



Agenda

Board of Adjustment

Tuesday, July 6, 2021

7:00 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 the Regular Meeting of the Board of Adjustment.

CALL TO ORDER

ROLL CALL

John Moreland (Chairperson), Alexi Gonzalez (Vice-Chairperson), Francis Reddington, Jeff Truhlar
Alternates: Owen Curley, Dan Elmaleh

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

- a. Regular Board of Adjustment Meeting held June 15, 2021

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number(s):** **BOA#21-100079**
Applicant/Owner: Samantha Murphy
Property Address: 605 10th Avenue North
Parcel ID: 174992-0000
Legal Description: Lot 6, Block 3, *Beach Homesites, Unit One*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections: 34-336(e)(1)e**, for lot coverage of 45% in lieu of 35% maximum to allow for a screened porch addition to an existing single-family dwelling

Notes: _____

- b. **Case Number(s):** **BOA#21-100081**
Applicant/Owner: Thomas and Robin Rice
Property Address: 725 12th Avenue South
Parcel ID: 176753-0150
Legal Description: Lot 10, except the west 25 feet, Block 118, *Oceanside Park*
Current Zoning: RS-3
Motion to Consider: **A variance from Land Development Code Sections:** 34-338(e)(2)c.2, for an interior side yard setback of zero feet in lieu of 10 feet minimum; 34-338(e)(2)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 45% lot coverage in lieu of 35% maximum to rectify existing non-conformities resulting from a paver patio and pergola addition to an existing two-family dwelling

Notes: _____

- c. **Case Number(s):** **BOA#21-100083**
Applicant: Catherine Vieira
Agent: White Ink Design, Dwayne White
Owner: Agnes Jazwinski
Property Address: 85 Oakwood Road
Parcel ID: 178602-0306
Legal Description: A part of Lot 11, Block 15, *Ocean Forest Unit No. 6*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections:** 34-336(e)(1)c.2, for an easterly side yard setback of 8 feet 3 inches in lieu of 10 feet minimum and 34-336(e)(1)e, for 38% lot coverage in lieu of 35% maximum to allow for a sitting room addition to an existing single-family dwelling

Notes: _____

- d. **Case Number(s):** **BOA#21-100085**
Applicant/Owner: Patrick E. Mulligan
Agent: Rick Johnston
Property Address: 533 10th Avenue North
Parcel ID: 174990-0000
Legal Description: Lot 4, Block 3, *Beach Homesites – Unit One*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections:** 34-336(e)(1)g, for the following accessory structure setbacks: existing paver patio and walkways situated 0 feet from the westerly property line and an existing shed situated 3 feet from the westerly property line and 4 feet from the rear property line all in lieu of 5 feet minimum and 34-336(e)(1)e, for 51% lot coverage in lieu of 35% maximum to rectify an existing non-conforming paver patio, walkway and storage shed and to construct a swimming pool for an existing single-family dwelling

Notes: _____

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, July 20, 2021. There are four scheduled cases.

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. Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Board. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Board when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbchfl.net, (2) Postal mail to Planning and Development, Board of Adjustment - 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 Board and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three (3) minutes of reading time. All comments received are public record.

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

**Minutes of Board of Adjustment Meeting
held Tuesday, June 15, 2021, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson John Moreland called the meeting to order at 7:00 P.M.

ANNOUNCEMENT: None

ROLL CALL

Chairperson: John Moreland
Vice-Chairperson: Alexi Gonzalez
Board Members: Scott Cummings Francis Reddington Jeff Truhlar (*absent*)
Alternates: Owen Curley Dan Elmaleh

Senior Planner Christian Popoli and Staff Assistant Sheila Boman were also present.

EX PARTE COMMUNICATION: No ex-parte was reported.

APPROVAL OF MINUTES:

It was moved by Ms. Gonzalez, seconded by Mr. Reddington, and passed unanimously to approve the minutes for June 1, 2021.

CORRESPONDENCE: None

NEW BUSINESS:

A. **Case Number:** **BOA#21-100064 / 21-100065 / 21-100066 / 21-100067**
Applicant: John Atkins, Atkins Builder
Owner: Inesse Reese
Property Address: 2109 Gorden Avenue
Parcel ID: 179049-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(4)c.2, for side yard setbacks of 5 feet each in lieu of 10 feet minimum; and 34-340(e)(4)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a new four-unit townhouse project.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was the lot is undersized in width and square footage for a RM 2 zoned property. He also provided a drawing [on file] of the proposed townhomes.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100064 to 67, based on the standards for a variance as outlined in Section 34-340 (e) c. 2 and c3 of the Land Development Code.

Roll Call Vote: Ayes – Scott Cummings, Alexi Gonzalez, Owen Curley, and John Moreland
Nays – Francis Reddington

The motion was approved 4-1.

B. Case Number: **BOA#21-100068**
Applicant/Owner: Jacob Corzine
Property Address: 530 15th Avenue South
Parcel ID: 176928-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c.2, for a corner side yard setback of 8.5 feet in lieu of 10 feet minimum; 34-337(e)(1)e, for 43% lot coverage in lieu of 35% maximum to allow for a swimming pool and paver patio deck addition to an existing single-family dwelling.

Applicant: Jacob Corzine, 530 15th Avenue South, Jacksonville Beach, said his hardship was the lot is undersized.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100068 based on the Standards for a variance as outlined in Section 34 of the Land Development Code. 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.

Roll Call Vote: Ayes – Alexi Gonzalez, Francis Reddington, Scott Cummings, Owen Curley, and John Moreland

The motion was unanimously approved.

C. Case Number: **BOA#21-100073**
Applicant/Owner: Jennifer B. Hunt
Property Address: 711 Penman Road
Parcel ID: 177862-0005

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 44% lot coverage in lieu of 35% maximum to allow for a swimming pool and paver patio deck addition to an existing single-family dwelling.

Applicant: Jennifer B. Hunt, 711 Penman Road, Jacksonville Beach, stated her hardship was the lot is undersized and oddly shaped.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: The Board agreed the lot was drastically under-sized and the angled shape added to the hardship.

Motion: It was moved by Mr. Curley, seconded by Ms. Gonzalez, to approve BOA# 21-100073 based on the Standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Francis Reddington, Scott Cummings, Alexi Gonzalez, Owen Curley, and John Moreland

The motion was unanimously approved.

D. Case Number: **BOA#21-100074**
Applicant/Owner: Jack & Meghan Dunn
Property Address: 3338 Isabella Boulevard
Parcel ID: 180819-4219

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 49.9% lot coverage (45% previously approved) to allow for construction of a paver patio deck addition around a coping only pool to an existing single-family dwelling.

Applicant: Jack Dunn, 3338 Isabella Boulevard, Jacksonville Beach, advised his lot was undersized, which caused the hardship.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley to approve BOA#20-100074 based on the Standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Scott Cummings, Alexi Gonzalez, Francis Reddington, Owen Curley, and John Moreland

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, July 6, 2021. There are five scheduled cases.

Mr. Cummings announced his resignation from the Board effective June 15, 2021.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:27 P.M.

Submitted by: Sheila Boman
Staff Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

BOA# 21-100079 Staff Report

605 10th Ave. North

Parcel ID: 174992-0000

Brandon & Samantha Murphy

Lot 6 Block 3, Beaches Homesites Unit 1.

Zoning: Residential, single-family: RS-1

Variances Requested: 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for a screened porch addition to an existing single-family dwelling

Project: The applicant is requesting relief from dimensional standards to construct a rear screened porch addition to an existing single-family home.

Existing Conditions: The subject property is an existing platted lot of records (circa 1948) located in the low density future land use category. The existing parcel was patted with a dimension of seventy-five (75) feet in width and one hundred (100) feet in depth. (7,500 square feet) Minimum dimensional standards within this zoning district include 10,000 square feet of area and a minimum width of ninety (90) feet. Maximum lot coverage for this zoning district is 35%.

Analysis: The current structure was built in 1951. The property has been granted a variance in the past allowing for the construction of additions and an attached garage. This variance allowed for reductions in setbacks on the side and rear yards. A variance for additional lot coverage of 43% was denied in 2007 for an accessory structure. The approval of this variance would not have an adverse impact on the surrounding properties. Adjacent uses are also single-family in nature.

Active Permits or Code Violations: None

Previous Development Orders: BOA# 148-2003 side yard setback of 7.1 feet in lieu of 10, Rear yard of 12.3 in lieu of 30 (approved). BOA# 06-100277 lot coverage of 43% in lieu of 35% (denied)

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 the adjacent and surrounding properties have similar constraints and attributes

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

Staff does not find any conditions result from the actions of the applicant

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

Staff finds the applicant will not receive special privileges

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

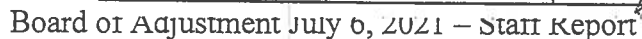
Staff does find that there is a hardship. The current lot size is substandard in both area and lot width.

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 this will be the minimum variance necessary

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 this will be consistent with the Comprehensive Plan





APPLICATION FOR VARIANCE

BOA No. 21-100079

HEARING DATE 7.6.21

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

REQUIRED DOCUMENTATION

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

RECEIVED

MAY 20 2021

APPLICANT INFORMATION

Applicant Name: Samantha Murphy Telephone: 702-374-1683
Mailing Address: 605th Ave N E-Mail: SamSweeneyMurphy@gmail.com
Jacksonville Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Brandon & Samantha Murphy Telephone: 702-374-1683
Mailing Address: 605 10th Ave N E-Mail: SamSweeneyMurphy@gmail.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 605 10 Ave N RE# 174992-0000
Legal description of property (Attach copy of deed): Residence; Lot 6 Block 3 Beach Homesite
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).
Request of a 45% lot coverage in lieu of 35% lot coverage
for RS-1 zoning for screened in patio

AFFIDAVIT

I, Samantha Murphy, 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

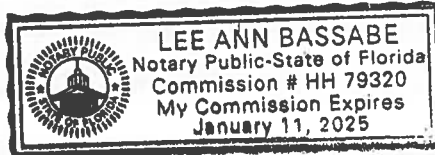
Samantha Murphy
PRINT APPLICANT NAME

5/20/21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20 day of May, 2021, by Samantha S. Murphy, who is personally known to me or produced Florida Drivers License as identification.

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



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-Shaded

CODE SECTION (s):
34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for a screened porch addition to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100079

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

MAY 20 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	DUE TO ADDITION TO 605 10TH AVE N GRANTED VARIANCE IN 2007, THERE IS A CARVED OUT SECTION IN WHICH WOULD FIT A SCREENED IN PATIO TO MAKE THE STRUCTURE OF THE HOME MORE SYMMETRICAL. THIS WILL ADD TO THE DESIGN AND THE AESTHETIC OF THE PROPERTY.
Special circumstances and conditions do not result from the actions of the applicant.	NO	Lot is Substandard
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	Other properties in area have been granted more ground coverage than request
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	IF DEPRIVED OF VARIANCE, TO LAY CONCRETE IN THE 16 FT X 13 FT SPACE FOR THE ADDITION OF A SCREENED IN PATIO WHEN IN FACT OUT SURROUNDING HOMES ENJOY THESE RIGHTS WITH SIMILAR STRUCTURES, SOME WITH THE ADDITION OF POOLS.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	RATHER THAN REQUESTING A VARIANCE TO COVER MORE GROUND (I.E. A POOL), WE ARE REQUESTING TO ADD 16FT X 13 OF CONCRETE FOR A SCREENED IN PATIO TO MAKE THE PROPERTY MORE SYMMETRICAL ADDING TO DESIGN AND AESTHETIC.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	GRANTING VARIANCE WILL MAKE THE HOME MORE SYMMETRICAL, ADDING TO THE AESTHETIC OF THE NEIGHBORHOOD.

Reference

**City of
Jacksonville Beach**

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250



January 8, 2004

Gina and Barney Langley
605 N. 10th Avenue
Jacksonville Beach, FL 32250

RECEIVED

21-100079

MAY 20 2021

RE: Case No. # BOA 148-2003
605 N. 10th Avenue

PLANNING & DEVELOPMENT

Dear Mr. And Mrs. Langley:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on January 6, 2004 to consider your variance application.

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

- 34-336 (e)(1) c.2: for a westerly side yard of 7.1 feet in lieu of 10 feet required
- 34-336 (e)(1) c.3: for a rear yard of 12.3 feet in lieu of 30 feet required
- 34-336 (e) (1) d, for no garage in lieu of a one car garage required

The results of the meeting were; *amended and approved for:*

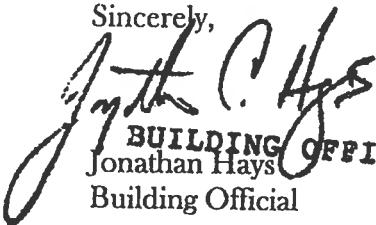
- A westerly side yard of 7.1' in lieu of 10 feet required
- A rear yard of 12.3' in lieu of 30 feet required for the existing structure
- A garage or carport is required

To allow for a improvements to a single family dwelling.

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required information to our office before you begin work on this project.

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

Sincerely,


BUILDING OFFICIAL
Jonathan Hays
Building Official

Reference



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

January 4, 2007

Mr. Alex McNeal
605 North 10th Ave
Jacksonville Beach, FL 32250

RECEIVED

21-100079
MAY 20 2021

RE: BOA # 06-100277
605 North 10th Ave

PLANNING & DEVELOPMENT

Dear Mr. McNeal:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, January 2, 2007, to consider your variance application.

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

- 34-336 (e)(1) e, for 43% lot coverage in lieu of 35% maximum

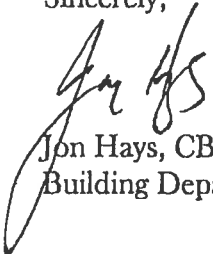
To allow for improvements (accessory building) to a single family dwelling.

The results of the meeting were:

- Denied.

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

Sincerely,


Jon Hays, CBO
Building Department

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY				
P.C.P.	PERMANENT	CONTROL POINT	E&M	EASEMENT
P.M.M.	PERMANENT	REFERENCE MONUMENT	LD.	LICENSED BUSINESS
P.O.B.	POINT	ON CURVE	WF	WIRE FENCE
P.O.R.	POINT	OF BEGINNING	CLP	CHAIN LINK FENCE
P.C.	POINT	OF REFERENCE	WPT	WOOD PRIVACY FENCE
P.T.	POINT	OF CURVATURE	A/C	AIR CONDITIONER
P.C.C.	POINT	OF TANGENCY	W/I	WITH
P.R.G.	POINT	OF COMPOUND CURVE	OH	OVERHEAD LINES
P.I.	POINT	OF REVERSE CURVATURE	P.M.	FIELD MEASURED
R/W	RIGHT	OF INTERSECTION	R=	RADIUS EQUALS
CR. V.	RIGHT	OF WAY	LE	LESS LENGTH EQUALS
DB.	DEED	RECORDS VOLUME	CH=	CHORD BEARINGS & DISTANCE EQUALS
PG.	PAGE	BOOK	$\Delta =$	DELTA OR CENTRAL ANGLE EQUALS
D.R.L.	BUILDING	RESTRICTION LINE	IP	IRON PIPE
			CONC.	CONCRETE

605 10TH AVE N
LOT 6 BLOCK 6 BEACHES HOMESITES UNIT ONE

Total area of impervious coverage	Square Footage	Percentage
House:	1712	22.80%
Driveway / Concrete Entry:	1440	19.20%
AC pad 1:	9	0.10%
AC pad 2:	9	0.10%
Proposed screened in porch:	208	2.80%
Total:	3378	45.00%

	Total area of lot:	7,500	
X	Existing coverage	3,170	42.20%
X	Proposed New Coverage	3378	45.00%
	Difference in coverage	208	2.80%

RECEIVED

21-100079

JUN - 2 2021

PLANNING & DEVELOPMENT

EXISTING-

MAP SHOWING BOUNDARY SURVEY OF

LOT 6, BLOCK 3

BEACH HOMESITES, UNIT ONE

AS RECORDED IN PLAT BOOK 20, PAGES 72 & 72A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: BRANDON S. MURPHY AND SAMANTHA MURPHY
MICHAEL & ANNE BRAREN
FBC MORTGAGE, LLC
BARTLETT TITLE SERVICES, LLC
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

RECEIVED

21-100079

MAY 20 2021

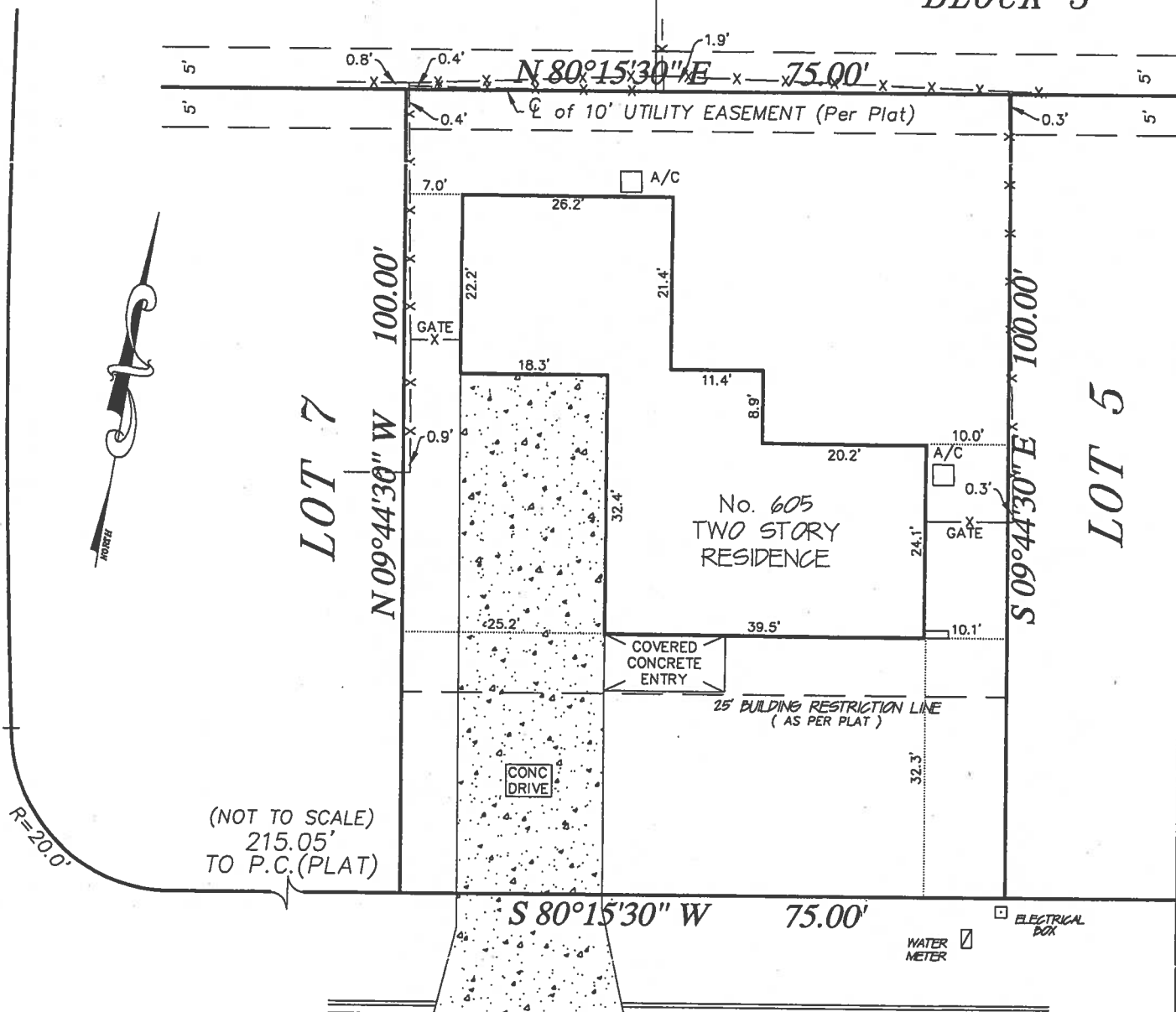
LOT 12

PLANNING & DEVELOPMENT

LOT 13

BLOCK 3

SEVENTH (7th) STREET NORTH



TENTH (10th) AVENUE NORTH

(A 50 FOOT PUBLIC ROAD RIGHT OF WAY)

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

NOTES:

1. BEARINGS ARE BASED ON THE NORTH R/W LINE OF 10th AVE. NORTH, AS S 80°15'30" W.
2. THIS IS A MAP TO SHOW BOUNDARY SURVEY OF THE LANDS SHOWN HEREON.
3. ELEVATIONS SHOWN THUS (5.0) REFER TO UNITED STATES COASTAL AND GEODETIC SURVEY DATUM, NATIONAL GEODETIC VERTICAL OF 1929, (NGVD OF 1929).
4. BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON LIES WITHIN ZONES: SHADED 'X' AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER: 12007B 120100411. MAP REVISED DATE: NOVEMBER 01, 2018.
5. UNLESS OTHERWISE NOTED, ANY PORTION OF THE PARCEL THAT MAY BE DEEMED AS WETLANDS BY STATE OR GOVERNMENTAL AGENCIES, HAS BEEN DETERMINED AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.
6. THERE MAY BE RESTRICTIONS OR EASEMENTS OF RECORD EVIDENCED BY TITLE EXAMINATION THAT HAVE NOT BEEN SHOWN HEREON.

LEGEND

- DENOTES CONCRETE MONUMENT
- X-X DENOTES WOOD FENCE
- DENOTES 1/2" IRON PIPE SET (AS NOTED)
- DENOTES IRON PIPE FOUND (AS NOTED)
- X DENOTES CROSS CUT

DATE MAY 20, 2021
SCALE 1" = 20'
JOB NO. 47845
P. BOOK(S) 552
PAGE(S) 56
COMPUTER (WON WAY) BEACH HOMESITES-LOT-6Dwg
FILE NAME

A & J LAND SURVEYORS, INC.
CERTIFICATE OF AUTHORIZATION NO. LD 6661
PROFESSIONAL LAND SURVEYORS OFFICE: (904) 346-1733
5847 LUELLA STREET (904) 346-1736
JACKSONVILLE, FLORIDA 32209

THIS IS TO CERTIFY THAT THIS SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS AS OUTLINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 601-20, (FORMERLY CHAPTER 21H-60), FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 471.01, FLORIDA STATUTES.

GEORGE J. WARD, STATE OF FLORIDA
REGISTERED LAND SURVEYOR, CERTIFICATE NO. 5155

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

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

BOA#21-100081 Staff Report

725 12th Ave. South

Parcel ID: 176753-0150

Thomas and Robin Rice

West 25 ft. lot 10, Block 118 of Oceanside Park.

Zoning: Residential, single-family: RS-3

Variances Requested: 34-338(e)(2)c.2, for an interior side yard setback of zero feet in lieu of 10 feet minimum; 34-338(e)(2)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 45% lot coverage in lieu of 35% maximum

Project: The applicant is requesting relief from dimensional standards to rectify existing non-conformities resulting from an unpermitted paver patio and pergola addition to an existing two-family dwelling

Existing Conditions: The subject property is the western half of an existing platted lot of record (circa 1922) located in the low density future land use category. The platted lot of record, prior to the current lot split was fifty (50) feet in width and one-hundred and 25 (125) feet in depth. The current property is twenty five (25) feet in width and one-hundred and twenty five (125) feet in depth. Minimum dimensional standards within this district include six-thousand (6,000) sq. ft. lot area, width of sixty (60) feet at the building line and thirty-five (35) feet at the street.

Analysis: The current structure was built in 2020, and the paver patio and pergola were constructed in 2021. Previous approval for variance granted a lot coverage of 37% and a front yard setback of sixteen (16) feet in lieu of twenty (20) feet. The request for lot coverage is not an uncommon request, and the newly constructed two family dwelling currently occupies 37% of the lot without any rear yard amenities. The approval of this variance would not have an adverse impact on the surrounding properties. Adjacent uses are also single-family in nature.

Active Permits or Code Violations: 21-00000330 Building Code Violation, work without a permit

Previous Development Orders: BOA# 20-100067: Front yard setback of 16 feet in lieu of 20, lot coverage of 37% in lieu of 35%

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 finds that this parcel is similar to other parcels in the RS-3 zoning district as well as the immediate area

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

Staff does find the conditions result from the actions of the applicant.

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

Staff finds the applicant will not receive special privileges

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

Staff does find that there is currently a hardship based on the substandard lot size and existing home's location on the lot, as well as the previously approved lot coverage of 37%

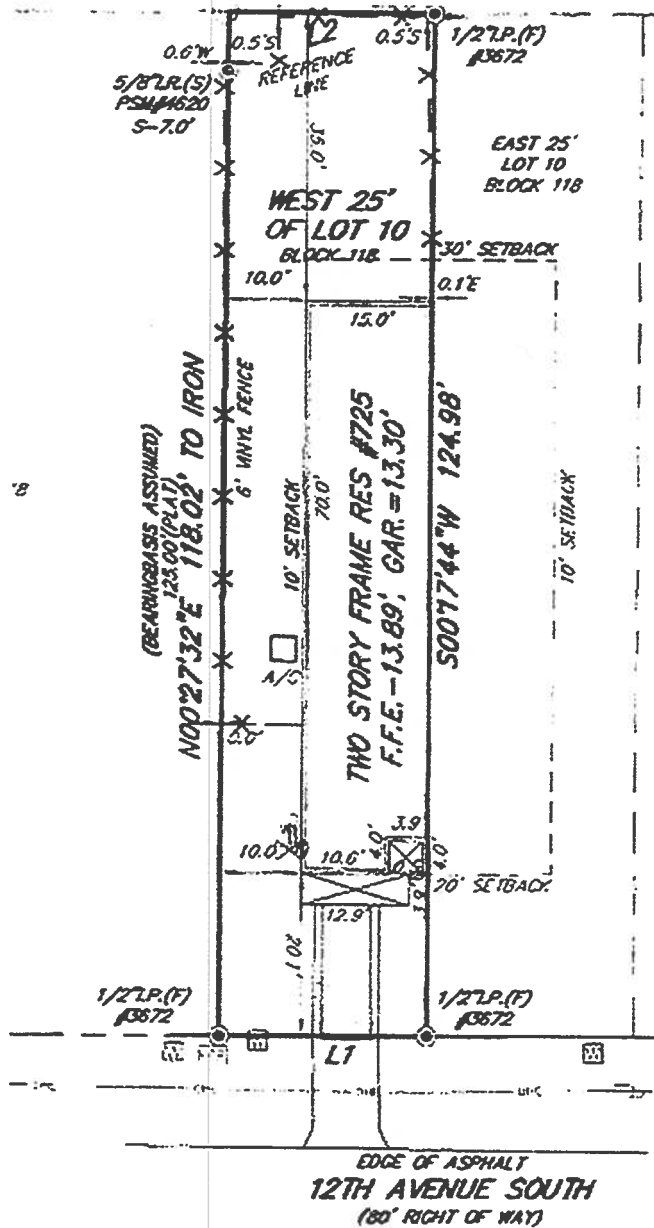
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary

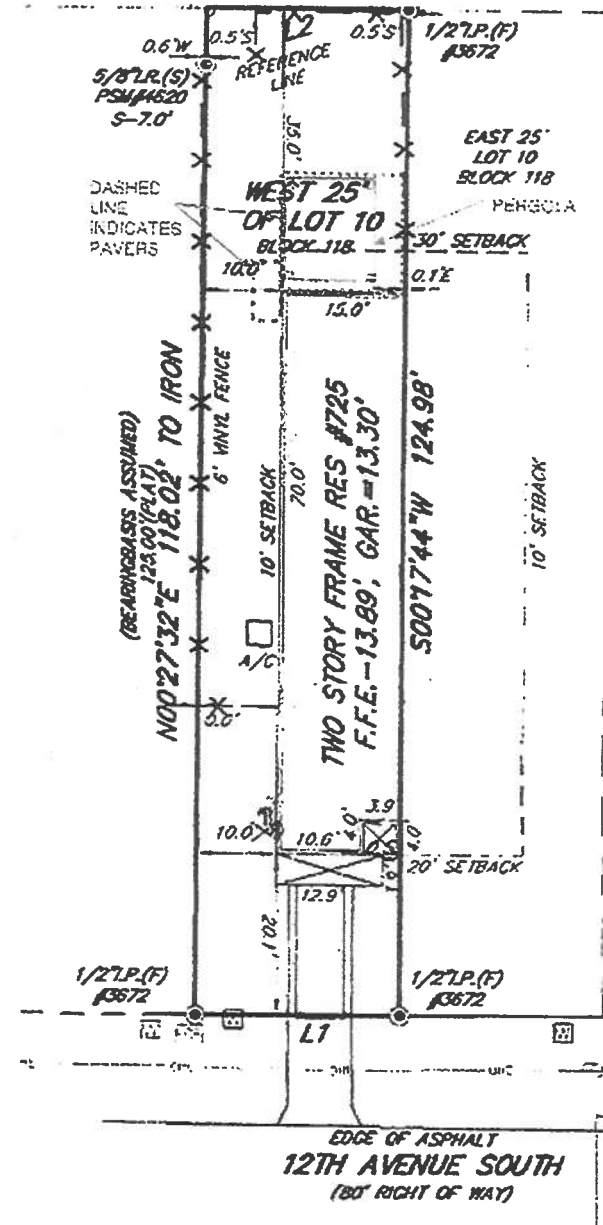
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan

Existing property survey



Proposed Site Plan



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 **their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

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

RECEIVED

MAY 21 2021

APPLICANT INFORMATION

Applicant Name: THOMAS & ROBIN RICE Telephone: 904-885-2269
Mailing Address: 725 12TH AVENUE SOUTH E-Mail: PORTSMOUTH3691@GMAIL.COM
Agent Name: N/A Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: SAME AS APPLICANT 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: 725 12TH AVENUE SOUTH / 176753-0150
Legal description of property (Attach copy of deed): B-13 04.35.29E 071 OCEANSIDE PARK W 25' LOT 10
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).
PERGOLA PLACEMENT 53 INCHES FROM PROPERTY LINE AND 19 3/4" FROM
STRUCTURE, 265 SQUARE FEET TERRAZZO PAVERS BENEATH PERGOLA
Lot Coverage 45% FLD 35%

AFFIDAVIT

I, THOMAS F. RICE, 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

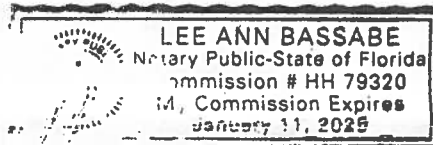
ROBIN RICE
THOMAS F. RICE
PRINT APPLICANT NAME

5/21/21
05/15/2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of May, 2021, by Robin E Rice, who is personally known to me or produced Florida Drivers License as identification.

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



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3FLOOD ZONE: X

CODE SECTION (S):
34-338(e)(2)c.2, for an interior side yard setback of zero feet in lieu of 10 feet minimum; 34-338(e)(2)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 45% lot coverage in lieu of 35% maximum to rectify existing non-conformities resulting from a paver patio and pergola addition to an existing two-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100081

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.

JUN - 4 2021
PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	SUBJECT PROPERTY ONE HALF OF MULTIFAMILY DUPLEX. LOT IS ONE HALF OF STANDARD LOT SIZE FOR SINGLE FAMILY HOME.
Special circumstances and conditions do not result from the actions of the applicant.	NO	OWNERS WERE TOLD BY HIGHERED CONTRACTOR THAT PERMITS WERE NOT NEEDED.
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	THERE ARE PERDOLAS ON NEARBY LOTS IN THE NEIGHBORHOOD
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	OTHER PARCELS OF LAND HAVE SAME SIZE AREA OF PAVEMENT COVERAGE - THEY HAVE FULL SIZE LOTS NOT HALF SIZE LOT
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	THE WORK THAT WAS COMPLETED IMPROVES THE REAR YARD.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	GRANTING OF VARIANCE MAKES NO NOTICEABLE DIFFERENCE OF COMPREHENSIVE PLAN. WILL NOT AFFECT ADJACENT LAND.

JACKSONVILLE BEACH

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

Ref BOA 21-100081

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7017 0660 0000 0986 1306

7017 3040 0000 2086 1306

July 22, 2020

Robert E Barnes Sr
3317 Royal Palm Drive
Jacksonville Beach, FL 32250

RE: BOA#20-100066 BOA#20-100067
723 12th Avenue South 725 12th Avenue South



FILE COPY

Dear Mr. Barnes,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, July 21, 2020, to consider the above application for a variance from the requirements of the Land Development Code.

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

- 34-338(e)(1)c.1, for a front yard setback of 16 feet in lieu of 20 feet minimum for second floor balconies; and
- 34-338(e)(1)e, for 37% lot coverage in lieu of 35% maximum

To rectify existing non-conformities resulting from the construction of a two-family dwelling on Lot 10, Block 118, *Oceanside Park*.

The Board **Approved** the request.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

Sincerely,

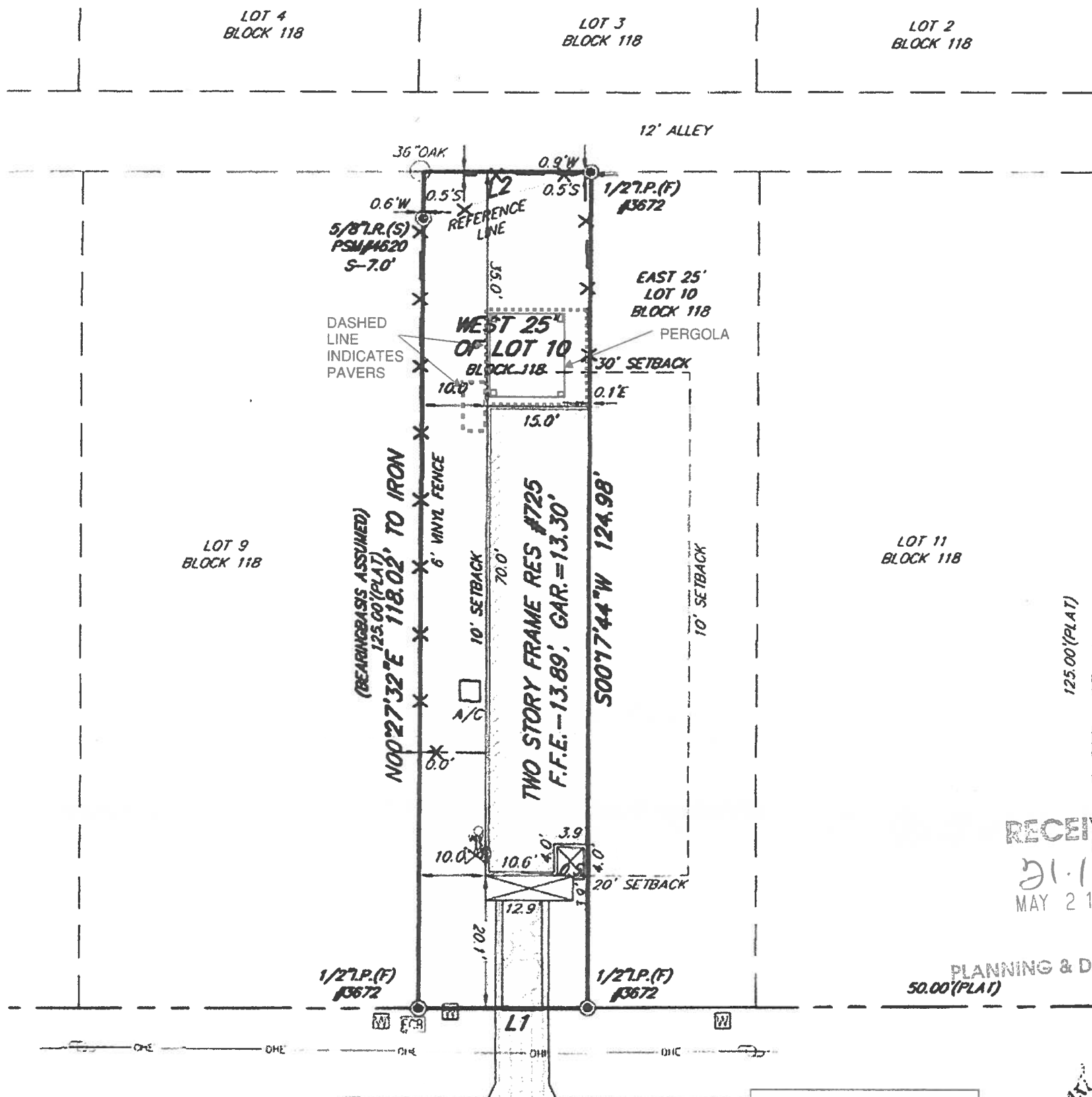
George D. Knight, CBO
Building Official



MAP SHOWING SURVEY OF

LOT 10, EXCEPT THE WEST 25', BLOCK 118, OCEANSIDE PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
BARNES CONSTRUCTION, LLC
FIDELITY NATIONAL TITLE INSURANCE COMPANY
ST. JOHNS LAW GROUP



LINE	BEARING	DISTANCE
L1	N89°00'00"W	25.02'
L2	N74°16'30"E	23.68'

EDGE OF ASPHALT
12TH AVENUE SOUTH
(80' RIGHT OF WAY)

REVISED IMPERVIOUS
CALCULATIONS 05/20/2021:
PAVERS = 265 SQ. FT.
SECOND FLOOR BALCONY =
48 SQ. FT. (ROBERT BARNES)
TOTAL IMPERVIOUS = 45%

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21-100081
MAY 21 2021

PLANNING & DEVELOPMENT
50.00'(PLAT)

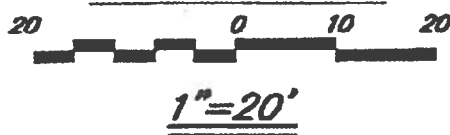
LEGEND

A/C - AIR CONDITIONER PAD	RES. - RESIDENCE
ID. - IDENTIFICATION	C. - CENTERLINE
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM	+ - DENOTES NOT TO SCALE
SQ. FT. - SQUARE FEET	M - WATER METER
LP.(F) - IRON PIPE FOUND	EX - EXPOSED CONCRETE
LR.(F) - IRON ROD FOUND	CO - COVERED AREA
LR.(S) - 5/8" IRON ROD SET (PSM #4620)	W - WELL
W - WOOD POWER POLE	OE - OVERHEAD ELECTRIC
TR - TELEPHONE RISER	WV - WATER VALVE
ECB - ELECTRIC CONTROL BOX	EM - ELECTRIC METER
	BFP - BACK FLOW PREVENTOR

IMPERVIOUS CALCULATIONS:
LOT AREA=3,131 sq. ft.
HOUSE AREA=1,053 sq. ft.
CONCRETE AREA=41 sq. ft.
TOTAL IMPERVIOUS=35%

AREA = 0.07 ± ACRES
OR 3,131 ± sq. ft.

GRAPHIC SCALE



GENERAL NOTES:

- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- The office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. Any person shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Dashed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown herein are only those above ground, visible objects observed by the surveyor.

- This survey is certified to the best field data.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

NOTE:

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

According to the Federal Emergency Management Agency FEMA Map No. 1720J00411N effective date 11/02/2008, the property described herein appears to lie in Zone X.

Best of bearing structure: BEARING BASIS ASSUMED

Date of creation: N.A.V.D. 88

DATE	LAST FIELD DATA	SCALE	T.B./P.M.S.	CHK. BY	CHK. BY
20-0433	04/20/20	1" = 20'	786/42	N.H.F.	R.J.B.

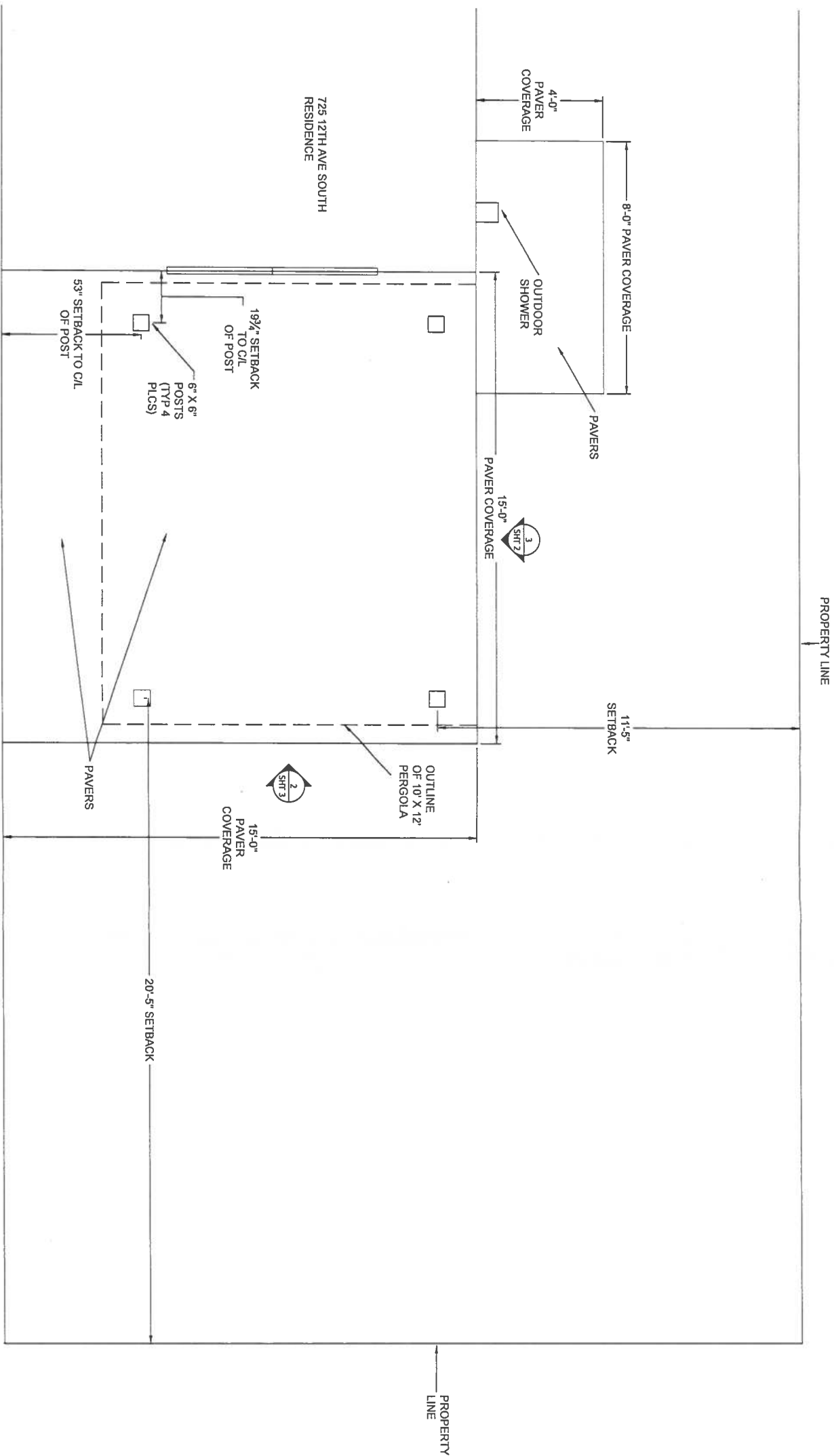
TYP. BOUNDARY

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NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-6677 FAX (904) 471-6875

Not valid without the signature and the original record and a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party prohibited without the written consent of the signing party.
NICHOLAS H. FRANKLIN, P.L.S. 4621
FOR LANDTECH AND ASSOCIATES

PROPOSED PG 2



1 PERGOLA PLAN VIEW
SCALE: 1/2" = 1'

Thomas F. Rice
725 12th Avenue South
Jacksonville Beach, FL 32250
904-885-2269
06/03/2021

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21,100081
JUN - 4 2021

PLANNING & DEVELOPMENT

Handwritten signature/initials.

Revision log:	BY:	Date:

General notes:

RICE
RESIDENCE

PERGOLA

Drawn by:
TR

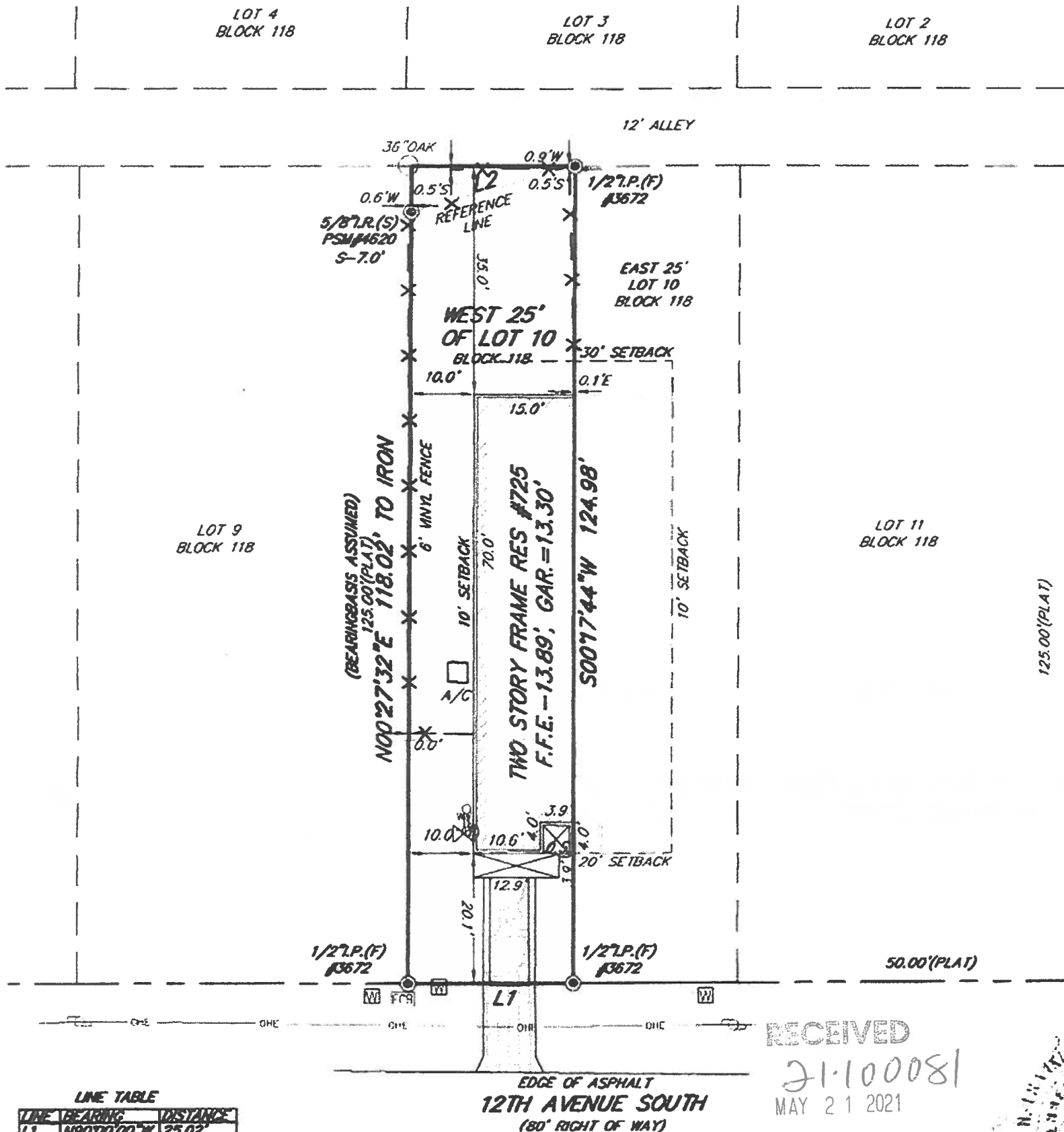
Issue date: 06/03/2021

EXISTING

MAP SHOWING SURVEY OF

LOT 10, EXCEPT THE WEST 25', BLOCK 118, OCEANSIDE PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
BARNES CONSTRUCTION, LLC
FIDELITY NATIONAL TITLE INSURANCE COMPANY
ST. JOHNS LAW GROUP



LINE	BEARING	DISTANCE
L1	N90°00'00"W	25.02'
L2	N74°16'50"E	25.68'

RECEIVED

21-100081
MAY 21 2021

PLANNING & DEVELOPMENT

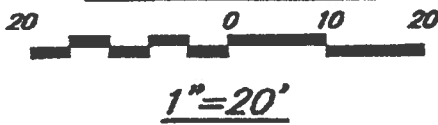
LEGEND

- | | |
|--|---------------------------|
| A/C - AIR CONDITIONER PAD | RES - RESIDENCE |
| ID - IDENTIFICATION | C - CENTERLINE |
| N.A.V.D. - NORTH AMERICAN VERTICAL DATUM | DN - DENOTES NOT TO SCALE |
| SQ. FT. - SQUARE FEET | WM - WATER METER |
| LP (F) - IRON PIPE FOUND | EC - EXPOSED CONCRETE |
| LR (F) - IRON ROD FOUND | CA - COVERED AREA |
| LR (S) - 5/8" IRON ROD SET (PSM #4620) | W - WELL |
| WP - WOOD POWER POLE | OE - OVERHEAD ELECTRIC |
| TR - TELEPHONE RISER | WV - WATER VALVE |
| ECB - ELECTRIC CONTROL BOX | EM - ELECTRIC METER |
| | BFP - BACK FLOW PREVENTOR |

IMPERVIOUS CALCULATIONS:
LOT AREA=3,131 sq. ft.
HOUSE AREA=1,053 sq. ft.
CONCRETE AREA=41 sq. ft.
TOTAL IMPERVIOUS=35%

AREA = 0.07 ± ACRES
OR 3,131 ± sq. ft.

GRAPHIC SCALE



GENERAL NOTES:

- This survey was made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted the parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. Nothing herein shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes hereunder shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown herein are only those above ground, visible objects observed by the surveyor.

- This survey is certified to the best field data.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

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According to the Federal Emergency Management Agency (FEMA) Map No. 12203JC0011N effective 08/11/2018, the property described herein appears to be in Zone X.

Base of bearing structure: BEARING BASIS ASSUMED

Base of elevation: N.A.V.D. 88

JOB NO.	DATE FIELD DATA	SCALE	T.B./P.M.	COR. BY	DWG. BY
20-0433	04/20/20	1" = 20'	766/42	N.M.F.	R.J.B.

TYP. BOUNDARY

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NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-6877 FAX (904) 471-6876

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NICHOLAS H. FRANKLIN, P.L.S. 4620
FOR LANDTECH AND ASSOCIATES

BOA# 21-100083 Staff Report

85 Oakwood Road

Parcel ID: 178602-0306

Catherine Viera & Agnes Jazwinski

Part of Lot 11, Block 15, Ocean Forest Unit 6

Zoning: Residential, Single Family: RS-1

Variances Requested:): 34-336(e)(1)c.2, for an easterly side yard setback of 8 feet 3 inches in lieu of 10 feet minimum and 34-336(e)(1)e, for 38% lot coverage in lieu of 35% maximum.

Project: The request for variance is to allow for the construction of a new sitting room addition to an existing single-family home.

Existing Conditions: The property is a portion of a historic lot of record (circa 1974) located in the low density future land use category. The lot was originally platted at ninety (90) feet in width at the street, and one-hundred & twelve (112) feet wide at the rear property line. The current lot is eighty-one (81) feet in width at the street and ninety-seven (97) feet at the rear property line. The lot is currently one-hundred & twenty (120) feet deep. Minimum directional standards within this zoning district include 10,000 square feet of area and a minimum width of ninety (90) feet. Maximum lot coverage for this zoning district is 35%

Analysis: The current structure was built in 1987. A variance for this property was granted in 2012 to reduce the easterly side yard setback to 6.7 feet in lieu of 10 feet for the construction of an addition with ADA access as a mother-in-law suite. The new proposed addition would be roughly in line with the previously constructed addition. As the previous variance was for a reduction in side setback only for the length of the previous addition, an additional request is required for the construction of this new addition, as well as the increase in lot coverage to 38%.

Active Permits or Code Violations: None

Previous Development Orders: BOA# 12-100042 for easterly side yard of 6.7 feet in lieu of 10 feet.

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 finds that this parcel is similar to other parcels in the RS-1 zoning district as well as the immediate area.

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

Staff does not find the conditions result from the actions of the applicant.

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

Staff finds the applicant will not receive special privileges.

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

Staff does find that there is currently a hardship based on the substandard lot and existing home's location on the lot, as well as the existing lot width and lot coverage.

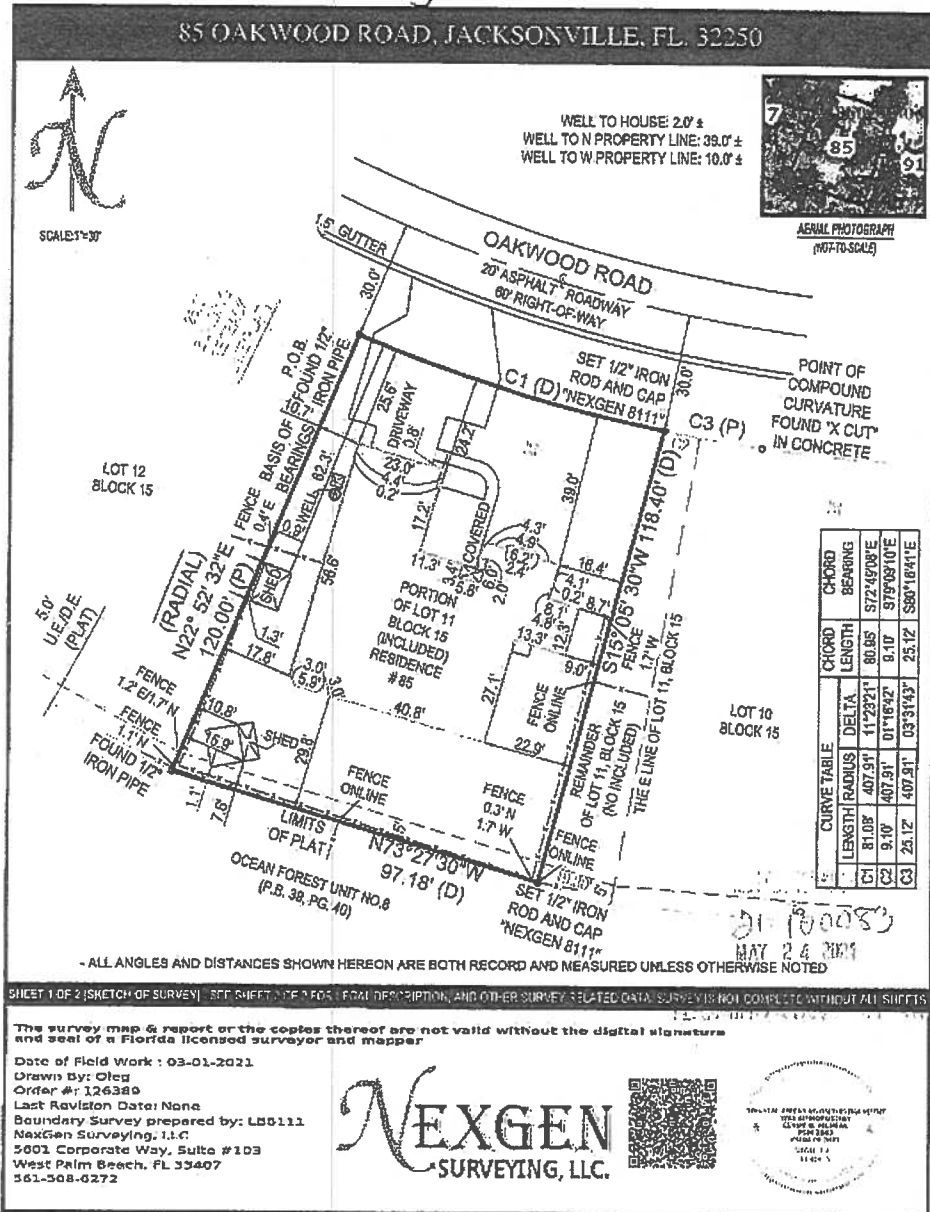
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary

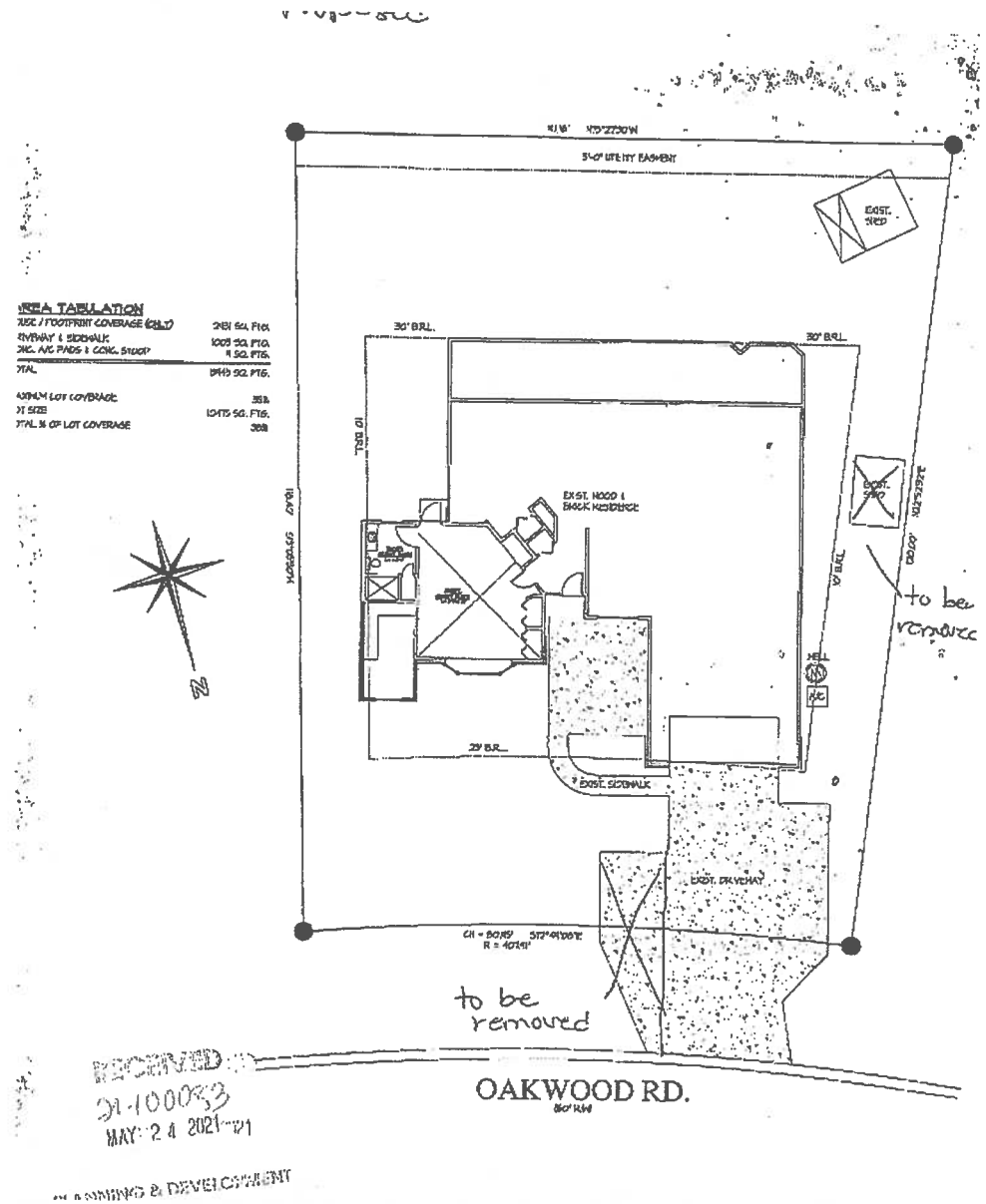
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan

Existing property survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100083

HEARING DATE 7.6.21

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

10:24AM

MAY 24 2021

APPLICANT INFORMATION

Applicant Name:	<u>Catherine Vieira</u>	Telephone:	<u>904-772-4284</u>
Mailing Address:	<u>85 Oakwood Rd</u>	E-Mail:	<u>cathyvieira@yahoo.com</u>
	<u>Jacksonville Beach, FL 32250</u>		
Agent Name:	<u>White Ink Design (Dwayne White)</u>	Telephone:	<u>904-859-9357</u>
Mailing Address:	<u>(Architect)</u>	E-Mail:	<u>dwayne@white-ink-design.com</u>
	<u>178 Firefly Trace, St. Augustine, FL 32092</u>		
Landowner Name:	<u>Agnes Jazwinski</u>	Telephone:	<u>904-537-8207</u>
Mailing Address:	<u>133 Cranes Lake Dr.</u>	E-Mail:	
	<u>Ponte Vedra Beach, FL 32082</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: 85 Oakwood Rd / Parcel ID: 178602-0306

Legal description of property (Attach copy of 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):

East side yard setback 8'3" ft in lieu of 10ft

Maximum lot coverage ~~35%~~ 38% is proposed

AFFIDAVIT

I, AGNES T. JAZWINSKI, 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.

Agnes T Jazwinski
APPLICANT SIGNATURE

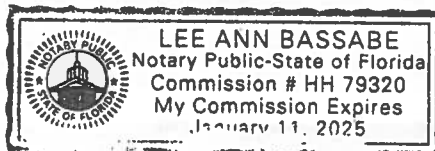
AGNES T. JAZWINSKI
PRINT APPLICANT NAME

5/24/21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24 day of May, 2021, by Florida Drivers License, who is personally known to me or produced Agnes T. Jazwinski as identification.

Lee Ann Bassabe
NOTARY PUBLIC SIGNATURE
Lee Ann Bassabe
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X

CODE SECTION (S):

34-336(e)(1)c.2, for an easterly side yard setback of 8 feet 3 inches in lieu of 10 feet minimum and 34-336(e)(1)e, for 38% lot coverage in lieu of 35% maximum to allow for a sitting room addition to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100083

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

MAY 24 2021

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 addition that was approved in 2012 extends slightly over the setback + we would like the new addition to follow the same lines so as not to appear pieced together but uniform + professionally constructed
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The previous addition was approved in 2012
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	It is very important that my mom have her own space + independence, thereby the request for this addition, while keeping a cohesive look to our home.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	improvement to the existing mother-in-law Suite
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	There is still ample buffer between my neighbor's home and ours

Reference 21-100083

DEPARTMENT OF PLANNING & DEVELOPMENT



City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net
www.jacksonvillebeach.org

May 16, 2012

Vaughn Builders, Inc.
1409 Jone Road
Jacksonville, FL 32220

RE: BOA# 12-100042
85 Oakwood Road

RECEIVED
21-100083
MAY 24 2021

PLANNING & DEVELOPMENT

Dear Sir or Madam,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, May 15, 2012 to consider your variance application.

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

- 34-336(e)(1)c.2, for an easterly side yard of 6.7 feet in lieu of 10 feet required

The results of the meeting were *Amended* and *Approved* for:

- 34-336(e)(1)c.2, for an easterly side yard of 6.7 feet in lieu of 10 feet required
- Limited to as described and discussed

To allow for improvements to a single family dwelling.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hays".

Jon Hays, CBO
Building Department

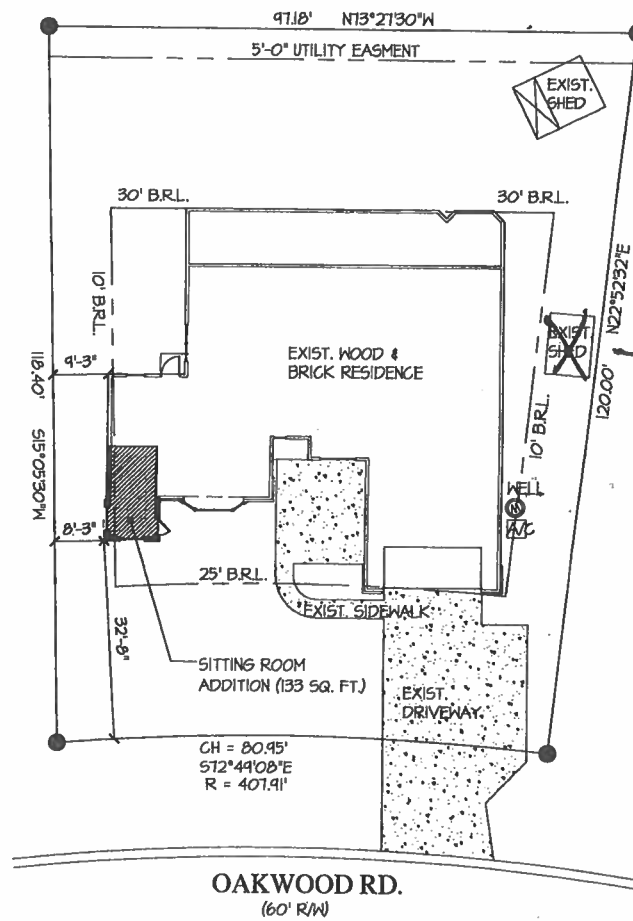
cc: Laura and Bernie Farris



Proposed to Scale

ADDITION & REMODEL

85 OAKWOOD RD.
JACKSONVILLE BEACH, FL 32250



AREA TABULATION

HOUSE / FOOTPRINT COVERAGE (ONLY)	2931 SQ. FTG.
DRIVEWAY & SIDEWALK	870 SQ. FTG.
CONG. A/C PADS & CONG. STOOP	4 SQ. FTG.
EXISTING TOTAL	3805 SQ. FTG.
ADDITION	133 SQ. FTG.
PROPOSED TOTAL	3443 SQ. FTG.

MAXIMUM LOT COVERAGE	35%
LOT SIZE	10475 SQ. FTG.
TOTAL % OF LOT COVERAGE	30%

SITE PLAN

SCALE: 1" = 20'-0"

RECEIVED

21. 100083

MAY 24 2021

PLANNING & DEVELOPMENT

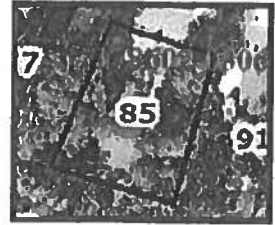
Existing

85 OAKWOOD ROAD, JACKSONVILLE, FL. 32250

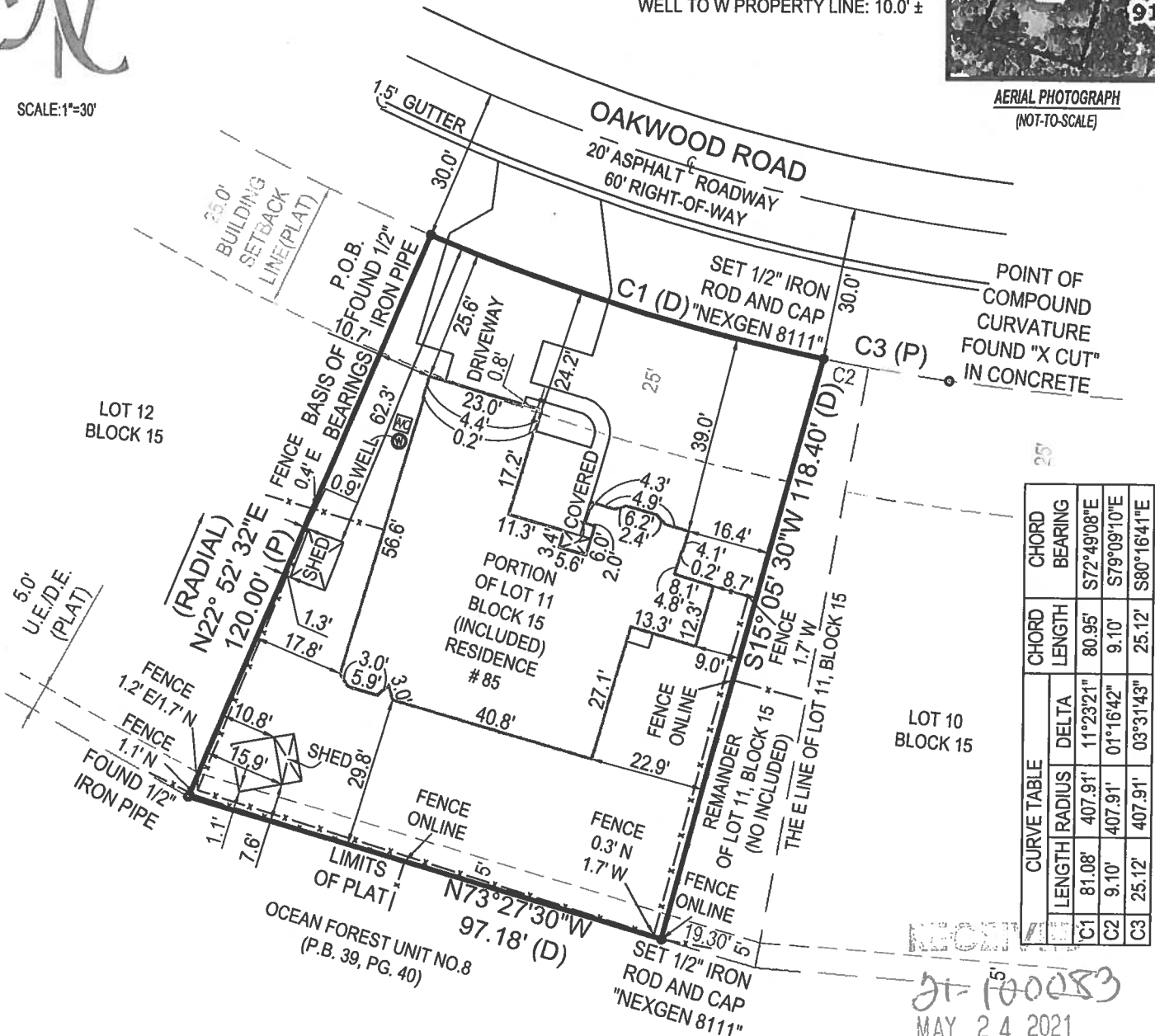


SCALE: 1"=30'

WELL TO HOUSE: 2.0' ±
WELL TO N PROPERTY LINE: 39.0' ±
WELL TO W PROPERTY LINE: 10.0' ±



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)



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

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

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

Date of Field Work : 03-01-2021
Drawn By: Oleg
Order #: 126389
Last Revision Date: None
Boundary Survey prepared by: LB8111
NexGen Surveying, LLC
5601 Corporate Way, Suite #103
West Palm Beach, FL 33407
561-508-6272

NEXGEN
SURVEYING, LLC.



LEGAL DESCRIPTION OF: 85 OAKWOOD RD, JACKSONVILLE, FL, 32250

A PART OF LOT 11, BLOCK 15, OCEAN FOREST UNIT NO. 6, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 35, PAGE 29, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SAID LOT 11 AND RUN THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF OAKWOOD ROAD (A 60-FOOT RIGHT-OF-WAY AS NOW ESTABLISHED) IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 407.91 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE; THE AFOREMENTIONED COURSE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 72 DEGREES 49 MINUTES 11 SECONDS EAST, 80.95 FEET; THENCE RUN SOUTH 15 DEGREES 05 MINUTES 39 SECONDS WEST, A DISTANCE OF 118.4 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 11; RUN THENCE NORTH 73 DEGREES 27 MINUTES 39 SECONDS WEST, A DISTANCE OF 97.18 FEET TO THE SOUTHWEST CORNER OF SAID LOT 11; RUN THENCE NORTH 22 DEGREES 52 MINUTES 32 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 11, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING.

CERTIFIED TO:

FIDELITY NATIONAL TITLE INSURANCE COMPANY
HOMEGUARD TITLE & TRUST, LLC
CATHERINE VIEIRA AND AGNES JAZWINSKI

FLOOD ZONE:

12031C0416J
ZONE: X
EFF: 11/02/2018

SURVEY NOTES:

- BUILDING EXTENDS THROUGH BUILDING SETBACK LINE ALONG NORTHERN BOUNDARY LINE AS SHOWN.
- DRIVEWAY CROSSES THE BOUNDARY LINE ON NORTHERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINE ON WESTERLY SIDE OF LOT AS SHOWN.
- FENCES EXTEND THROUGH UTILITY AND DRAINAGE EASEMENT ALONG SOUTHERN BOUNDARY LINE AS SHOWN.
- CONCRETE SURFACE EXTENDS THROUGH UTILITY AND DRAINAGE EASEMENT ALONG SOUTHERN BOUNDARY LINE AS SHOWN.

RECEIVED

21. 100083

MAY 24 2021

PLANNING & DEVELOPMENT

LEGEND

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

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

GENERAL NOTES:

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



www.NexGenSurveying.com

561.508.6272

Fax: 561.508.6309

LB 8111

5601 Corporate Way | Suite 103
West Palm Beach, FL 33407

BOA# 21-100085 Staff Report

533 10th Ave. North

Parcel ID: 174990-0000

Patrick & Sandra Mulligan

Lot 4 Block 3, Beach Homesites Unit 1

Zoning: Residential Single Family: RS-1

Variances Requested: 34-336(e)(1)g, for the following accessory structure setbacks: existing paver patio and walkways situated 0 feet from the westerly property line and an existing shed situated 3 feet from the westerly property line and 4 feet from the rear property line all in lieu of 5 feet minimum and 34-336(e)(1)e, for 51% lot coverage in lieu of 35% maximum

Project: The requested variance is to address existing non-conformities of the property and accessory to allow for the construction of a new swimming pool.

Existing Conditions: The subject property consists of a platted lot of record (circa 1948) located in the low density future land use category. The lot was platted with seventy-five (75) feet in width and one-hundred (100) feet in depth. Minimum directional standards within this zoning district include 10,000 square feet of area and a minimum width of ninety (90) feet. Maximum lot coverage for this zoning district is 35%

Analysis: The current structure was built in 1952. A variance was granted in 2002 reducing the westerly side yard to 5.17 feet in lieu of 10 feet, for a distance of 24 feet for the construction of a side addition. A second variance was granted in 2004, for the same reduction in side setbacks, but for a length of 37 feet. Since the approval of these past variances, a walkway, paver patios, and a shed were added that exceed current lot coverage standards. Finally, the applicant is requesting the installation of a coping only swimming pool.

Active Permits or Code Violations: None

Previous Development Orders: BOA# 94-2002 for reduction in westerly side setback to 5.17 feet in lieu of 10 feet, for a distance of 24 feet. BOA# 152-2003 for a reduction in westerly side setback to 5.17 feet in lieu of 10 feet for a distance of 37 feet.

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 finds that this parcel is similar to other parcels in the RS-1 zoning district as well as the immediate area.

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

Staff does find the conditions result from the actions of the applicant.

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

Staff finds the applicant will not receive special privileges.

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

Staff does find that there is currently a hardship based on the substandard size lot and existing home's location on the lot, as well as the existing lot size and lot coverage in excess of 35%

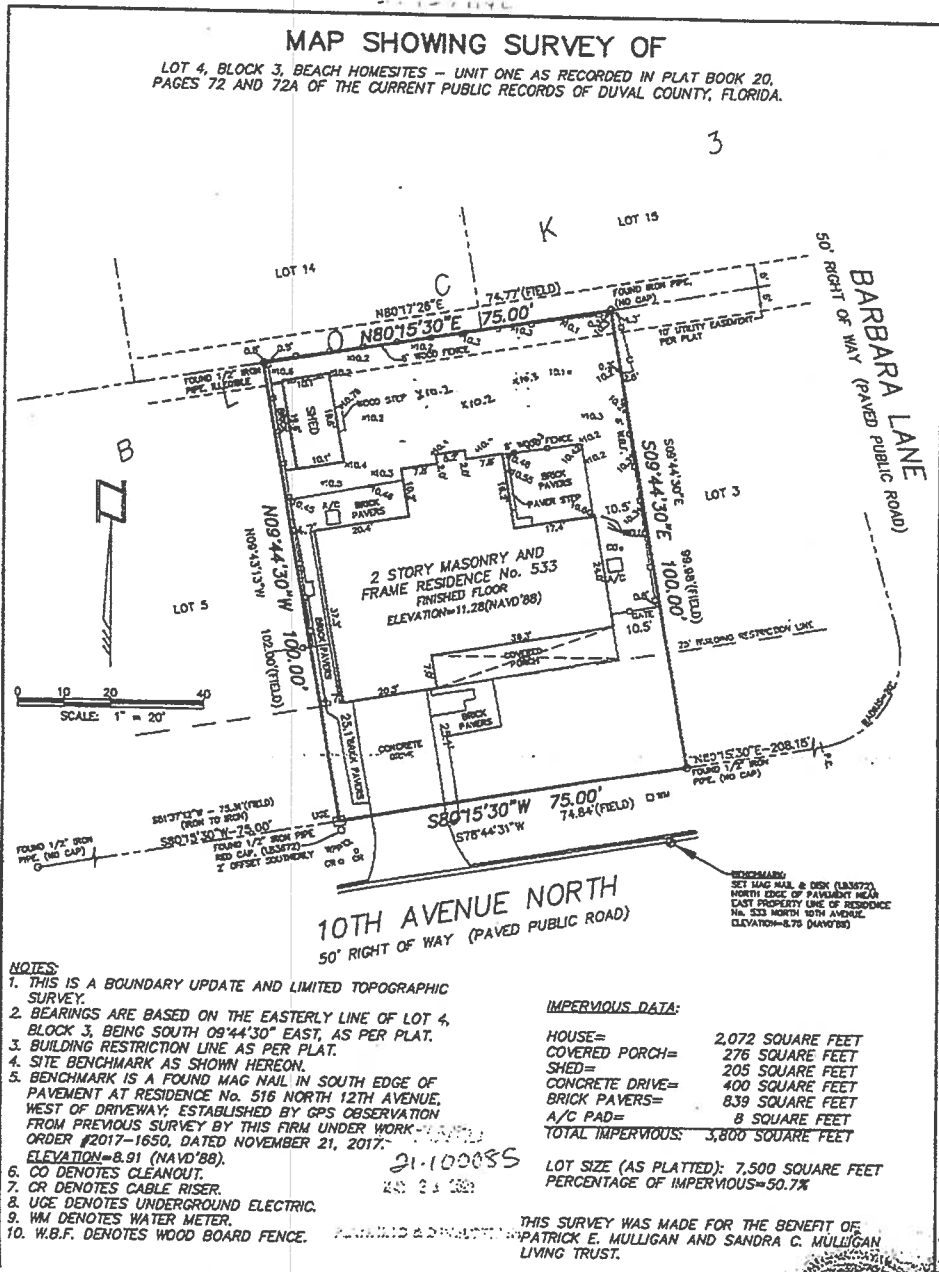
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance required

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.**

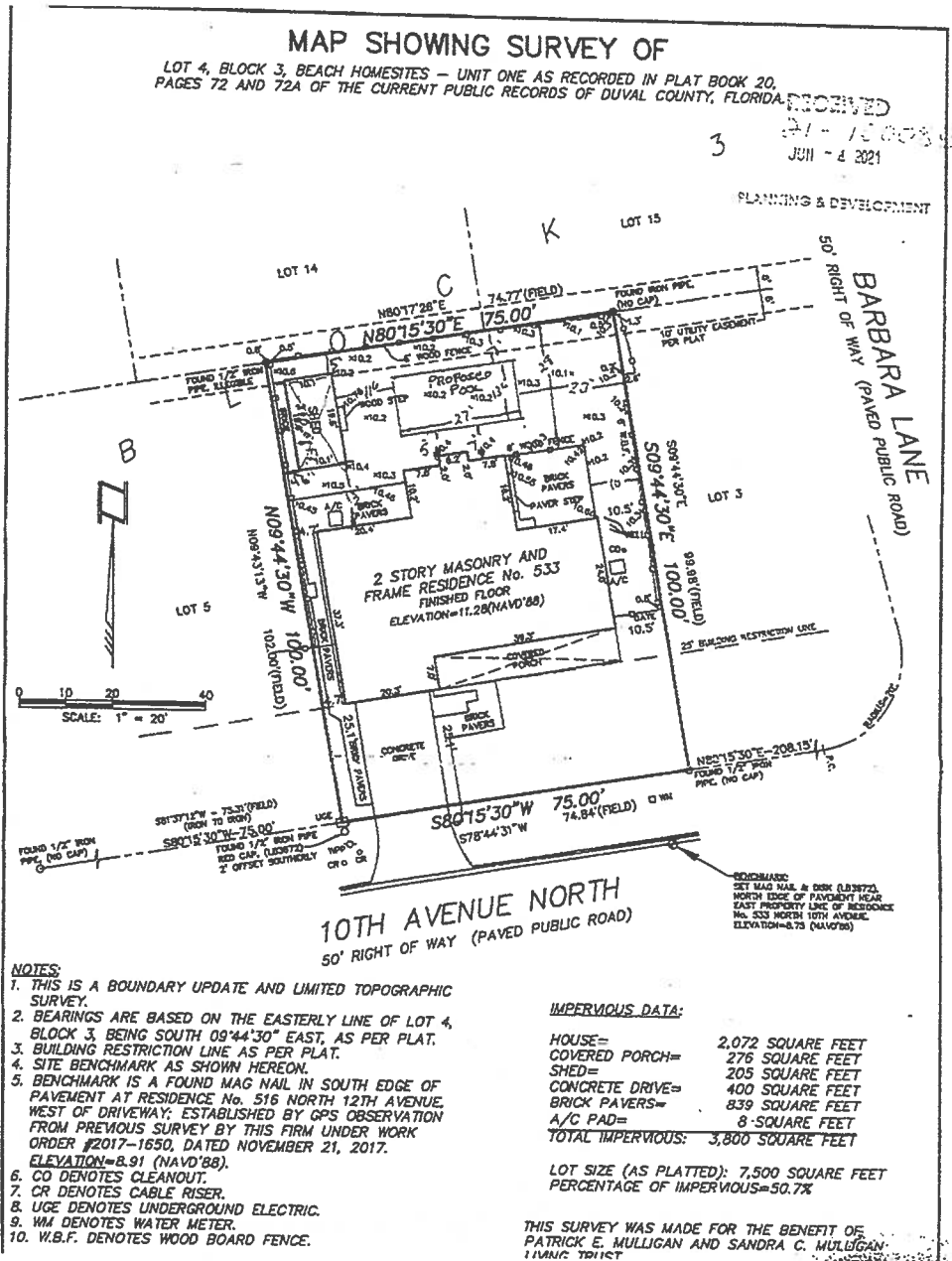
Staff does find this will be consistent with the Comprehensive Plan

Existing property survey



Board of Adjustment July 6, 2021 – Staff Report

Proposed Site Plan



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

1:50 PM

MAY 24 2021

APPLICANT INFORMATION**PLANNING & DEVELOPMENT**

Applicant Name: PATRICK E MULLIGAN Telephone: 904-838-9868
Mailing Address: 533 10TH AVE N JAX BEACH 32250 E-Mail: MULLIGANCONTRACTING
JAX@GMAIL.COM
Agent Name: RICK JONNISTON Telephone: *219-5003
Mailing Address: 3528 OCEAN DR S JAX BEACH E-Mail: RJONNISTON.MHC@GMAIL.COM
Landowner Name: PATRICK E MULLIGAN Telephone: 904-838-9868
Mailing Address: 533 10TH AVE N JAX BEACH 32250 E-Mail: MULLIGANCONTRACTING
JAX@GMAIL.COM

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

VARIANCE DATA

Street address of property and Real Estate Number: 533 10TH AVE N JAX BEACH 32250 RE #174990-0000
Legal description of property (Attach copy of deed): 20-72 28-25-29 E BEACH HUNTSIDE LOT 4 BLOCK 3
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).
SEE ATTACHMENT

AFFIDAVIT

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

APPLICANT SIGNATURE

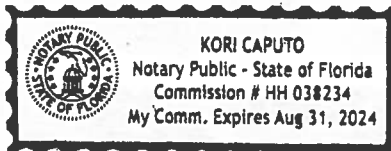
PRINT APPLICANT NAME

DATE 5-10-21**STATE OF FLORIDA, COUNTY OF DUVAL:**

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10 day of may, 20 21, by Patrick Mulligan, who is personally known to me or produced FL DL as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: X-Shaded**CODE SECTION (S):**

34-336(e)(1)g, for the following accessory structure setbacks: existing paver patio and walkways situated 0 feet from the westerly property line and an existing shed situated 3 feet from the westerly property line and 4 feet from the rear property line all in lieu of 5 feet minimum and 34-336(e)(1)e, for 51% lot coverage in lieu of 35% maximum to rectify an existing non-conforming paver patio, walkway and storage shed and to construct a swimming pool for an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

21-100085

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

MAY 24 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	LOT IS UNDERSIZED PER ZONING RS-1 STANDARDS
Special circumstances and conditions do not result from the actions of the applicant.	NO	PLATTED LOT OF RECORD
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	NUMEROUS VARIANCES HAVE BEEN GRANTED IN THIS 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	NON-CONFORMING LOT OF RECORD
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	SEE ATTACHED SURVEY
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	

Ref 21-100085



June 19, 2002

Patrick Mulligan
533 N. 10th Avenue
Jacksonville Bch FL 32250

RECEIVED

MAY 24 2001

RE: Case No. # Jacksonville Bch FL 32250 BOA. 94-2002
533 N. 10th Avenue

PLANNING & DEVELOPMENT

Dear Mr. Mulligan:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on June 18, 2002 to consider your variance application.

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

- Section 34-336 (e)(1) c.2., for a westerly side yard of 5.17 feet in lieu of 10 feet required.

The results of the meeting were *Approved*:

- Approved as submitted, but limited to 24 feet as per submitted drawing.

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required information to our office before you begin work on this project.

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

Sincerely,

Jonathan Hays
Jonathan Hays
Building Official

Attachment(s)

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

P. Mulligan

BOA 94-2002

2. Article Number (Copy from service label)

7099 3400 0000 1888 4296

PS Form 3811, July 1999

Domestic Return Receipt

SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature *Samuel Mulligan* 6/25/02

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

JCH/EB

102595-99-M-1789

Ref. 21-100085



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

February 5, 2004

Patrick Mulligan
533 N. 10th Ave.
Jacksonville Beach FL 32250

RE: Case No. BOA 152-2003
533 N. 10th Ave.

Dear Mr. Mulligan:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on February 3, 2004 to consider your variance application.

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

- 34-336 (e) (1) c.2: for a westerly side yard of 5 feet for 37 feet in lieu of 5.17 for 24 feet previously approved.

To allow for improvements to a single family dwelling.

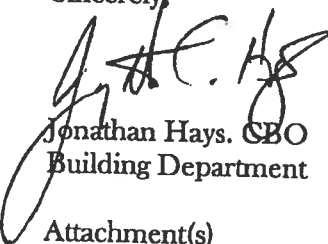
The results of the meeting were:

- *Approved.*

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required information to our office before you begin work on this project.

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

Sincerely,


Jonathan Hays, CEO
Building Department

Attachment(s)

- NEXT MEETING JULY 6TH

- PAPER WORK NEEDS TO BE IN BY
MAY 25TH

JCH/LP

**Board of Adjustment
City of Jacksonville Beach**

RE: 533 10th Ave North

RECEIVED

MAY 24 2021

PLANNING & DEVELOPMENT

The applicant Patrick Mulligan of 533 10th Ave N is requesting a variance to memorialize adjustments to a non-conforming platted lot of record

- 1) Adjust lot coverage from 35% to 51% as shown on attached survey**
- 2) Incorporate accessory structure (shed) for lawn equipment**
- 3) Provide for swimming pool which is not yet built but will be once the parcel is brought into compliance via the variance process.**

Respectfully

Patrick Mulligan

Board of Adjustment
City of Jacksonville Beach

PLANNING & DEVELOPMENT

RE: 533 10th Ave North / Neighborhood Support

The applicant Patrick Mulligan of 533 10th Ave N is requesting a variance to memorialize adjustments to a non-conforming platted lot of record. In doing so Mr Mulligan has discussed the request with his neighbors and the signatures below substantiate support for the variance request. The items listed below were presented to the neighbors consistent with the submitted variance request currently before the Board of Adjustment

- 1) Adjust lot coverage from 35% to 51% as shown on attached survey
- 2) Incorporate accessory structure (shed) for lawn equipment
- 3) Provide for swimming pool which is not yet built but will be once the parcel is brought into compliance via the variance process.

Respectfully

Patrick Mulligan

Name:

Address:

Phone:

ROBERT WILSON 

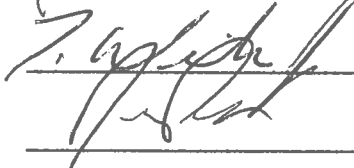
530 10th AVE N. ^{JB} FL 32250 904-318-9041

Jeremy & Jenevieve Winkfield

526 10th Ave N ^{JB} FL 32250 916-807-0814

Todd Hanson

601 10th AVE N. ^{JB} FL 32250 904-509-2312



529 10th Ave N. 904-607-1567

525 10th Ave N 904-755-2669

Susan Danner

613 10th ave n. 904-662-5677

Abby Wilk

617 10th Ave N 904-400-0654

Amber

620 10th Ave N 904-608-3773

Jan

604 11th Ave N. 850-508-3393

AGB

526 11th Av. N. 930 8131

Rick Z

604 10th Ave N 380 1468

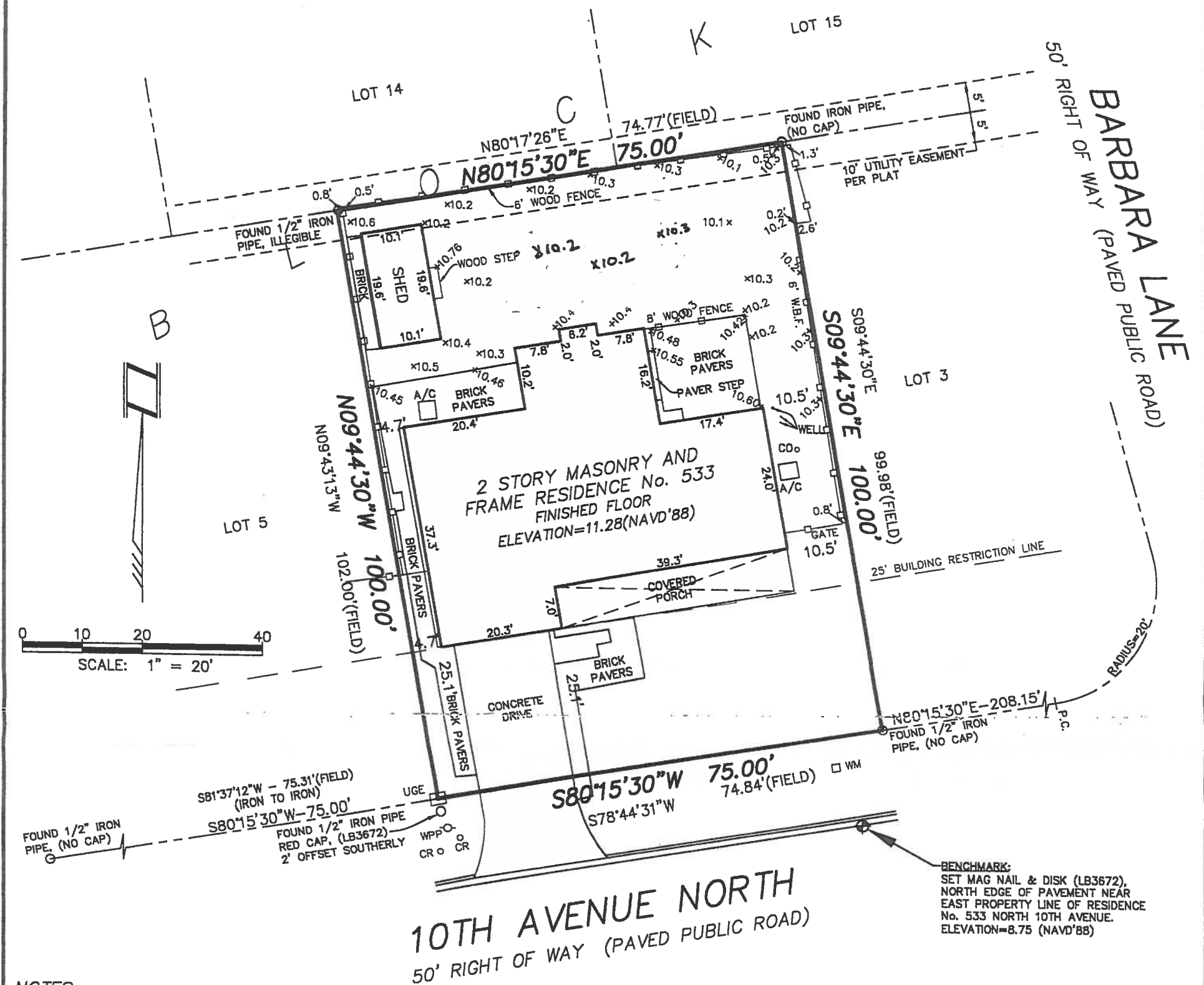
REF.: 2019-1352(DAF)

EXISTING

MAP SHOWING SURVEY OF

LOT 4, BLOCK 3, BEACH HOMESITES - UNIT ONE AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

3



NOTES:

1. THIS IS A BOUNDARY UPDATE AND LIMITED TOPOGRAPHIC SURVEY.
2. BEARINGS ARE BASED ON THE EASTERLY LINE OF LOT 4, BLOCK 3, BEING SOUTH 09°44'30" EAST, AS PER PLAT.
3. BUILDING RESTRICTION LINE AS PER PLAT.
4. SITE BENCHMARK AS SHOWN HEREON.
5. BENCHMARK IS A FOUND MAG NAIL IN SOUTH EDGE OF PAVEMENT AT RESIDENCE No. 516 NORTH 12TH AVENUE, WEST OF DRIVEWAY; ESTABLISHED BY GPS OBSERVATION FROM PREVIOUS SURVEY BY THIS FIRM UNDER WORK ORDER #2017-1650, DATED NOVEMBER 21, 2017. ELEVATION=8.91 (NAVD'88).
6. CO DENOTES CLEANOUT.
7. CR DENOTES CABLE RISER.
8. UGE DENOTES UNDERGROUND ELECTRIC.
9. WM DENOTES WATER METER.
10. W.B.F. DENOTES WOOD BOARD FENCE.

IMPERVIOUS DATA:

HOUSE=	2,072 SQUARE FEET
COVERED PORCH=	276 SQUARE FEET
SHED=	205 SQUARE FEET
CONCRETE DRIVE=	400 SQUARE FEET
BRICK PAVERS=	839 SQUARE FEET
A/C PAD=	8 SQUARE FEET
TOTAL IMPERVIOUS:	3,800 SQUARE FEET

LOT SIZE (AS PLATTED): 7,500 SQUARE FEET
PERCENTAGE OF IMPERVIOUS=50.7%

THIS SURVEY WAS MADE FOR THE BENEFIT OF
PATRICK E. MULLIGAN AND SANDRA C. MULLIGAN
LIVING TRUST.

THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN FLOOD ZONE "X" SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD IN COASTAL ZONE) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0417J, EFFECTIVE NOVEMBER 02, 2018 FOR DUVAL COUNTY, FLORIDA.

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

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

CHECKED BY: _____
DRAWN BY: ADT/DAF
FILE: 2021-0429

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

DATE: MARCH 30, 2021
SHEET 1 OF 1