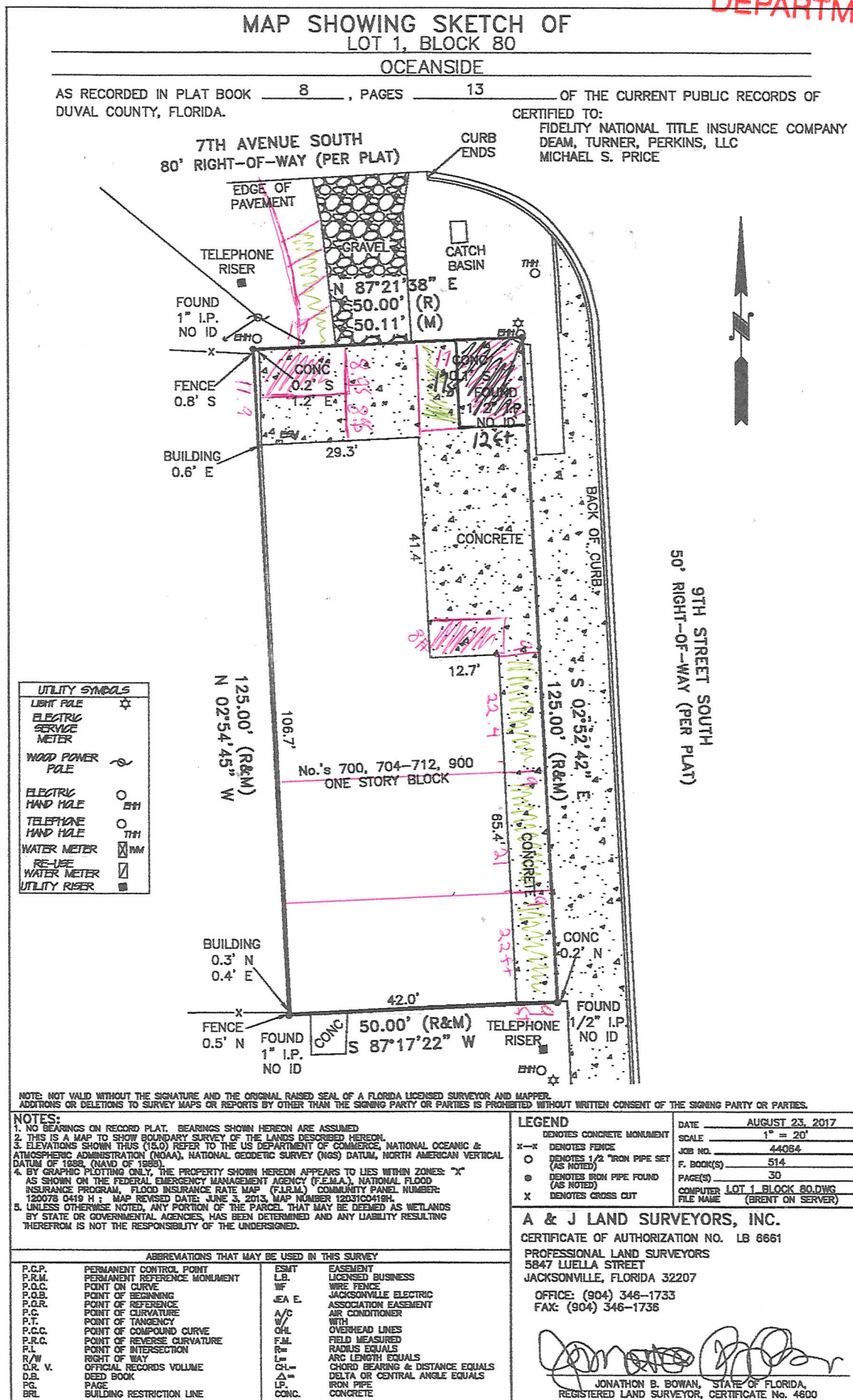
23/100/20

23/00/20

RECEIVED

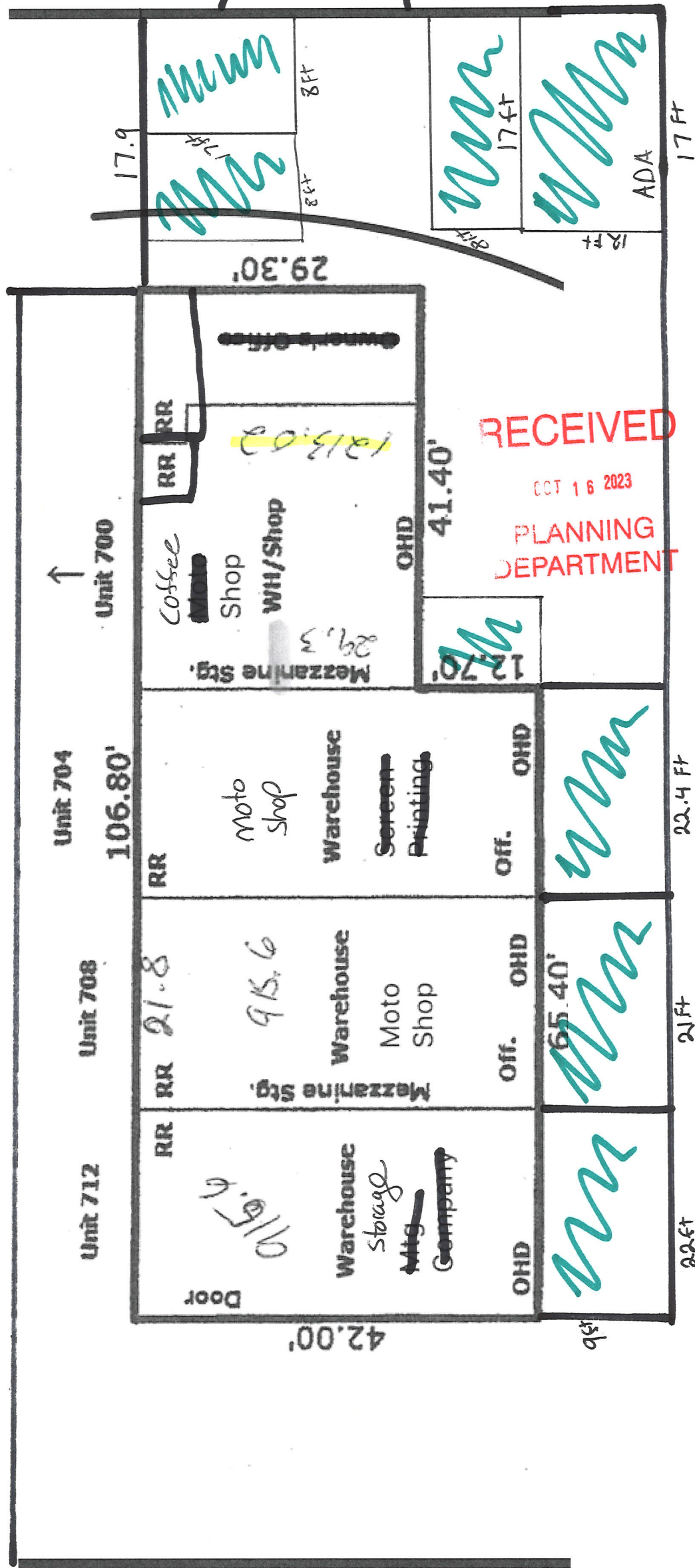
OCT 16 2023

PLANNING
DEPARTMENT



-594 - Seating area

23-100120



Location Map (property boundaries are reprehensive only)



UTILITY SYMBOLS

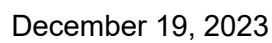
LAMP POLE	(Symbol)
ELECTRIC SERVICE METER	(Symbol)
WATER POWER POLE	(Symbol)
ELECTRIC HAND HOLE	(Symbol)
TELEPHONE HAND HOLE	(Symbol)
WATER METER	(Symbol)
NO-LINE WATER METER	(Symbol)
UTILITY POLE	(Symbol)

RECEIVED
OCT 16 2023
PLANNING DEPARTMENT

7TH AVENUE SOUTH
80' RIGHT-OF-WAY (PER PLAT)
CURB ENDS
CATCH BASIN
EDGE OF PAVEMENT
GRAVEL
N 87°21'38" E 50.00' (R) 50.11' (M)
TELEPHONE RISER
FOUND 1" LP NO ID
FENCE 0.8' S
BUILDING 0.6' E
CONC 0.2' S 1.2' E
CONC 0.1' S FOUND 1 1/2" LP NO ID
BACK OF CURB
CONCRETE
S 02°52'42" E 125.00' (R&M)
125.00' (R&M) W
106.7'
12.7'
No. 8 700, 704-712, 900 ONE STORY BLOCK
65.4'
CONCRETE
BUILDING 0.3' N 0.4' E
FENCE 0.5' N
FOUND 1" LP NO ID
CONC 50.00' (R&M) S 87°17'22" W
TELEPHONE RISER
FOUND 1 1/2" LP NO ID
9TH STREET SOUTH
50' RIGHT-OF-WAY (PER PLAT)

NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
FORWARD AN ANSWER TO BARRY MOY'S ON THE SITE BY 5:00 PM WITH THE ORIGINALLY RAISED SEAL IN PROPORTION TO THE BOTTOM CENTER OF THE SHIPING PARTY OR PARTIES.

[illegible]



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	11/27/2023
SUBJECT:	BOA #23-100121 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, December 19, 2023 Board of Adjustment Meeting.

BOA #23-100121

ZONING: RS-1
 RE NO.: 177304-0020
 LEGAL: Lot 1, *Waterway Estates Unit 1*
 ADDRESS: 6 Hopson Rd

REQUEST:

Section(s): 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum, to allow for replacement of existing gravel driveway for new paver driveway to an existing single-family dwelling **for property addressed** 6 Hopson Rd, **RE#** 177304-0020, **legally described as** Lot 1, Waterway Estates Unit 1

EXISTING CONDITIONS:

The subject property is a conforming lot of record (circa 1968), located in the Low-Density Residential future land use category. The property is currently located in the Residential Single Family: RS-1 zoning district. The property has an overall lot area of 17,195 square feet. The subject home was constructed in 2020, subsequent to the current LDC. The lot coverage is currently conforming at 35.7%. Generally, the lot is substantially compliant with the LDC limit of 35%. The subject parcel has a two-story dwelling, pool, and gravel driveway. The home was constructed with a predominantly gravel driveway and paver strips for access to the garage to keep the lot coverage at or below 35%. The applicant is asking for a variance for lot coverage of 45% in lieu of 35% maximum, to allow for the replacement of the existing gravel driveway with a new paver driveway to an existing single-family dwelling. According to the applicant, the current gravel driveway is unsafe for elderly parents and causes a drainage issue. Water often stays sitting in the current gravel, causing minor flooding.

No previous BOA, no active code case.

STAFF ANALYSIS:

The applicant will add a total of 1,500 sq ft to the current 6,139 sq. ft. of impervious surface. This will make the new total impervious surface 7,639 and cover 44% of lot coverage. The lot is a conforming lot and meets all the dimensional standards in the RS-1 zoning district. A variance to allow for the replacement of an existing gravel driveway for a new paver driveway to an existing single-family dwelling will not be consistent with the established variance criteria in section 34-286 for all variances, as the lot is conforming and has no hardships. Additionally, the applicant purchased the home with

the existing gravel driveway and a conforming 35% lot coverage. Staff would recommend that the application be disapproved, as this is not the minimum variance that will make possible the reasonable use of the parcel of land, building and structure. The home was constructed with the minimum allowed paved driveway per the LDC.

MINIMUM DIMENSIONAL STANDARDS:

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

REVIEW OF CRITERIA:

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

Staff does not find that there are circumstances unique to the subject parcel of land. The subject lot is conforming in both lot size and width, there are no unique circumstances to justify an increase in lot coverage. Specifically as the home was constructed in 2020 within the 35% lot coverage maximum.

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

Staff does find that circumstances are a result of the applicant. The applicant purchased the property with the current driveway and lot coverage, and the home was constructed within the dimensional standards for RS-1.

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 confer special privileges. The request to increase lot coverage to replace a gravel and paved strip driveway would confer a special privilege as compared to other properties in the same zoning district due to the conforming dimensions and area of property.

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

Staff does not find that literal interpretation of the code would deprive the applicant of rights and privileges. The property meets RS-1 standards, and previous owners were able to construct a single family home with rear yard amenities without the need for a varinace.

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 variance is the minimum variance needed to accommodate the replacement of the gravel driveway with a paved driveway. The minimum variance needed would be 44% lot coverage, however the lot is conforming and has no hardships, and a single family home was constructed in 2020 without a variance. The applicant could remove existing lot coverage to allow for some paving of the driveway, provided they remain at or below 35% 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.

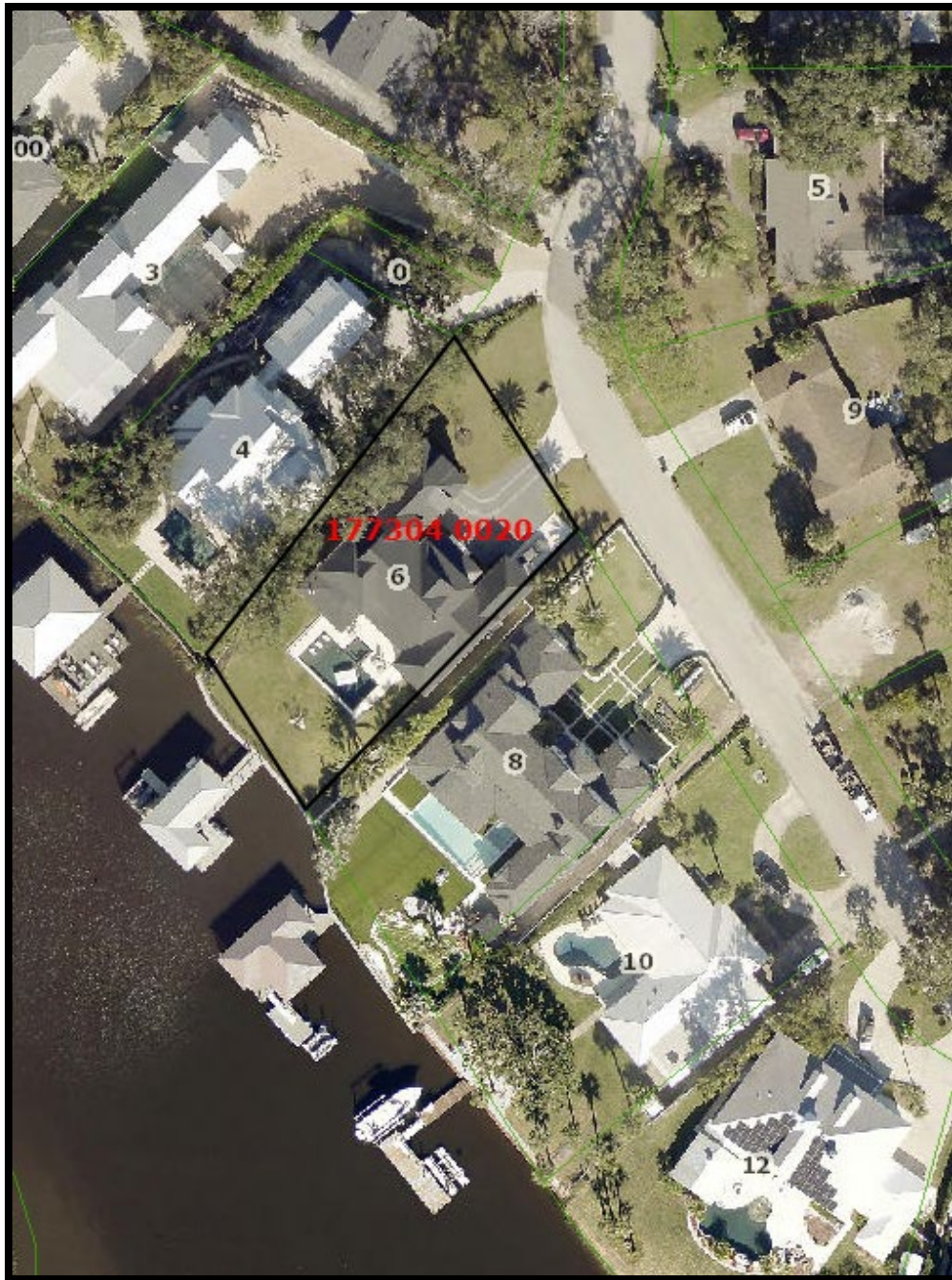
STAFF RECOMMENDATION:

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 **Denial** of BOA#23-100121

ATTACHMENTS:

1. 23-100121 pics
2. 23-100121 Staff report

Location Map (property boundaries are representative only)



[illegible]

MAP SHOWING

LOT ONE, WATERWAY ESTATES UNIT NO. 1
AS RECORDED IN PLAT BOOK 34, PAGE 26
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

NOTIFIED TO: DAVID MICHAEL CALDWELL & JOELLE CALDWELL
HANCOCK WHITNEY BANK
D.R. REPASS, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

O.R.B. 16341,
PAGE 1571

HOPSON ROAD
(60' RIGHT-OF-WAY)

N38°17'20"E 182.21'

S32°31'30"E

110.00'

176.59' F.M.
176.86' PLAT

S44°28'13"W
54.75± F.M.

LOT 2

6 HOPSON ROAD
TWO STORY
SINGLE FAMILY
RESIDENCE
(HOUSE - 1,000 S.F.; PORCH - 1,000 S.F.)
(SECOND FLOOR - 1,000 S.F.)

DREDGED CANAL

SEPTMBER 22, 2020, FINAL SURVEY
JANUARY 3, 2020, UPDATE FOR

NOTE: NOT VALID WITHOUT THE SURVEY AND THE ORIGINAL PLAT MAP OR REPLACES

NOTES:

- BEARINGS ARE BASED ON THE SOUTHWESTERLY R/W.
- THIS IS A BOUNDARY SURVEY OF THE LANDS DESCRIBED HEREIN SHOWN BUT (1) REFER TO THE U.S. NATIONAL ATHEROSPHERIC ADJUSTMENT PROGRAM, NATIONAL VERTICAL DATUM IS 1988, (2) DATE OF 1988.
- BY CHAIRING POTENTIAL ONLY, THE PROPERTY SHOWN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT PROGRAM (FEMA) INSURANCE RATE WAS 1/20778 DATED JUNE 1, 1987 PLAT DATED 11/07/2013.
- UNLESS OTHERWISE NOTED, ANY PORTION OF THE PLAT BY STATE OR GOVERNMENT AGENCIES, HAS BEEN INTERFERED IS NOT BE RESPONSIBILITY OF THE SURVEYOR.
- THERE MAY BE RESTRICTIONS ON ENCLOSURES OF THE LOT THAT HAVE NOT BEEN SHOWN HEREON.

ABBREVIATIONS THAT MAY BE USED	PERMANENT CONTROL POINT
P.M.P.	PERMANENT RESTRICTED MONUMENT
Y.D.	YARD DRAGON
W.H.	WATERHOLE
B.C.	BATH CATCH
C.C.	COURT OF CURVATURE
M.T.	MONUMENT OF TANGENTIAL
S.V.	SEWER VALVE
N.O.I.	NO IDENTIFICATION
I.I.	POINT OF INTERSECTION
R.W.	RIGHT-OF-WAY



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

BOA#23-100121

Zoning: RS-1
RE: 177304-0020
Legal: Lot 1, *Waterway Estates Unit 1*
Address: 6 Hopson Rd

Request

Section(s): 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum, to allow for replacement of existing gravel driveway for new paver driveway to an existing single-family dwelling **for property addressed** 6 Hopson Rd, **RE#** 177304-0020, **legally described as** Lot 1, *Waterway Estates Unit 1*

Existing Conditions

The subject property is a conforming lot of record (circa 1968), located in the Low-Density Residential District future land use category. The property is currently located in Zoning District Residential Single Family: RS-1. The property has an overall lot area of 17,195 square feet. The subject home was constructed in 2020, subsequent to the current LDC. The lot coverage is currently conforming at 35.7%. The subject parcel has a two-story dwelling, pool, and gravel driveway. The applicant is asking for a variance for lot coverage of 45% in lieu of 35% maximum, to allow for replacement of existing gravel driveway for new paver driveway to an existing single-family dwelling. According to the applicant the current driveway is unsafe to elderly parents and causes a drainage issue. Water often stays sitting in the current gravel causing minor floods.

No previous BOA, no active code case.

Staff Analysis

The applicant will add a total of 1500 sq ft to the current 6,139 impervious surface. This will make the new total impervious surface 7,639 and cover 44% of lot coverage. The lot is a conforming lot and meets all the dimensional standards in the RS-1 zoning district. A variance to allow for replacement of existing gravel driveway for new paver driveway to an existing single-family dwelling will not be consistent with the purposes, goals, objectives, and policies of the comprehensive plan, as the lot is conforming and has no hardships. Staff would recommend that the application



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be disapproved, as this is not the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

Minimum Dimensional Standards

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

Review of Criteria

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

Staff **does not** find that there are circumstances unique to the subject parcel of land. The subject lot is conforming in both lot size and width, there are no unique circumstances.

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

Staff **does** find that circumstances are a result of the applicant. The applicant purchased the property with the current driveway.



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

Staff finds that the proposed variance **will** confer special privileges. The request to increase lot coverage to replace a gravel driveway would confer a special privilege as compared to other properties in the same zoning district due to the conforming property.

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

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The property meets RS-1 standards.

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 addition to the exiting property. The minimum variance needed would be 44% lot coverage, however the lot is conforming and has no hardships.

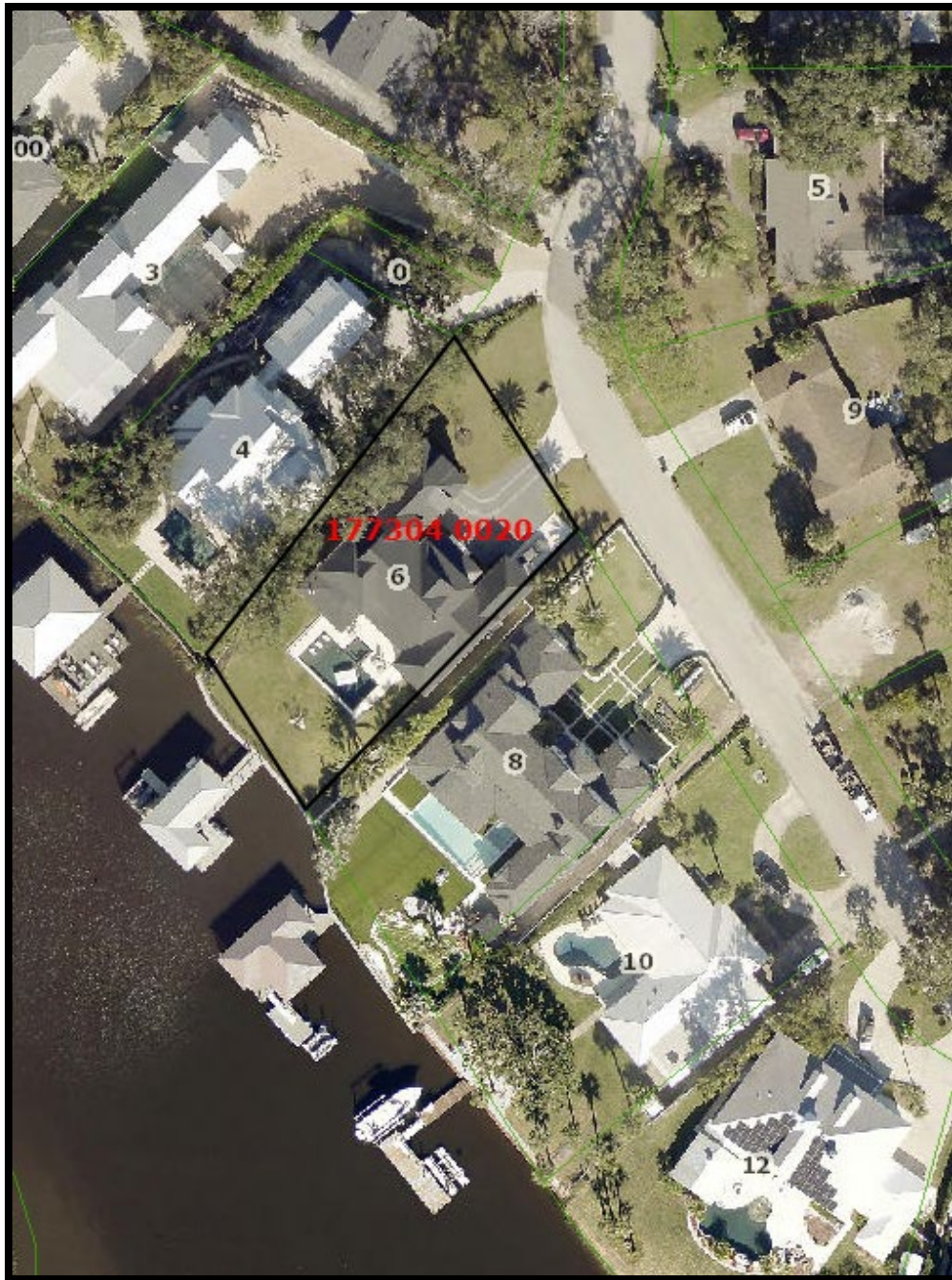
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff **does not** 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 **Denial of BOA#23-100121**

Location Map (property boundaries are representative only)



MAP SHOWING SURVEY OF

LOT ONE, WATERWAY ESTATES UNIT NO. 1
AS RECORDED IN PLAT BOOK M, PAGE 26
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

FILED TO: DAVID MICHAEL CALDWELL & JOSEPH CALDWELL
HANCOCK WHITNEY BANK
D.R. REPASS, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

O.M.B. 10541,
PAGE 1571

O.M.B. 10541,
PAGE 1667

RECEIVED
OCT 10 2006
PLANNING
DEPARTMENT

HOPSON ROAD
 (SEE MAP OF LOT 2)

2 STORY SMALL FAMILY RESIDENCE
 (SEE PLAT BOOK M, PAGE 26)

LOT 2

DREDGED CANAL

NOTES:

1. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT ONE, WATERWAY ESTATES UNIT NO. 1, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT ONE, WATERWAY ESTATES UNIT NO. 1, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT ONE, WATERWAY ESTATES UNIT NO. 1, AS SHOWN ON THE MAP.
2. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT TWO, WATERWAY ESTATES UNIT NO. 2, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT TWO, WATERWAY ESTATES UNIT NO. 2, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT TWO, WATERWAY ESTATES UNIT NO. 2, AS SHOWN ON THE MAP.
3. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT THREE, WATERWAY ESTATES UNIT NO. 3, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT THREE, WATERWAY ESTATES UNIT NO. 3, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT THREE, WATERWAY ESTATES UNIT NO. 3, AS SHOWN ON THE MAP.
4. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT FOUR, WATERWAY ESTATES UNIT NO. 4, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT FOUR, WATERWAY ESTATES UNIT NO. 4, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT FOUR, WATERWAY ESTATES UNIT NO. 4, AS SHOWN ON THE MAP.
5. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT FIVE, WATERWAY ESTATES UNIT NO. 5, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT FIVE, WATERWAY ESTATES UNIT NO. 5, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT FIVE, WATERWAY ESTATES UNIT NO. 5, AS SHOWN ON THE MAP.
6. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT SIX, WATERWAY ESTATES UNIT NO. 6, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT SIX, WATERWAY ESTATES UNIT NO. 6, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT SIX, WATERWAY ESTATES UNIT NO. 6, AS SHOWN ON THE MAP.
7. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT SEVEN, WATERWAY ESTATES UNIT NO. 7, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT SEVEN, WATERWAY ESTATES UNIT NO. 7, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT SEVEN, WATERWAY ESTATES UNIT NO. 7, AS SHOWN ON THE MAP.
8. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT EIGHT, WATERWAY ESTATES UNIT NO. 8, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT EIGHT, WATERWAY ESTATES UNIT NO. 8, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT EIGHT, WATERWAY ESTATES UNIT NO. 8, AS SHOWN ON THE MAP.
9. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT NINE, WATERWAY ESTATES UNIT NO. 9, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT NINE, WATERWAY ESTATES UNIT NO. 9, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT NINE, WATERWAY ESTATES UNIT NO. 9, AS SHOWN ON THE MAP.
10. BEARINGS AND DISTANCES ON THE BOUNDARIES OF LOT TEN, WATERWAY ESTATES UNIT NO. 10, AS SHOWN ON THE MAP, ARE BASED ON THE SURVEY OF LOT TEN, WATERWAY ESTATES UNIT NO. 10, AS SHOWN ON THE MAP, AND ARE BASED ON THE SURVEY OF LOT TEN, WATERWAY ESTATES UNIT NO. 10, AS SHOWN ON THE MAP.

[illegible]

BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	11/29/2023
SUBJECT:	BOA #23-100123 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, December 19, 2023 Board of Adjustment Meeting.

BOA #23-100123

ZONING: RM-2
 RE NO.: 174528-0080
 LEGAL: Lot 4 and 5, Block 102, *Pablo Beach North*
 ADDRESS: 118 N 10th Ave

REQUEST:

Section(s): 34-340(e)(1)e, for lot coverage of 80% in lieu of 35% maximum for expansion of existing pool perimeter paver patio around home, small paver pad, and concrete pad adjacent to the existing pool equipment pad and 34-340(e)(1)g, for accessory side and rear yard setbacks of 1 foot in lieu of 5 feet minimum, **for property addressed** 118 N 10th Ave, **RE#** 174528-0080, **legally described as** Lot 4 and 5, Block 102, Pablo Beach North

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1913) located in the High Density Residential future land use category. The property is currently zoned Residential Multiple Family: RM-2. The lot is 35 feet in width, and 89 feet in depth, with an overall lot area of 3,115 square feet. The subject home was constructed in 2015. The subject lot currently has an existing three-story townhouse with brick paver deck, pool, and concrete driveway, which do conform to the current dimensional standards in the RM-2 zoning district due to previous variances. The current lot is granted 42% lot coverage and an additional 8% for surface level decking/paving only. The applicant is applying for this variance, for lot coverage of 80% in lieu of 35% maximum to expand an existing pool perimeter paver patio around the home, a small paver pad, concrete pad adjacent to the existing pool equipment pad, and for accessory side and rear yard setbacks of 1 foot in lieu of 5 feet minimum. This property has been granted 4 variances in the past. The most recent variance addresses this property directly. Earlier variances address multiple lots. Additionally, the subject property has existing pavers and wishes to add more, which results in more lot coverage.

BOA#27-99: 34-340(e)(3) c.2, for side yard setback of 3 feet in lieu of 10 feet and 34-340(e)(3) c.3, for rear yard setback of 15.5 feet in lieu of 30 feet to allow for substantial improvements to an existing non-conforming structure an allow or additional living unit. This request was granted on the condition that the two-car garage remains a two-car garage to help satisfy off street parking requirement.

BOA#13-100051: 34-340(e)(2) c.1, front yard of 10 ft in lieu of 20 ft required; 34-340(e)(2) c.2, for

total side yard of 10 ft in lieu of 15 ft required for 3 lots facing 1st St N; 34-340(e)(2)e, for building separation of 10 ft in lieu 15 ft required for 3 lots facing 1st St N; and; 34-340(e)(2)(f), for 42% and 46% lot coverage in lieu 35% maximum for 3 lots fronting 1st St N, to allow for zero lot line single family development of 6 lots. These requests were approved.

BOA#13-100140: 34-340(e)(2)f, for 50% lot coverage in lieu of 42% for 3 lots facing 10th Ave and 46.6% for 3 lots facing 1st St N to allow for the development of a single-family dwelling and swimming pools on each of the 6 lots. The request was amended and approved for 8% (50%) additional lot coverage in lieu of 42% for surface level decking/paving for the lots facing 10th Ave N and 4% (50%) additional lot coverage in lieu of 46% for surface level decking/paving for the 3 lots facing 1st St N

BOA#14-100072: 34-340(e)(2) c.1, for front yard setback of 10 ft in lieu of 20 ft required; 34-340(e)(2) c.2 for total side yards of 10 ft in lieu of 15 ft required for 3 lots facing 1st St N; 34-340(e)(2)e, for building separation of 10 in lieu 15 ft required for 3 lots 1st St for lots facing 1st St N; and 34-340(e)(2)f, for 42% and 46% lot coverage in lieu of 35% maximum for 3 lots fronting 10th Ave N & 3 lots facing 1st N. . This request was approved.

STAFF ANALYSIS:

The subject property is substandard in width, it measures 35 feet in width rather than the 60 feet minimum requirement in the RM-2 zoning district and is nonconforming in size at 3,115 square feet. The applicant is proposing to add additional pavers around a pool with existing pavers. This would increase the lot coverage from 50% to 80%. The pool is oversized for the backyard, making it difficult for walkable space. At the time of purchase, the pavers were installed beyond what was shown in the survey. Adjacent lots have been granted similar variance to expand driveways and add additional pavers to yards, though to a lesser extent. Staff would recommend that the application be disapproved, as the property has a substantial amount of existing pavers. Additionally, the home was constructed with an approved variance for increased lot coverage up to 46%.

MINIMUM DIMENSIONAL STANDARDS:

- 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:
 - o Front yard: Twenty (20) feet.
 - o 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.
 - o 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.
- 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 35 feet in width and 3,115 in lot size.

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.

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 confer special privileges. The property has a substantial amount of existing lot coverage, granted through the previous variances and expanded partially by the previous owner.

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

Staff does not find that literal interpretation of the code would deprive the applicant of rights and privileges. Although the applicant can't meet current standards, adding additional pavers is not necessary for the full enjoyment of the property as a single-family home.

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

Staff does find that the requested variances are the minimum variance needed to accommodate the existing request. The minimum variance needed would be to approve for lot coverage of 80% in lieu of 35% maximum for expansion of existing pool perimeter paver patio around the home, a small paver pad, and concrete pad adjacent to the existing pool equipment pad and for accessory side and rear yard setbacks of 1 foot in lieu of 5 feet minimum as submitted.

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 **Denial** of BOA#23-100123

ATTACHMENTS:

1. 23-100123 pics
2. 23-100123

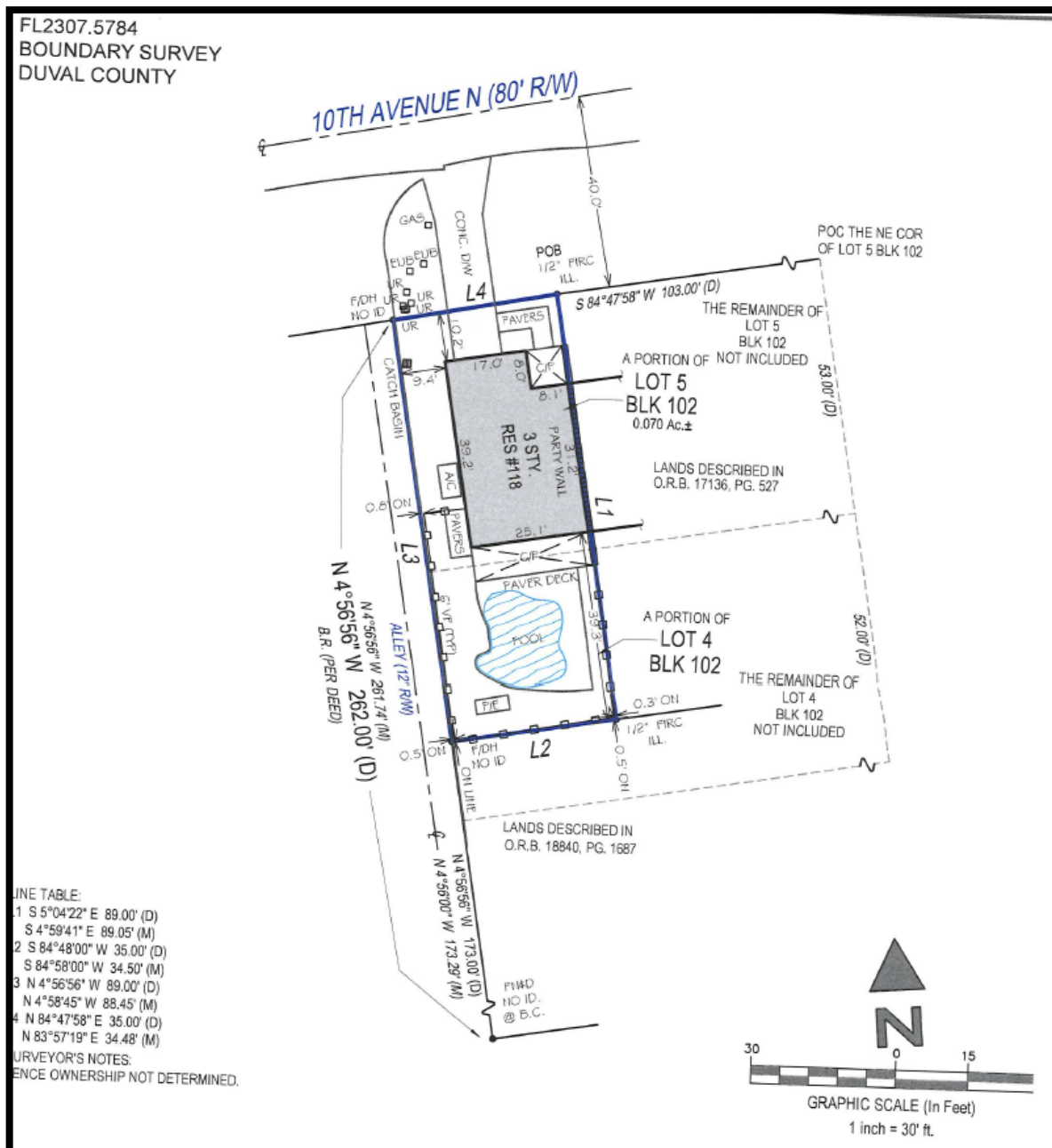


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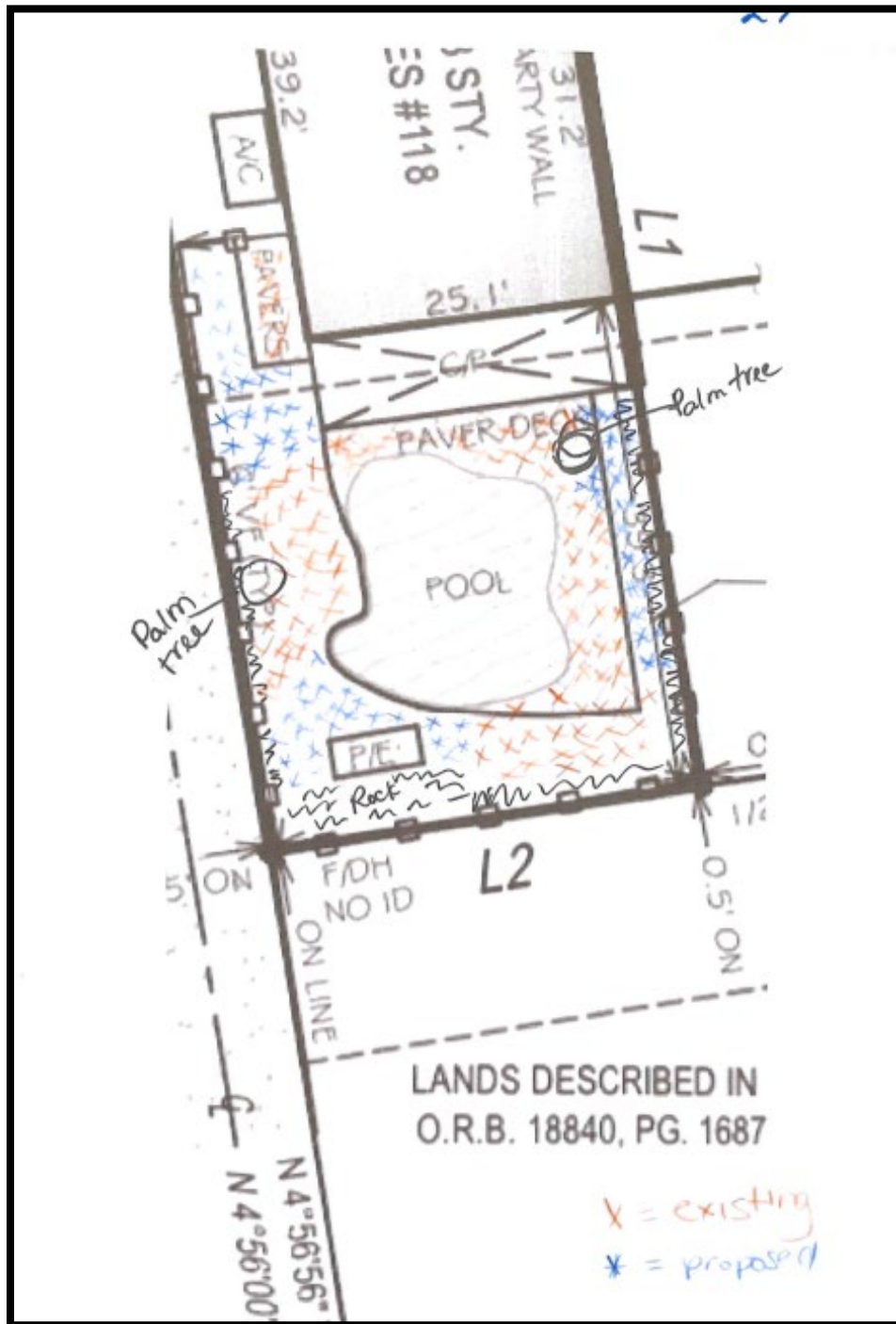
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 23-100123
HEARING DATE 12/19/23

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: Michael Bowen & Lisa Lough Telephone: 202-689-7321
Mailing Address: 3804 Haynsworth Pl E-Mail: mbowen@2circleinc.com
Fairfax, VA 22031
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Michael Bowen & Lisa Lough Telephone: 202-689-7321
Mailing Address: 3804 Haynsworth Pl E-Mail: mbowen@2circleinc.com
Fairfax VA 22031

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: 118 10th Ave N
Legal description of property (Attach copy of deed): Portion of lots 4 & 5, Block 102 pgs 1 & 2
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).
Additional lot coverage to add pavers around pool deck for safety.
1' setback from fence/property line (pre-existing)
Please see attached photos for reference.

AFFIDAVIT

I, Lisa Lough, 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 Lisa Lough PRINT APPLICANT NAME Lisa Lough DATE 11/1/2023

STATE OF FLORIDA, COUNTY OF DUVAL

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of November, 2023, by Lisa A Lough, who is personally known to me or produced VA, IDL as identification.

NOTARY PUBLIC SIGNATURE

Naweed Hakimzada
PRINT NOTARY NAME

NAWEED HAKIMZADA
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPT 30, 2026
COMMISSION # 97846296

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2

FLOOD ZONE: _____

CODE SECTION (S): _____

23-100123

Recorded 09/19/2023 09:16 AM, JODY PHILLIPS CLERK CIRCUIT COURT DUVAL COUNTY
RECORDING \$18.50 DEED DOC ST \$8435.00

Prepared by and return to:
Maria Coutu
Atlantic Coast Title & Escrow
1525-B The Greens Way, Suite 100
Jacksonville Beach, FL 32250
(904) 372-4834
File Number: 2023-21735
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 14th day of September, 2023 between Barbara Anne-Skold Zahn and Fredrick D. Zahn a/k/a Frederick Zahn, A Married Couple whose post office address is 6039 Printery Street, Unit 102, Tampa, FL 33616, grantor, and Michael W. Bowen and Lisa Lough, as joint tenants with the right of survivorship, and not as tenants in common whose post office address is 3804 Haynsworth Place, Fairfax, VA 22031, 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:

A portion of Lots 4 and 5, Block 102, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF NORTHERN PORTION OF PABLO BEACH, recorded in Plat Book 5, Page 66, Public Records of Duval County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Lot 5, Block 102, as recorded in Plat Book 5, Page 66; running thence along the Northerly line of said Block 102; South 84 degrees 47' 58" West, a distance of 103.00 feet to the point of beginning.

From the point of beginning thence South 05 degrees 04' 22" East, a distance of 89.00 feet; thence South 84 degrees 48' 00" West, a distance of 35.00 feet to a point of intersection with the West line of said Block 102; thence North 04 degrees 56' 56" West along said West line, a distance of 89.00 feet to the Northwest corner of said Block 102; thence North 84 degrees 47' 58" East along the Northerly line of said Block 102, a distance of 35.00 feet to the point of beginning.

Parcel Identification Number: 174528-0080

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 12/31/2022.

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

23-100127

Signed, sealed and delivered in our presence:

M. Coutu
Witness

Printed Name: Maria Coutu
P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

Barbara Anne Skold Zahn
Barbara Anne-Skold Zahn

C. Pierce
Witness

Printed Name: Catherine Pierce
P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

M. Coutu
Witness

Printed Name: Maria Coutu
P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

F. D. Zahn
Fredrick D. Zahn a/k/a Frederick Zahn

C. Pierce
Witness

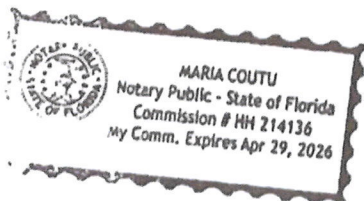
Printed Name: Catherine Pierce
P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

State of Florida
County of Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of September, 2023 by Barbara Anne-Skold Zahn and Fredrick D. Zahn a/k/a Frederick Zahn who ☐ are personally known or ☒ have produced drivers' licenses as identification.

[Seal]

M. Coutu
Notary Public
Print Name: Maria DiMartino Coutu
My Commission Expires: April 29, 2026



VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100123

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	See attached sheet.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	See attached sheet.
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	See attached sheet.
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	See attached sheet.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We are requesting the minimum variance required to solve for the safety issues.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Consistent with city plan and does not impact adjacent land.

23-100123

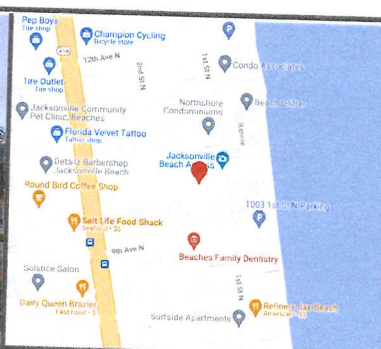
118 10 Ave N Variance Request
Michael Bowen & Lisa Lough

- 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.**
 - As a result of this duplex lot being subsequently divided into two lots, this is a suboptimal lot with very minimal space available to complete the needed work and comply with the setbacks. The 50% coverage rule applied to the entire parcel, but then was separately applied to each lot when subdivided.
- 2. Special circumstances and conditions do not result from the actions of the applicant.**
 - A pool variance was permitted by the city in 2015. This pool is oversized for the backyard and left very little walkable space around the pool, creating a hazard with the rock coverage. Furthermore, there was not a 5' setback from the fence/lot line when this property was recently purchased.
 - Additionally, at time of purchase, the pavers were installed beyond what was shown in the original survey. As such, the number of pavers now needed to create safe walking and sitting spaces is minimal and not accurately reflected by viewing the survey.
- 3. 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**
 - Variances to lot coverages is a standard request and has been granted to others in the city. This variance is requested to provide safe, walkable area around the established pool. Also, a number of pavers are being used to replace existing pavers in order to replace a previously collapsing mesh safety "fence" across the north side of the pool. With the reinforced pavers, a new stable barrier will be installed between the house door and the pool, creating a safe barrier to prevent children from entering the pool.
- 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 hardship.**
 - The adjacent lot and the duplex next to that have received variances to add pavers to widen the driveways significantly. Further, while those enhancements are viewable from the street, the safety enhancements being requested for this property are not visible from the street or alleyway and are in the rear of the house within a fenced-in area.

23-100123



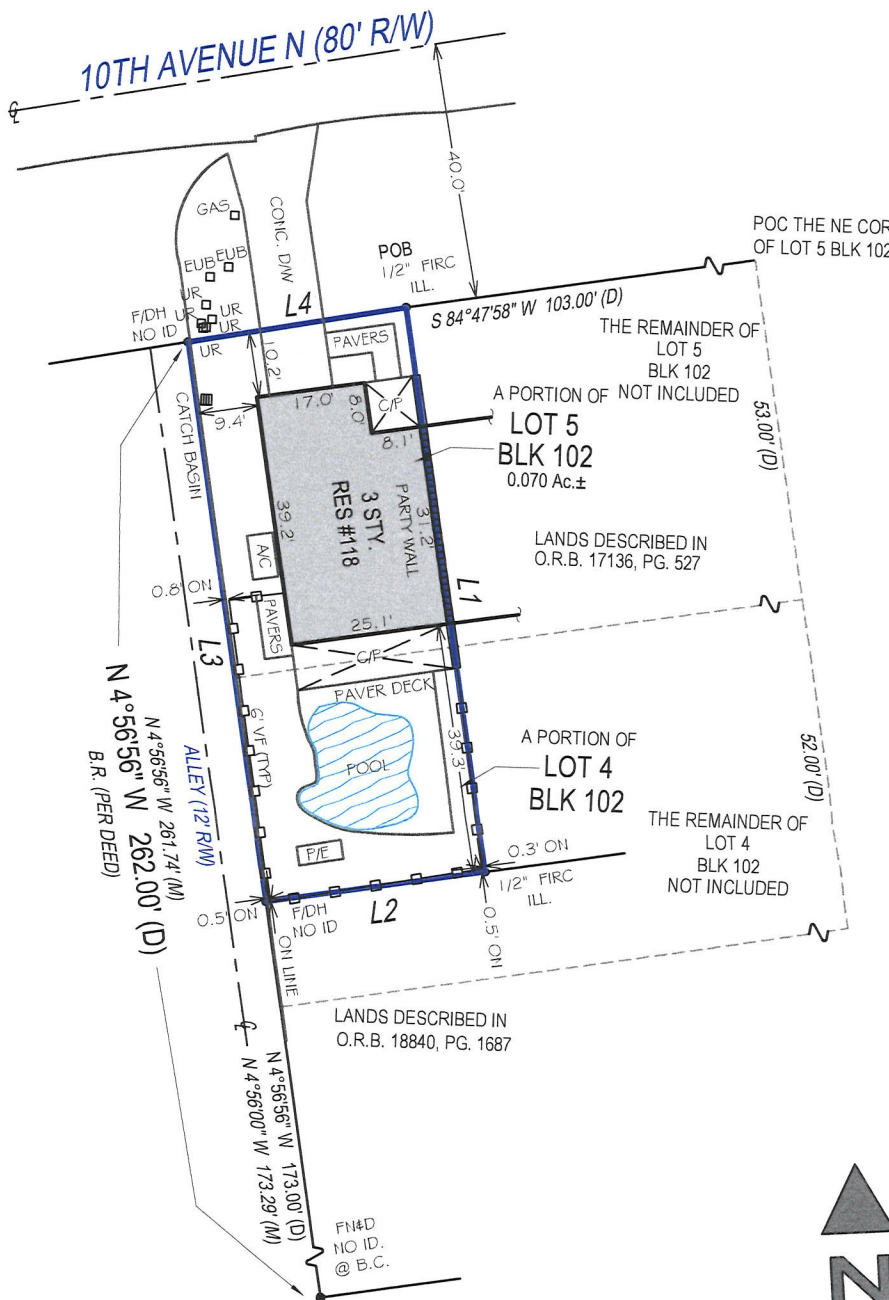
www.exactaland.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 118 10TH AVENUE N , JACKSONVILLE BEACH, FLORIDA 32250

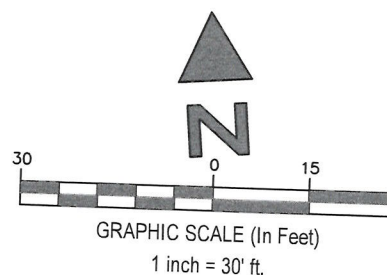
SURVEY NUMBER: FL2307.5784

FL2307.5784
BOUNDARY SURVEY
DUVAL COUNTY



LINE TABLE:
L1 S 5°04'22" E 89.00' (D)
S 4°59'41" E 89.05' (M)
L2 S 84°48'00" W 35.00' (D)
S 84°58'00" W 34.50' (M)
L3 N 4°56'56" W 89.00' (D)
N 4°58'45" W 88.45' (M)
L4 N 84°47'58" E 35.00' (D)
N 83°57'19" E 34.48' (M)

SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.



KEITH A. STEPHENSON
State of Florida Professional Surveyor and Mapper
License Number 6521

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 and mapper is affixed hereto.

POINTS OF INTEREST:
NONE VISIBLE



Exacta Land Surveyors, LLC
LB# 8291
o: 866.735.1916 | f: 866.744.2882
131 West Broadway Street, Suite 1001, Oviedo, FL 32765



Florida Land Title Association

AFFILIATE MEMBERS

DATE SIGNED: 08/03/23

FIELD WORK DATE: 8/3/2023

REVISION DATE(S): (REV.0 8/3/2023)

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

PROPERTY ADDRESS: 118 10TH AVENUE N , JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL2307.5784

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF NORTH 4 DEGREES 56 MINUTES 56 SECONDS WEST IS BASED ON THE RIGHT-OF-WAY LINE OF A 12' ALLEY, LOCATED WITHIN PABLO BEACH IMPROVEMENT COMPANY'S PLAT ACCORDING TO THE DEED THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 17145, PAGE 1323 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LEGAL DESCRIPTION:

A PORTION OF LOTS 4 AND 5, BLOCK 102, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF NORTHERN PORTION OF PABLO BEACH, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 5, BLOCK 102, AS RECORDED IN PLAT BOOK 5, PAGE 66; RUN THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 102 SOUTH 84° 47' 58" WEST, A DISTANCE OF 103.00 FEET TO POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE SOUTH 05° 04' 22" EAST, A DISTANCE OF 89.00 FEET; THENCE SOUTH 84° 48' 00" WEST, A DISTANCE OF 35.00 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID BLOCK 102; THENCE NORTH 04° 56' 56" WEST ALONG SAID WEST LINE, A DISTANCE OF 89.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 102; THENCE NORTH 84° 47' 58" EAST ALONG THE NORTHERLY LINE OF SAID BLOCK 102, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.

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 — OHL — 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 FRRSPPK - 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
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CERTIFIED TO:

MICHAEL W BOWEN AND LISA LOUGH; ATLANTIC COAST TITLE & ESCROW; OLD REPUBLIC NATIONAL TITLE; PENTAGON FEDERAL CREDIT UNION ISAOA/ATIMA

DATE SIGNED: 08/03/23

BUYER: MICHAEL W BOWEN AND LISA LOUGH

LENDER: PENTAGON FEDERAL CREDIT UNION ISAOA/ATIMA

TITLE COMPANY: ATLANTIC COAST TITLE & ESCROW

COMMITMENT DATE: NOT REVIEWED

CLIENT FILE NO: 2023-21735

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY
PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES

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, X SHADED. THIS PROPERTY WAS FOUND IN CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, PANEL NUMBER 0417 DATED 11/2/2018.



Exacta Land Surveyors, LLC

Exacta Land Surveyors, LLC

LB# 8291

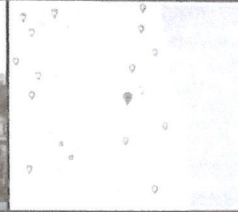
o: 866.735.1916 | f: 866.744.2882

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

23-100123



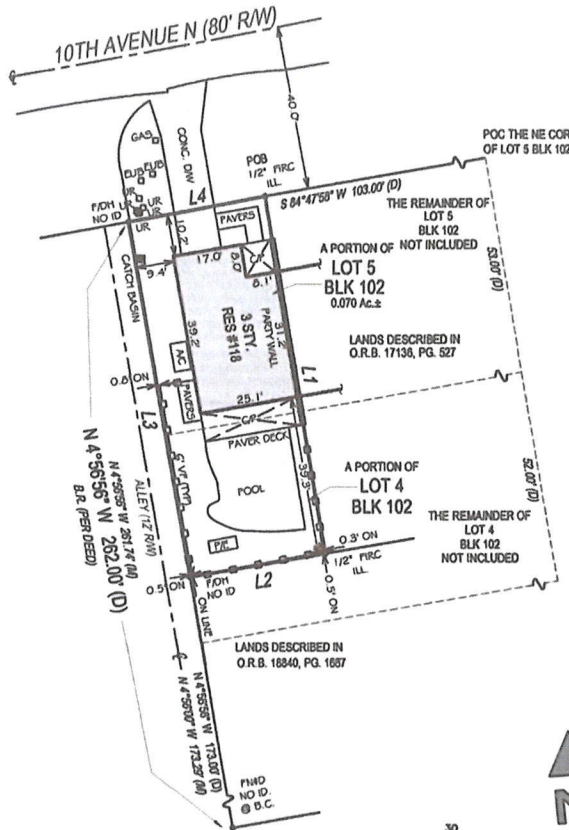
www.exactaland.com office 866.735.1916 fax 866.744.2682



PROPERTY ADDRESS: 118 10TH AVENUE N, JACKSONVILLE BEACH, FLORIDA 32250

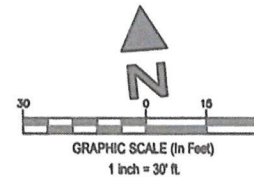
SURVEY NUMBER: FL2307.5784

FL2307.5784
BOUNDARY SURVEY
DUVAL COUNTY



LINE TABLE:
L1 S 5°04'22" E 89.00' (D)
S 4°59'41" E 89.00' (M)
L2 S 84°48'00" W 35.00' (D)
S 84°58'00" W 34.50' (M)
L3 N 4°56'55" W 89.00' (D)
N 4°56'45" W 88.45' (M)
L4 N 84°47'58" E 35.00' (D)
N 83°57'19" E 34.48' (M)

SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.



SURVEYOR'S 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 and mapper is affixed hereto.

POINTS OF INTEREST:

NONE VISIBLE



KEITH A. STEPHENSON
State of Florida Professional Surveyor and Mapper
License Number 6521



Exacta Land Surveyors, LLC
866.735.1915 / 866.744.2682
100 West Broadway Street, Suite 2000, Orlando, FL 32703



AFFILIATE MEMBERS

DATE SIGNED: 08/03/23
FIELD WORK DATE: 8/3/2023
REVISION DATE(S): (REVO 8/3/2023)

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

23-100123

PROPERTY ADDRESS: 118 10TH AVENUE N., JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL2307.5784

JOB SPECIFIC SURVEYOR NOTES:
THE BEARING REFERENCE OF NORTH 4 DEGREES 56 MINUTES 56 SECONDS WEST IS BASED ON THE RIGHT-OF-WAY LINE OF A 12' ALLEY, LOCATED WITHIN PABLO BEACH IMPROVEMENT COMPANY'S PLAT ACCORDING TO THE DEED THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 17145, PAGE 1323 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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GENERAL SURVEYOR NOTES:

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- 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.
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- 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 "SIRCS" indicates a Set Iron Rebar with a Cap stamped LBS291, 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 517.002 (2) 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.
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- 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

LINE TYPES	SYMBOLS	ABBREVIATIONS	SYMBOLS
Boundary Line	Circle with dot	CLP - Chain Link Fence	Circle with cross
Center Line	Circle with dot	CMC - Canal Maintenance Easement	Circle with cross
Chain Link or Wire Fence	Circle with dot	CO - Clean Out	Circle with cross
Easement	Circle with dot	CONC - Concrete	Circle with cross
Edge of Water	Circle with dot	COR - Corner	Circle with cross
Iron Fence	Circle with dot	CS/W - Concrete Sidewalk	Circle with cross
Overhead Lines	Circle with dot	CUE - Control Utility Easement	Circle with cross
Structure	Circle with dot	CVB - Concrete Valley Gutter	Circle with cross
Survey Tie Line	Circle with dot	D/W - Driveway	Circle with cross
Virtual Fence	Circle with dot	DE - Drainage Easement	Circle with cross
Wall or Party Wall	Circle with dot	DF - Drain Field	Circle with cross
Wood Fence	Circle with dot	DH - Drill Hole	Circle with cross
SURFACE TYPES	SYMBOLS	DUE - Drainage & Utility Easement	Circle with cross
Asphalt	Circle with dot	ELEV - Elevation	Circle with cross
Brick or Tile	Circle with dot	EM - Electric Meter	Circle with cross
Concrete	Circle with dot	ENCL - Enclosure	Circle with cross
Covered Area	Circle with dot	ENT - Entrance	Circle with cross
Water	Circle with dot	EOP - Edge of Pavement	Circle with cross
Wood	Circle with dot	EOW - Edge of Water	Circle with cross
SYMBOLS	SYMBOLS	ESMT - Easement	Circle with cross
Benchmark	Circle with dot	EUB - Electric Utility Box	Circle with cross
Center Line	Circle with dot	F/DH - Found Drill Hole	Circle with cross
Central Angle or Delta	Circle with dot	FCM - Found Concrete Monument	Circle with cross
Common Ownership	Circle with dot	FF - Finished Floor	Circle with cross
Control Point	Circle with dot	FIP - Found Iron Pipe	Circle with cross
Catch Basin	Circle with dot	FIPC - Found Iron Pipe & Cap	Circle with cross
		FIR - Found Iron Rod	Circle with cross
		FIRC - Found Iron Rod & Cap	Circle with cross
		FN - Found Nail	Circle with cross
		FNBD - Found Nail & Disc	Circle with cross
		FRSPK - Found Rail Road Spike	Circle with cross
		GAR - Garage	Circle with cross
		GM - Gas Meter	Circle with cross
		ID - Identification	Circle with cross
		IL/EL - Ingress/Egress Easement	Circle with cross
		ILL - Illegible	Circle with cross
		INST - Instrument	Circle with cross
		INT - Intersection	Circle with cross
		IRRE - Irrigation Easement	Circle with cross
		L - Length	Circle with cross
		LAR - Limited Access Easement	Circle with cross
		LBN - License No. (Business)	Circle with cross
		LBE - Limited Buffer Easement	Circle with cross
		LE - Landscape Easement	Circle with cross
		LME - Lake/Landscape Maintenance Easement	Circle with cross
		LSB - License No. (Surveyor)	Circle with cross
		LSB - Map Book	Circle with cross
		ME - Maintenance Easement	Circle with cross
		MES - Mitered End Section	Circle with cross
		MF - Metal Fence	Circle with cross
		MH - Manhole	Circle with cross
		MHWL - Mean High Water Line	Circle with cross
		NR - Non-Radial	Circle with cross
		NTS - Not to Scale	Circle with cross
		NAVD83 - North American Vertical Datum 1983	Circle with cross
		NGVD29 - National Geodetic Vertical Datum 1929	Circle with cross
		OG - On Ground	Circle with cross
		ORB - Official Records Book	Circle with cross
		ORV - Official Record Volume	Circle with cross
		O/A - Overall	Circle with cross
		O/S - Offset	Circle with cross
		OSP - Outside Subject Property	Circle with cross
		OH - Overhang	Circle with cross
		OHL - Overhead Utility Lines	Circle with cross
		OHWL - Ordinary High Water Line	Circle with cross
		OH - Inside Subject Property	Circle with cross
		PC - Point of Curvature	Circle with cross
		PCC - Point of Compound Curvature	Circle with cross
		PCP - Permanent Control Point	Circle with cross
		PI - Point of Intersection	Circle with cross
		PLS - Professional Land Surveyor	Circle with cross
		PLT - Planter	Circle with cross
		POB - Point of Beginning	Circle with cross
		POC - Point of Commencement	Circle with cross
		PRC - Point of Reverse Curvature	Circle with cross
		PRB - Permanent Reference Monument	Circle with cross
		PSM - Professional Surveyor & Mapper	Circle with cross
		PT - Point of Tangency	Circle with cross
		PUB - Public Utility Easement	Circle with cross
		R - Radius or Radial	Circle with cross
		R/W - Right of Way	Circle with cross
		RES - Residential	Circle with cross
		RGE - Range	Circle with cross
		ROE - Roof Overhang Easement	Circle with cross
		RP - Radius Point	Circle with cross
		S/W - Sidewalk	Circle with cross
		SBL - Setback Line	Circle with cross
		SCL - Survey Closure Line	Circle with cross
		SCR - Screen	Circle with cross
		SEC - Section	Circle with cross
		SEP - Septic Tank	Circle with cross
		SEW - Sewer	Circle with cross
		SIR - Set Iron Rod & Cap	Circle with cross
		SMWE - Storm Water Management Easement	Circle with cross
		SNAD - Set Nail and Disc	Circle with cross
		SQFT - Square Feet	Circle with cross
		STL - Survey Tie Line	Circle with cross
		STY - Story	Circle with cross
		SV - Sewer Valve	Circle with cross
		SWL - Sidewalk Easement	Circle with cross
		TBM - Temporary Bench Mark	Circle with cross
		TEL - Telephone Facilities	Circle with cross
		TOS - Top of Bank	Circle with cross
		TUE - Technological Utility Easement	Circle with cross
		TWP - Township	Circle with cross
		TX - Transformer	Circle with cross
		TY - Typical	Circle with cross
		UE - Utility Easement	Circle with cross
		UG - Underground	Circle with cross
		UP - Utility Pole	Circle with cross
		UR - Utility Riser	Circle with cross
		VF - Vinyl Fence	Circle with cross
		W/C - Witness Corner	Circle with cross
		W/F - Water Filter	Circle with cross
		W/F - Wood Fence	Circle with cross
		WM - Water Meter/Valve Box	Circle with cross
		WV - Water valve	Circle with cross

CERTIFIED TO:
MICHAEL W BOWEN AND LISA LOUGH, ATLANTIC COAST TITLE & ESCROW, OLD REPUBLIC NATIONAL TITLE, PENTAGON FEDERAL CREDIT UNION ISAOA/ATIMA

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, X SHADED. THIS PROPERTY WAS FOUND IN CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, PANEL NUMBER 0417 DATED 11/2/2018.

DATE SIGNED: 08/03/23

BUYER: MICHAEL W BOWEN AND LISA LOUGH

LENDER: PENTAGON FEDERAL CREDIT UNION ISAOA/ATIMA

TITLE COMPANY: ATLANTIC COAST TITLE & ESCROW

COMMITMENT DATE: NOT REVIEWED

CLIENT FILE NO: 2023-21735



Exacta Land Surveyors, LLC
131 West Broadway Street, Suite 1002, Orlando, FL 32765

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY
PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES

23-100123



From real
estate listing.
West fence.

23-100123



From listing.

23-106123



From sale
listing.

23-100123



x = existing
* = proposed

LeeAnn Bassabe

From: Robert Grey <robert.grey@outlook.com>
Sent: Sunday, December 10, 2023 11:28 AM
To: Planning Division
Subject: Planning Application BOA#23-100123 - URGENT RESPONSE
Importance: High

RECEIVED

DEC 11 2023

PLANNING
DEPARTMENT

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

Glenda Dillon and Robert Grey
1040 1st St N
Jacksonville Beach, FL, 32250
robert.grey@outlook.com
929-215-5300

Re : Planning Application : RE# 173853-0000 / BOA#23-100123
Planning Proposed for : 118 N 10TH Avenue

We **strongly object** to the above planning application as we are adjacent to the planned work, which has been completed without permits and are being impacted.

We contacted the planning department weeks ago for all the work going on at 118 10th Ave which **was being done without permits**. N. Nicki questioned how it was impacting us. The back yard of the work is aligned with our garage. My lot starts on 1st and goes back to the alley, which is impermeable concrete.

1. **80% coverage essential completely covers the rear of the property with pavers.**
2. **The owners have already completed the work without a permit.** We and other neighbors called this in multiple times , but the work was completed anyway.
3. The owners also erected **an additional side fence along the alleyway without a permit** - extending their fence line without approvals.
4. With this complete paver coverage the water from their pool to the rear of our yard **water will now drain materially into my property and the other adjacent properties, undermining them and causing long-term damage.**
5. This lack of drainage will also have an effect on the lower 2nd Street properties as water also runs off that property to the North onto 10th and then down to 2nd St , which regularly floods during seasonal rainfall.
6. The owner has also put in an application for a short-term rental. Although that is independent of this proposal , **this seems to match the current proliferation of investors buying properties in Jacksonville Beach and completing works without permits or asking for unreasonable accommodations to the detriment of local residents.**

I strongly urge the planning department to reject this planning application and force the owners to revert the raid to the previously acceptable coverage numbers. The pavers should be removed.

I can be contacted at any time on the email and phone number listed above.