



City of Jacksonville Beach

Regular Meeting Agenda

Board of Adjustment

11 North Third Street
Jacksonville Beach, Florida

Wednesday, January 17, 2024

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

ELECTION OF CHAIR AND VICE-CHAIR

- A. The Board Members will nominate and vote on the positions of Chair and Vice-Chair, to be effective upon completion of the vote.

APPROVAL OF MINUTES

- A. Minutes for December 19, 2023 meeting
B. Minutes for January 2, 2024 Meeting

CORRESPONDENCE

OLD BUSINESS

- A. **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*

NEW BUSINESS

- A. **Case Number(s):** **BOA#23-100131**

Applicant: Green Kay Ventures LLC
Agent: Loan Thi Hanson
Owner: Green Kay Ventures LLC
Property Address: 610 9th Ave N
Parcel ID: 174472-0000
Legal Description: The West 40ft of lot 2, and The East 20ft of lot 3, Block 97, *R/P PT Pablo Beach North*
Current Zoning: RS-2
Motion to Consider: **Section(s):** 34-337(e)(1)d, for no garage or carport in lieu of required garage or carport, to address nonconformities to an existing single-family dwelling **for property addressed** 610 9th Ave N, **RE#** 174472-0000, **legally described as** The West 40ft of lot 2, and The East 20ft of lot 3, Block 97, *R/P PT Pablo Beach North*

B. **Case Number(s): BOA#24-100001**

Applicant: David Kluge
Agent: N/A
Owner: David Kluge
Property Address: 329 N 15th St
Parcel ID: 177653-0320
Legal Description: Lot 4, Tall Pines
Current Zoning: RS-1
Motion to Consider: **Section(s):** 34-336(e)(1)(c)2, for a northern side yard setback of 6.8 feet and a southern side yard setback of 6.6 feet in lieu of 10 feet minimum for each side; 34-336(e)(1)g, for rear and side yard accessory structure setback of 2ft in lieu of 5ft minimum for a shed; 34-336(e)(1)g, for rear yard accessory structure setback of 1ft in lieu of 5ft minimum for an outdoor bar/pergola; 34-336(e)(1)g, for an accessory setback of 0ft in lieu of 2 feet required for paver walkway on northern and north west property lines; 34-336(e)(1)c.2, for 0ft accessory side yard setback in lieu of 5ft required for a free-standing wood roofed structure; 34-336(e)(1)e, for lot coverage of 63.3% in lieu of 35% maximum to address existing nonconformities for existing single-family dwelling and associated accessory uses, **for property addressed** 329 N 15th St, **RE#** 177653-0320, **legally described as** Lot 4, *Tall Pines*

C. **Case Number(s): BOA#24-100003**

Applicant: Capital Real Estate Collective LLC
Agent: Rick Johnston
Owner: Capital Real Estate Collective LLC
Property Address: 120 N 5th St
Parcel ID: 173787-0000
Legal Description: Lot 11, Block 16, *Atlantic Park*
Current Zoning: C-2
Motion to Consider: **Section(s):** 34-343(e)(3)1, for a front yard setback of 1.9 feet in lieu of 10 feet minimum, 34-425(a)(3) for no shade trees in lieu of 2 shade trees required; 34-425(b)(1), to be exempt from front landscape buffer requirements for minimal size and planting, 34-425(c) for no internal landscape islands in lieu of 10% landscaping internal to a vehicle use area; 34-373(b) for 18 foot parking isle in lieu of 23 feet minimum for two

way traffic; 34-373(c), for back out parking into a City alley for 5 spaces in lieu of in lieu of no back out spaces for commercial uses; 34-373(f), for turf blocks / Eco blocks in lieu of standard pavement, for commercial office use parking and landscaping and to address existing nonconformities **for property addressed 120 N 5th St, RE# 173787-0000, legally described as Lot 11, Block 16, Atlantic Park**

D. **Case Number(s): BOA#24-100004**

Applicant: Donald E Hodges Jr.

Agent: N/A

Owner: Donald E Hodges Jr.

Property Address: 1078 N 13th St

Parcel ID: 179175-0000

Legal Description: Lot 1 And the North 20t of Lot 2, Block 68, *SEC A Jacksonville Beach*

Current Zoning: RS-2

Motion to Consider: **Section(s):** 34-373(d), for parking area set back of 1ft in lieu of 5ft minimum; 34-337(e)1(c)3 for rear yard setback of 17ft in lieu of 30ft minimum; 34-337(e)1e., for 43% lot coverage in lieu of 35% maximum , for construction of a new rear covered porch and office addition to an existing single-family dwelling **for property addressed 1078 N 13th St, RE# 179175-0000, legally described as Lot 1 And the North 20t of Lot 2, Block 68, SEC A Jacksonville Beach**

PLANNING DEPARTMENT REPORT

- A. Reminder of Joint Board /Commission / CRA Meeting tomorrow, January 10th, at 5:30. Meeting to be held in Council Chambers.

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 may 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 before the start of the

meeting. All comments received are public record.

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

cc: City Manager; City Attorney

**Minutes of Board of Adjustment Meeting
held Tuesday, December 19, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

Planner Danevsky Joseph and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on November 21, 2023
- Regular Board of Adjustment Meeting held on December 5, 2023

CORRESPONDENCE: None

OLD BUSINESS:

A. 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): 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: Jordan Quick, 1382 North Eastwind Drive, Jacksonville Beach, stated the hardship was a nonconforming and undersized lot.

A discussion ensued about parking, the garage, issues with the property survey, lot coverage, lot size, previous nonconformities, and the applicant's proposed plans.

The applicant submitted pictures [on file].

Public Hearing:

The following spoke and submitted an email [on file] in opposition to the variance:

- Tony Kamarek, 533 11th Avenue South, Jacksonville Beach

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

- Lois Maxim [no address provided]

The applicant addressed concerns about the surveys and garage conversion.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100119 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the garage, outdoor living space, lot coverage, hardship, and previous variances.

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

The motion failed unanimously.

NEW BUSINESS:

A.	Case Number:	BOA#23-100120
	Applicant/Owner:	Nicolas Notaro
	Agent:	N/A
	Property Address:	700 S 9th St
	Parcel ID:	176590-0000

City of Jacksonville Beach Land Development Code 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.

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

Applicant: Nicolas Notaro, 700 South 9th Street, Jacksonville Beach, stated the hardship was lack of parking.

A discussion ensued about parking and the coffee shop.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to approve BOA#23-100120 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about parking.

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend the motion so the variance is limited to parking conditions based on the use of the building as a coffee shop and motorcycle repair.

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

The motion to amend passed unanimously.

Discussion: None.

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

The amended motion passed unanimously.

B. Case Number: **BOA#23-100121**
Applicant/Owner: David & Joelle Caldwell
Agent: N/A
Property Address: 6 Hopson Rd
Parcel ID: 177304-0020

City of Jacksonville Beach Land Development Code 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.

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

Applicant: David Caldwell, 6 Hopson Road, Jacksonville Beach, stated the hardship was a gravel driveway.

A discussion ensued about pavers, gravel driveway, variance standards, conforming lot, and parking.

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#23-100121 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about lot size, hardship, gravel driveway, and postponing the item.

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Moreland, to amend to postpone BOA#23-100121 until the January 17, 2024, meeting.

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

The motion to amend passed unanimously.

Discussion: None.

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

The amended motion passed unanimously.

C. Case Number: **BOA#23-100123**
Applicant/Owner: Michael Bowen
Agent: N/A
Property Address: 118 N 10th Ave
Parcel ID: 174528-0080

City of Jacksonville Beach Land Development Code Section(s): 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.

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

Applicant: Lisa Lough, 118 North 10th Avenue, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about pavers, lot coverage, neighbors, and pool access.

Public Hearing:

The following spoke in opposition to the variance:

- Stuart Palmer, 19 9th Avenue North, Jacksonville Beach
- Mike Boyles, 104 10th Avenue North, Jacksonville Beach. Mr. Boyles submitted pictures [on file].

The following submitted a speaker card in opposition to the variance:

- Linda Gibson, 115 9th Avenue North, Jacksonville Beach

The following submitted a letter in opposition to the variance:

- Glenda Dillon & Robert Grey, 1040 1st Street North, Jacksonville Beach

Ms. Lough addressed concerns expressed during the public hearing.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to approve BOA#23-100123 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about variance standards.

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

The motion failed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Tuesday, January 2, 2024, at 6:00 P.M. There are six scheduled cases.

The Joint Board Workshop for the proposed comprehensive plan draft is January 10, 2024.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:40 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, January 2, 2024, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

Planner Danevsky Joseph and Administrative Assistant Lauren Loria were also present.

Ms. Gonzalez stated Item E (BOA#23-100128) was deferred to the February 6, 2024 meeting.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: **BOA#23-100124**
Applicant/Owner: Daniel Roura
Agent: N/A
Property Address: 1808 6th Ave N
Parcel ID: 177922-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e for lot coverage of 43% in lieu of 35% maximum, 34-336(e)(1)(c)(1), for a front yard setback of 17 feet in lieu of 25, and 34-336(e)(1)(g), for an accessory side yard setback of 0 feet and accessory rear yard setback of 1 foot in lieu 5 feet minimum, to allow for new office addition, covered patio, pool remodel, build laundry room, and move garage as well as address existing nonconformities, to an existing single-family dwelling for property addressed 1808 6th Ave N, RE# 177922- 0000, legally described as Lot 6, Block 2, Pine Grove Unit 4.

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

Applicant: Daniel Roura, 1808 6th Avenue North, Jacksonville Beach, stated the hardship was existing nonconformities.

A discussion ensued about driveway pavers, pool coping and decking, garage demo, and neighbor support.

Public Hearing:

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Smith, to approve BOA#23-100124 as it has met the standards required for the application.

Discussion: A discussion ensued about the request.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, Jennifer Williams, Matt Metz, and Alexi Gonzalez

The motion passed unanimously.

B. Case Number: **BOA#23-100125**
Applicant/Owner: Robert Bachmann
Agent: N/A
Property Address: 0 N 13th St (1110 N 13th St)
Parcel ID: 179149-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c(3), for rear yard setback of 20ft in lieu of 30ft minimum; 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum, to allow for construction of a new single-family dwelling for property addressed 0 N 13th St (1110 N 13th St), RE# 179149-0000, legally described as Lot 5, Block 55, Section A Jacksonville Beach.

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

Applicant: Robert Bachmann, 1110 13th Street North, Jacksonville Beach, stated the hardship was an undersized lot.

A discussion ensued about the total square footage of the home and the proposed plan.

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Smith, to approve BOA#23-100125 as it has met the criteria outlined in Section 34-286.

Discussion: A discussion ensued about the lot size and the proposed plans.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, Jennifer Williams, Matt Metz, and Alexi Gonzalez

The motion passed unanimously.

C. Case Number: **BOA#23-100126**
Applicant/Owner: Robert Bachmann
Agent: N/A
Property Address: 1746 Penman Rd
Parcel ID: 178375-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)(c)2, for a side yard setback of 7 feet in lieu of 10 feet minimum and 34-336(c)(2), for no

garage in lieu of a required garage, to allow the conversion of the existing carport into livable space for existing single-family dwelling for property addressed 1746 Penman Rd, RE# 178375-0000, legally described as Lot 20, Block 6, Ocean Forest Unit 1.

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

Applicant: Robert Bachmann, 1746 Penman Road Jacksonville Beach, stated the proposed plans included turning the carport into a living area and enlarging the driveway to accommodate more parking and space to turn around safely.

A discussion ensued about the carport, square footage of livable space, the setback, and Penman Road.

Public Hearing:

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Metz, to approve BOA#23-100126 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about correcting an existing nonconformity.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, Jennifer Williams, Matt Metz, and Alexi Gonzalez

The motion passed unanimously.

D. **Case Number:** BOA#23-100127
Applicant: Robert Bachmann
Agent: N/A
Owner: The Bachmann Group Holdings LLC
Property Address: 1102 N 13th St
Parcel ID: 178375-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c(3), for rear yard setback of 20ft in lieu of 30ft minimum; 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum, to allow for construction of a new single-family dwelling for property addressed 1102 N 13th St, RE# 179150-0000, legally described as Lot 6, Block 55, Section A Jacksonville Beach.

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

Applicant: Robert Bachmann, 1102 13th Street North, Jacksonville Beach, stated the hardship was an undersized lot.

Public Hearing:

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Smith, to approve BOA#23-100127 as it has met the standards outlined in Section 34-286.

Discussion: A discussion ensued about the undersized lot.

Roll Call Vote: Ayes – Todd Smith, Jennifer Williams, Matt Metz, Jeff Truhlar, and Alexi Gonzalez

The motion passed unanimously.

E. Case Number: **BOA#23-100128**
Applicant/Owner: Chris Rood
Agent: N/A
Property Address: 903 S 4th Ave
Parcel ID: 175868-0000

This item was deferred to the February 6, 2024, meeting.

F. Case Number: **BOA#23-100129**
Applicant/Owner: James Thomas Kinchen III
Agent: N/A
Property Address: 1649 N 6th Ave
Parcel ID: 177908-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)1(c)2, for side yard setback of 7.8ft in lieu of 10ft minimum to address existing nonconformities to a single-family dwelling for property addressed 1649 N 6th Ave, RE# 177908-0000, legally described as Lot 13, Block 1, Pine Grove Unit 4.

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

Applicant: James Kinchen, 1649 North 6th Avenue, Jacksonville Beach, stated the hardship was existing nonconformities.

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Smith, to approve BOA#23-100129 as it has met the standards in Section 34-286.

Discussion: A discussion ensued about the undersized lot.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, Jennifer Williams, Matt Metz, and Alexi Gonzalez

The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Wednesday, January 17, 2024, at 6:00 P.M. There are five scheduled cases. Board elections would also be held on January 17, 2024.

The Joint Board workshop on the draft comprehensive plan would be held on January 10, 2024, at 5:30 P.M.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:28 P.M.

Submitted by: Lauren Loria
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:	01/04/2024
SUBJECT:	BOA #23-100121 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, January 17, 2024 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.

This application was deferred to this current meeting to give the applicant an opportunity to minimize their lot coverage request. It was recommended that the applicant use permeable pavers rather than paved concrete to minimize the increase in lot of coverage.

No active code case.

STAFF ANALYSIS:

The applicant will use permeable pavers, the total square footage that will be paved with permeable pavers is 1,741sq ft. and the applicant will remove 241 sq. ft. of existing impervious structures. This will reduce the lot coverage to under 40 percent. 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 an existing gravel driveway and with a conforming 35% lot coverage. Staff would recommend that the application be approved, 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.

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 variance.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate replacing the gravel driveway with a permeable paver driveway. **The minimum variance needed would be 40% lot coverage. However, the lot is conforming and has no hardships, and a single-family home was constructed in 2020 without any variances. The applicant will remove 241 sq. ft. of existing lot coverage to allow for permeable pavers rather than a paved concrete driveway.**

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.

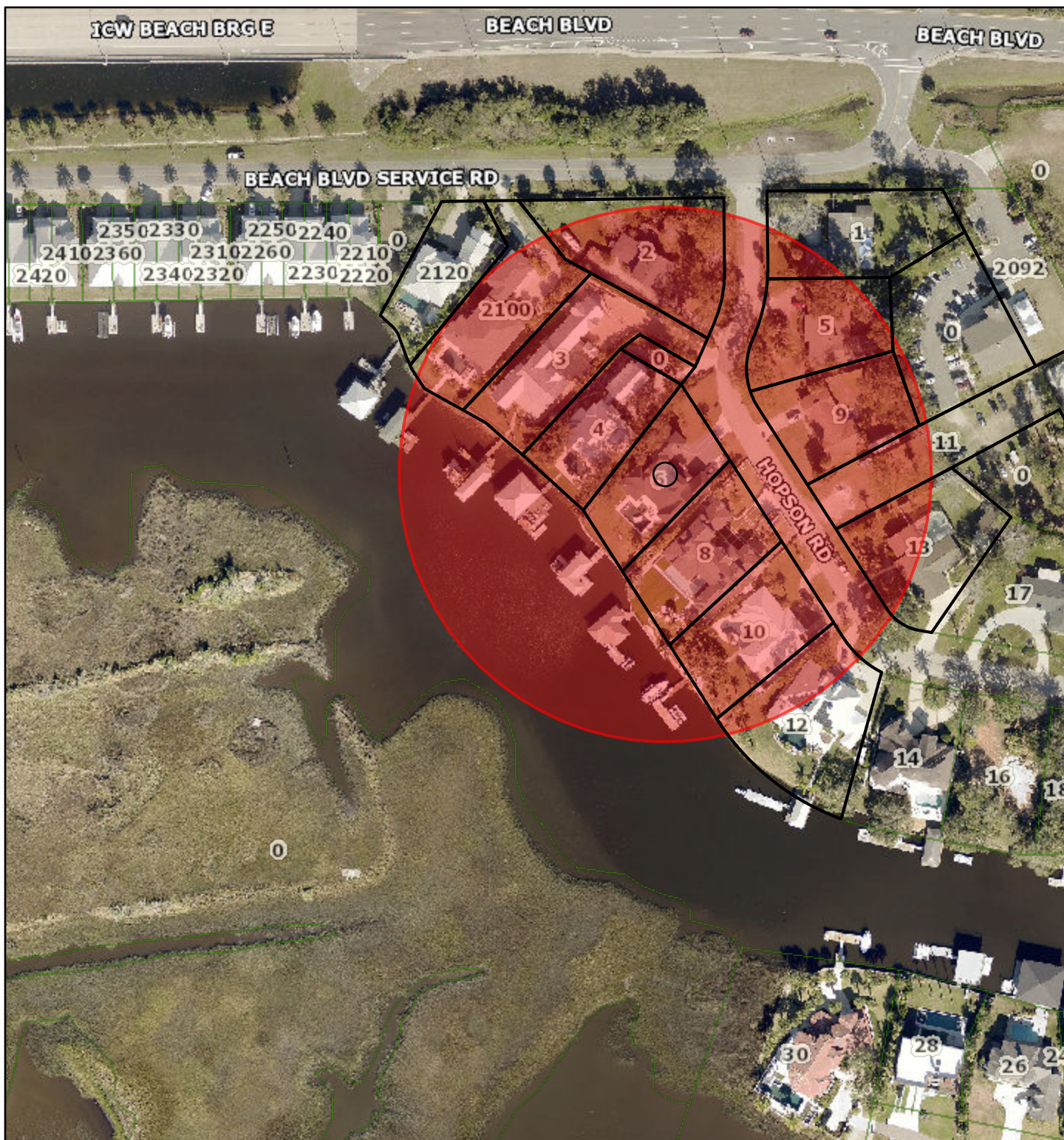
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#23-100121**

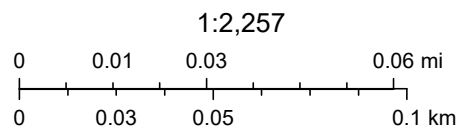
ATTACHMENTS:

1. 23-100121 pics
2. 23-100121
3. Email 1.9.24 from applicant



November 17, 2023

 Parcels



LOT ONE, WATERWAY ESTATES UNIT NO. 1
AS RECORDED IN PLAT BOOK 24, PAGE 26
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

SUBMITTED TO: DAVID MICHAEL CALDWELL & JOSEPH CALDWELL
 HANCOCK WHITNEY BANK
 D.R. NEPASS, P.A.
 FIRST AMERICAN FIDELITY INSURANCE COMPANY

O.R.P. 16541
PAOF 16571

PAGE 1267
O.R.H. 1051F

HOPSON ROAD
(SEE RIGHT OF WAY)

[illegible]

Chirrupa Nallu.

DIFFERENT DELIVERIES. LOUIS BROWN'S DOWNSIDE DELIVERY CENTER IS NEAR THE SOUTHEAST CORNER OF THE E. MARGEN SMITH CENTER AT THE JUNCTION OF U.S. HIGHWAY 10 (EAST BOWLING GREEN) AND DEANMAN ROAD, 1/4 MILE NORTH OF THE CENTERLINE OF THE VETERANS' LAND OF HIGHWAY 10, 1/4 MILE OF THE CENTERLINE OF DEANMAN ROAD. INVESTIGATION

ELLAVATION (15,600) NAVD 1985

1. **THEORY** 2. **EXPERIMENT** 3. **CONCLUSION** 4. **REFERENCES** 5. **APPENDICES** 6. **INDEX** 7. **NOTES** 8. **ACKNOWLEDGMENTS** 9. **ABSTRACT** 10. **INTRODUCTION** 11. **CONCLUSION** 12. **REFERENCES** 13. **APPENDICES** 14. **INDEX** 15. **NOTES** 16. **ACKNOWLEDGMENTS** 17. **ABSTRACT** 18. **INTRODUCTION** 19. **CONCLUSION** 20. **REFERENCES** 21. **APPENDICES** 22. **INDEX** 23. **NOTES** 24. **ACKNOWLEDGMENTS** 25. **ABSTRACT** 26. **INTRODUCTION** 27. **CONCLUSION** 28. **REFERENCES** 29. **APPENDICES** 30. **INDEX** 31. **NOTES** 32. **ACKNOWLEDGMENTS** 33. **ABSTRACT** 34. **INTRODUCTION** 35. **CONCLUSION** 36. **REFERENCES** 37. **APPENDICES** 38. **INDEX** 39. **NOTES** 40. **ACKNOWLEDGMENTS** 41. **ABSTRACT** 42. **INTRODUCTION** 43. **CONCLUSION** 44. **REFERENCES** 45. **APPENDICES** 46. **INDEX** 47. **NOTES** 48. **ACKNOWLEDGMENTS** 49. **ABSTRACT** 50. **INTRODUCTION** 51. **CONCLUSION** 52. **REFERENCES** 53. **APPENDICES** 54. **INDEX** 55. **NOTES** 56. 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**CONCLUSION** 316. **REFERENCES** 317. **APPENDICES** 318. **INDEX** 319. **NOTES** 320. **ACKNOWLEDGMENTS** 3

ANNUARY 2002 MEDAL FOUNDATION SURVEY & FUND CERTIFICATE AS REQUESTED BY PHONE FOR # 49106, ED 563 PAGE 58

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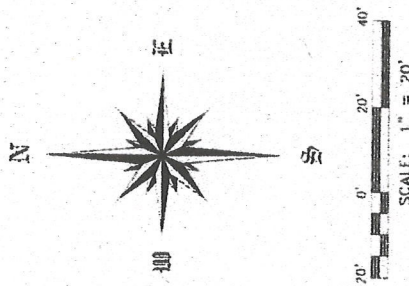
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3. J. H. HARRIS	1000 N. 10th St.	10/10/10	1000 N. 10th St.
4. J. H. HARRIS	1000 N. 10th St.	10/10/10	1000 N. 10th St.
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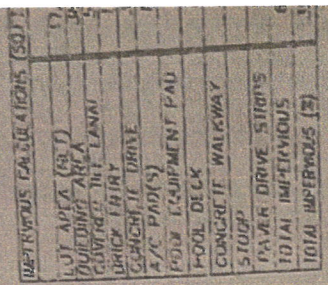
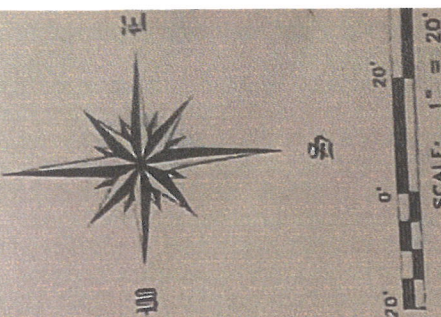
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DAVID MICHAEL CALDWELL & JOELLE CALDWELL
HANCOCK WHITELY BANK
D.R. REPASS, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

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CENTRIFUGAL BLIND MARK: FOUND ON THE DISC, 21 IN. CONCRETE
NEAR THE SOUTHEAST CORNER OF THE H. WAGNER SMITH GYMNASIUM
AT THE JUNCTION OF U.S. HIGHWAY 90 (BEACH BOULEVARD)
AND IRVING ROAD. $\pm 45^{\circ}$ NORTH OF THE CENTER OF THE
WESTERLYS LANE OF HIGHWAY 90, $\pm 51^{\circ}$ WEST OF THE CENTER LINE
OF PENMAN ROAD.
DESIGNATION: 15-82
ELEVATION (15.82) NAVD 1988

SEPTEMBER 22, 2020, FINAL SURVEY, JOB # 50/10, FB 579, PAGE 4

NOTE: NO VALUE WITHOUT THE SERIALS AND THE ORIGINAL PAMPHLET. IF A FLORIDA LICENSEE HAS FOR AND MAKING ADDITIONS, SEE BE BIDDING. IF A PARTY HAS MORE THAN THE SPENDING PARTY, THE DATES ARE INDICATED BY THE

NOTES:
1. BEARINGS ARE BASED ON THE SOUTHWESTLY 1/4 OF SECTION 30, T4S, R10E, S12E.

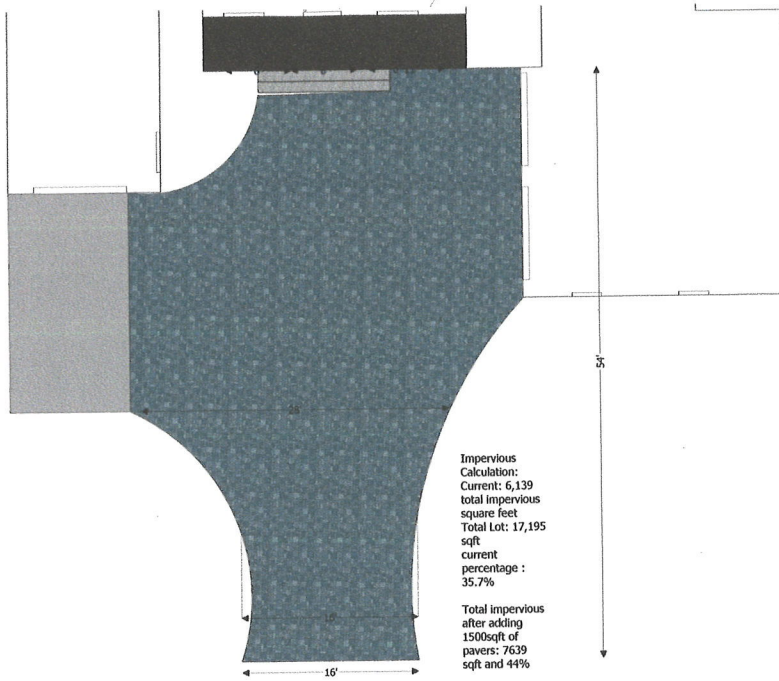
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THESE MAY BE WITHDRAWING ON ACCOUNTS OF RECORDS EXPENDED BY THE EXAMINATION
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THESE ARE THE NAMES OF THE
CHILDREN WHO WERE BORN TO THE
FATHERS WHO WERE BORN TO THE
MOTHERS WHO WERE BORN TO THE

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Scale: 1/8 in. per ft.



CURRENT DRIVE WAY
- SAFETY HAZARD
- POOR DRAINAGE

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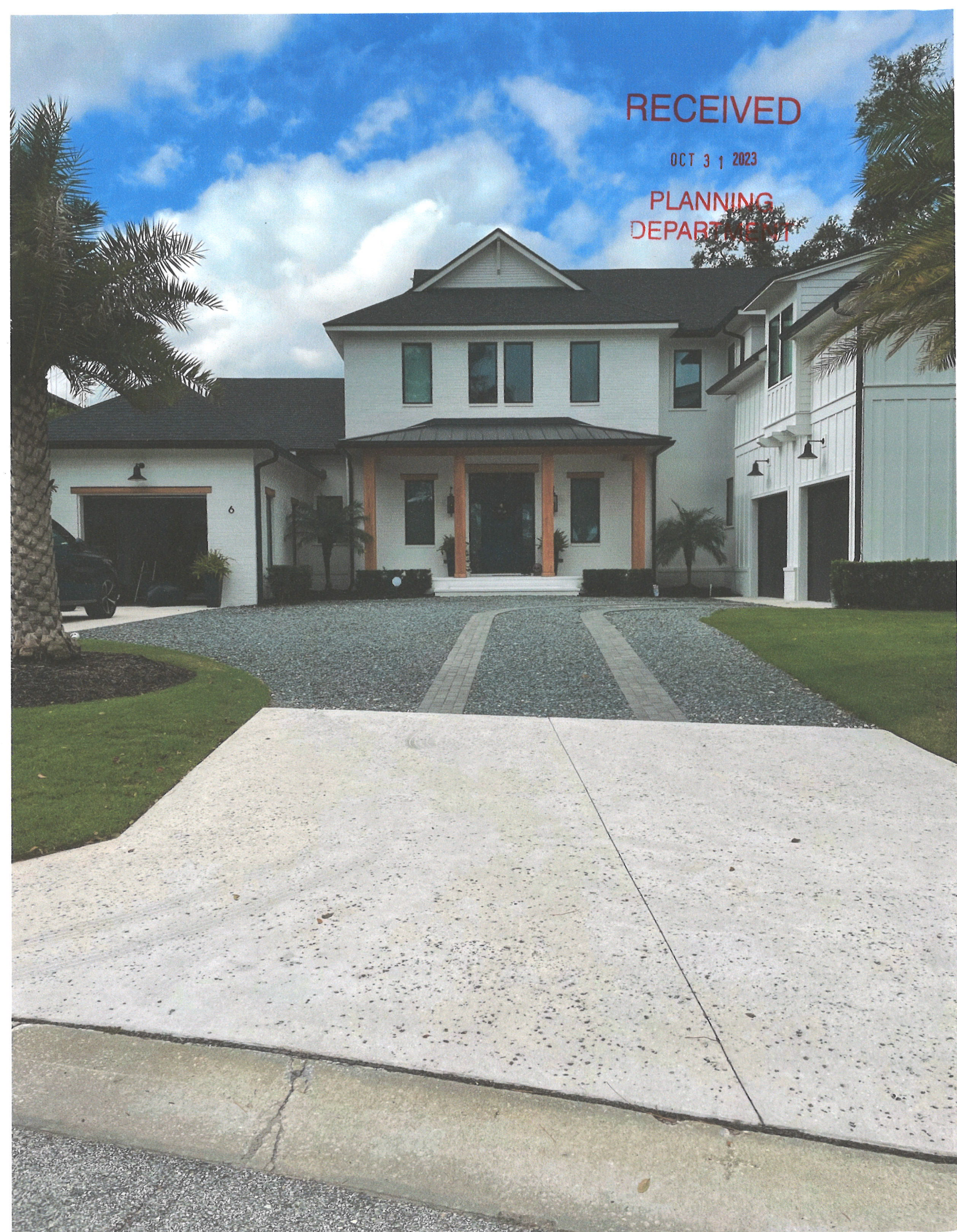
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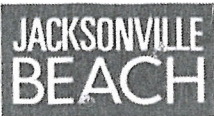
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APPLICATION FOR VARIANCE

BOA No. 23/08/21
HEARING DATE 12/19/23

AS-1 Flood = AG

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

REQUIRED DOCUMENTATION

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

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DEPARTMENT
(904) 694-2698

APPLICANT INFORMATION

Applicant Name: David Caldwell Telephone: (904) 694-2698
Mailing Address: 6 HOPSON Rd. E-Mail: _____
JAX Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: SHANE 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: 6 HOPSON RD
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).
Replace Existing GRAVEL Driveway w/ PAVERS

AFFIDAVIT

I, DAVID M. Caldwell, 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.

David Caldwell
APPLICANT SIGNATURE

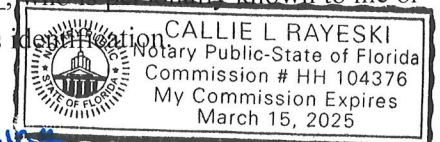
DAVID CALDWELL
PRINT APPLICANT NAME

11/1/23
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of November, 2023, by David Caldwell, who is personally known to me or produced drivers license as identification.

Callie
Callie Rayeski-Bawling



VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23-100121

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	CURRENT DRIVEWAY PROVIDE UNSAFE CONDITIONS TO ELDERLY PEOPLE
Special circumstances and conditions do not result from the actions of the applicant.	YES	COMING onto PROPERTY DELIVERY PEOPLE WILL NOT DELIVER CERTAIN PACKAGES
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	DRAINAGE IS AN ISSUE WATER WILL POOL UP CURRENT ROCKS
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	DAMAGE DRAIN PIPES NEW DRIVEWAY WILL BE SAFER w/
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	BETTER DRAINAGE AND INCREASE PROPERTY VALUE
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	

23-100121

From: JOELLE CALDWELL <joellecaldwell@mac.com>
Sent: Monday, August 7, 2023 8:21 AM
To: Scotty Jones <scotty@riverstonework.com>
Subject: Re: Variance Inquiry

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Good morning,

Have we heard anything on the driveway?

Sent from my iPhone

On Jul 27, 2023, at 11:36 AM, Scotty Jones <scotty@riverstonework.com> wrote:

Good morning Christian,

My name is Scotty Jones, I'm a designer for a hard scape company here in town called River Stonework. We have a client, Joelle (CC'd on this email), who is wanting to install a paver driveway. However their impervious percentage already sits at 35%.

They currently have a gravel driveway which is creating a myriad of issues including depressions, drainage, and potential pipe damage.

We are looking for guidance and your assessment in the practicality of being granted a variance to extend the impervious percentage to 44.67%

The address is 6 Hopson Rd
Jacksonville Beach, FL, United States

I'm attaching a survey with markings where the pavers would be installed, as

well as current photos of the driveway.

Thank you,

Scotty

Get [Outlook for iOS](#)

<IMG_1303.jpeg>

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<IMG_1280.jpeg>

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PREPARED BY AND RETURN TO:

Repass Law
111 Solana Road, Suite B
Ponte Vedra Beach, FL 32082

File: 20-9000

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**PLANNING
DEPARTMENT**

WARRANTY DEED

THIS WARRANTY DEED is executed as of September 23, 2020, by **David M. Caldwell and Joelle M. Caldwell** whose address is **1 TIAA Bank Field Drive, Jacksonville, Florida 32202** hereinafter called the "Grantor"), in favor of **James Coyle and Lauren Martilli, husband and wife** whose address is: **709 Great Egret Way, Ponte Vedra Beach, Florida 32082** (hereinafter called the "Grantee").

Wherever used herein, the terms "grantor" and "grantee" shall include the singular and plural, heirs, legal representatives, successors and assigns of individuals, and the successors and assigns of corporations, as the context requires.

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain land situated in **St. Johns** County, Florida (the "Property"), as more particularly described as:

Lot 9, MARSH LANDING AT SAWGRASS UNIT THIRTY-TWO "A", according to map thereof recorded in Map Book 33, Pages 30, 31, 32, 33, 34, 35, and 36, of the Public Records of St Johns County, Florida; LESS AND EXCEPT that part of said Lot 9 more particularly described as follows: For a point of beginning commence at the Northeast corner of said Lot 9, thence North 83 Degrees 33' 57" West, along the line dividing Lot 10 from Lot 9, a distance of 148.93 feet; thence South 36 Degrees 22' 46" East a distance of 163.58 feet to a point on the Southeasterly line of said Lot 9; thence along said line North 40 Degrees 18' 51" East a distance of 68.45 feet; thence North 06 Degrees 03' 54" East, along the East line of Lot 9, a distance of 63.17 feet to the Point of Beginning.

Parcel Number: 054432-0090

The Lands being conveyed are subject to the Declaration of Community Covenants for Marsh Landing at Sawgrass recorded in Official Records Volume 524, Page 49, as amended and restated by the Amended and Restated Declaration of Community Covenants for Marsh Landing at Sawgrass recorded in Official Records Volume 1817, Page 1555, and as otherwise supplemented, amended or restated, and subject to the Amended and Restated Bylaws for Marsh Landing recorded in Official Records Volume 3285, Page 1595.

22-100121

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 Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; and that Grantor fully warrants the title to the Property, and will defend the same against the lawful claims of all persons whomsoever.

The Property is subject to future taxes, easements, encumbrances and matters of record; however, this reference shall not serve to reimpose same.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed the day and year first above written.

Signed, sealed and delivered
in the presence of:

Sign: _____
Witness #1 _____
Print: _____
LiseEllen C. Sawyer

David M. Caldwell

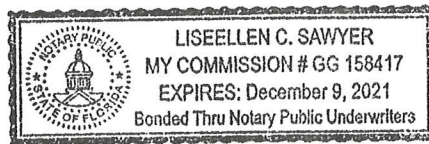
Sign: _____
Witness #2 _____
Print: _____
Amy McBride

Joelle M. Caldwell

29-100121

Affix Notary Stamp or Seal Below:

Printed Name:



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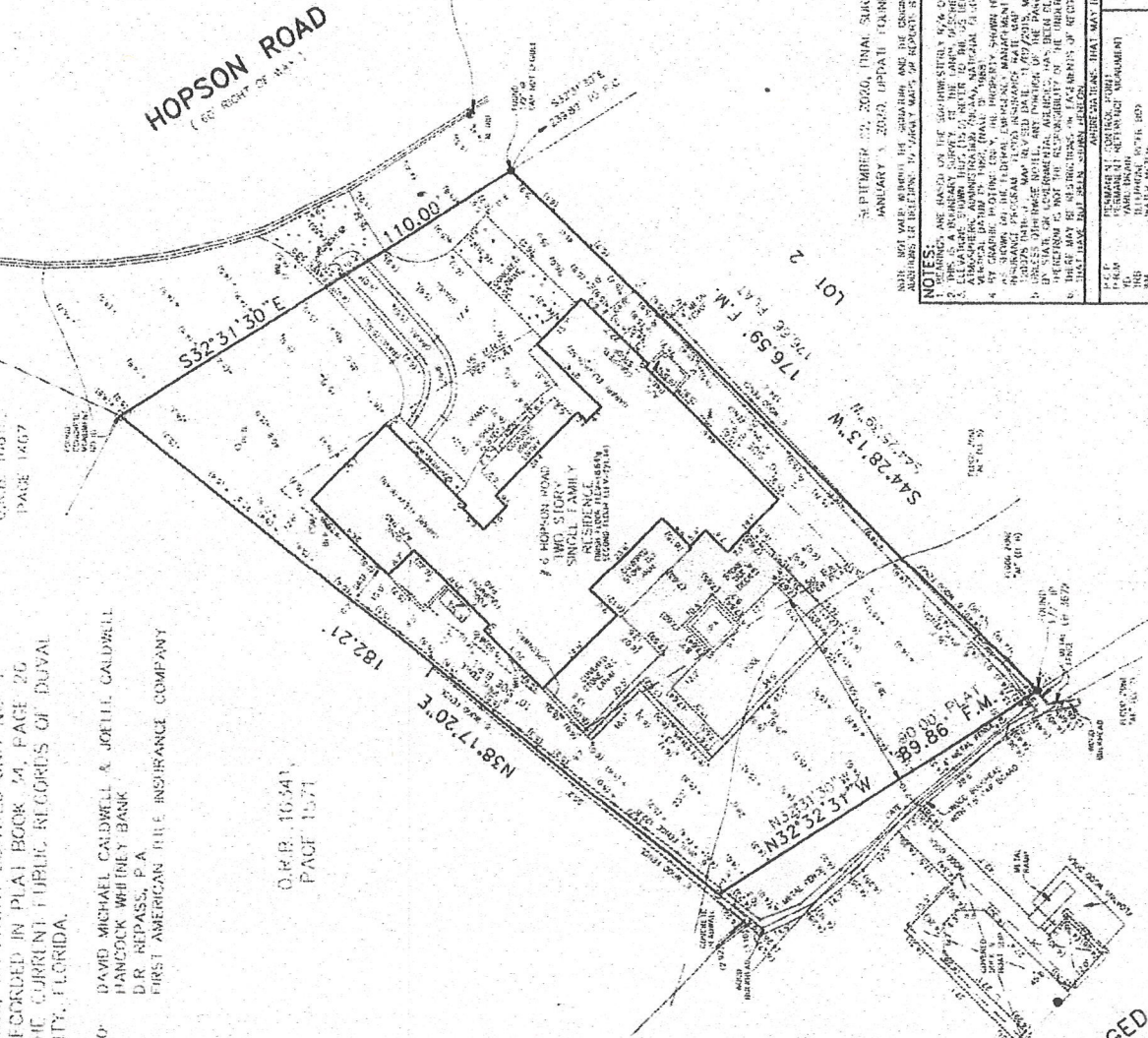
MAP SHOWING SURVEY OF

LOT ONE, WATERWAY ESTATES UNIT NO. 1
AS RECORDED IN PLAT BOOK 24, PAGE 20
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

CELESTED TO: DAVID MICHAEL CALDWELL & JORTEL CALDWELL
HAWCOCK WHITNEY BANK
DR. REPASS, P.A.
FIRST AMERICAN FIRE INSURANCE COMPANY

O.R.B. 10.541,
PAGE 1571

O.R.B. 10.515
PAGE 1467



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ITEM	DESCRIPTION	AMOUNT
1	LOT 2 (1.00 AC)	21.00
2	LOT 3 (1.00 AC)	21.00
3	LOT 4 (1.00 AC)	21.00
4	LOT 5 (1.00 AC)	21.00
5	LOT 6 (1.00 AC)	21.00
6	LOT 7 (1.00 AC)	21.00
7	LOT 8 (1.00 AC)	21.00
8	LOT 9 (1.00 AC)	21.00
9	LOT 10 (1.00 AC)	21.00
10	LOT 11 (1.00 AC)	21.00
11	LOT 12 (1.00 AC)	21.00
12	LOT 13 (1.00 AC)	21.00
13	LOT 14 (1.00 AC)	21.00
14	LOT 15 (1.00 AC)	21.00
15	LOT 16 (1.00 AC)	21.00
16	LOT 17 (1.00 AC)	21.00
17	LOT 18 (1.00 AC)	21.00
18	LOT 19 (1.00 AC)	21.00
19	LOT 20 (1.00 AC)	21.00
20	LOT 21 (1.00 AC)	21.00
21	LOT 22 (1.00 AC)	21.00
22	LOT 23 (1.00 AC)	21.00
23	LOT 24 (1.00 AC)	21.00
24	LOT 25 (1.00 AC)	21.00
25	LOT 26 (1.00 AC)	21.00
26	LOT 27 (1.00 AC)	21.00
27	LOT 28 (1.00 AC)	21.00
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NOTES

1. THE SURVEY WAS MADE BY THE SURVEYOR, JAMES H. HARRIS, JR., ON SEPTEMBER 1, 1976, AND IS SUBJECT TO THE FOLLOWING NOTES:
2. THE SURVEY WAS MADE BY THE SURVEYOR, JAMES H. HARRIS, JR., ON SEPTEMBER 1, 1976, AND IS SUBJECT TO THE FOLLOWING NOTES:
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10. THE SURVEY WAS MADE BY THE SURVEYOR, JAMES H. HARRIS, JR., ON SEPTEMBER 1, 1976, AND IS SUBJECT TO THE FOLLOWING NOTES:

SEPTEMBER 1, 2020, FINAL SURVEY, JOB # 10776, 11/17/76, PAGE 4

ANNUAL SURVEY, 2020, UPTON FORMATION SURVEY, A. 11000 CERTIFICATE, AS REQUIRED BY THE STATE OF FLORIDA, FOR THE YEAR 2020, PAGE 60

NOTES: 1. THE SURVEY WAS MADE BY THE SURVEYOR, JAMES H. HARRIS, JR., ON SEPTEMBER 1, 1976, AND IS SUBJECT TO THE FOLLOWING NOTES:

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ITEM	DESCRIPTION	AMOUNT
1	LOT 2 (1.00 AC)	21.00
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NOTE: DIMENSIONS SHOWN WITHIN TO THE
PROPERTY LINES ARE SHOWN TO THE
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A & J LAND SURVEYORS, INC.

CERTIFICATE OF AUTHORIZATION NO. 111 6661

5847 LUTHER STREET

JACKSONVILLE, FLORIDA 32207

PHONE: (904) 346-1133

FAX: (904) 346-1135

REGISTERED LAND SURVEYOR, CERTIFICATE NUMBER 5125

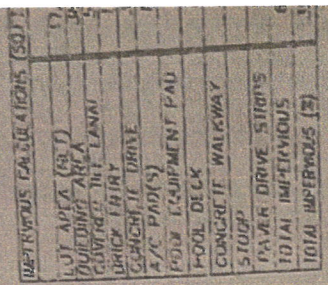
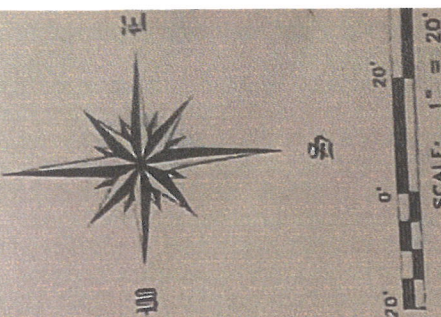
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DAVID MICHAEL CALDWELL & JOELLE CALDWELL
HANCOCK WHITELY BANK
D.R. REPASS, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

RECEIVED

OCT 31 2023

PLANNING DEPARTMENT



REFERENCE BENCHMARK: FOUND, GRADE DISC, 21 IN CONCRETE II
 NEAR THE SOUTHEAST CORNER OF THE H. WAGNER SMITH CONVENT
 AT THE JUNCTION OF U.S. HIGHWAY 90 (TEACHER BUILDING)
 AND PENMAN ROAD. +45' NORTH OF THE CENTRELINE OF THE
 WESTERLY LANE OF HIGHWAY 90. +51' WEST OF THE CENTRELINE
 OF PENMAN ROAD DESIGNATION:
 ELEVATION (15.82) NAVD 1988

SEPTEMBER 22, 2020, FINAL SURVEY, JOB # 50116, 15 5/8, PACT 4
JANUARY 5 2020, UPDATE FOUNDATION SURVEY & FLOOD CURVE, AS REQUIRED BY C&G

NOTE: RELAY WITHOUT THE SIGNATURE AND THE ORGANIZATION NAMED AS A FLORIDA LICENSED SPECIAL AGENT AND MAJOR AGENCIES OF THE BUREAU OF INVESTIGATION, FBI, WASHINGTON, D.C. 20535, FOR AUGUST, 1968.

[illegible]

TYPE	REMARKS	COMPL. POINT	MEASUREMENT	FOOT	ASSESSMENT	PROPERTY
1.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
2.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
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4.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
5.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
6.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
7.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
8.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
9.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
10.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
11.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
12.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
13.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
14.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
15.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
16.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
17.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
18.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
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23.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
24.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
25.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
26.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
27.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
28.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
29.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
30.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
31.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
32.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
33.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
34.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
35.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
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37.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
38.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
39.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
40.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
41.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
42.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
43.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
44.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
45.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
46.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
47.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
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51.00	PERMANENT	WATER	1.00	1.00	1.00	1.00
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DREDGED
CANAL

THESE ARE THE SAME PEOPLE
WHO ARE KNOWN TO THE
FEDERAL BUREAU OF INVESTIGATION

Impervious
Calculation:
Current: 6,139
total impervious
square feet
Total Lot: 17,195
sqft
current
percentage :
35.7%

Total impervious
after adding
1500sqft of
pavers: 7639
sqft and 44%

PLANNING
DEPARTMENT

Scale: 1/8 in. per ft.



RECEIVED

OCT 31 2023

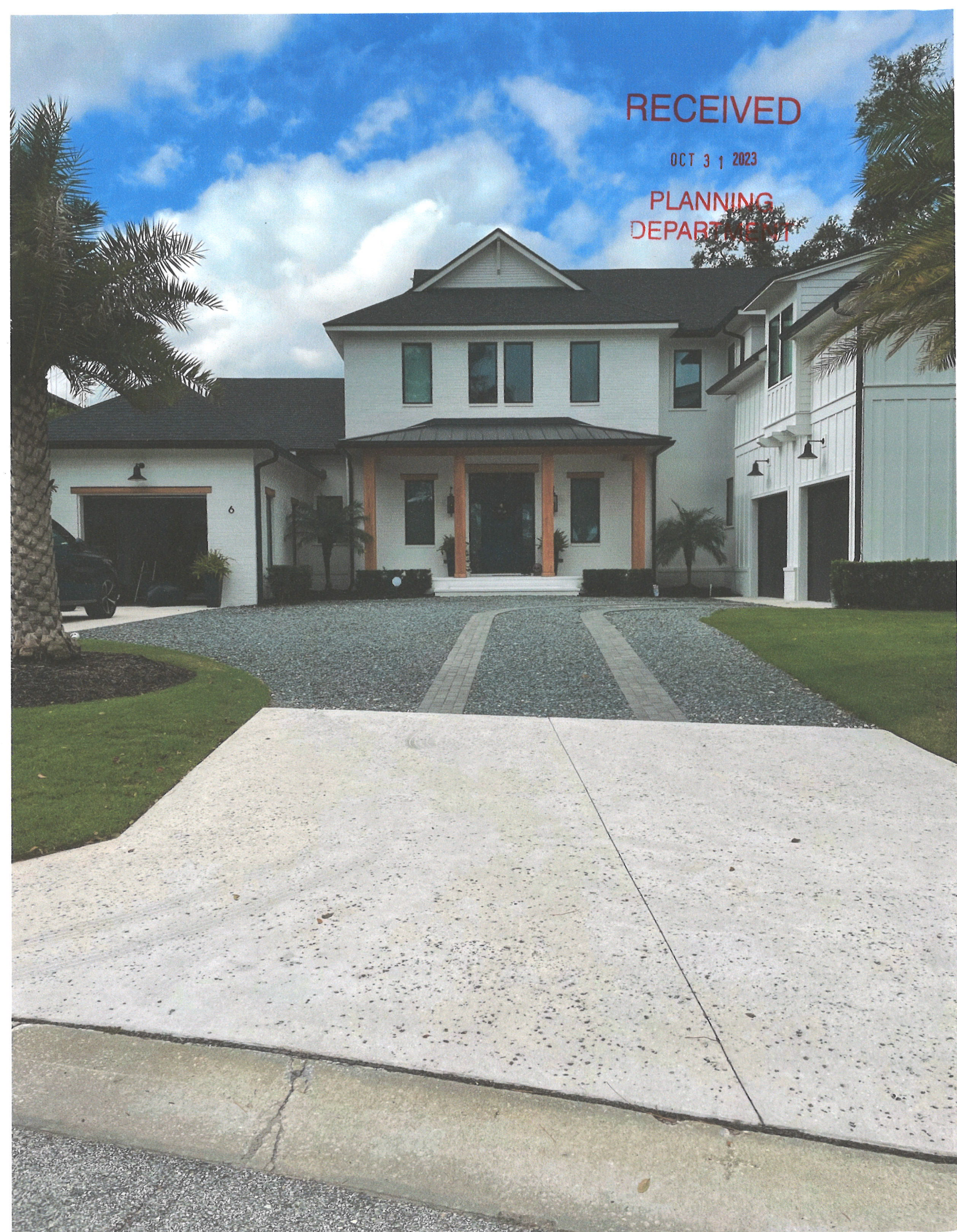
PLANNING
DEPARTMENT

CONCRETE DRIVEWAY
- SAFETY HAZARD
- POOR DRAINAGE

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OCT 31 2023

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OCT 31 2023

artistic conception

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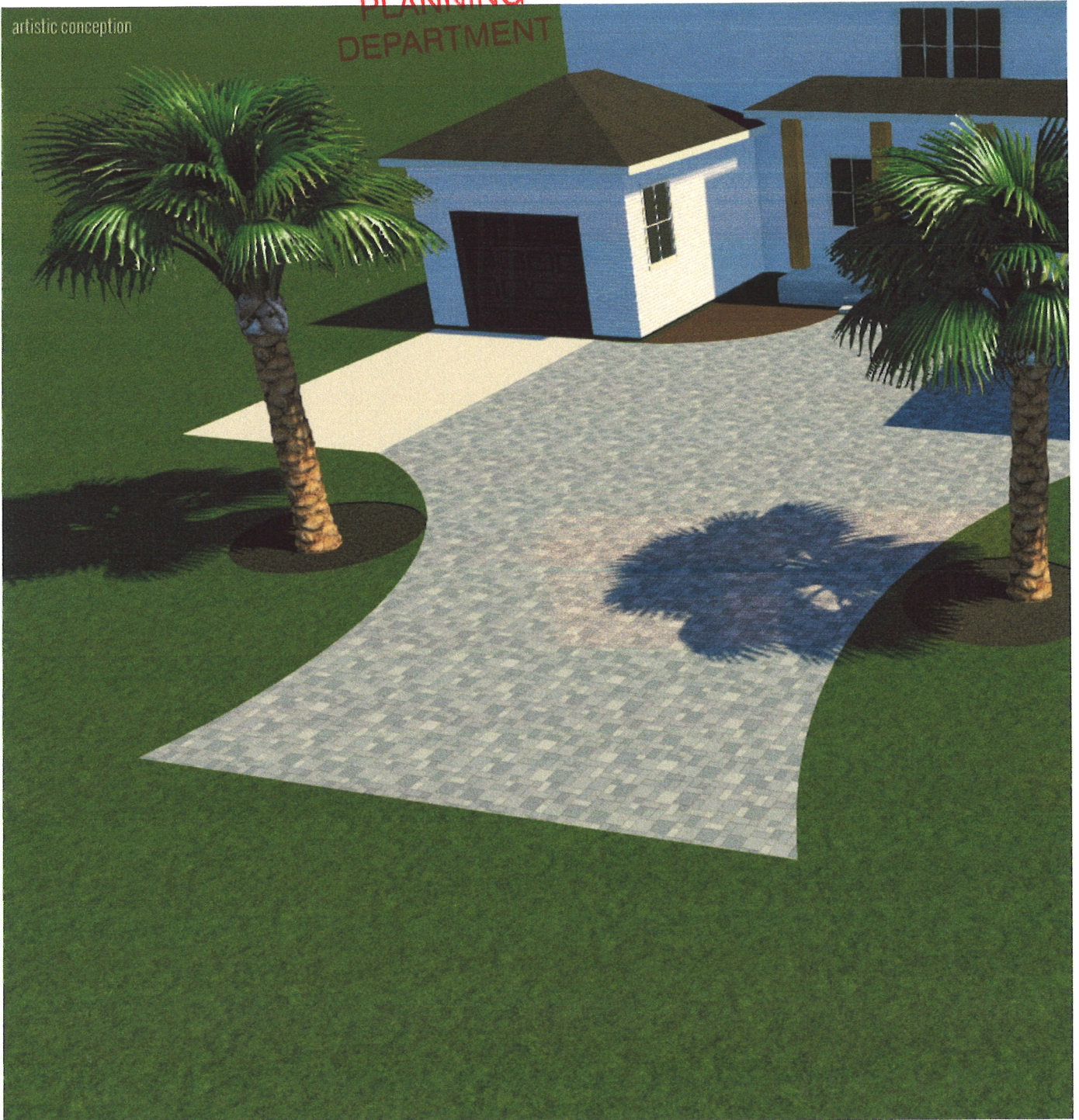


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DEPARTMENT

artistic conception



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JUL 31 2023

PLANNING
DEPARTMENT

Christian Popoli

From: Danevsky Joseph
Sent: Tuesday, January 9, 2024 1:15 PM
To: Christian Popoli
Subject: Re: Driveway numbers

Hopson rd

Get [Outlook for iOS](#)

From: Danevsky Joseph <djoseph@jaxbchfl.net>
Sent: Tuesday, January 9, 2024 1:14:52 PM
To: Christian Popoli <cpopoli@jaxbchfl.net>
Subject: Fwd: Driveway numbers

This is for the deferred application on Jolson Rd. I will add this information before we publish the agenda, if it's not too late.

Get [Outlook for iOS](#)

From: Scotty Jones <scotty@riverstonework.com>
Sent: Tuesday, January 9, 2024 1:12:09 PM
To: JOELLE CALDWELL <joellecaldwell@mac.com>; Danevsky Joseph <djoseph@jaxbchfl.net>; David Caldwell <davidmccaldwell2@gmail.com>
Subject: Re: Driveway numbers

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

Good Afternoon!

Yes. The proposed breakdown will be as follows:

Current Impervious: 6139sqft

We will remove 241sqft of the current impervious footprint bringing it to 5,898sqft

We are adding 1741 sqft of pervious pavers, which will be applied at 50% impervious

The total percentage of impervious structure with our proposed plans will be 39%

From: JOELLE CALDWELL <joellecaldwell@mac.com>
Sent: Tuesday, January 9, 2024 12:40 PM
To: Scotty Jones <scotty@riverstonework.com>; djoseph@jaxbchfl.net <djoseph@jaxbchfl.net>; David Caldwell <davidmccaldwell2@gmail.com>
Subject: Driveway numbers

Hi,

Scotty, did you get the final numbers over to Joseph? I believe today is the deadline. Joseph - do you have everything you need?

Thank you and stay safe!

Dave and Joelle

Sent from my iPhone



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	12/18/2023
SUBJECT:	BOA #23-100131 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, January 17, 2024 Board of Adjustment Meeting.

BOA #23-100131

ZONING: RS-2
RE NO.: 174472-0000
The West 40ft of lot 2, and The East 20ft of lot 3, Block 97, *R/P PT Pablo Beach North*
ADDRESS: 610 9th Ave N

REQUEST:

Section(s): 34-337(e)(1)d, for no garage or carport in lieu of required garage or carport, to address nonconformities to an existing single-family dwelling **for property addressed** 610 9th Ave N, **RE#** 174472-0000, **legally described as** The West 40ft of lot 2, and The East 20ft of lot 3, Block 97, *R/P PT Pablo Beach North*

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1925) located in the Medium Density Residential future land use category. The property is currently in the Residential, Single Family: RS-2 Zoning District. The lot is 60 feet in width and 125 feet in depth, with an overall lot area of 7,500 square feet. The subject home was constructed in 1954, prior to the current LDC. The lot currently has an existing one-story dwelling, shed, carport, and concrete and brick covered area. The applicant is applying for this variance for no garage or carport in lieu of the required garage or carport, to address existing nonconformities and allow for a substantial improvement to an existing single-family dwelling.

No previous BOA, no active code case.

STAFF ANALYSIS:

The subject property is substandard in width, it measures 60 feet in width rather than the 75 feet minimum requirement in the RS-2 zoning district, and is conforming in area at 7,500 square feet. The applicant is proposing to address nonconformities by addressing the absence of a garage or carport. A variance to address these nonconformities is a reasonable request, as the applicant will add a 200 square feet concrete slab for additional parking. The 200 square feet concrete slab will not exceed the required lot coverage. The current lot coverage is 24.6% and with the concrete slab addition, will only add a total of 26.3%. There is a hardship justified by having a nonconforming lot in width and a nonconforming structure. 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, and will allow the applicant to proceed with a substantial renovation.

MINIMUM DIMENSIONAL STANDARDS:

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

REVIEW OF CRITERIA:

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in width. The property measures 60 feet in width rather than the 75 feet minimum. Additionally, the structure is nonconforming, as the home does not currently have a garage or carport.

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 a nonconforming lot of record platted in 1925 and the home was constructed in 1954. If the home once had a garage or carport, it was enclosed prior to the current owner's purchase, and likely prior to the adoption of the current LDC. The applicant purchased the property with these 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 not confer special privileges. The request to address current nonconformities to a lot that does not meet the minimum lot width for the RS-2 zoning district and a nonconforming structure with no garage or carport would not confer a special privilege as compared to other properties in the RS-2 zoning district. Similar properties have been granted variances for similar projects.

4. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would 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 nonconforming width of this property and the lack of an existing carport or garage on the nonconforming structure, any addition or renovation would require a variance from the RS-2 standards. This situation is not the fault of the applicant and would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with nonconforming 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 variance is the minimum variance needed to accommodate the existing nonconformities. The minimum variance needed to address current nonconformities is for no garage or carport in lieu of the required garage or carport to allow the applicant to proceed with a substantial renovation.

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

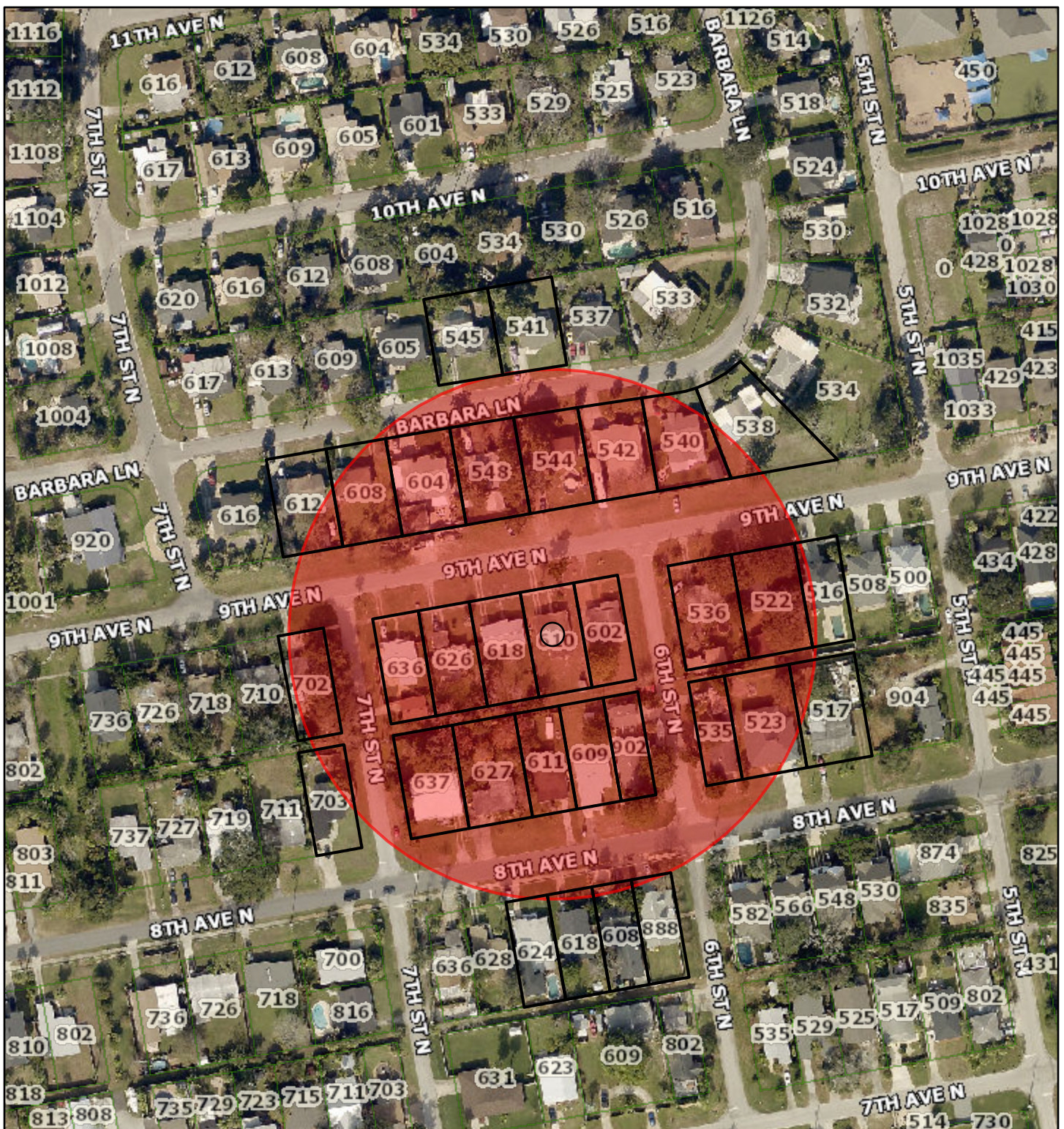
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code, based on the provided application and analysis stated in this report, the Planning and Development Department recommends **Approval of BOA#23-100131**

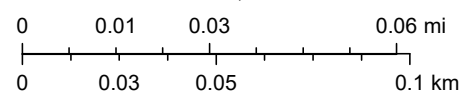
ATTACHMENTS:

1. 23-100131pics
2. 23-100131



December 18, 2023

1:2,257

 Parcels

PARCEL INFORMATION:

ID: 174502-0000
ZONE: RS-2
LOT SIZE: 7,500 SF / 0.17 AC
SETBACKS:
FRONT: 20 FT
SIDES: 15 FT IN TOTAL (NO SIDE < 5')
REAR: 30 FT

MAX BUILDING HEIGHT: 35'
EXISTING BUILDING HEIGHT: 12' +/-

SITE PLAN NOTES:

1. ALL AIR CONDITIONER PADS, STOOPS, INTERNAL SIDEWALKS, PAVERS, ETC. TO MAINTAIN MIN 5' FROM PROPERTY LINE.
2. MINIMUM 1% SLOPE WILL BE PROVIDED FROM BUILDING TO POSITIVE OUTFAL POINTS.
3. EROSION CONTROL MEASURES (i.e. SILT FENCE) SHALL BE AROUND THE CONSTRUCTION BOUNDARIES AT ALL TIMES TO PREVENT IMPACT TO ADJACENT PROPERTIES.
4. SETBACKS ARE MEASURED TO THE FURTHEST PROJECTION.
5. NO WETLANDS ON SITE.
6. THE APPLICANT/OWNER/CONTRACTOR SHALL CONTACT THE LOCAL AUTHORITIES SHOULD MODIFICATIONS TO THE PLANS BE REQUIRED DURING SITE DEVELOPMENT BASED ON ACTUAL FIELD CONDITIONS.
7. EXISTING DRAINAGE PATTERNS TO REMAIN UNDISTURBED.

DESIGN SPECIFICATIONS

DESIGN CODE:
FLORIDA BUILDING CODE RESIDENTIAL
7TH EDITION (2020)
ASCE/ASI 7-16 MINIMUM DESIGN LOADS
FOR BUILDINGS AND OTHER STRUCTURES

ALTERATION LEVEL: 3
WIND SPEED/LOCATION: 130MPH(Vult)
101MPH (Vasd)
EXPOSURE CATEGORY: B
BUILDING RISK CATEGORY: V
FLOOD ZONE: X

SCOPE OF WORK:

- ALTERATION LEVEL 3 (MORE THAN 50% OF BUILDING REMODELED).
- REMODELING.
- COVERING FOUR EXISTING WINDOWS.
- ADDITION OF A DOOR IN EXISTING WINDOW OPENING.
- ADDING NON-STRUCTURAL (NON LOAD BEARING) WALLS TO THE INTERIOR OF THE HOUSE.
- EXTENDING AND ADDING A BATHROOM TO THE EXISTING LAUNDRY ROOM.
- NO STRUCTURAL WORK PROPOSED ON THE EXISTING WALLS AND ROOF.
- APPROVED RE-ROOF PERMIT 2022-1094.

LOT AREA CALCULATIONS:

LOT EXISTING AREA = 7500 SF / 0.17 AC
RESIDENCE AREA = 1206 SF
CARPORT = 180 SF
SHED AREA = 102 SF
CONCRETE AND BRICK = 352.5 SF
A/C = 8.4 SF

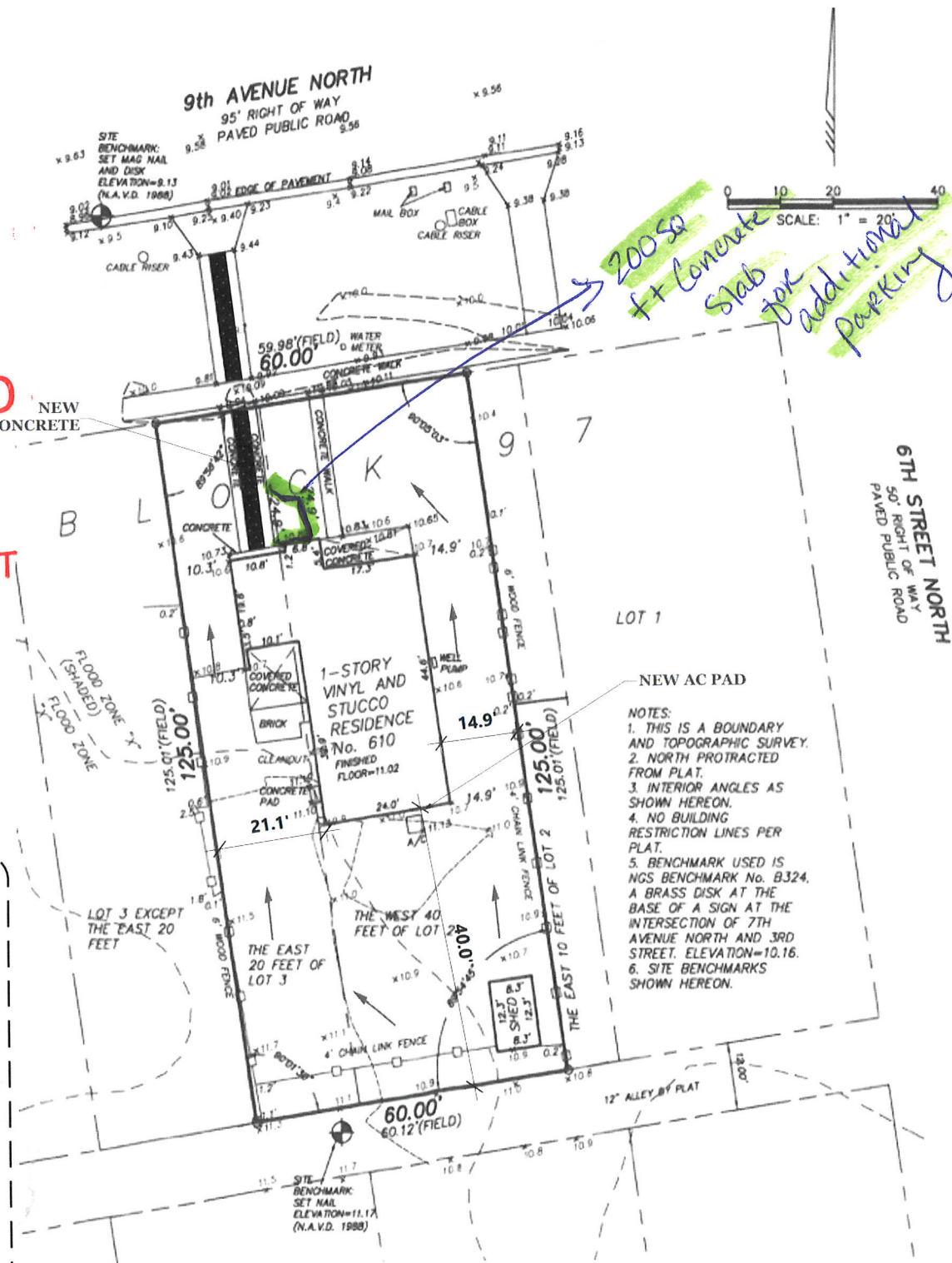
EXISTING IMPERVIOUS AREA = 1848.9 SF
EXISTING LOT COVERAGE = 24.6%
ADDITIONAL LOT COVERAGE = 123 SF
NEW IMPERVIOUS AREA = 1971.9 SF
NEW LOT COVERAGE = 26.3%

ALLOWED LOT COVERAGE = 35%

RESIDENCE REMODEL

610 9th Avenue N

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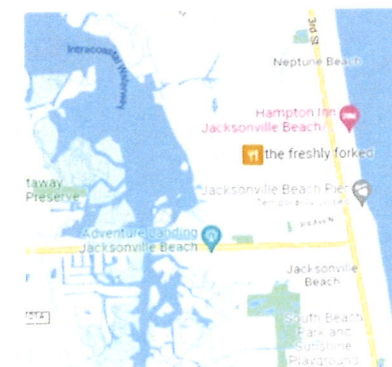


INDEX OF DRAWINGS

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2. FLOOR PLANS
3. WALL SECTIONS
4. WINDOW DETAILS
5. WINDOW AND DOOR DETAILS
6. ELECTRICAL PLANS
7. FOUNDATION PLANS
8. NOTES



AERIAL (NTS)



VICINITY MAP (NTS)

REVISIONS

MM/DD/YY	REMARKS	REMODEL SITE PLAN	CHANGES TO AVOID VARIANCE
1	07/21/2022		
2	10/31/2022		
3			
4			
5			



610 9th Avenue N

COVER SHEET



APPLICATION FOR VARIANCE

BOA NO. 23-100131

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.

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DEPARTMENT

APPLICANT INFORMATION

Applicant Name:	<u>Green Key Ventures, LLC</u>	Telephone:	<u>(904) 563-5190</u>
Mailing Address:	<u>800 Pissaro Ave</u>	E-Mail:	<u>Susan@thehansongroup.net</u>
	<u>Ponte Vedra FL 32081</u>		
Agent Name:	<u>Loan Thi Hanson</u>	Telephone:	<u>(904) 563-5190</u>
Mailing Address:	<u>800 Pissaro Ave</u>	E-Mail:	<u>Susan@thehansongroup.net</u>
	<u>Ponte Vedra FL 32081</u>		
Landowner Name:	<u>Green Key Ventures, LLC</u>	Telephone:	<u>(904) 563-5190</u>
Mailing Address:	<u>800 Pissaro Ave</u>	E-Mail:	<u>Susan@thehansongroup.net</u>
	<u>Ponte Vedra FL</u>		

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: 610 9th Ave N Jacksonville Beach, FL 32250
 Legal description of property (Attach copy of deed): 9-32 33-2S-29E R/P PT PABLO BEACH NORTH W 40FT LOT 2 E 20FT LOT 3 BLK 97
 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).
Allow us to keep the structure as is without having to create a garage or carport space
Code Section 34-337 (E) (1) (D)

AFFIDAVIT

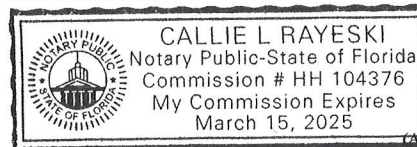
I, Loan Thi Hanson, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary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

Loan Thi Hanson Loan Thi Hanson 12/1/23
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of December, 2023, by Loan Hanson, who is personally known to me or produced d.t. as identification.

Callie L. Rayeski-Bowling
 NOTARY PUBLIC SIGNATURE
 PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

CODE SECTION (S): _____

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 23 100131

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The home structure is the same condition as when we purchased the home. Many homes in the same zoning area have the same attributes.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We did not change the structure of the existing home
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	This home has remained the same in structure for over 40 years, We are asking for allowance to keep the current structure as is and not be required to change the structure
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	Requirements would cause loss of value by reducing usable sq footage of the home and eliminating a full Bedroom Code section 34-337 (E) (1) (D)
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The home has been used as a single family residence with 3 bedrooms which is reasonable for the location and complies with multiple home structures in the neighborhood
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	No adjacent land or structures would be affected by allowing this variance

Prepared by:
Beth Murphy
Richard T. Morehead Title & Escrow, Inc.
444 Third Street
Neptune Beach, Florida 32266

File Number: 21B3651

21183557
\$458000⁰⁰

23-100131

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PLANNING
DEPARTMENT

General Warranty Deed

Made this January 6, 2022 A.D. By **Richard T. Mende and Mindy L. Mende, husband and wife**, whose post office address is: P. O. Box 7762, Woodland Park, Colorado 80863, hereinafter called the grantor, to **Green Key Ventures, LLC**, whose post office address is: 525 3rd St.N., Suite 121, Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

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

The West 40 feet of Lot 2 and the East 20 feet of Lot 3, Block 97, FLORIDA LAND INVESTMENT CO. AND PABLO BEACH IMPROVEMENT CO'S REPLAT, a subdivision according to the plat thereof recorded in Plat Book 9, Page 32, of the Public Records of Duval County, Florida.

Parcel ID Number: 174472-0000

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2021.

Prepared by:
 Beth Murphy
 Richard T. Morehead Title & Escrow, Inc.
 444 Third Street
 Neptune Beach, Florida 32266

File Number: 21B3651

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

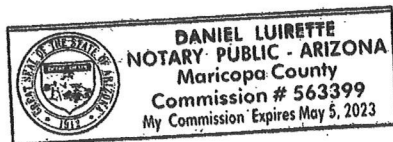
Signed, sealed and delivered in our presence:

Daniel Luiette
 Witness Printed Name Daniel Luiette

Elaine L. Hansen
 Witness Printed Name Elaine L. Hansen

State of Arizona
 County of Maricopa

The foregoing instrument was acknowledged before me by means of X physical presence or [] online notarization this 5th day of January, 2022, by Richard T. Mende and Mindy L. Mende, husband and wife, who is/are personally known to me or who has produced FL Drivers Licence as identification.



[Signature] (Seal)
Richard T. Mende
 Address: P. O. Box 7762, Woodland Park, Colorado 80863

[Signature] (Seal)
Mindy L. Mende
 Address: P. O. Box 7762, Woodland Park, Colorado 80863

Daniel Luiette
 Notary Public
 Print Name: Daniel Luiette
 My Commission Expires: 5/5/23

PARCEL INFORMATION:

ID: 174502-0000
ZONE: RS-2
LOT SIZE: 7,500 SF / 0.17 AC
SETBACKS:
FRONT: 20 FT
SIDES: 15 FT IN TOTAL (NO SIDE < 5')
REAR: 30 FT

MAX BUILDING HEIGHT: 35'
EXISTING BUILDING HEIGHT: 12' +/-

SITE PLAN NOTES:

1. ALL AIR CONDITIONER PADS, STOOPS, INTERNAL SIDEWALKS, PAVERS, ETC. TO MAINTAIN MIN 5' FROM PROPERTY LINE.
2. MINIMUM 1% SLOPE WILL BE PROVIDED FROM BUILDING TO POSITIVE OUTFAL POINTS.
3. EROSION CONTROL MEASURES (i.e. SILT FENCE) SHALL BE AROUND THE CONSTRUCTION BOUNDARIES AT ALL TIMES TO PREVENT IMPACT TO ADJACENT PROPERTIES.
4. SETBACKS ARE MEASURED TO THE FURTHEST PROJECTION.
5. NO WETLANDS ON SITE.
6. THE APPLICANT/OWNER/CONTRACTOR SHALL CONTACT THE LOCAL AUTHORITIES SHOULD MODIFICATIONS TO THE PLANS BE REQUIRED DURING SITE DEVELOPMENT BASED ON ACTUAL FIELD CONDITIONS.
7. EXISTING DRAINAGE PATTERNS TO REMAIN UNDISTURBED.

DESIGN SPECIFICATIONS

DESIGN CODE:
FLORIDA BUILDING CODE RESIDENTIAL
7TH EDITION (2020)
ASCE/ASI 7-16 MINIMUM DESIGN LOADS
FOR BUILDINGS AND OTHER STRUCTURES

ALTERATION LEVEL: 3
WIND SPEED/LOCATION: 130MPH(Vult)
101MPH (Vasd)
EXPOSURE CATEGORY: B
BUILDING RISK CATEGORY: V
FLOOD ZONE: X

SCOPE OF WORK:

- ALTERATION LEVEL 3 (MORE THAN 50% OF BUILDING REMODELED).
- REMODELING.
- COVERING FOUR EXISTING WINDOWS.
- ADDITION OF A DOOR IN EXISTING WINDOW OPENING.
- ADDING NON-STRUCTURAL (NON LOAD BEARING) WALLS TO THE INTERIOR OF THE HOUSE.
- EXTENDING AND ADDING A BATHROOM TO THE EXISTING LAUNDRY ROOM.
- NO STRUCTURAL WORK PROPOSED ON THE EXISTING WALLS AND ROOF.
- APPROVED RE-ROOF PERMIT 2022-1094.

LOT AREA CALCULATIONS:

LOT EXISTING AREA = 7500 SF / 0.17 AC
RESIDENCE AREA = 1206 SF
CARPORT = 180 SF
SHED AREA = 102 SF
CONCRETE AND BRICK = 352.5 SF
A/C = 8.4 SF

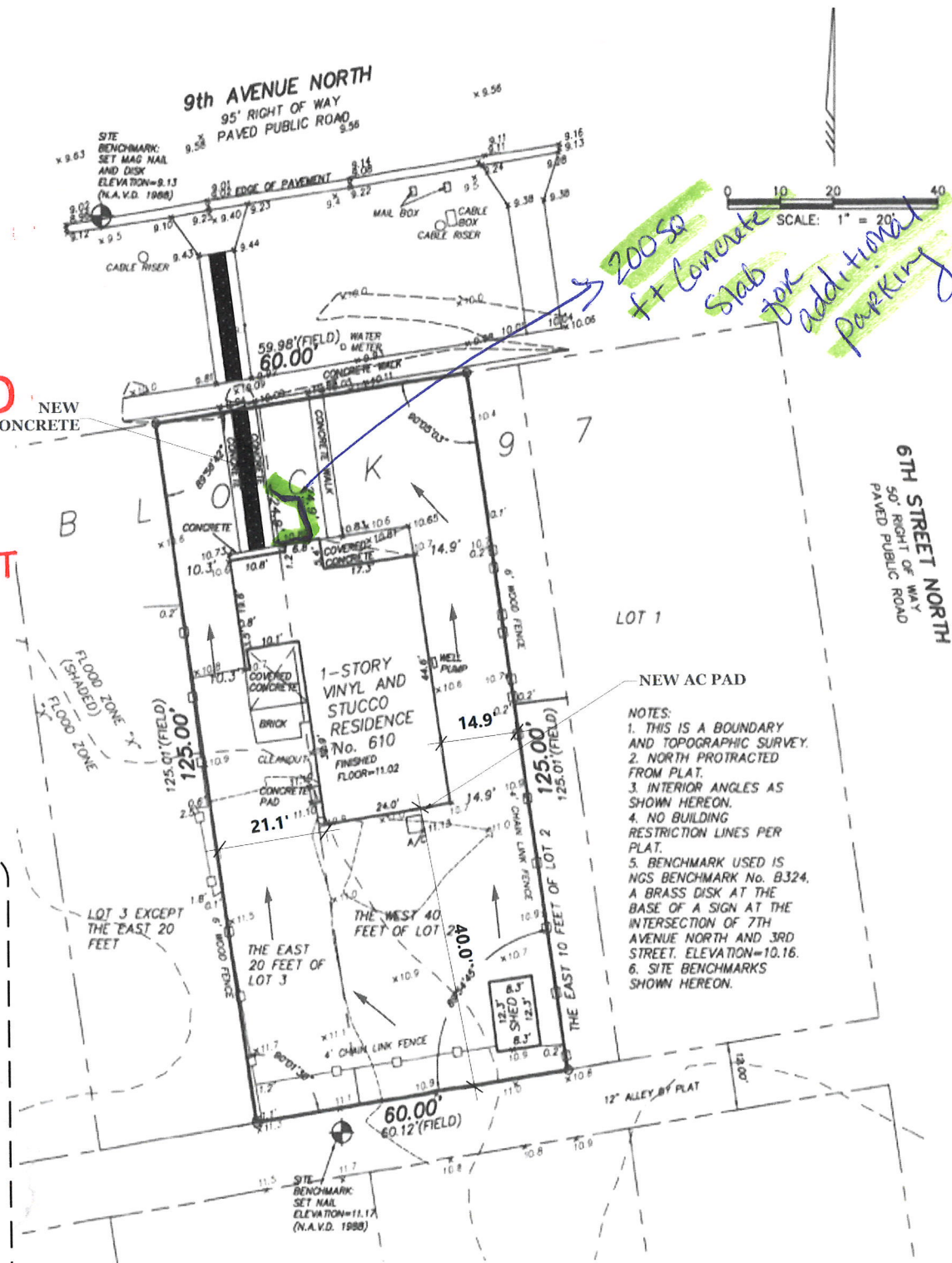
EXISTING IMPERVIOUS AREA = 1848.9 SF
EXISTING LOT COVERAGE = 24.6%
ADDITIONAL LOT COVERAGE = 123 SF
NEW IMPERVIOUS AREA = 1971.9 SF
NEW LOT COVERAGE = 26.3%

ALLOWED LOT COVERAGE = 35%

RESIDENCE REMODEL

610 9th Avenue N

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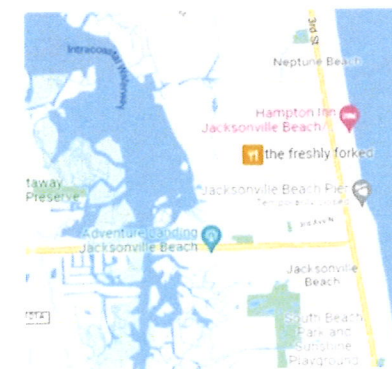


INDEX OF DRAWINGS

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AERIAL (NTS)



VICINITY MAP (NTS)

REVISIONS

MM/DD/YY	REMARKS	REMODEL SITE PLAN	CHANGES TO AVOID VARIANCE
1	07/21/2022		
2	10/31/2022		
3			
4			
5			

XIMENEZ
ENGINEERING SERVICES

610 9th Avenue N

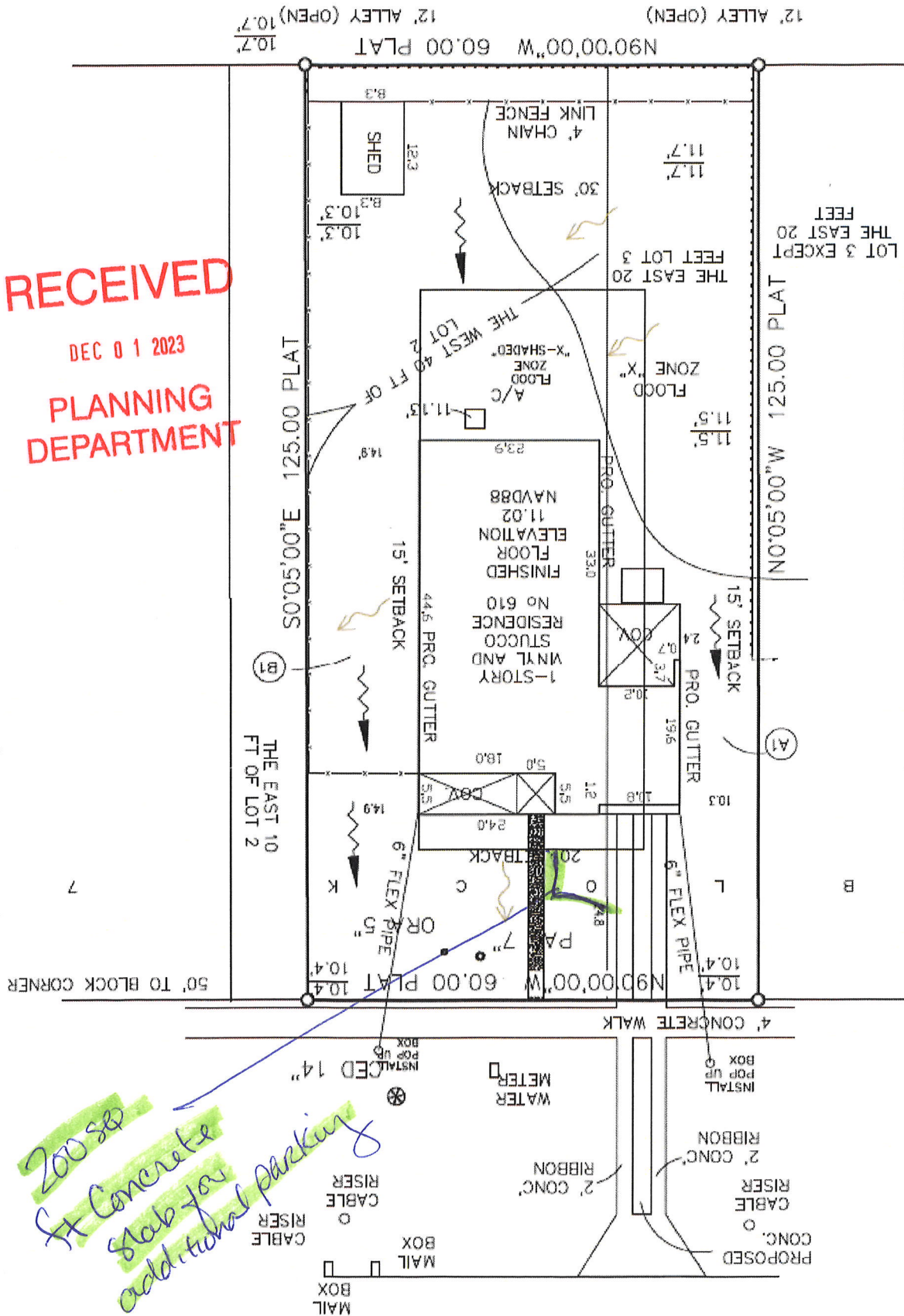
COVER SHEET

A 01

131007-52

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DEPARTMENT

6TH STREET NORTH
(50' RIGHT OF WAY)



200 sq ft concrete slab for additional parking

BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	12/18/2023
SUBJECT:	BOA #24-100001 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, January 17, 2024 Board of Adjustment Meeting.

BOA #24-100001

ZONING: RS-1
 RE NO.: 177653-0320
 LEGAL: Lot 4, *Tall Pines*
 ADDRESS: 329 N 15th St

REQUEST:

Section(s): 34-336(e)(1)(c)2, for a northern side yard setback of 6.8 feet and a southern side yard setback of 6.6 feet in lieu of 10 feet minimum for each side; 34-336(e)(1)g, for rear and side yard accessory structure setback of 2ft in lieu of 5ft minimum for a shed; 34-336(e)(1)g, for rear yard accessory structure setback of 1ft in lieu of 5ft minimum for an outdoor bar/pergola; 34-336(e)(1)g, for an accessory setback of 0ft in lieu of 2 feet required for paver walkway on northern and north west property lines; 34-336(e)(1)c.2, for 0ft accessory side yard setback in lieu of 5ft required for a free-standing wood roofed structure; 34-336(e)(1)e, for lot coverage of 63.3% in lieu of 35% maximum to address existing nonconformities for existing single-family dwelling and associated accessory uses, **for property addressed 329 N 15th St, RE# 177653-0320, legally described as Lot 4, *Tall Pines***

EXISTING CONDITIONS:

The subject property is a legal nonconforming lot of record (circa 1946) located in the Low Density Residential future land use category. The property is currently zoned Residential, Single Family: RS-1. The subject property is 62.91 feet in depth and 134.94 feet in width, with an overall area of 8,836 square feet. The subject home was constructed in 1985, before the adoption of the Land Development Code. The subject property backs up to a commercially zoned area to the east which is the rear yard. Additionally, there is a nonconforming shed and outdoor bar/pergola in the rear yard that encroaches on the rear yard setbacks.

The applicant is asking for a variance for a northern side yard setback of 6.8 feet and a southern side yard setback of 6.6 feet in lieu of 10 feet minimum for each side, for rear and side yard accessory structure setback of 2 feet in lieu of 5 feet minimum for a shed, for a rear yard accessory structure setback of 1 foot in lieu of 5 feet minimum for an outdoor bar/pergola, for an accessory structure setback of 0 feet in lieu of 2 feet required for a paver walkway on northern and north-west property lines, for 0 feet accessory side yard setback in lieu of 5 feet required for a freestanding wood roofed structure, for lot coverage of 63.3% in lieu of 35% maximum to address existing nonconformities for an existing single-family dwelling and associated accessory uses. This property was approved for a

variance in 2007 for 43% lot coverage in lieu of a 35% maximum.

No active code enforcement.

STAFF ANALYSIS:

The property width along with the rear shed and outdoor bar/pergola are both nonconforming. The applicant is addressing nonconformities caused by a previous contractor in 2015. Much of the work done on the property was unpermitted and was not brought to the applicant's knowledge. It was not the applicant's intention to ignore setbacks, miscommunication and lack of due diligence caused these nonconformities. Staff would recommend that the applicant be approved, as the applicant will not do any work on the property and simply just address nonconformities.

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.

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 in lot size and substandard in width. The dimensional requirements for RS-1 are 10,000 sq. ft. in lot size and 90 ft. in width. This subject property is 8,383 sq. ft. and 62.91 ft. in width. Additionally, the home was constructed in 1985.

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. Although the lot is substandard, the work done on the property is un-permitted and was done without the knowledge of the applicant. The applicant purchased the home in 2021. Although some work was done under current ownership, the applicant states the contractors failed to inform them that they did not pull any permits, thus leading to the existing nonconformities.

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 lot is substandard, and the home was constructed in 1985. The work was done by the contractors who failed to apply for permits of which they did not inform the applicant. Approval of the reduction in setbacks for accessory structures addresses the nonconformities, but are similar to requests seen by the board in the past for other properties.

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 un-permitted work completed was not the fault of the applicant, the lot is substandard, and the applicant would not do anything else to the property.

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

Staff **does** find that the requested variances are the minimum variances needed to accommodate the existing nonconformities. The minimum variance needed would be to approve a northern side yard setback of 6.8 feet and a southern side yard setback of 6.6 feet in lieu of 10 feet minimum for each side, for rear and side yard accessory structure setback of 2 feet in lieu of 5 feet minimum for a shed, for rear yard accessory structure setback of 1 feet in lieu of 5 feet minimum for an outdoor bar/pergola, for an accessory setback of 0 feet in lieu of 2 feet required for a paver walkway on northern and north-west property lines, for 0 feet accessory structure side yard setback in lieu of 5 feet required for a freestanding wood roofed structure, for lot coverage of 63.3% in lieu of 35% maximum to address existing nonconformities for existing single-family dwelling and associated accessory uses. This property was approved for a variance in 2007 for 43% lot coverage in lieu of a 35% maximum.

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

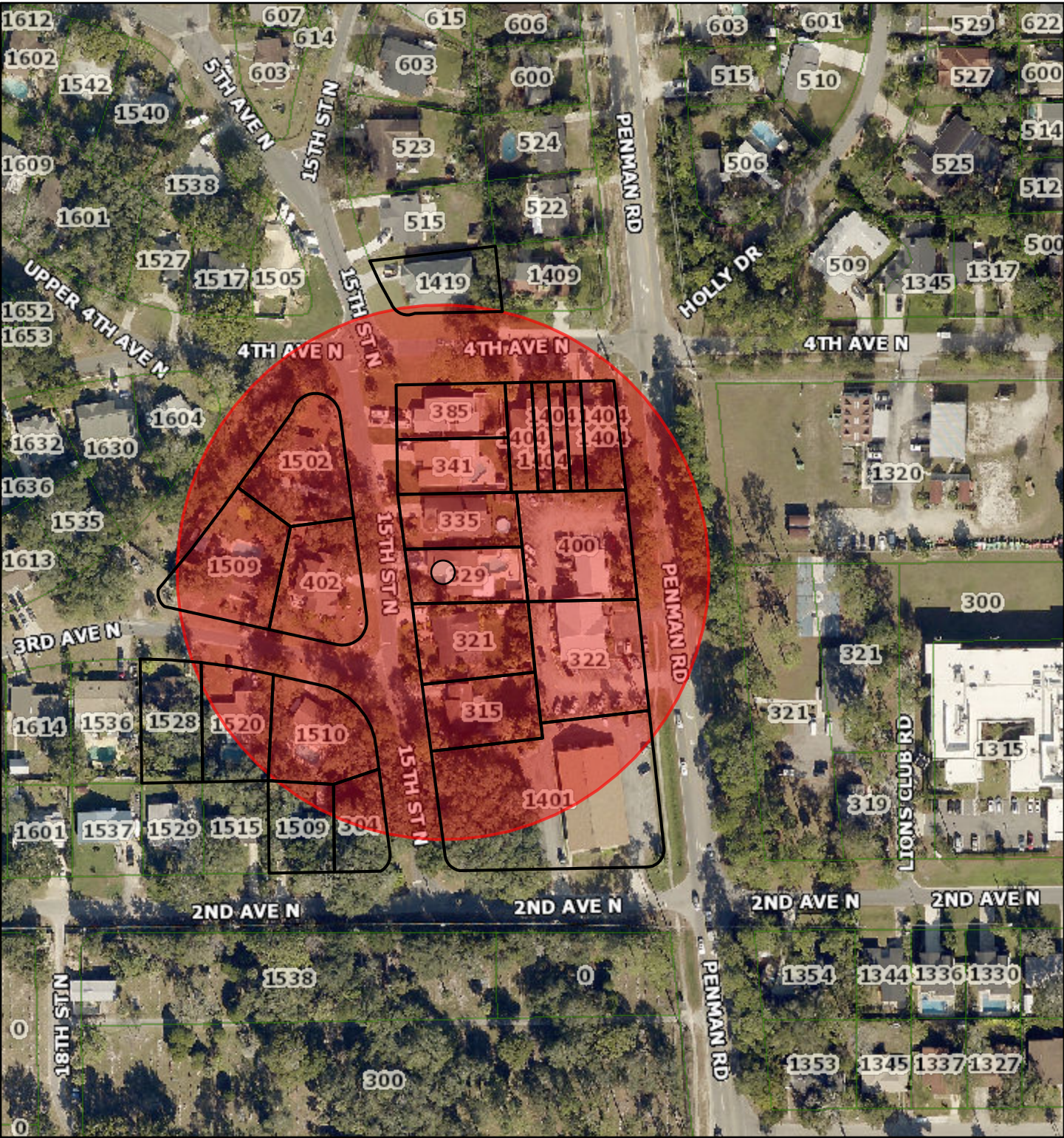
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#24-100001**

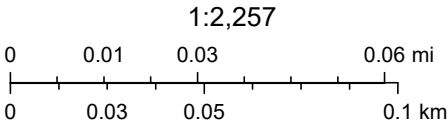
ATTACHMENTS:

1. 24-100001pics
2. 24-100001



December 18, 2023

 Parcels



MAP SHOWING SURVEY OF

LOT 4, TALL PINES, AS RECORDED IN PLAT BOOK 40, PAGE 57, OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

24-106001

RECEIVED

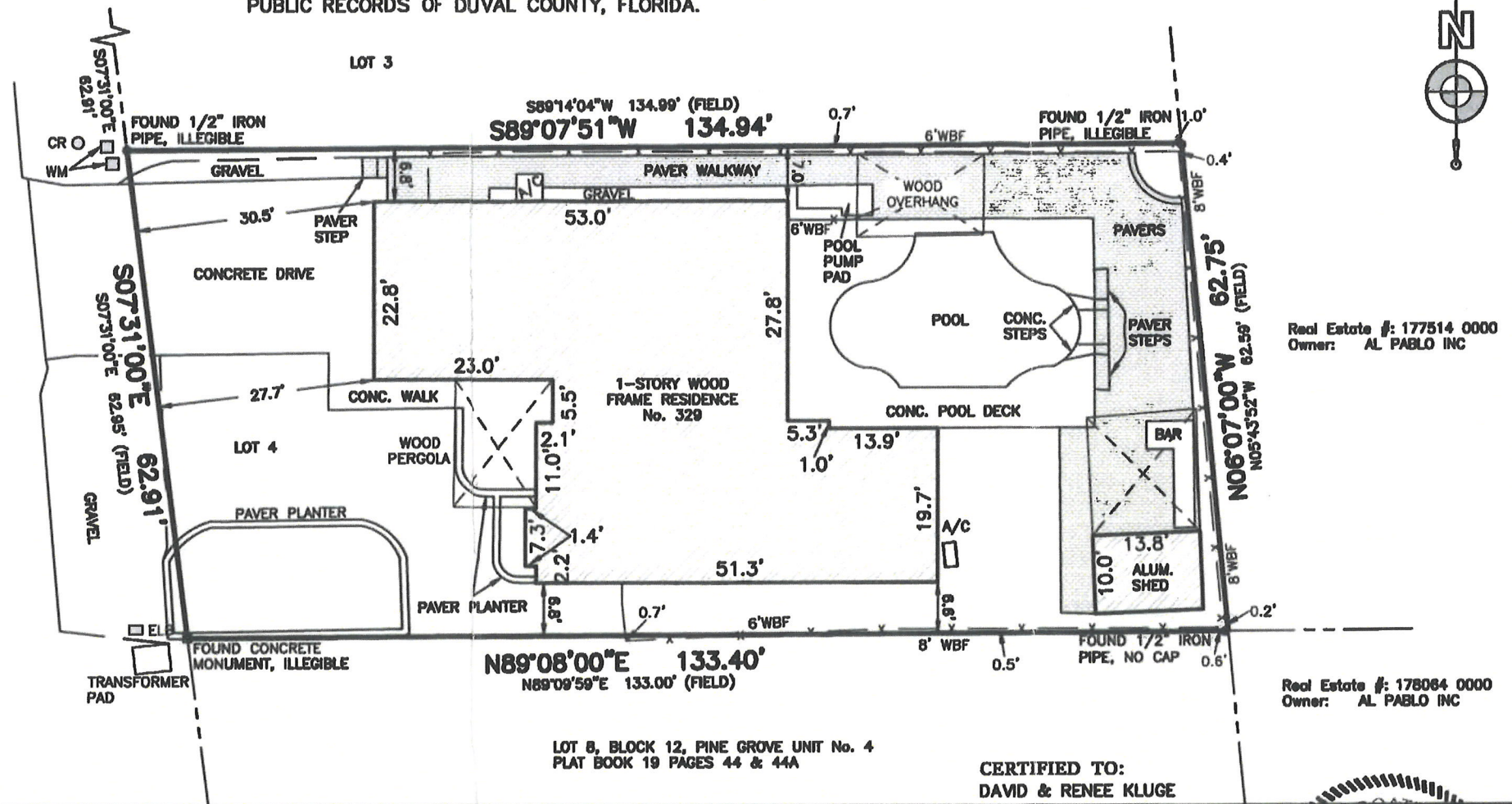
NOV 29 2023

PLANNING
DEPARTMENT

LOT COVERAGE:

TOTAL LOT AREA	=	8,383	Sq.ft.
RESIDENCE	=	2,427	Sq.ft.
FRONT CONCRETE	=	975	Sq.ft.
REAR/SIDE CONCRETE AND PAVERS	=	1,714	Sq.ft.
PADS	=	53	Sq.ft.
SHED	=	138	Sq.ft.
POOL (NOT INCLUDED)	=	451	Sq.ft.
TOTAL IMPERVIOUS AREA	=	5,307	Sq.ft.
TOTAL LOT COVERAGE	=	63.3%	

15TH STREET NORTH
VARIABLE WIDTH PAVED
PUBLIC RIGHT OF WAY



Real Estate #: 177514 0000
Owner: AL PABLO INC

Real Estate #: 178064 0000
Owner: AL PABLO INC

LOT 8, BLOCK 12, PINE GROVE UNIT No. 4
PLAT BOOK 19 PAGES 44 & 44A

CERTIFIED TO:
DAVID & RENEE KLUGE

SYMBOL LEGEND

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

ABBREVIATION LEGEND

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- (FIELD) FIELD MEASUREMENT
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- PC POINT OF CURVATURE
- PT POINT OF TANGENCY OF CURVE
- PCC POINT OF COMPOUND CURVE
- PRC POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

- THIS IS A BOUNDARY SURVEY
- BEARINGS ARE BASED ON THE EASTERLY LINE OF 15TH STREET NORTH, BEING S07°31'00"E, AS PER PLAT.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
- NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
- NO BUILDING RESTRICTION LINES, AS PER PLAT.
- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

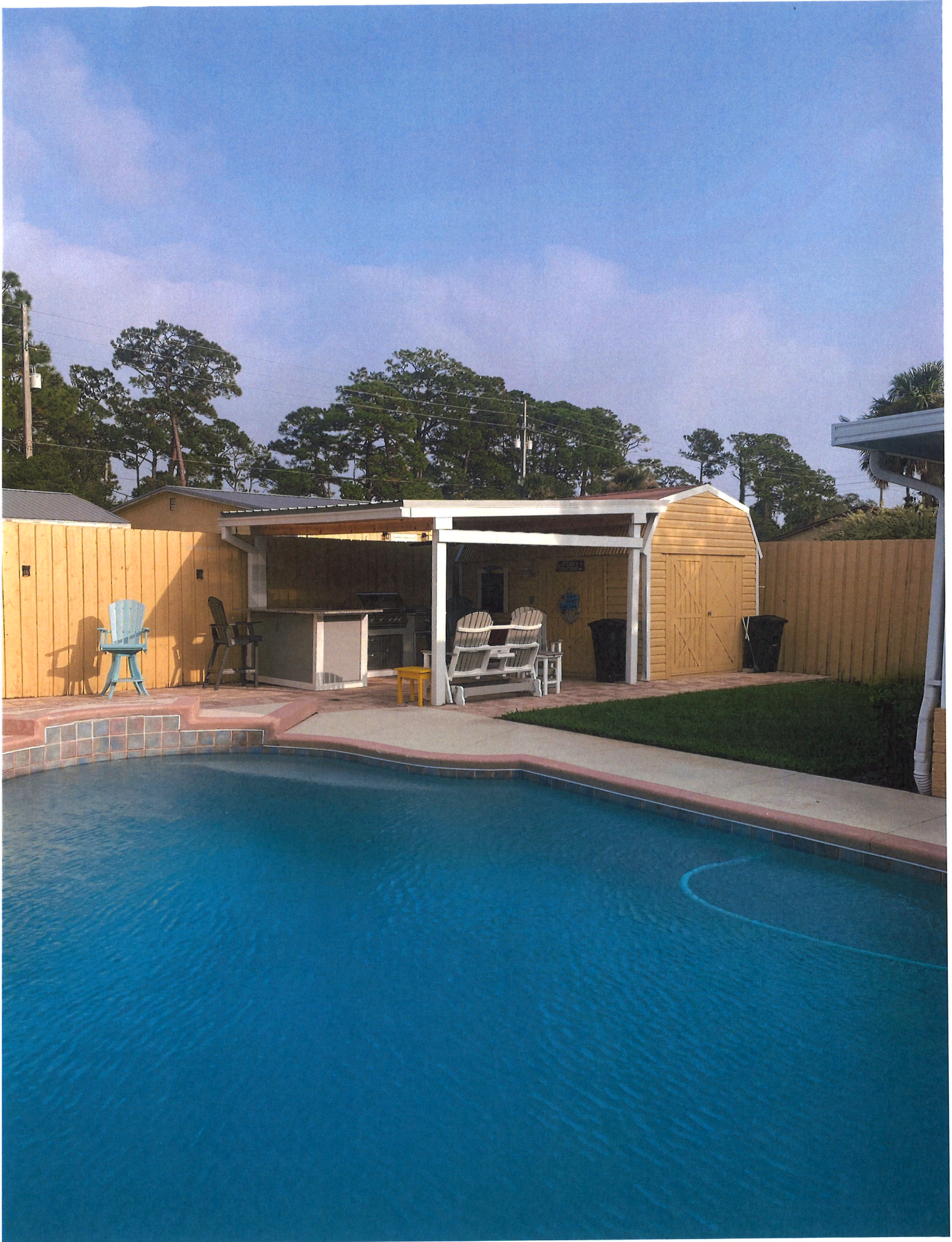
FILE: 2023-1437
DRAWN BY: WWR
SCALE: 1" = 20'

BOATWRIGHT LAND SURVEYORS, INC.

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

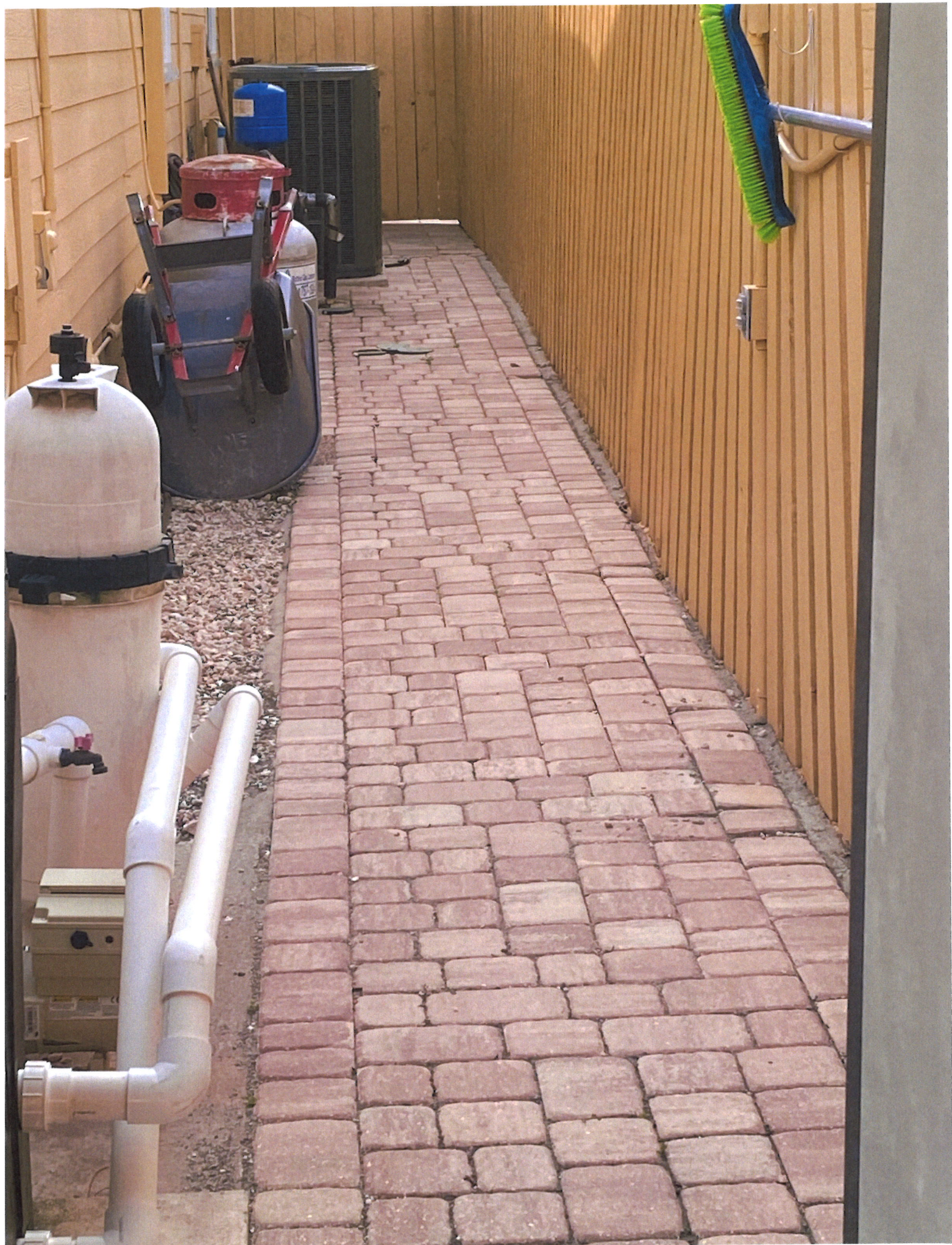
DATE:
OCTOBER 18, 2023
SHEET 1 OF 1

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. 7292
"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."













APPLICATION FOR VARIANCE

BOA No. 24 100001
HEARING DATE 01/17/24

RS-1 Flood-X

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

REQUIRED DOCUMENTATION

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

RECEIVED

NOV 29 2023

**PLANNING
DEPARTMENT**

APPLICANT INFORMATION

Applicant Name: David A. Kluge Telephone: 904-654-4530
Mailing Address: 329 15th Street N. E-Mail: dkluge88@gmail.com
Jacksonville Beach FL.
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: _____ 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: 329 15th Street N Jacksonville Beach FL.
Legal description of property (Attach copy of deed): FD-4 177653-0320 Deed Attached.
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Back yard setback of less than 5' for shed.

AFFIDAVIT

I, David A. Kluge, 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.

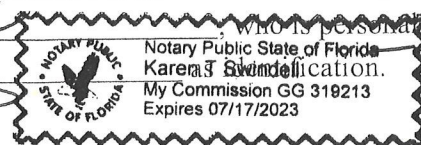
David A. Kluge
APPLICANT SIGNATURE

David A. Kluge
PRINT APPLICANT NAME

8.3.2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3RD day of August, 2022, by David A. Kluge, who is personally known to me or produced N/A



Document
#3

24-100001

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NOV 29 2023

PLANNING
DEPARTMENT

File Number: 20107872R

After Recording Return To:
Avenue 365 Lender Services, LLC
1100 Virginia Drive, Suite 130
Fort Washington, PA 19034

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER
177653-0320

QUITCLAIM DEED *Homeshead*

Exempt from excise tax on deeds. Fla. Stat. Sec. 201.02 (7)(b)

Renee L. Kluge F/K/A Renee L. Milliron married to David Ashley Kluge, whose mailing address is 329 15th Street North, Jacksonville Beach, FL 32250, hereinafter grantor, for \$0.00 (Zero Dollars and Zero Cents) in consideration paid, grants and quitclaims to Renee L. Kluge and David Ashley Kluge, a married couple, as tenants by the entireties, hereinafter grantees, whose tax mailing address is 329 15th Street North, Jacksonville Beach, FL 32250, the following real property:

THE FOLLOWING PROPERTY SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

LOT 4, TALL PINES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 40, PAGE 57, OF THE CURRENT PUBLIC RECORD OF DUVAL COUNTY, FLORIDA.

BEING THE SAME PREMISES CONVEYED UNTO RENEE L. MILLIRON, A SINGLE PERSON, BY VIRTUE OF SPECIAL WARRANTY DEED FROM FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION, DATED APRIL 9, 2015, RECORDED APRIL 14, 2015, IN BOOK: 17130 AND PAGE: 868; INSTRUMENT: 2015083161.

Property Address is: 329 15th Street North, Jacksonville Beach, FL 32250

RECEIVED

NOV 29 2023

Executed by the undersigned on January 15, ²⁰²¹~~2020~~

Renee L. Kluge
Renee L. Kluge F/K/A Renee L.
Milliron

David Ashley Kluge
David Ashley Kluge

PLANNING
DEPARTMENT

Signed, Sealed and Delivered in the presence of these Witnesses
(one of whom may be the Notary):

<u>Joshua Warren</u> Witness (signature on above line)	<u>Joshua Warren</u> Printed Name
<u>Rochelle H. Crooms</u> Witness (signature on above line)	<u>Rochelle Helen Crooms</u> Printed Name

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 January, 2021, ~~2020~~, by **Renee L. Kluge
F/K/A Renee L. Milliron and David Ashley Kluge.**

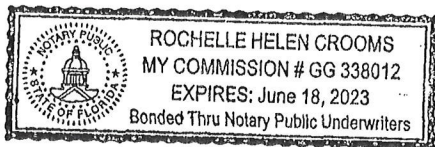
Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced: DL

Rochelle H. Crooms
(Signature of Notary Public)

Rochelle Helen Crooms

(Print, Type, or Stamp Commissioned Name of Notary
Public)



My Commission expires: 06/18/2023

Affix Notary SEAL

Online Notary: ☐ (Check Box if acknowledgment done by
Online Notarization)

This instrument prepared by:

Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550,
Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

24-100001

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

RECEIVED

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

NOV 29 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	Our property backs up to a commercial property. The school that is operating there is very noisy .It sa a paved parking lot behind my fence.
Special circumstances and conditions do not result from the actions of the applicant.	No	we have avery small lot, and I am trying to use it to th ebest of my ability.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	
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	We are in an older nieghborhood. Alot of variances or not have been given. None of our neighbors will disa gree with our property. We have improved it drastically since we have purchased. The only reason we are asking for permission after the fact I was given bad information from a local contractor when we completely rehabed the house in 2015
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	we purchased the home as a retirement home in th efuture and have a fereat backyard for family and grandchildren to come to visit us.
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.		This varience will have no impact on any adjacent property.

Dave copy

24-100001

August 3, 2022

City of Jacksonville Beach

11 North 3rd Street

Jacksonville Beach Florida ,32250

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NOV 29 2023

PLANNING
DEPARTMENT

RE Variance Application for David and Renee Kluge

329 15th Street N Jacksonville Beach FL 32250

Parcel ID: 177653-0320

Per the Applications instructions, I have included:

- 1) Jacksonville Beach Variance Application
- 2) Current survey dated 7 /18/2022
- 3) Our Current Deed
- 4) A previous Jacksonville Beach Variance letter for lot coverage (2007)
- 5) Letters from the Code enforcement
- 6) 203 K rehab consultant agreement in 2015

All.

Renee and I (David A Kluge) are requesting a variance Sec.34-336 Residential family Residential, single family: RS1 (C)3, E (4) for our shed and pergolas be closer to our property lines.

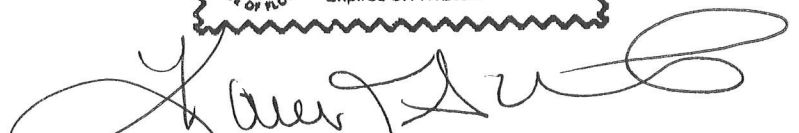
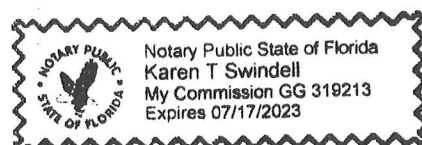
We purchased this and completely rehab the entire property. We paid for a rehab consultant, contractor and permits to meet the FHA 203K rehab loan in 2015. (Loan #1503034060) I am waiting for all signed information from them at this time.

The shed was put on the Property in its current location and hurricane tied to the ground in April of 2015 when we were rehabbing the entire property and was approved by the inspectors when they signed off on the 203K FHA loan so we could move in.

This is our first home in Jacksonville Beach, and we never intended to ignore a setback we thought the Contractor and the people we hired in 2015 were following all the regulations.

Respectfully Submitted

David A Kluge



8/3/2022

MAP SHOWING SURVEY OF

LOT 4, TALL PINES, AS RECORDED IN PLAT BOOK 40, PAGE 57, OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

24-100001

RECEIVED

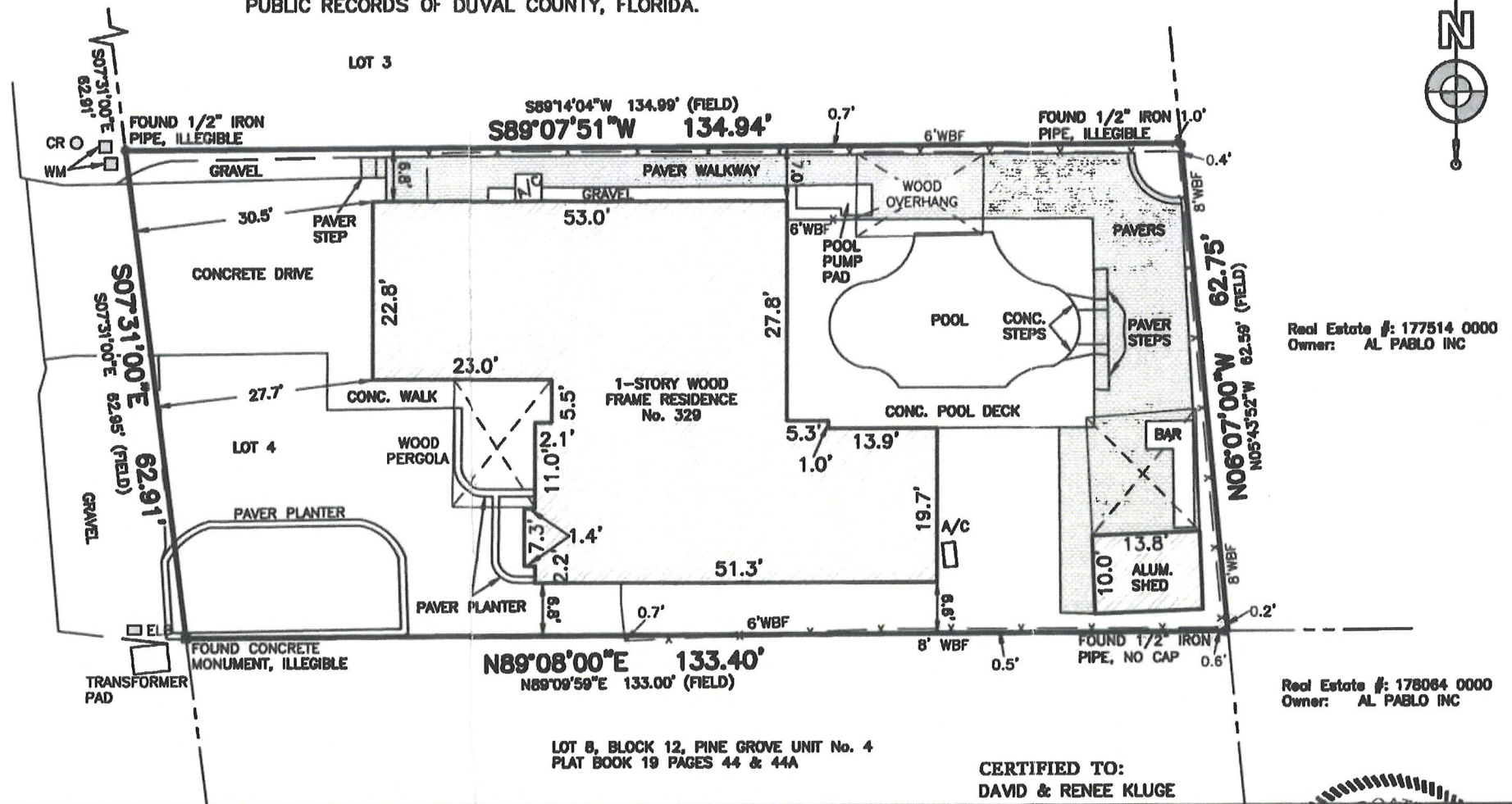
NOV 29 2023

PLANNING
DEPARTMENT

LOT COVERAGE:

TOTAL LOT AREA	=	8,383	Sq.ft.
RESIDENCE	=	2,427	Sq.ft.
FRONT CONCRETE	=	975	Sq.ft.
REAR/SIDE CONCRETE AND PAVERS	=	1,714	Sq.ft.
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SHED	=	138	Sq.ft.
POOL (NOT INCLUDED)	=	451	Sq.ft.
TOTAL IMPERVIOUS AREA	=	5,307	Sq.ft.
TOTAL LOT COVERAGE	=	63.3%	

15TH STREET NORTH
VARIABLE WIDTH PAVED
PUBLIC RIGHT OF WAY



Real Estate #: 177514 0000
Owner: AL PABLO INC

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Owner: AL PABLO INC

LOT 8, BLOCK 12, PINE GROVE UNIT No. 4
PLAT BOOK 19 PAGES 44 & 44A

CERTIFIED TO:
DAVID & RENEE KLUGE

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- ⊕ LIGHT POLE
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- INV INVERT ELEVATION
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY OF CURVE
- PCC POINT OF COMPOUND CURVE
- PRC POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

- THIS IS A BOUNDARY SURVEY
- BEARINGS ARE BASED ON THE EASTERLY LINE OF 15TH STREET NORTH, BEING S07°31'00"E, AS PER PLAT.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
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- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

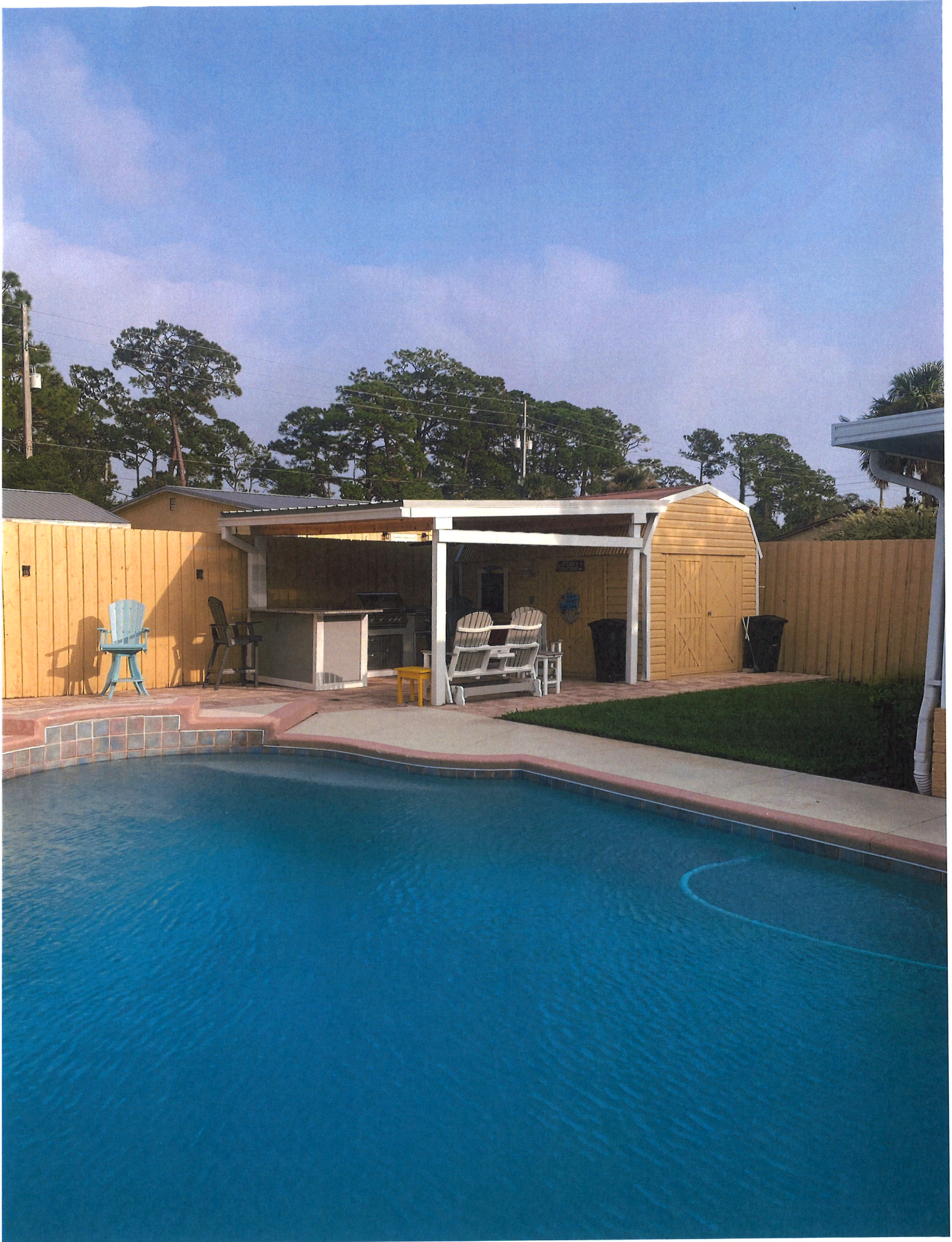
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BOATWRIGHT LAND SURVEYORS, INC.

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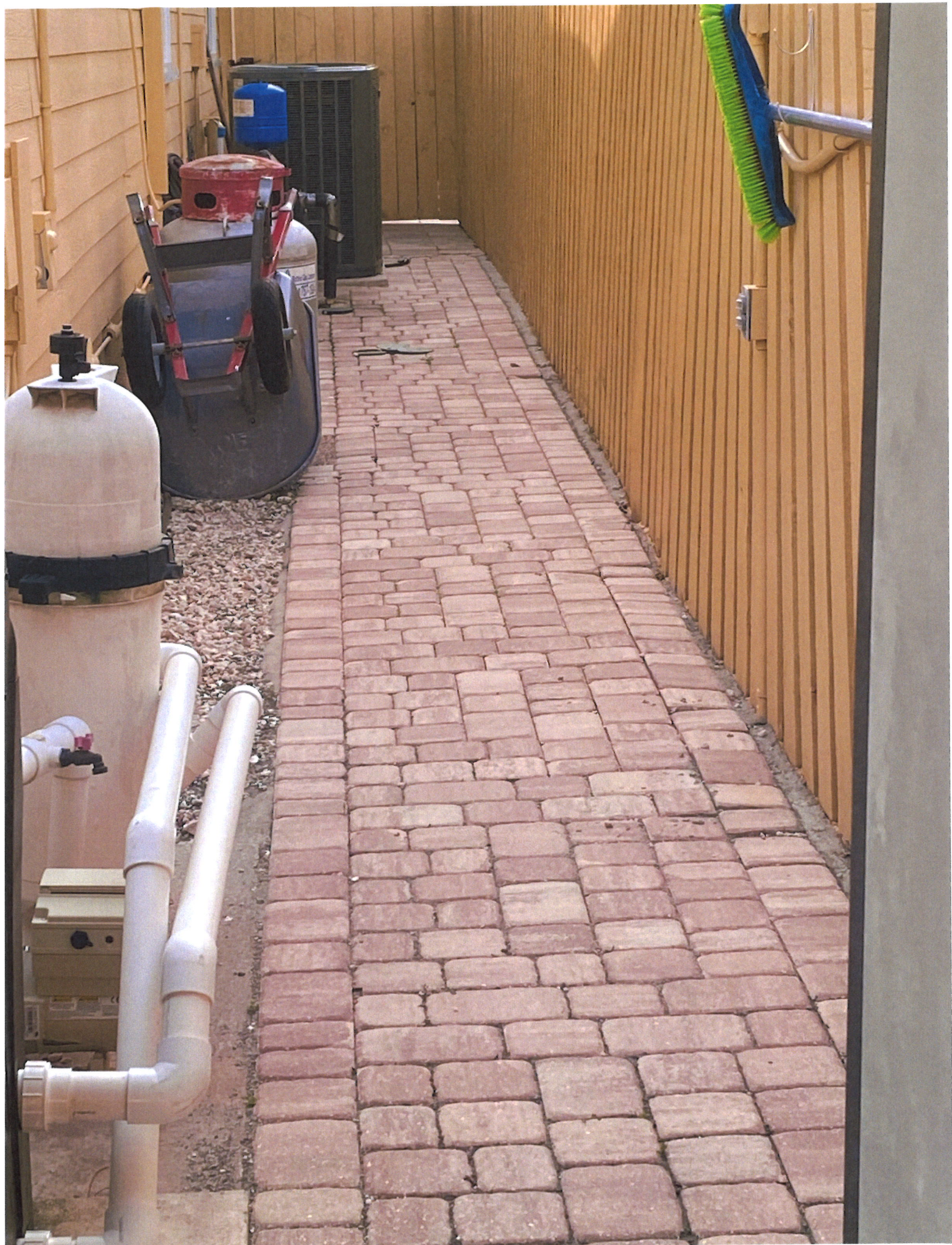
DATE:
OCTOBER 18, 2023
SHEET 1 OF 1

JASON D. BOATWRIGHT
License Number 7292
STATE OF FLORIDA
JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. 7292
"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."













BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	12/18/2023
SUBJECT:	BOA #24-100003 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, January 17, 2024 Board of Adjustment Meeting.

BOA #24-100003

ZONING: C-2
RE NO.: 173787-0000
LEGAL: Lot 11, Block 16, *Atlantic Park*
ADDRESS: 120 N 5th St

REQUEST:

Section(s): 34-343(e)(3)1, for a front yard setback of 1.9 feet in lieu of 10 feet minimum, 34-425(a)(3) for no shade trees in lieu of 2 shade trees required; 34-425(b)(1), to be exempt from front landscape buffer requirements for minimal size and planting, 34-425(c) for no internal landscape islands in lieu of 10% landscaping internal to a vehicle use area; 34-373(b) for 18 foot parking isle in lieu of 23 feet minimum for two way traffic; 34-373(c), for back out parking into a City alley for 5 spaces in lieu of in lieu of no back out spaces for commercial uses; 34-373(f), for turf blocks / Eco blocks in lieu of standard pavement, for commercial office use parking and landscaping and to address existing nonconformities **for property addressed** 120 N 5th St, **RE#** 173787-0000, **legally described as** Lot 11, Block 16, *Atlantic Park*

EXISTING CONDITIONS:

The subject property is an existing nonconforming lot of record (Circa 1924) located in the Commercial future land use category. The property is located in the Commercial General: C-2 zoning district. The subject lot is 62.5 feet in width and 100 feet in depth with an overall area of 6,250 square feet. The subject property is currently occupied by a two story commercial structure built in 1974 and has been in continuous use as an audio recording studio. As the property was developed prior to the adoption of the Land Development Code, it has many existing nonconformities with regard to setbacks, landscaping and parking.

The applicant is proposing using the subject property for commercial and professional offices. This variance is for a front yard setback of 1.9 feet in lieu of 10 feet minimum, for no shade trees in lieu of 2 shade trees required, to be exempt from front landscape buffer requirements for minimal size and planting, for no internal landscape islands in lieu of 10% landscaping internal to a vehicle use area, for 18 foot parking isle in lieu of 23 feet minimum for two-way traffic, for back out parking into a City alley for 5 spaces in lieu of no back out spaces for commercial uses, for turf blocks / Eco blocks in lieu of standard pavement, for commercial office use parking and landscaping and to address existing nonconformities.

There is one variance associated with this property. At our February 2023 meeting, this property was denied for a minimum residential unit size of 600 square feet including all stairways and common areas in lieu of 700 square feet required for a one bedroom multifamily unit, for a front yard setback of one foot in lieu of 10 feet minimum, for no turning and maneuvering space and back-out parking into alley in lieu of providing turning and maneuvering space without backing into alley, for no parking setback in lieu of 5 feet minimum, for gravel parking in lieu of paved parking, for 5 parking spaces in lieu of 10 spaces required and, for no vehicular landscaping in lieu of all required landscaping to rectify existing nonconformities and to allow for the addition of two new multifamily units to an existing non-conforming commercial building.

No active code enforcement cases.

BOA#22-100122.

STAFF ANALYSIS:

The subject property has existing nonconformities that the applicant is addressing. There is a severe deficit in parking for any commercial use. The previous use of the studio had caused some issues with parking, having only a few nonconforming gravel spaces along the alley. The new proposal includes removing a rear deck that occupied most of the rear yard, and replacing it with as many parking spaces as feasible, given the current size and location of the existing structure. The applicant has requested relief from drive isle width and landscaping to accommodate more parking. The lack of parking, based on testimony from adjoining property owners in the past, has been a primary issue for compatibility with the surrounding properties. The new use of the subject property will be professional offices, a use of lesser intensity than the previous recording studio. In order to accommodate parking and space, this is the minimum variance needed. All conditions were existing at the time of acquisition. The new use as an office is permitted in the C-2 zoning district. Staff finds that the requested variances are the minimum variance needed to accommodate the proposed offices and the creation of more parking outweighs the need for minimal landscaping that could be accommodated on this very small lot, and therefore recommends approval.

MINIMUM DIMENSIONAL STANDARDS:

C-2 Standards for Commercial Uses:

- Minimum lot area: None
- Minimum lot width: None.
- Minimum yards:
 - o Front yard: Ten (10) feet.
 - o Side yard: None, except where adjacent to streets. If adjacent to a street, ten (10) feet. For a corner lot, the side yard on the corner shall be ten (10) feet.
 - o Rear yard: None.
- Floor area: None.
- Maximum lot coverage: Eighty-five (85) percent.
- Height: Thirty-five (35) feet.

Parking Standards:

Design standards.

- Off-street parking: Nine (9) feet by seventeen (17) feet
- Turning and maneuvering space. Off-street turning and maneuvering space shall be provided for each lot so that no vehicle shall be required to back onto a public street or alley, with the exception of one- and two-family structures, townhouses, or individual multiple-family structures containing up to four (4) units with attached garages or carports.
- Parking area setbacks. Off-street parking areas shall be located at least ten (10) feet from any corner and five (5) feet from any established right-of-way or property line unless otherwise stated in the LDC. However, no setbacks are required for driveways relative to interior property lines between townhouse lots or individual two-family dwelling lots, or between a driveway and its connection to a right-of-way for vehicular access. Below ground parking garages on oceanfront lots are exempt from setback requirements, provided that they shall be constructed no closer than three (3) feet from any property line, shall be completely roofed and covered, and such roof or cover shall not be elevated more than six (6) inches above the crown of the abutting street.
- Construction standards. Off-street parking and loading areas and the vehicular access way thereto shall be paved, striped and landscaped.

Number of Spaces:

- Radio or television broadcasting offices or studios
 - o One (1) space per five hundred (500) sq. ft. of floor area, plus one (1) space per each two (2) employees.

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 current lot, platted in 1924, is used for an existing commercial recording studio. The structure, built in 1974, does not conform to the current LDC C-2 design standards or landscaping and parking standards.

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. As noted, this is a platted lot of record from 1924. Additionally, the change of use triggers the need for compliance with the LDC, which cannot be achieved on site as the structure is located inside the required setbacks and all the existing parking is along the alley.

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 use of offices in the C-2 district is allowed. Without this relief, the applicant could not use the parcel to its full extent.

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 use of this parcel as an office building is permitted and literal interpretation and enforcement of the LDC would deprive the applicant of rights commonly enjoyed by other parcels due to the similar parcels having been granted similar variances.

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

Staff **does** find that the requested variances are the minimum variances needed to accommodate the existing nonconformities. The cited codes in the variance request encompass the minimum relief needed to allow the buildout of the proposed offices. The minimum variances needed are for a front yard setback of 1.9 feet in lieu of 10 feet minimum, for no shade trees in lieu of 2 shade trees required, to be exempt from front landscape buffer requirements for minimal size and planting, for no internal landscape islands in lieu of 10% landscaping internal to a vehicle use area, for 18 foot parking isle in lieu of 23 feet minimum for two-way traffic, for back out parking into a City alley for 5 spaces in lieu of in lieu of no back out spaces for commercial uses, for turf blocks / Eco blocks in lieu of standard pavement, for commercial office use parking and landscaping and to address existing nonconformities.

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

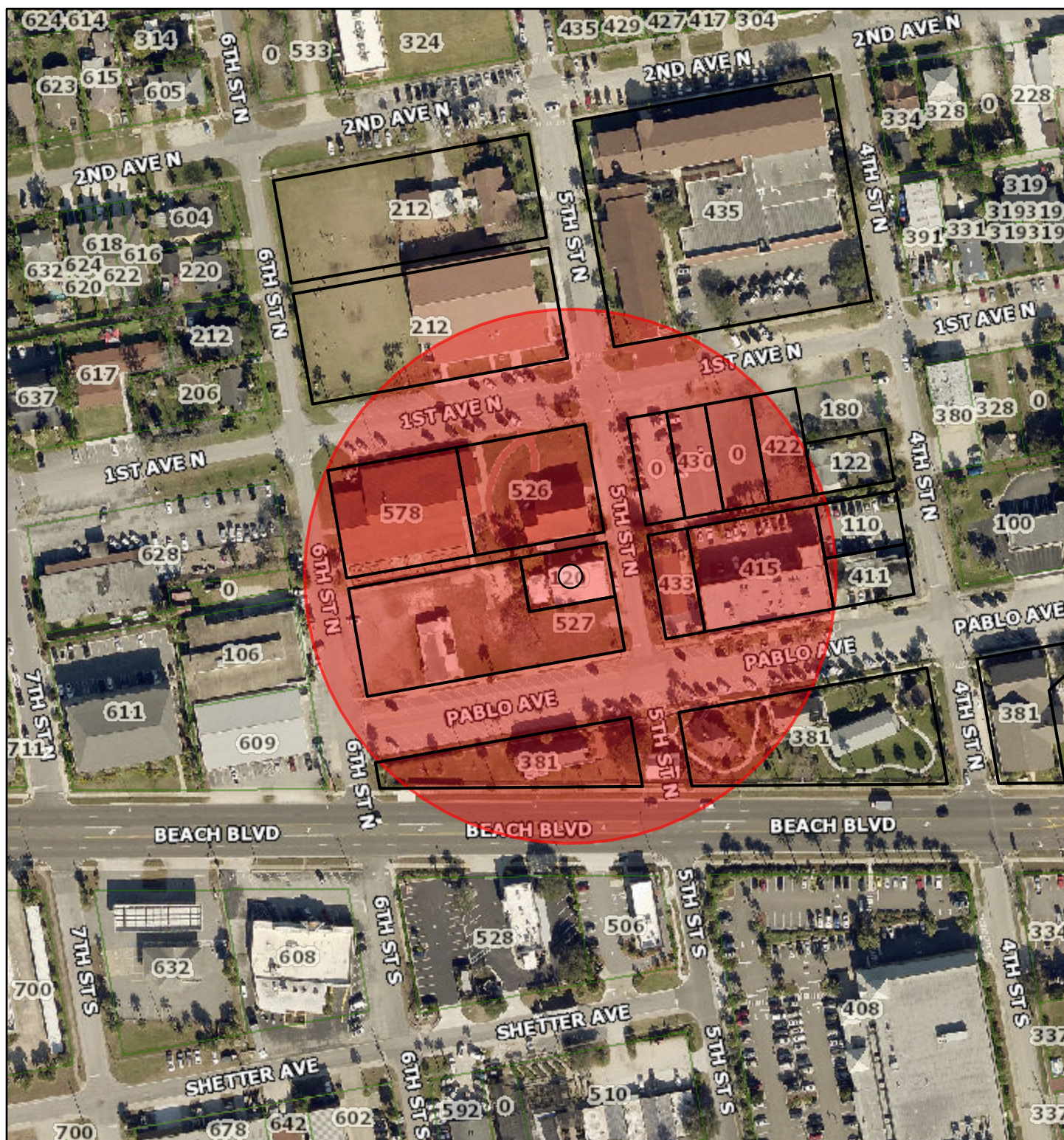
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval** of **BOA#24-100003**

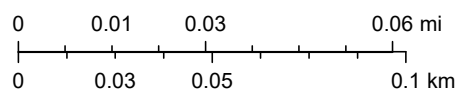
ATTACHMENTS:

1. 24-100003pics
2. 24-100003



December 18, 2023

1:2,257

 Parcels

OFFICE RENOVATION
120 5th St. North
Jax Beach, FL 32250

24-100003

ISSUED FOR PERMIT &
CONSTRUCTION
01.01.2021

- APPLICABLE CODES:
- 2020 FLORIDA BUILDING CODE - ACCESSABILITY
 - 2020 FLORIDA BUILDING CODE - BUILDING
 - 2020 FLORIDA BUILDING CODE - RESIDENTIAL
 - 2020 FLORIDA BUILDING CODE - PLUMBING
 - 2020 FLORIDA BUILDING CODE - MECHANICAL
 - 2020 NATIONAL ELECTRICAL CODE - NFPA 70
 - 2020 FLORIDA FIRE PREVENTION CODE - 7TH EDITION (NFPA 1 & NFPA 101)

BUILDING OCCUPANCY:
B (BUSINESS)

BUILDING CONSTRUCTION CLASSIFICATION:
TYPE 3B

*A FOUNDATION SURVEY SHALL BE PERFORMED AND A COPY OF THE SURVEY SHALL BE ON THE SITE FOR THE BUILDING INSPECTORS PRIOR TO FRAMING INSPECTION OR, ALL PROPERTY MARKERS SHALL BE EXPOSED AND A STRING STRETCHED FROM MARKER TO MARKER TO VERIFY REQUIRED SETBACKS. NO UNDERGROUND OR OVERHEAD UTILITIES IN VICINITY OF PROPOSED WORK.

PARKING CALCULATIONS	
TOTAL OCCUPIED AREA:	
1st FLOOR:	2,262
2nd FLOOR:	828
TOTAL =	3,090

LOT AREA: 6256

LOT COVERAGE	
BUILDING FOOTPRINT:	2385
DRIVEWAY AND PARKING: (3190x50%)	1595
TOTAL SITE COVERAGE:	3,980
TOTAL SITE COVERAGE %	63.6%

SHEET LIST	
SHEET NUMBER	SHEET NAME
A 100	TITLE SHEET
A 101	GENERAL NOTES
A 102	FLASHING DETAILS
A 103	LIFE SAFETY
A 200	DEMO PLANS
A 201	NEW FLOOR PLANS
A 301	SECTION
Total: 7	

COLLIN SPELTS
ARCHITECTURE

1612 FIFTH ST. S.
JACKSONVILLE BEACH, FL 32250

E: collin@speltsarchitect.com
PH: 904-923-9150
www.speltsarchitect.com



COLLIN SPELTS
REGISTERED ARCHITECT
FLORIDA REGISTRATION: # AR99826

No.	Description	Date

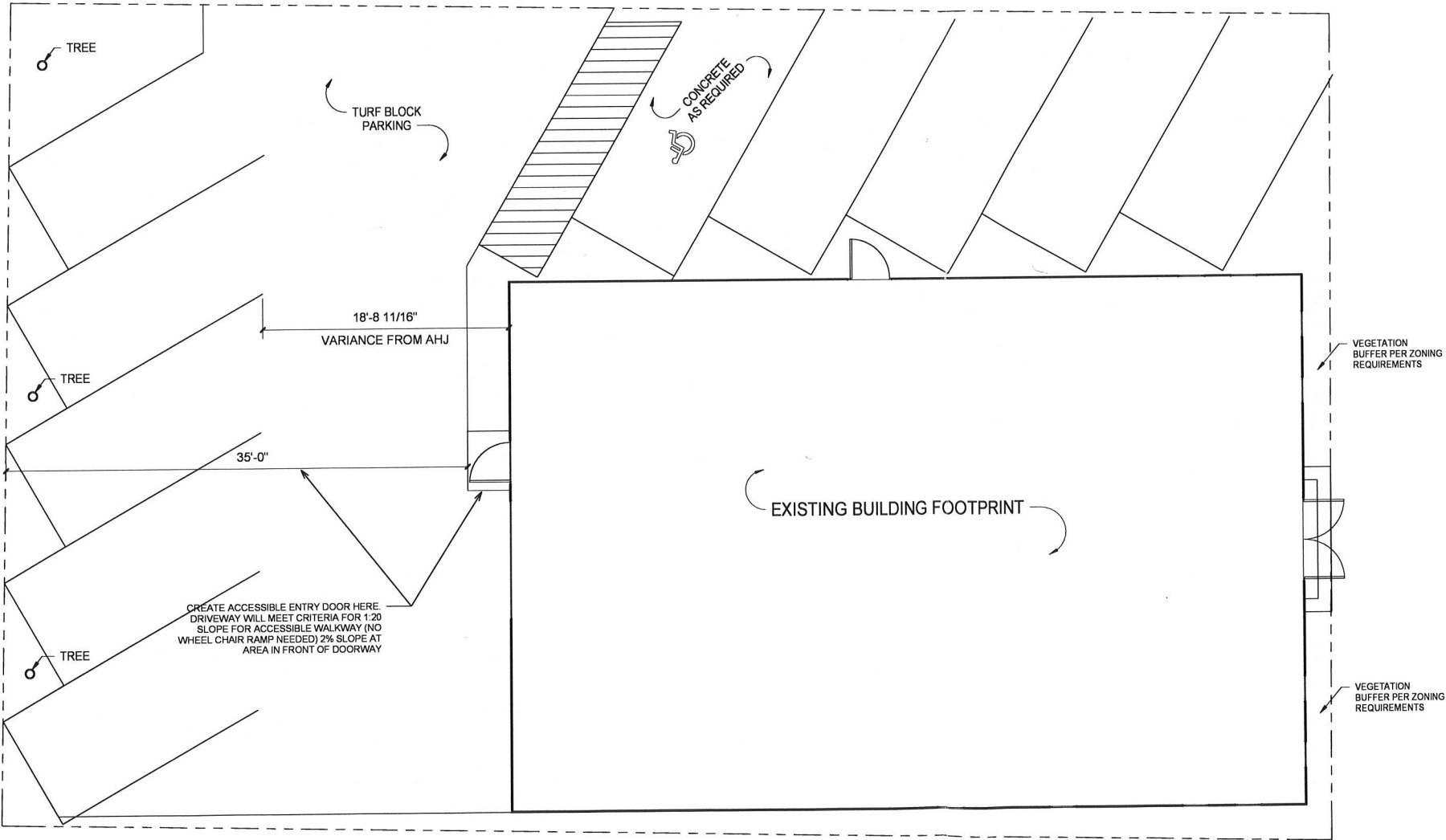
120 5th St. N.
OFFICE
RENOVATION

TITLE SHEET

Project Number: #####
Date: NOV. 29, 2023
Drawn By: Author
Checked By: Checker

A 100

Scale: As indicated



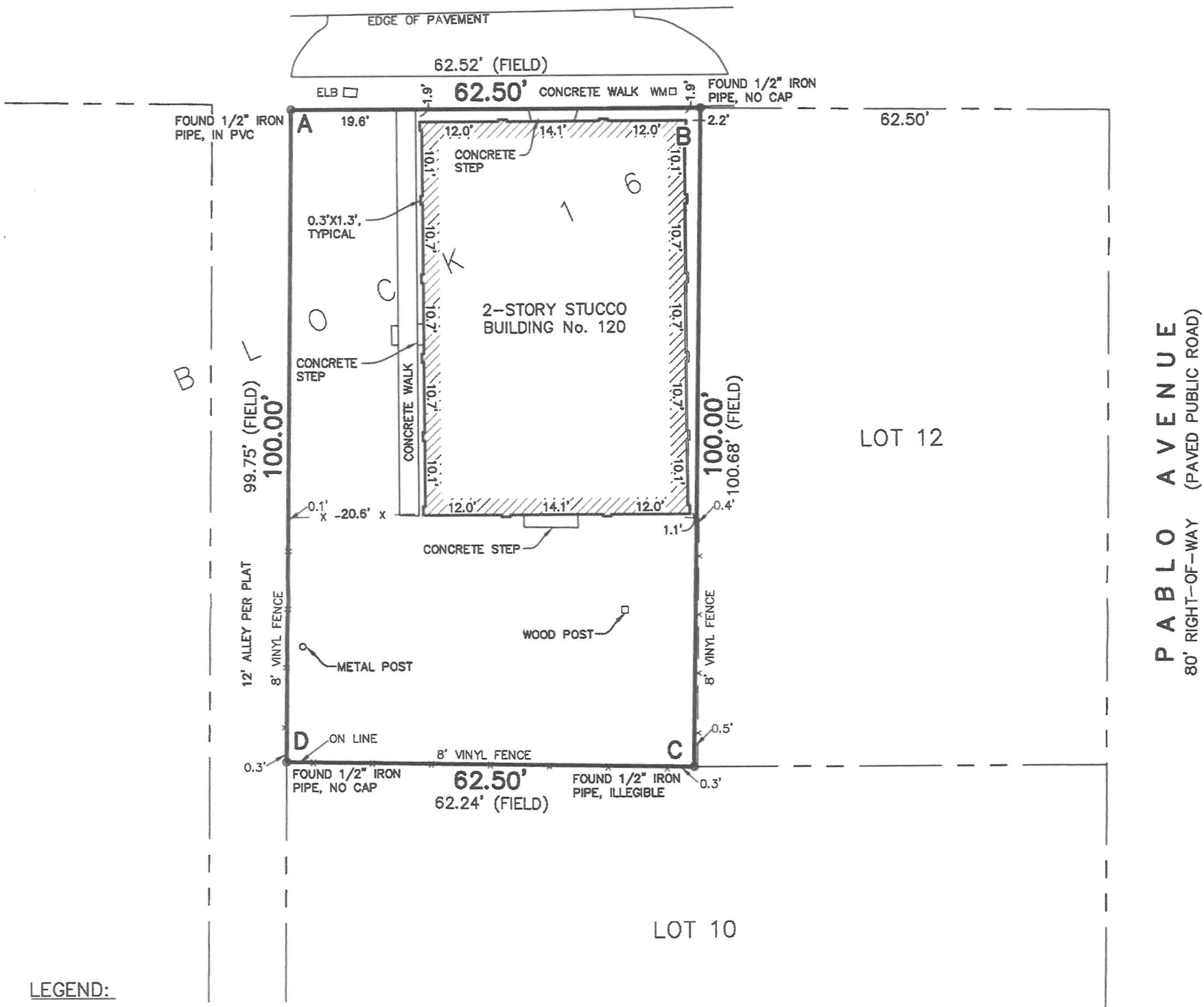
24-100003

MAP SHOWING SURVEY OF

LOT 11, BLOCK 16, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

5TH STREET NORTH
50' RIGHT-OF-WAY (PAVED PUBLIC ROAD)

0 10 20 40
SCALE: 1" = 20'



LEGEND:

WM □ DENOTES WATER METER
ELB □ DENOTES ELECTRIC BOX

SURVEY NOTES

- THIS IS A BOUNDARY SURVEY.
- INTERIOR ANGLES AS PER FIELD DATA, AND AS LISTED BELOW:
A=90°50'48"
B=88°59'50"
C=90°08'51"
D=90°00'31"
- NO BUILDING RESTRICTION LINES PER PLAT.
- NORTH PROTRACTED FROM PLAT.
- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

LOT COVERAGE CALCULATION

LOT AREA = 6,250 S.F.
BUILDING AREA = 2,416 S.F.
CONCRETE = 217 S.F.
TOTAL IMPERVIOUS AREA = 2,633 S.F.
EXISTING LOT COVERAGE = 42.1%

THIS SURVEY IS CERTIFIED TO:
CYPRESS RECORDS; DAVID PLUMMER JR.

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

CHECKED BY: _____
DRAWN BY: KJC-P
FILE: 2022-1292

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

DATE: SEPTEMBER 20, 2022
SHEET 1 OF 1



APPLICATION FOR VARIANCE

BOA No. 24100003
HEARING DATE 1/17/24

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: Capital Real Estate Collective LLC **Telephone:** (309) 397-7322
Mailing Address: 30 N Gould St STE N **E-Mail:** don@c5mi
Sheridan, Wyoming 82801
Agent Name: Rick Johnston **Telephone:** (904) 219-5003
Mailing Address: 3948 Third St S #283 **E-Mail:** _____
Jacksonville Beach FL 32250
Landowner Name: _____ **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: 120 5th St N / RE# 173787-0000
Legal description of property (Attach copy of deed): 9-15-33-2S-29E ATLANTIC PARK R/P LOT 11 BLOCK 16
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).
1) Waiver of front yard landscape requirements and set back 2) allow 18' rear parking isle, 3) allow parking to back into COJB alley, and 4) allow turf block for parking area

AFFIDAVIT

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

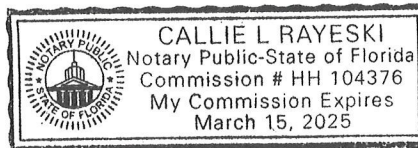
[Signature] Rick Johnston 12/6/2023
APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6 day of December, 2023 by Rick Johnston, who is personally known to me or produced a-1- as identification.

[Signature]
NOTARY PUBLIC SIGNATURE

C. Rayeski - Bowling
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-2 FLOOD ZONE: X

CODE SECTION (s): _____

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 24100003

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	existing building surrounded by other existing structures
Special circumstances and conditions do not result from the actions of the applicant.	yes	all conditions were existing at time of aquisition
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	building use is office variance necessary for use
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	cannot use building as intended by right or by use
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	site plan has addressed the minimum needs of the parcel
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	approval will not impact purposes, goals or objectives of the comp plan or the adjacent land

24-100003

Prepared By, Record and Return to:
Jimerson Birr, P.A.
Adrian H. Faulkner, Esq.
One Independent Dr., Suite 1400
Jacksonville, FL 32202

3529.011

Parcel ID No. 173787-0000

WARRANTY DEED

THIS WARRANTY DEED, made this 25th day of August, 2023, by **David T. Plummer**, an unmarried man, whose address is 85 Roscoe Boulevard North, Ponte Vedra Beach, FL 32081, hereinafter referred to as "Grantor(s)", to **Capital Real Estate Collective, LLC**, whose address is 30 N Gould St., Suite N, Sheridan, Wyoming 82801, hereinafter called "Grantee(s)."

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, to wit:

Lot 11, Block 16, Atlantic Park, a Replat of a Part of Pablo Beach North, according to plat thereof recorded in Plat Book 9, page 15, of the current public records of Duval County, Florida.

GRANTOR WARRANTS that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the State of Florida, nor is it contiguous to or a part of a homestead property.

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

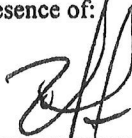
TO HAVE AND TO HOLD the same in fee simple forever.

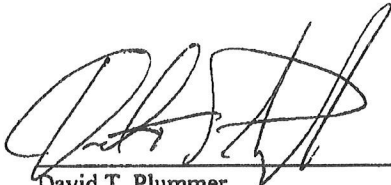
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2022, reservations, covenants, restrictions and easements of record, if any.

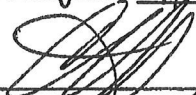
(The terms "Grantor" and "Grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

IN WITNESS WHEREOF, the said Grantor(s) has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:


Witness 1 Print Name: Adrian Faulkner


David T. Plummer

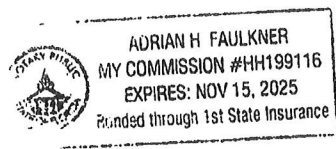

Witness 2 Print Name: Crystal Moya

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25th day of August, 2023, by **David T. Plummer, an unmarried man** ☒ who is personally known to me or ☐ who has produced _____ as identification.



NOTARY PUBLIC



24-100003

Property Ownership Affidavit – Limited Liability Company (LLC)Date: 12/5/23

City of Jacksonville
 Planning and Development Department
 214 North Hogan Street, Suite 300,
 Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 120 5th St N, Jacksonville Beach, FL RE#(s): _____

To Whom it May Concern:

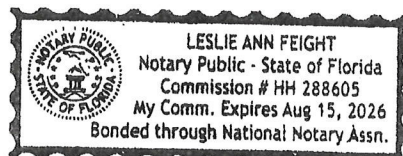
I Donald Young, as owner of Capital Real Estate Collective,
 a Limited Liability Company organized under the laws of the state of NY, hereby certify
 that said LLC is the Owner of the property described in Exhibit 1 in connection with filing application(s)
 for variance submitted to the Jacksonville Planning and Development
 Department.

(signature) [Signature](print name) Donald L Young

Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 05th day of December 20 23, by Donald L. Young, as owner, of Capital Real Estate Collective, a LLC corporation, who is personally known to me or who has produced Florida Drivers License as identification and who took an oath.



[Signature]
 (Signature of NOTARY PUBLIC)

Leslie Feight
 (Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: 08/15/2026

24-100003

Agent Authorization – Limited Liability Company (LLC)

Date: 12/5/23

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: 120 5th St. N. Jacksonville Beach, FL RE#(s): _____

To Whom It May Concern:

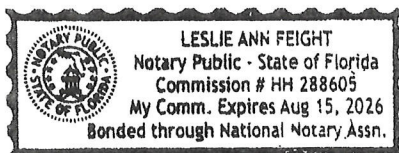
You are hereby advised that Donald Young, as owner of Capital Real Estate Collective, hereby certify that the business is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Rick Johnston to act as agent to file application(s) for Variance for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) _____

(print name) Donald L. Young

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 05th day of December 2023, by Donald L. Young, as owner of Capital Real Estate Collective LLC corporation, who is personally known to me or who has produced Florida Driver's License as identification and who took an oath.



Leslie Feight
(Signature of NOTARY PUBLIC)

Leslie Feight
(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: 08/15/2026

OFFICE RENOVATION
120 5th St. North
Jax Beach, FL 32250

24-100003

ISSUED FOR PERMIT &
CONSTRUCTION
01.01.2021

- APPLICABLE CODES:
- 2020 FLORIDA BUILDING CODE - ACCESSABILITY
 - 2020 FLORIDA BUILDING CODE - BUILDING
 - 2020 FLORIDA BUILDING CODE - RESIDENTIAL
 - 2020 FLORIDA BUILDING CODE - PLUMBING
 - 2020 FLORIDA BUILDING CODE - MECHANICAL
 - 2020 NATIONAL ELECTRICAL CODE - NFPA 70
 - 2020 FLORIDA FIRE PREVENTION CODE - 7TH EDITION (NFPA 1 & NFPA 101)

BUILDING OCCUPANCY:
B (BUSINESS)

BUILDING CONSTRUCTION CLASSIFICATION:
TYPE 3B

*A FOUNDATION SURVEY SHALL BE PERFORMED AND A COPY OF THE SURVEY SHALL BE ON THE SITE FOR THE BUILDING INSPECTORS PRIOR TO FRAMING INSPECTION OR, ALL PROPERTY MARKERS SHALL BE EXPOSED AND A STRING STRETCHED FROM MARKER TO MARKER TO VERIFY REQUIRED SETBACKS. NO UNDERGROUND OR OVERHEAD UTILITIES IN VICINITY OF PROPOSED WORK.

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SHEET NUMBER	SHEET NAME
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A 301	SECTION
Total: 7	

COLLIN SPELTS
ARCHITECTURE

1612 FIFTH ST. S.
JACKSONVILLE BEACH, FL 32250

E: collin@speltsarchitect.com
PH: 904-923-9150
www.speltsarchitect.com



COLLIN SPELTS
REGISTERED ARCHITECT
FLORIDA REGISTRATION: # AR99826

No.	Description	Date

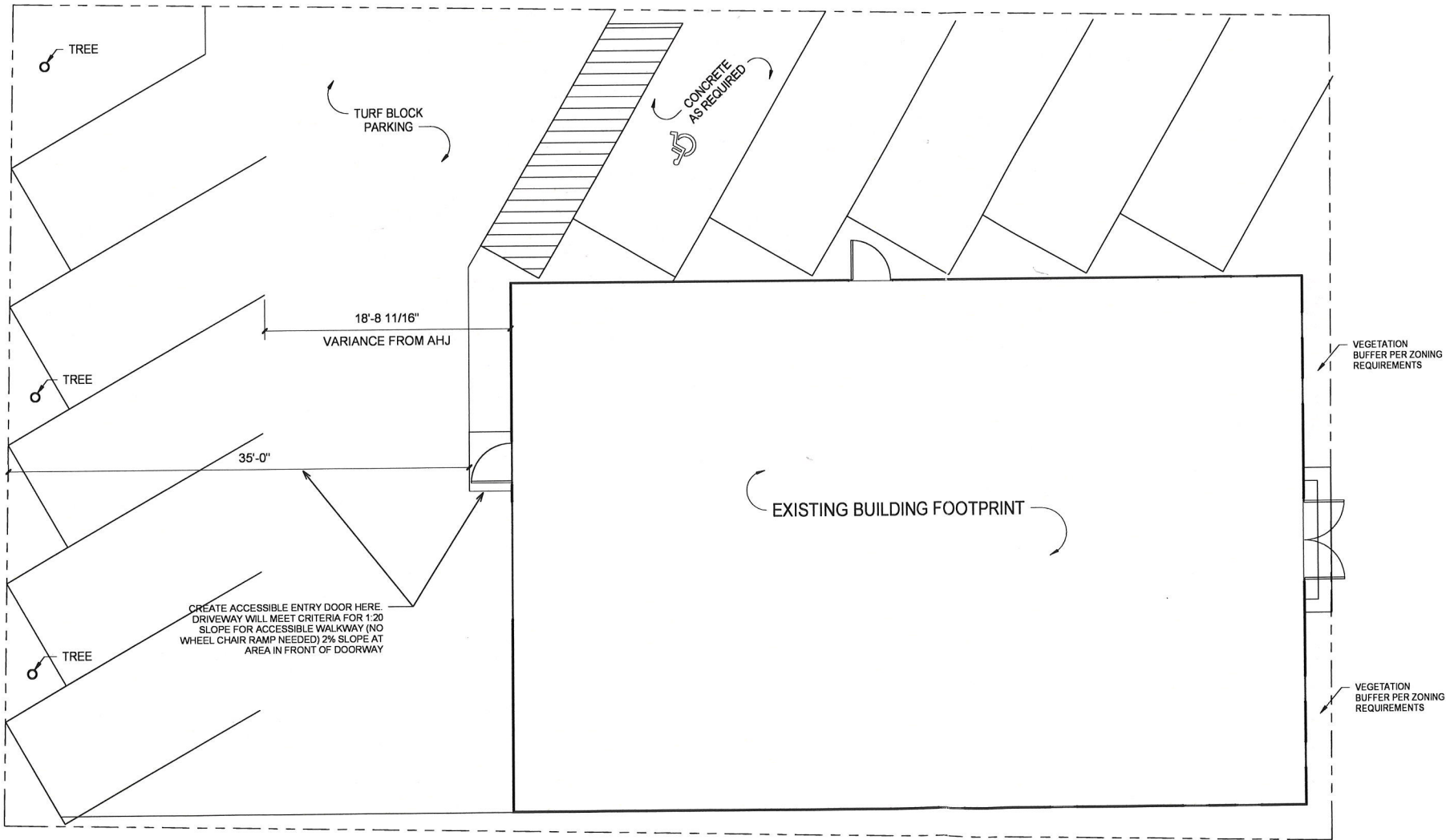
120 5th St. N.
OFFICE
RENOVATION

TITLE SHEET

Project Number #####
Date NOV. 29, 2023
Drawn By Author
Checked By Checker

A 100

Scale As indicated



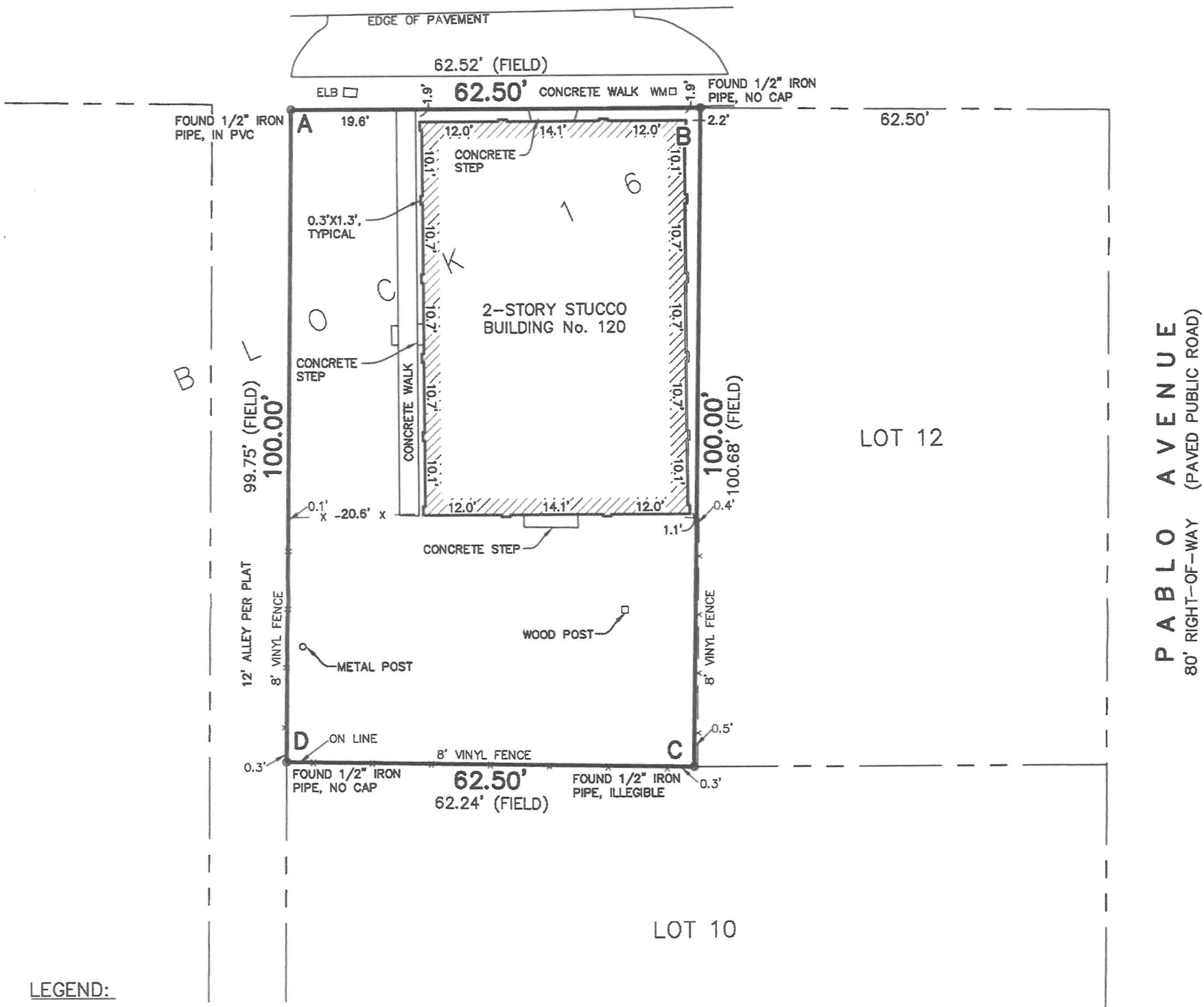
24-100003

MAP SHOWING SURVEY OF

LOT 11, BLOCK 16, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

5TH STREET NORTH
50' RIGHT-OF-WAY (PAVED PUBLIC ROAD)

0 10 20 40
SCALE: 1" = 20'



LEGEND:

WMD DENOTES WATER METER
ELB DENOTES ELECTRIC BOX

SURVEY NOTES

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- INTERIOR ANGLES AS PER FIELD DATA, AND AS LISTED BELOW:
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CYPRESS RECORDS; DAVID PLUMMER JR.

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

CHECKED BY: _____
DRAWN BY: KJC-P
FILE: 2022-1292

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

DATE: SEPTEMBER 20, 2022
SHEET 1 OF 1



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	12/18/2023
SUBJECT:	BOA #24-100004 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, January 17, 2024 Board of Adjustment Meeting.

BOA #24-100004

ZONING: RS-2
RE NO.: 179175-0000
LEGAL: Lot 1 And the North 20th of Lot 2, Block 68, *SEC A Jacksonville Beach*
ADDRESS: 1078 N 13th St

REQUEST:

Section(s): 34-373(d), for parking area set back of 1ft in lieu of 5ft minimum; 34-337(e)1(c)3 for rear yard setback of 17ft in lieu of 30ft minimum; 34-337(e)1e., for 43% lot coverage in lieu of 35% maximum , for construction of a new rear covered porch and office addition to an existing single family dwelling **for property addressed** 1078 N 13th St, **RE#** 179175-0000, **legally described as** Lot 1 And the North 20th of Lot 2, Block 68, SEC A Jacksonville Beach

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record located in the Medium Density Residential future land use category. The property is currently zoned Residential, Single Family: RS-2. The lot is 70 feet in width and 102 feet in depth, with an overall lot area of 7,139 square feet. The subject home was constructed in 2020 and the lot currently has an existing two-story single-family home and a concrete driveway/walkway. The applicant plans on adding a 165 square feet office addition to the rear of the home and a 338 square feet covered patio. Which will result in 43% lot coverage and encroachments to its rear. The applicant is asking for a variance for a parking area setback of 1 foot in lieu of 5 feet minimum, for a rear yard setback of 17 feet in lieu of 30 feet minimum, and for 43% lot coverage in lieu of 35% maximum, for construction of a new rear covered porch and office addition to an existing single-family dwelling.

No previous BOA, no active code case.

STAFF ANALYSIS:

The subject property is substandard in width, as it measures 70 feet in width rather than the 75 feet minimum requirement in the RS-2 zoning district and is nonconforming in size, at 7,139 square feet. The applicant is proposing to add an attached new addition (office) and covered porch to the rear, which results in 43% lot coverage. A variance to allow the proposed project is a reasonable request, as the applicant cannot add the additions without exceeding the lot coverage, and encroaching on the

rear yard setback. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

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

REVIEW OF CRITERIA:

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in size and width. The lot is 70 feet in width and has an overall lot area of 7,139 square feet, which does not conform with current RS-2 standards.

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 in 2023 with the existing nonconforming lot, platted in 1944.

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 nonconforming lot is not due to the actions of the applicant and similar variances have been permitted for this similar situation in this 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 shape of this property, the applicant cannot add to the existing structure and meet RS-2 standards. This situation is not the fault of the applicant and will would

deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with nonconforming lots.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed additions. The minimum variances needed would be to approve the proposed parking area set back of 1 foot in lieu of 5 feet minimum, for a rear yard setback of 17 feet in lieu of 30 feet minimum, and for 43% lot coverage in lieu of 35% maximum, to allow construction of a new rear covered porch and office addition to an existing single-family dwelling.

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.

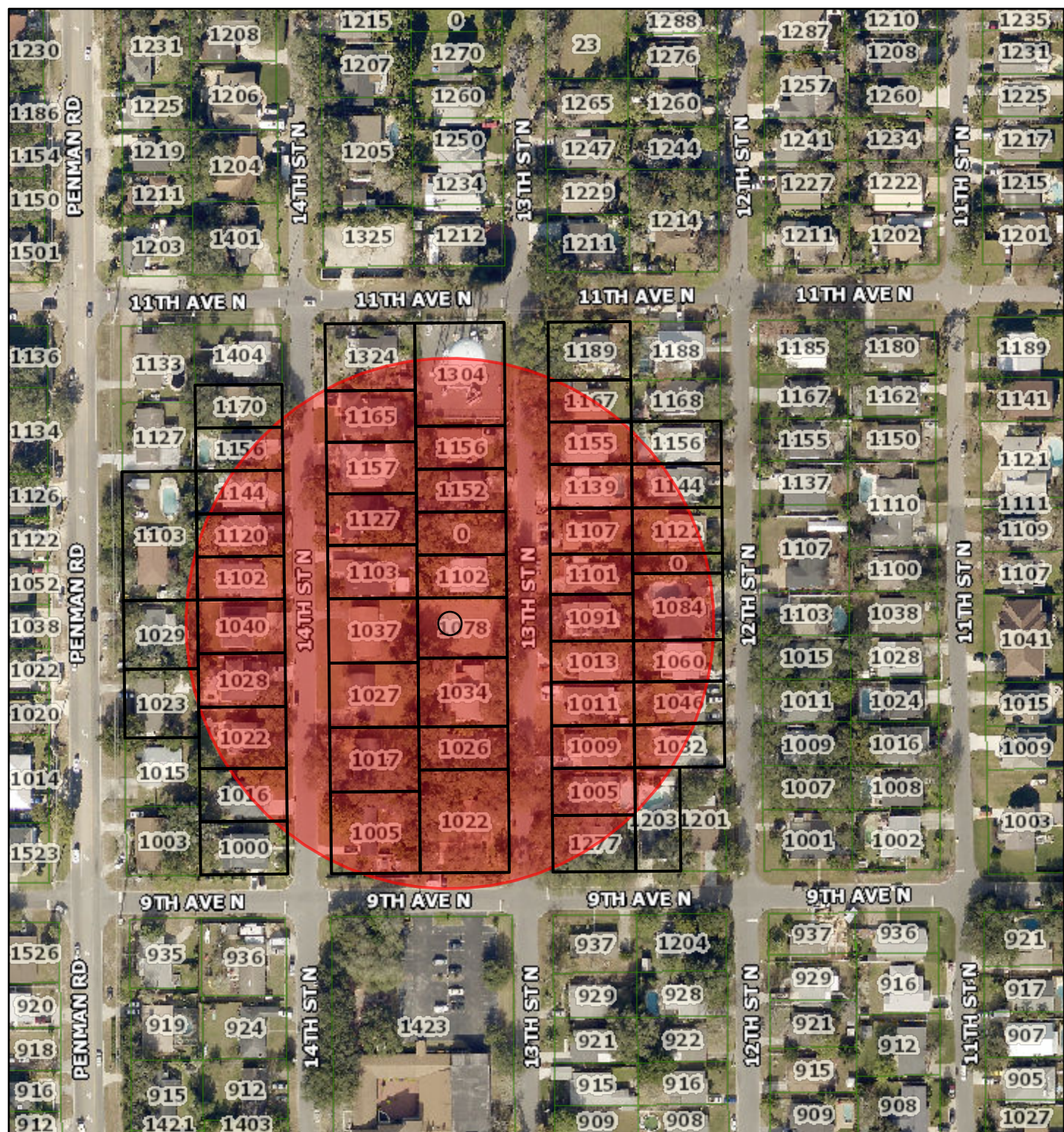
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#24-100004**

ATTACHMENTS:

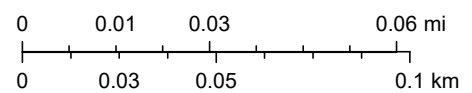
1. 24-100004pics
2. 24-100004



December 18, 2023

1:2,257

 Parcels

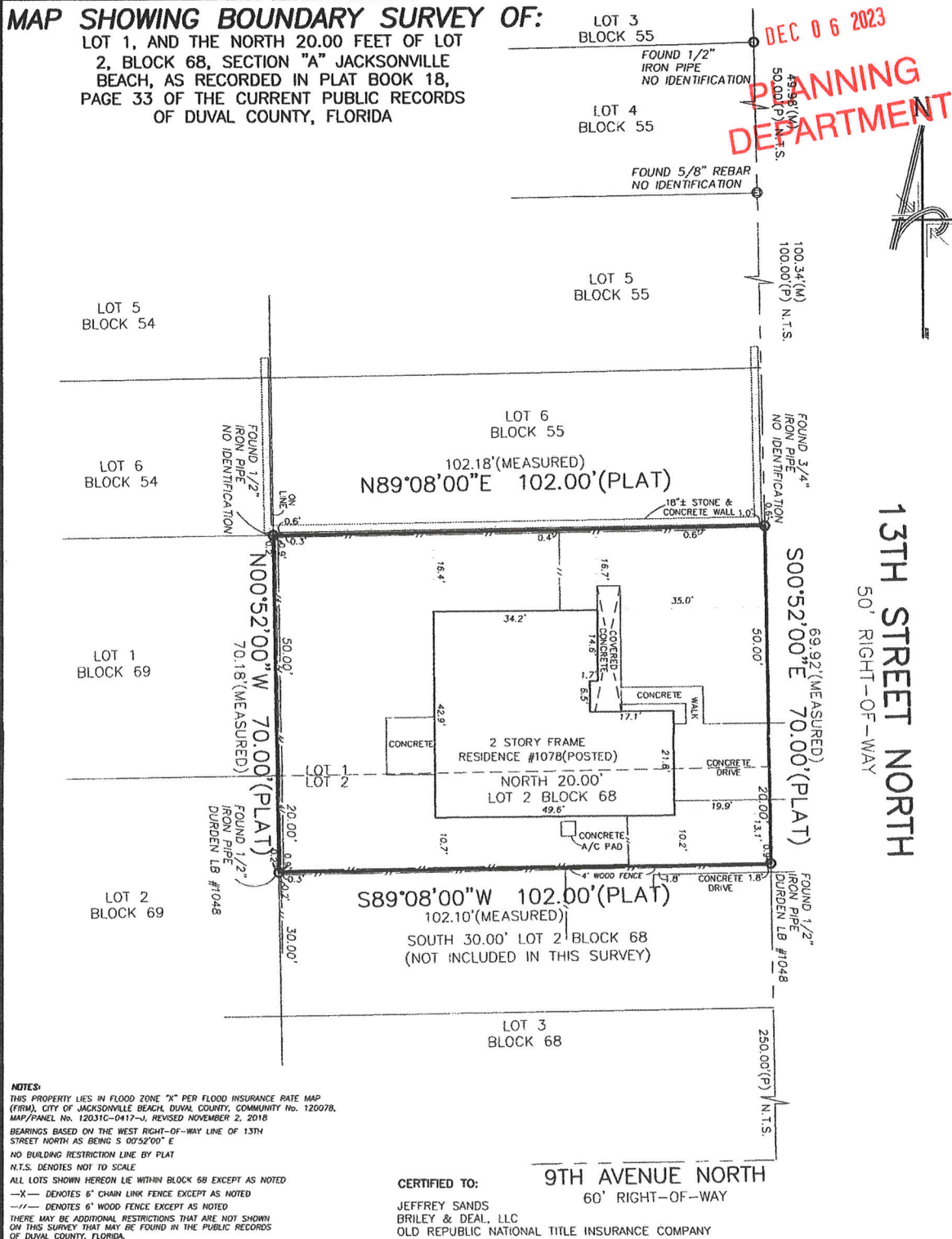


24-100004

RECEIVED

MAP SHOWING BOUNDARY SURVEY OF:

LOT 1, AND THE NORTH 20.00 FEET OF LOT
2, BLOCK 68, SECTION "A" JACKSONVILLE
BEACH, AS RECORDED IN PLAT BOOK 18,
PAGE 33 OF THE CURRENT PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA



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

SURVEYOR'S NOTE:

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

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

H. Bruce Durdan, Jr.
FLORIDA REGISTERED SURVEYOR No. 470
H. BRUCE DURDEN, JR.

SIGNED DECEMBER 8, 2020
SCALE: 1" = 20'
WORK ORDER NUMBER: 20552

B-9802

24-100004

JNOvey, LLC
Architectural and Interior Design

Julianne N. Ovey, R.A.
2452 Pullian Street
Jacksonville Beach, Florida 32250
904-704-8828
Email: jno@jnovey.com
FL AR-011760 • FL ID-4621



HODGES RESIDENCE
1078 13TH STREET N.
JACKSONVILLE BEACH, FL 32250

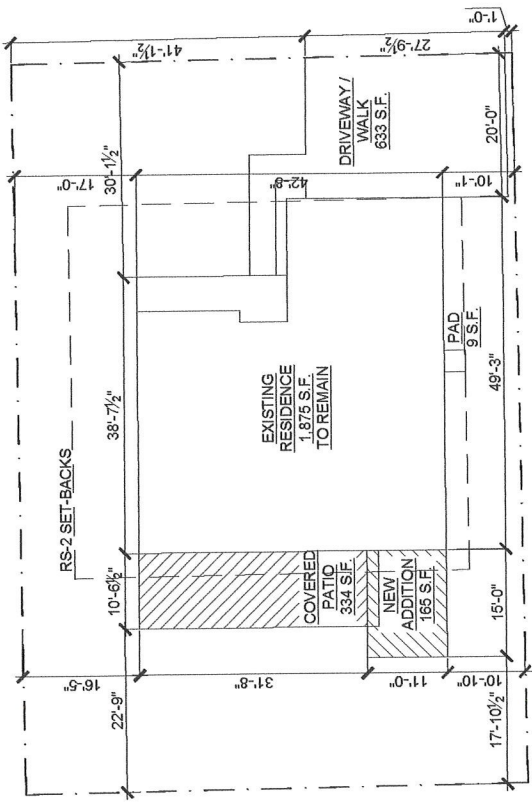
DATE ISSUED:
MAY 18, 2023

NOTE:
DO NOT SCALE DRAWINGS.
IF PRINTED ON 11"x17"
MEDIA, DRAWING SCALE
IS HALF-SIZED.

ARCHITECTURAL
SITE
PLAN

T1

PERMIT SET



LOT COVERAGE:	7,139 S.F.
TOTAL LOT	
EXISTING HOUSE	1,875 S.F.
NEW ADDITION	165 S.F.
REAR PATIO	334 S.F.
POOL / A.C. PAD	9 S.F.
DRIVEWAY/WALK	633 S.F.
TOTAL IMPERVIOUS	3,020 S.F. (49%)

ARCHITECTURAL SITE PLAN
SCALE 1" = 20'

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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.

24-100804
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APPLICANT INFORMATION

Applicant Name: Donald E Hodges Jr **Telephone:** 904-742-1355
Mailing Address: 1078 13th St N **E-Mail:** kalel1355@yahoo.com
Jacksonville Beach FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Donald E Hodges Jr **Telephone:** 904-742-1355
Mailing Address: 1078 13th St N **E-Mail:** kalel1355@yahoo.com
Jacksonville Beach FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 1078 13th St N Jacksonville Beach FL 32250 179175-0000
Legal description of property (Attach copy of deed): Lot 1 and North 20 ft of Lot 2 Block 68 Section A Jacksonville Beach
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).
1 foot for driveway off property line instead of 5 feet. 17 feet for rear yard setback instead of 30 feet. Lot coverage of 43% instead of 35%.

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

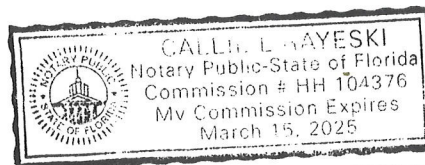
Donald E Hodges Jr
PRINT APPLICANT NAME

DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6 day of December, 2023, by Donald Hodges, who is personally known to me or produced [Signature] as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
C. Rayeski-Bowling
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: AS-2

FLOOD ZONE: X

CODE SECTION (S): _____

24-100004

This Instrument Prepared by:

Mia Ortiz
City Abstract, LLC
1050 Kings Highway North
Suite 208
Cherry Hill, NJ 08034

After Recording Return to:

Donald E. Hodges, JR and Kristine Marie Freudenthal
1078 N 13th St
Jacksonville Beach, FL 32250

Parcel Identification Number:

179175-0000

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DEC 06 2023

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DEPARTMENT

(Space Above This Line For Recording Data)

Special Warranty Deed

THIS SPECIAL WARRANTY DEED (this "**Deed**") is made as of this 20th day of March, 2023 between Analytical Sciences Marketing Group, LLC dba Annietmac Private Equity Cash2key LLC, a Delaware Limited Liability Company, whose mailing address is 700 East Gate Drive, Suite 400, Mount Laurel, NJ 08054 ("**Grantor**") to, Donald E. Hodges, JR, a single person, and Kristine Marie Freudenthal, a single person, as joint tenants whose mailing address is 1078 N 13th St, Jacksonville Beach, FL 32250 ("**Grantee**").

WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00), and other good and valuable consideration paid to Grantor by Grantee, the receipt of which is hereby acknowledged, by these presents does grant, bargain, sell and convey to Grantee, and Grantee's successors and assigns forever, all the right, title, and interest in and to that certain real property (the "**Property**") located and situated in Duval County, Florida and fully described as follows:

FOR PROPERTY DESCRIPTION, SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all improvements, easements, tenements, hereditaments and appurtenances belonging to or in any way appertaining to the Property.

SUBJECT to taxes for 2023 and subsequent years, not yet due and payable; covenants, restrictions, easements, reservations and limitations of record, if any, without intention of creation or reimposing same.

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

GRANTOR hereby specially warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but none other.

IN WITNESS WHEREOF, Grantor has duly executed this instrument as of the date first written above.

WITNESSES:

RASHID RAUF

WITNESS

PRINT NAME: RASHID RAUF

Sadaf Nasir

WITNESS

PRINT NAME: SADAF NASIR

GRANTOR:

Analytical Sciences Marketing Group, LLC dba
Anniemac Private Equity Cash2key LLC, a Delaware
Limited Liability Company

By: Colleen Craig, Authorized Agent
Colleen Craig, Authorized Agent

STATE OF Texas
COUNTY OF Bell

I CERTIFY that on 20th day of March, 2023, Colleen Craig, Authorized Agent of Analytical Sciences Marketing Group, LLC dba Anniemac Private Equity Cash2key personally came before me and this person acknowledged under oath, to my satisfaction, that:

- a) this person is the Authorized Agent of the Limited Liability Company named in this document;
- b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Authorized Agent of the Limited Liability Company;
- c) this document was signed and delivered by the Limited Liability Company as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- d) this person knows the proper seal of the Limited Liability Company which was affixed to this document; and
- e) this person signed this proof to attest to the truth of these facts.

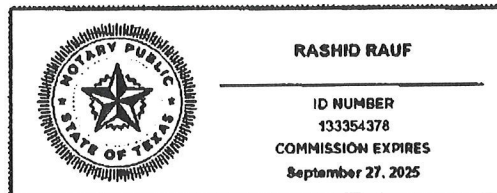
Signed and sworn to before me on 20th day of March, 2023.

Rashid Rauf

Notary Public

Print Name: RASHID RAUF

My commission expires: 09/27/2025



Notarized online using audio-video communication

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DEPARTMENT

EXHIBIT "A"

Property Address: **1078 N 13th St**
 Jacksonville Beach, FL 32250

Lot 1, and the North 20 feet of Lot 2, Block 68, Section "A", Jacksonville Beach, according to the Plat thereof, recorded in Plat Book 18, Page(s) 33, of the Public Records of Duval County, Florida.

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DEC 06 2023
**PLANNING
DEPARTMENT**

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

24-100004

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.

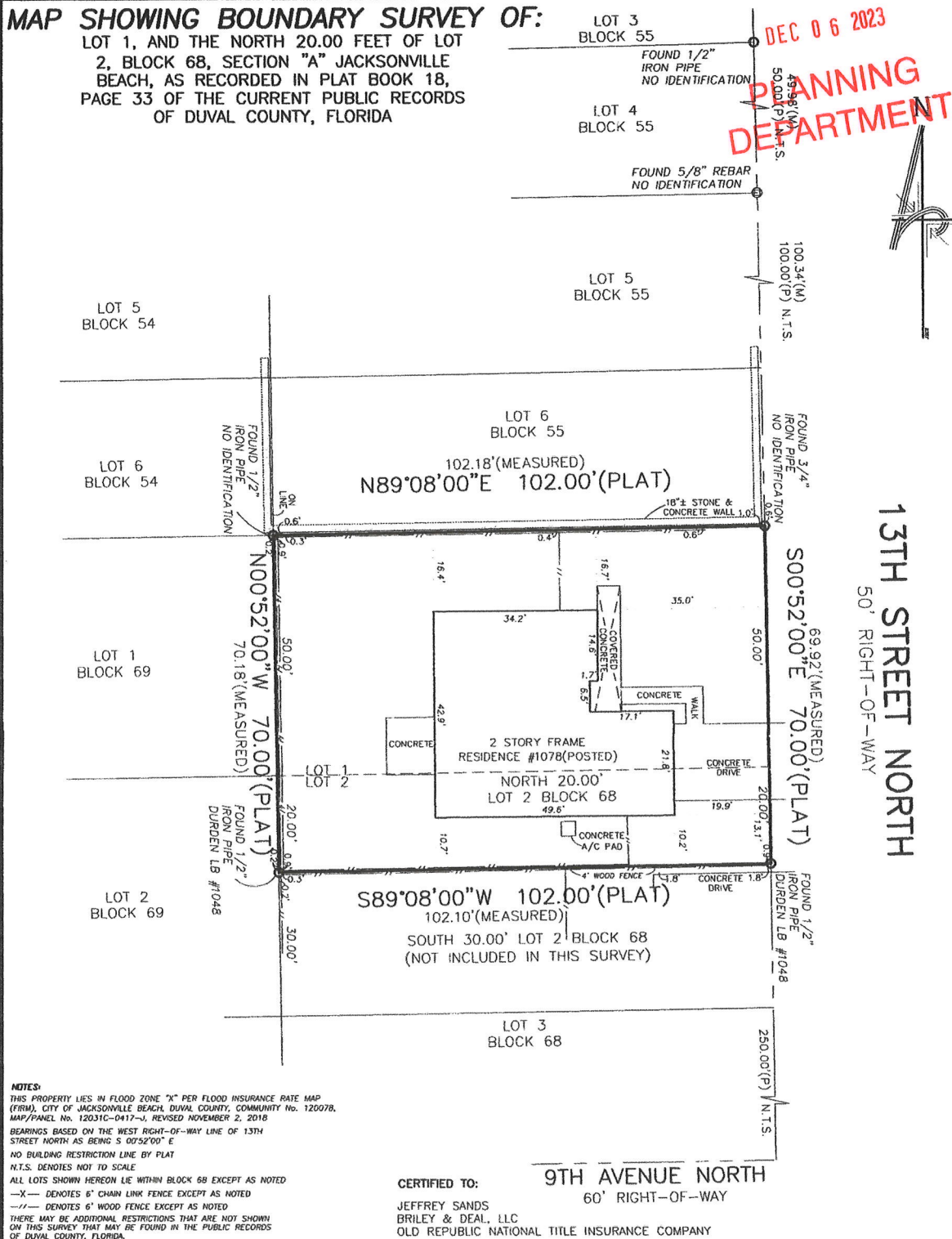
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Size of lot is undersized and too narrow. Purchased house in 2023 was built at 35% with no backyard amenities needing setback relief.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Purchased house in 2023 house built in 2020, lot plotted in 1944.
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	Having a rear covered porch and office addition not uncommon to area.
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	Without the variance we cannot do the things we are asking to do.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Asking for minimum to complete changes being asked.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Not increasing density or changing use of property.

24-100004

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MAP SHOWING BOUNDARY SURVEY OF:

LOT 1, AND THE NORTH 20.00 FEET OF LOT
2, BLOCK 68, SECTION "A" JACKSONVILLE
BEACH, AS RECORDED IN PLAT BOOK 18,
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OF DUVAL COUNTY, FLORIDA



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

SURVEYOR'S NOTE:

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

H. Bruce Durdan, Jr.
FLORIDA REGISTERED SURVEYOR No. 470
H. BRUCE DURDEN, JR.

SIGNED DECEMBER 8, 2020
SCALE: 1" = 20'
WORK ORDER NUMBER: 20552

B-9802

24-100004

JNOvey, LLC
Architectural and Interior Design

Julianne N. Ovey, R.A.
2452 Pullian Street
Jacksonville Beach, Florida 32250
904-704-8828
Email: jno@jnovey.com
FL AR-011760 • FL ID-4621



HODGES RESIDENCE
1078 13TH STREET N.
JACKSONVILLE BEACH, FL 32250

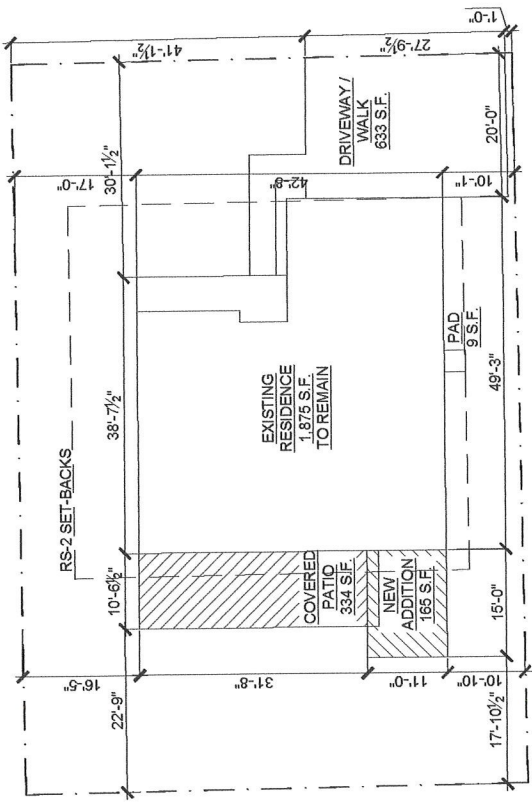
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ARCHITECTURAL
SITE
PLAN

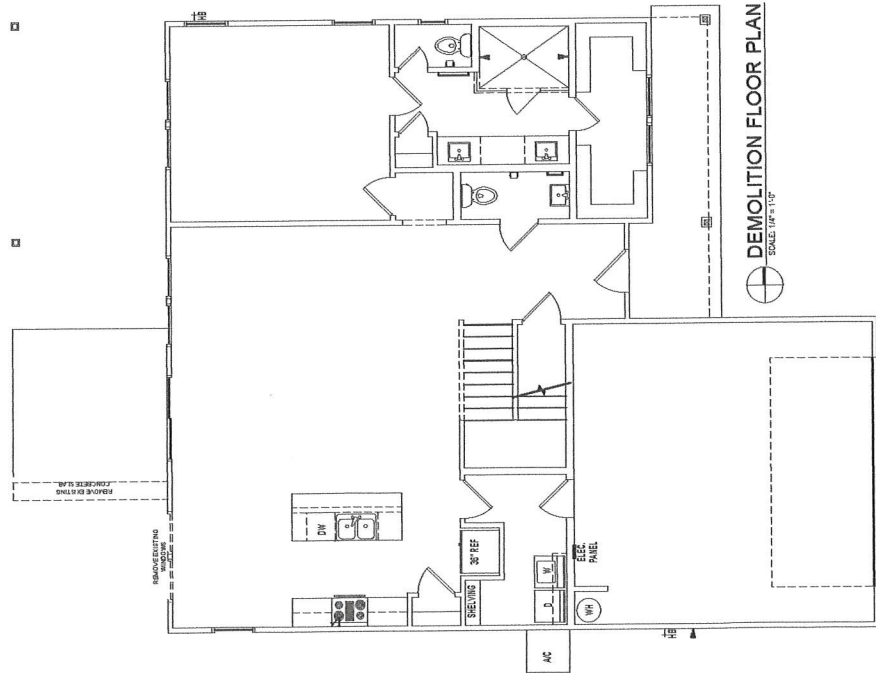
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PERMIT SET

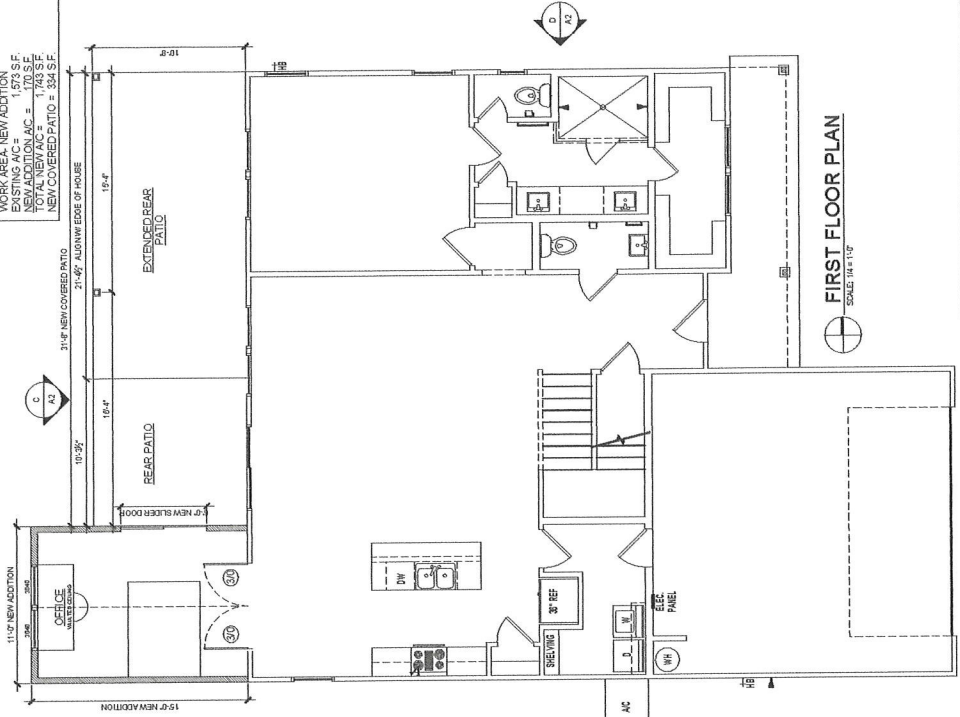


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- GENERAL NOTES:**
1. ALL WORK TO BE DONE IN ACCORDANCE TO THE MOST RECENT EDITION OF FLORIDA BUILDING CODES AND ALL OTHER APPLICABLE NATIONAL, STATE AND LOCAL CODES AND ORDINANCES.
 2. VERIFY ALL EXISTING CONDITIONS AND MEASUREMENTS IN FIELD PRIOR TO CONSTRUCTION. VERIFY LAYOUT WITH REFERENCE TO EXISTING CONDITIONS. ANY DISCREPANCIES SHALL BE COMMUNICATED IN WRITING TO THE ARCHITECT BEFORE CONSTRUCTION PROCEEDS.
 3. IT IS THE BUILDER'S RESPONSIBILITY TO ASSURE THAT ALL WORK IS IN STRICT ACCORDANCE WITH THE LATEST EDITION OF ALL APPLICABLE CONSTRUCTION STANDARDS.
 4. ALL DIMENSIONS ARE TO FACE OF DRYWALL OR CENTERLINE OF STRUCTURE UNLESS OTHERWISE NOTED.
 5. FLOOR PENETRATIONS TO BE WATERPROOFED.
 6. ALL INTERIOR WALLS TO BE WOOD STUDS UNLESS OTHERWISE NOTED.
 7. WHERE G.C. IS TO PROVIDE TYPE "X" GYP. BD. FOR RATED ASSEMBLY, THE TYPE "X" GYP. BD. IS REQUIRED TO GO BENEATH THE SHEATHING AND FINISHES.
 8. INTERIOR DOORS ARE TO BE 5" OFF PERPENDICULAR WALLS UNLESS OTHERWISE NOTED.
 9. IT IS THE BUILDER'S RESPONSIBILITY TO ASSURE THAT ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT ARE APPLIED, INSTALLED, CONNECTED, ERECTED, AND FINISHED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND ALL APPLICABLE CODES. ALL WORK SHALL BE SUBJECT TO INSPECTION AND SHALL FOLLOW ALL INSTRUCTIONS TO SUSTAIN AND PRESERVE ALL EXPRESSED OR IMPLIED WARRANTIES AND GUARANTEES.
 10. IT IS THE BUILDER'S RESPONSIBILITY TO CHECK ALL PLAN DIMENSIONS & DETAILS FOR OVERALL ACCURACY APPROPRIATE TO THE SITE & FINAL SELECTION OF MASONRY, FLOOR JOISTS, LUMBER, STRUCTURAL MEMBERS, VENEER, ROOFING, ETC.
 11. SUBSTITUTES FOR SPECIFIC MATERIALS & MANUFACTURERS SHOWN ON THESE PLANS MAY BE OFFERED, BUT MUST BE APPROVED IN WRITING BY THE ARCHITECT AND OWNER PRIOR TO PURCHASING OR INSTALLING.
 12. RESPONSIBILITY OF THE G.C. INCLUDES, BUT IS NOT LIMITED TO, PROPER INSTALLATION OF MATERIALS, NAILING, GLUING, CALKING, INSULATING, FLASHING, ROOFING, WEATHERPROOFING & ANY OTHER SMALL ITEMS OR DETAILS NOT NECESSARILY INDICATED ON THE PLANS.
 13. THESE PLANS ARE NOT INTENDED TO BE COMPLETE IN ALL DETAILS OF WORK. THE USE OF A VARIETY OF DIFFERENT MATERIALS CAN CHANGE DETAILS. ADDITIONALLY, VARIATIONS IN MATERIALS, MANUFACTURING, INSTALLATION, ELECTRICAL AND MECHANICAL PLANS CAN CHANGE THESE DETAILS.
 14. FURNITURE TO BE COORDINATED, INSTALLED AND SCHEDULED BY G.C. AND THE OWNER.
 15. ALL KITCHEN APPLIANCES, INCLUDING TO BE COORDINATED AND SCHEDULED BY G.C.
 16. G.C. TO SCHEDULE & COORDINATE THE INSTALLATION OF OWNER PROVIDED ITEMS, INCLUDING, BUT NOT LIMITED TO, FURNITURE & AUDIO/VIDEO SYSTEMS.



DEMOLITION FLOOR PLAN
SCALE 1/8" = 1'-0"



FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"

BUILDING CODE SUMMARY	
CODE ENFORCEMENT JURISDICTION:	CITY OF JACKSONVILLE BEACH
BUILDING CODE:	Florida Building Code 7th Edition (2020) Building Code, Florida Building Code 7th Edition (2020) Residential Code, Florida Building Code 7th Edition (2020) Plumbing Code, Florida Building Code 7th Edition (2020) Electrical Code, Florida Building Code 7th Edition (2020) Mechanical Code, Florida Building Code 7th Edition (2020) Fire Prevention Code
ALTERATION LEVEL:	2. NEW ADDITION
OCCUPANCY CLASSIFICATION:	RESIDENTIAL (R-2)
CONSTRUCTION TYPE:	TYPE VLS (WOOD FRAME)
SPRINKLED:	NO
FIRE DISTRICT:	NO
WORK AREA - NEW ADDITION:	EXISTING AC = 1,573 S.F. NEW ADDITION AC = 1,735 S.F. TOTAL NEW AC = 3,308 S.F. NEW COVERED PATIO = 384 S.F.

JNOvey, LLC
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Julianne N. Ovey, R.A.
2452 Pullman Street
Jacksonville Beach, Florida 32250
904-704-8638
Email: jno@jnovey.com
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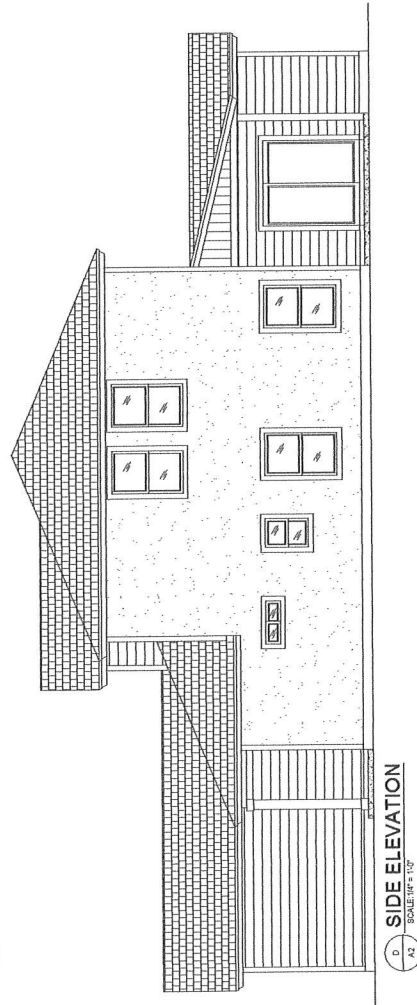
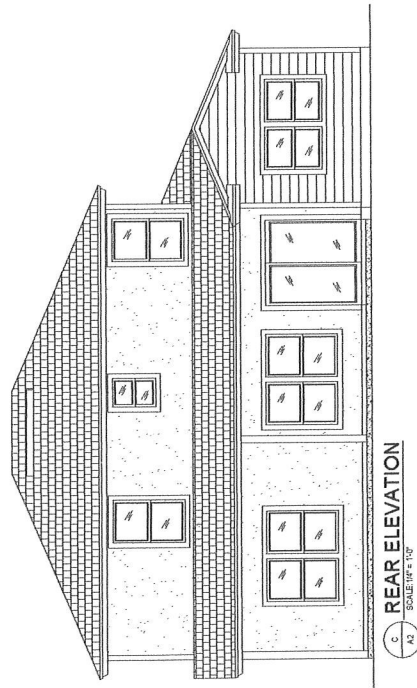
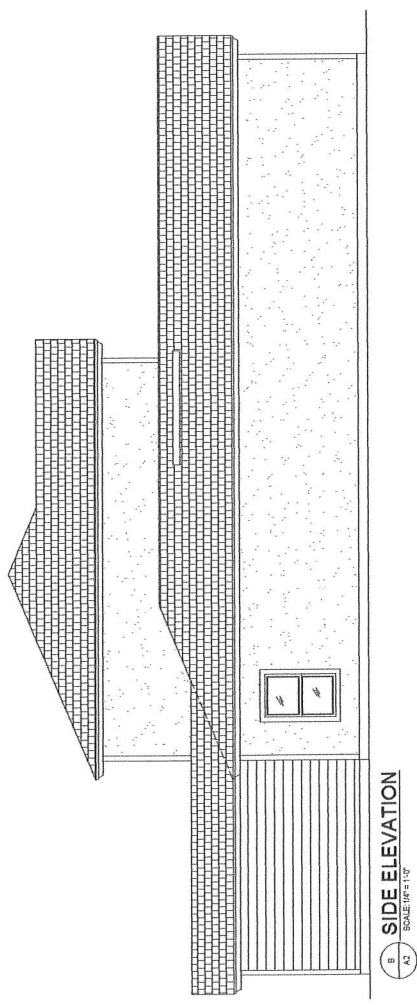
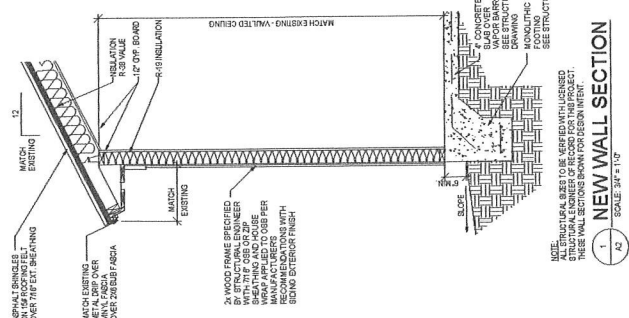
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**DEMOLITION
AND
FLOOR
PLAN**

A1

PERMIT SET

24-100504



JNOverby, LLC
Architectural and Interior Design

Julianne N. Overby, R.A.
2452 Pullian Street
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HODGES RESIDENCE
1078 13TH STREET N.
JACKSONVILLE BEACH, FL 32250

DATE ISSUED:
MAY 18, 2023

NOTE:
DO NOT SCALE DRAWINGS.
IF PRINTED ON 11"X17"
MEDIA, DRAWING SCALE
IS HALF-SIZED.

EXTERIOR ELEVATIONS AND DETAILS

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PERMIT SET

ROOF PLAN NOTES:

1. DO NOT SCALE DRAWINGS.
2. IF DIMENSIONS ARE IN QUESTION, THE ROOFER SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION BEFORE CONTINUING WITH CONSTRUCTION.
3. BUILDER SHALL VERIFY ALL DIMENSIONS & CONDITIONS AT JOBSITE.
4. SEE FLOOR PLAN FOR BUILDING DIMENSIONS.
5. ALL ROOFING AND ROOFING DETAILS SHALL BE INSTALLED IN STRICT ACCORDANCE WITH INDUSTRY STANDARDS AND MANUFACTURERS INSTRUCTIONS.
6. ALL ROOFING MATERIALS MUST HAVE APPROPRIATE LICENSE(S) AS REQUIRED IN THE SPECIFICATION OF CONSTRUCTION.
7. NO WORK SHALL CONFLICT WITH THE MANUFACTURERS GUARANTEE OR WARRANTY.
8. WRITTEN WARRANTY SHALL BE PROVIDED TO OWNER AND INCLUDED IN THE CLOSE OUT DOCUMENTS PROVIDED BY GC.
9. PROVIDE FLASHING AS PER DETAILS OR AS PER SMACNA IF NO DETAILS ARE SHOWN WHERE ROOF PITCH CHANGES OR WHERE ROOFING INTERSECTS WITH VERTICAL SURFACES.
10. THE INSTALLATION SUBTRACTOR SHALL BE FULLY RESPONSIBLE FOR ALL ROOFING WORK.
11. ALL EXHAUST FAN, FLUE & STACK OPENINGS ARE TO BE CAPPED BY BUILDER.
12. ROOF VENT TERMINALS SHALL BE 12" AWAY FROM AND 2" ABOVE ANY AIR INTAKE DOOR OR WINDOW, 18" AWAY FROM ANY VERTICAL WALL EXTENDING ABOVE ROOF VENT, AND NOT BELOW ANY ROOF EAVE, OR AS REQUIRED BY LOCAL CODES.

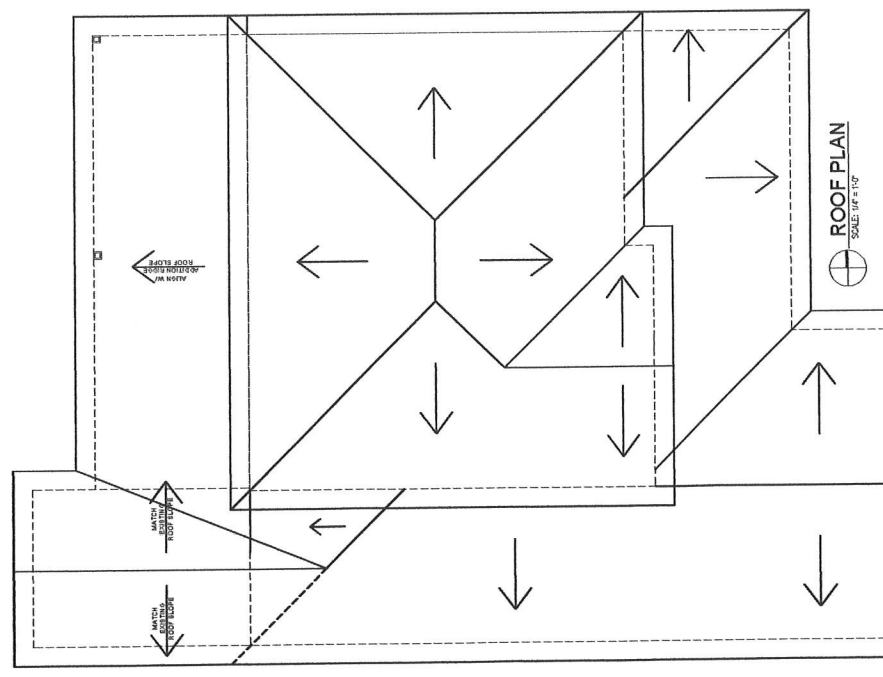
ELECTRICAL LAYOUT PLAN NOTES:

1. VERIFY ALL EXISTING CONDITIONS.
2. COORDINATE LIGHT FIXTURE LOCATIONS CONTRACTOR ANY DISCREPANCIES SHALL BE COMMUNICATED TO THE ARCHITECT BEFORE CONSTRUCTION PROCEEDS FOR COORDINATION.
3. LIGHT FIXTURES SHALL BE LOCATED AS CLOSELY AS POSSIBLE TO LOCATIONS SHOWN ON THIS PLAN.
4. FIXTURES SHALL ALIGN WITH OR CENTER ON EACH OTHER WITH OR ADJACENT ARCHITECTURAL ELEMENTS.
5. COORDINATE LOCATION OF LIGHT FIXTURES WITH ALL OTHER FINISHES AND MATERIALS.
6. GRILLS & REGISTERS SHALL BE BLOCAGED AS REQUIRED SO THAT THEY CAN ALIGN WITH LIGHT FIXTURES.
7. LIGHT FIXTURE & SWITCH LOCATIONS SHALL BE REVIEWED & APPROVED BY OWNER OR DESIGNER BEFORE INSTALLATION OF SHEET ROCK OR OTHER WALL & CEILING FINISHES.
8. SWITCHES SHALL BE LOCATED ADJACENT TO, BUT NOT INTERSECTING DOOR CASING OR TRIM.
9. GROUPED SWITCHES SHALL BE GANGED TIGHT TOGETHER & SHALL BE COVERED WITH A SINGLE PLATE DESIGNED FOR THAT PURPOSE.
10. SWITCHES SHALL TYPICALLY BE MOUNTED 48" A.F. TO CENTER OF THE STRUCTURAL.
11. SUPPORT ALL FIXTURES FROM STRUCTURE OF BUILDING. REFER TO STRUCTURAL SHEETS FOR SPECIFIC DETAILS AS REQUIRED.
12. COORDINATE LIGHT FIXTURES WITH ALL OTHER FINISHES AND MATERIALS.
13. VERIFY FINISHES & PLATE COLORS WITH OWNER OR DESIGNER.
14. VERIFY LIGHTING TYPE & SWITCHING.
15. FLUORESCENT LAMPS SHALL BE "WARM WHITE DELUXE" UNLESS OTHERWISE NOTED OR SPECIFIED ON THE SCHEDULE.
16. ALL LIGHT BULBS SHALL BE COMPACT FLUORESCENT OR LED BULBS UNLESS OTHERWISE NOTED.
17. COORDINATE THERMOSTAT AND DOORBELL LOCATIONS WITH OWNER.
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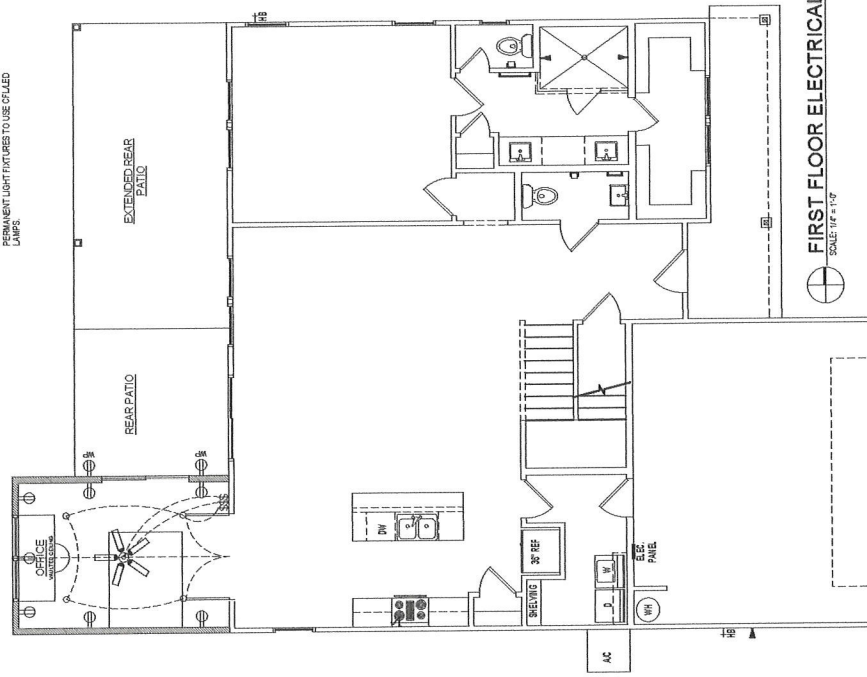
ELECTRICAL LEGEND	
	CABLE
	DOUBLE OUTLET
	200 OUTLET
	60 RECEPTACLE
	EXTRA 60 RECEPTACLE
	SWITCH
	3-WAY SWITCH
	SMOKE DETECTOR
	CARBON MONOXIDE DETECTOR

NOTES:

1. TELEPHONE OUTLETS TO BE CAT 5E WIRE.
2. SMOKE DETECTION PER FIRE CODE.
3. SWITCH PANEL AND ELECTRIC METER LOCATION TO BE DETERMINED BY CITY/OWNER AND LOCAL UTILITY COMPANY.
4. ALL RECEPTACLE TO HAVE ARC-FALL CIRCUIT INTERRUPTERS PER ARTICLE 210.12.
5. HVAC DISCONNECT TO BE PROVIDED BY MECHANICAL SUBCONTRACTOR.
6. ALL ELECTRICAL WIRING TO BE IN ACCORDANCE WITH LATEST EDITION OF NEC AND IBC.
7. 100% OF ALL INTERIOR AND EXTERIOR PERMANENT LIGHT FIXTURES TO USE CELED LAMPS.



ROOF PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR ELECTRICAL LAYOUT PLAN
SCALE: 1/4" = 1'-0"

JNOverby, LLC
Architectural and Interior Design

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ROOF
AND
ELECTRICAL
LAYOUT
PLAN

A3

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