



City of Jacksonville Beach

Regular Meeting Agenda

11 North Third Street
Jacksonville Beach, Florida

Board of Adjustment

Wednesday, February 21, 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

Owen Curley (Chairperson), Jeff Truhlar (Vice-Chairperson), John Moreland, Todd Smith.
Alternates: Matt Metz, Jennifer Williams

APPROVAL OF MINUTES

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s): BOA#24-100005**

Applicant: Carol Lombardo

Agent: N/A

Owner: Carol Lombardo

Property Address: 47 36th Avenue South

Parcel ID: 181479-0000

Legal Description: Lot 13, Block 5, *Atlantic Shores Ocean Front Division A*.

Current Zoning: RS-1

Motion to Consider: **Section(s):**34-336(e)(1)g, for an accessory structure setback of 3 ft in lieu of 5 ft minimum, for a new swimming pool addition to a single family dwelling **for property addressed** 47 36th Avenue South, **RE#** 181479-0000, **legally described as** Lot 13, Block 5, *Atlantic Shores Ocean Front Division A*.

B. **Case Number(s): BOA#24-100007**

Applicant: Jennifer Hoprich

Agent: Alex Castro

Owner: Jennifer Hoprich

Property Address: 525 10th Avenue South

Parcel ID: 176621-0000

Legal Description: The East 43.54 feet of Lot 9 and the West 4.2 feet of Lot 10, Block 95, *Oceanside Park*.

Current Zoning: RS-3

Motion to Consider: **Section(s):** 34-338(e)(2)(c)(1), for a front yard setback of 11.5 ft in lieu of 20 ft minimum; 34-338(e)(2)(c)(1), for a secondary front yard setback of 9.5 ft. in lieu of 30 ft; 34-338(e)(2)(f), for 41.5% lot coverage in lieu of 35% maximum, to construct a new kitchen addition and new entry porch addition and to rectify existing nonconformities to half of a two- family dwelling, located at **property addressed** 525 10th Avenue South, **RE#** 176621-0000, **legally described as** the East 43.54 feet of Lot 9 and the West 4.2 feet of Lot 10, Block 95, *Oceanside Park*

C. **Case Number(s): BOA#24-100008**

Applicant: Christopher Klotz
Agent: Christopher Klotz
Owner: Christopher Klotz
Property Address: 2006 Oak Grove Circle
Parcel ID: 178166-0000
Legal Description: Lot 13, Block 5, *San Pablo Terrace*
Current Zoning: RS-1

Motion to Consider: **Section(s):** 4-336(e)(1)(c)(3), for a rear yard setback of 23 feet in lieu of 30 feet minimum and 34-336(e)(1)g, the construction of a rear addition to an existing single family home located at **property addressed** 2006 Oak Grove Circle, **RE#** 178166-0000, **legally described as** Lot 13, Block 5, *San Pablo Terrace*.

D. **Case Number(s): BOA#24-100135**

Applicant: Jordan Quick
Agent: N/A
Owner: Jordan Quick
Property Address: 1382 Eastwind Drive N
Parcel ID: 179459-3190
Legal Description: Lot 38 Seabreeze Park
Current Zoning: RS-3

Motion to Consider: **Section(s):** 34-338(e)(1)(d) for no garage or car-port in lieu of a required garage or carport, 34-338(e)(1)(g), for a detached accessory structure pool structure setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back; 34-338(e)(1)(g), for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool; 34-338(e)(1)(e), for lot coverage of 55% in lieu of 35% maximum **for property addressed** 1382 Eastwind Drive N., **Re#** 179459-3190, **legally described as** Lot 38 Seabreeze Park.

PLANNING DEPARTMENT REPORT

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

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

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

Alternatively, written public comment 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



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100005 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, February 21, 2024 Board of Adjustment Meeting.

BOA #24-100005

ZONING: RS-1
RE NO.: 181479-0000
LEGAL: Lot 13, Block 5, *Atlantic Shores Ocean Front Division A*.
ADDRESS: 47 36th Avenue South

REQUEST:

Section(s): 34-336(e)(1)g, for an accessory structure setback of 3 ft in lieu of 5 ft minimum, for a new swimming pool addition to a single family dwelling **for property addressed** 47 36th Avenue South, **RE#** 181479-0000, **legally described as** Lot 13, Block 5, *Atlantic Shores Ocean Front Division A*.

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1929), 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 6,180 square feet which is substandard for RS-1 zoning district. The subject home was constructed in 2022, subsequent to the current LDC. Prior to construction, the subject property was approved and amended for a front yard setback of 20.1 feet in lieu of 25 feet, for an easterly side yard setback of 5 feet and a westerly side yard setback of 6 feet in lieu of 10 feet required, for 49% lot coverage in lieu of 35% maximum, and for a turf block driveway in lieu of a solid paved driveway. The applicant is asking for a variance for an accessory structure setback of 3 ft in lieu of 5 ft minimum, for a new swimming pool addition to a single family dwelling.

No active code enforcement.

STAFF ANALYSIS:

The subject property is substandard in width, it measures 50 feet in width rather than the 90 feet minimum requirement in the RS-1 zoning district, and is nonconforming in area at 6,180 square feet. The applicant is proposing to add a small pool to the rear of the property. However, it will encroach on the main structure. The pool will be 3 feet from the main structure rather than the 5 feet required. The pool is small and will be between an existing studios and the main structure. There is a hardship justified by having a nonconforming lot in width and total lot area. 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 new pool addition.

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 6,180 sq. ft. and 50 ft. in width.

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 1929, prior to current land development codes.

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

Staff finds that the proposed variance will not confer special privileges. The request to add a swimming pool with a setback of 3 ft from the primary structure will not confer special privileges as compared to other properties in the RS-1 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 lot width and area of this property, any addition would require a variance from the RS-1 standards. The applicant built the home and created the current



conditions by maximizing the use of the land.

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 swimming pool. The minimum variance needed is for an accessory structure setback of 3 ft in lieu of 5 ft minimum, for a new swimming pool addition.

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.

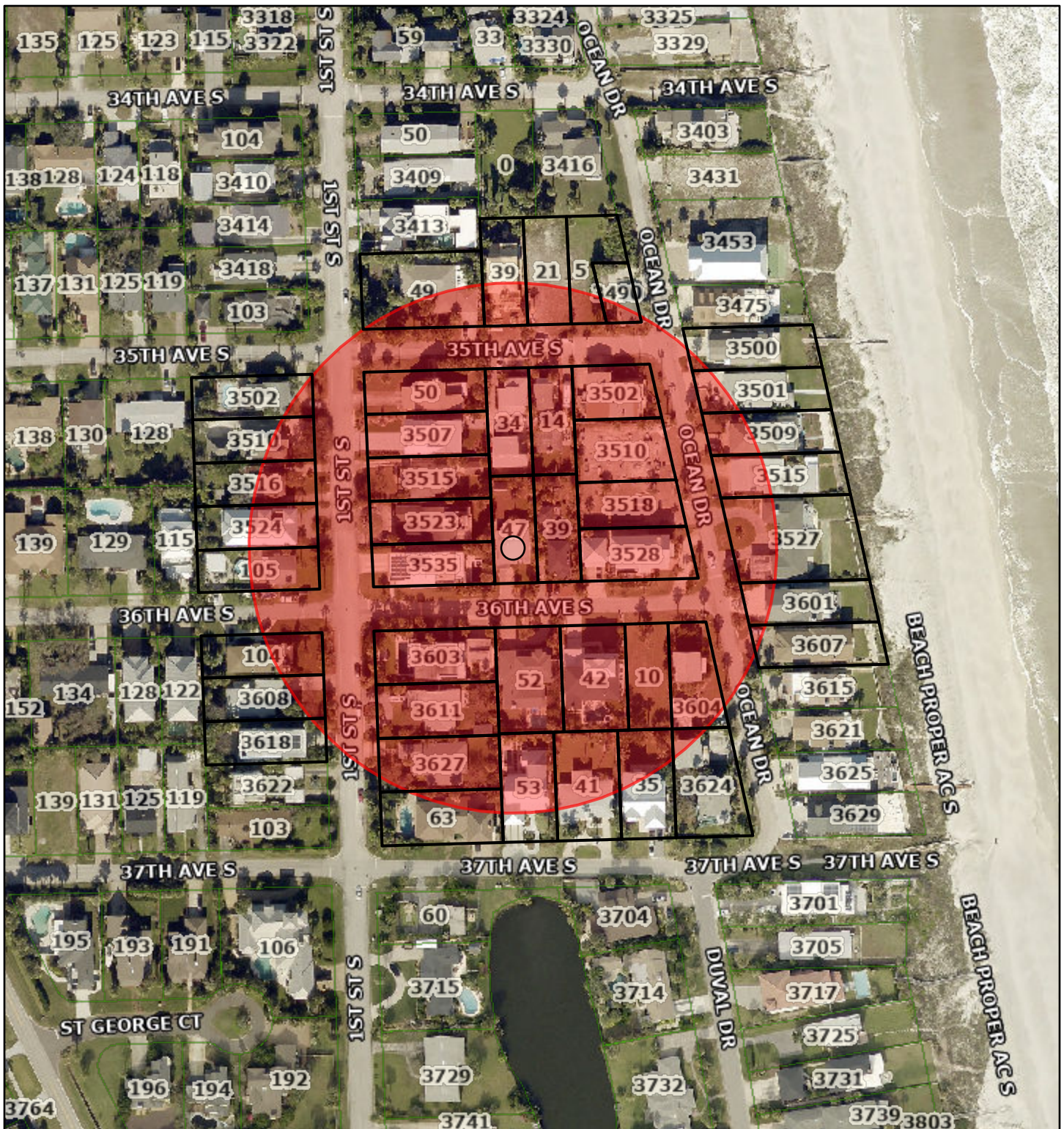
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

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#24-100005**

ATTACHMENTS:

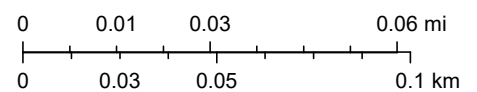
1. 24-100005pics
2. 24-100005



February 1, 2024

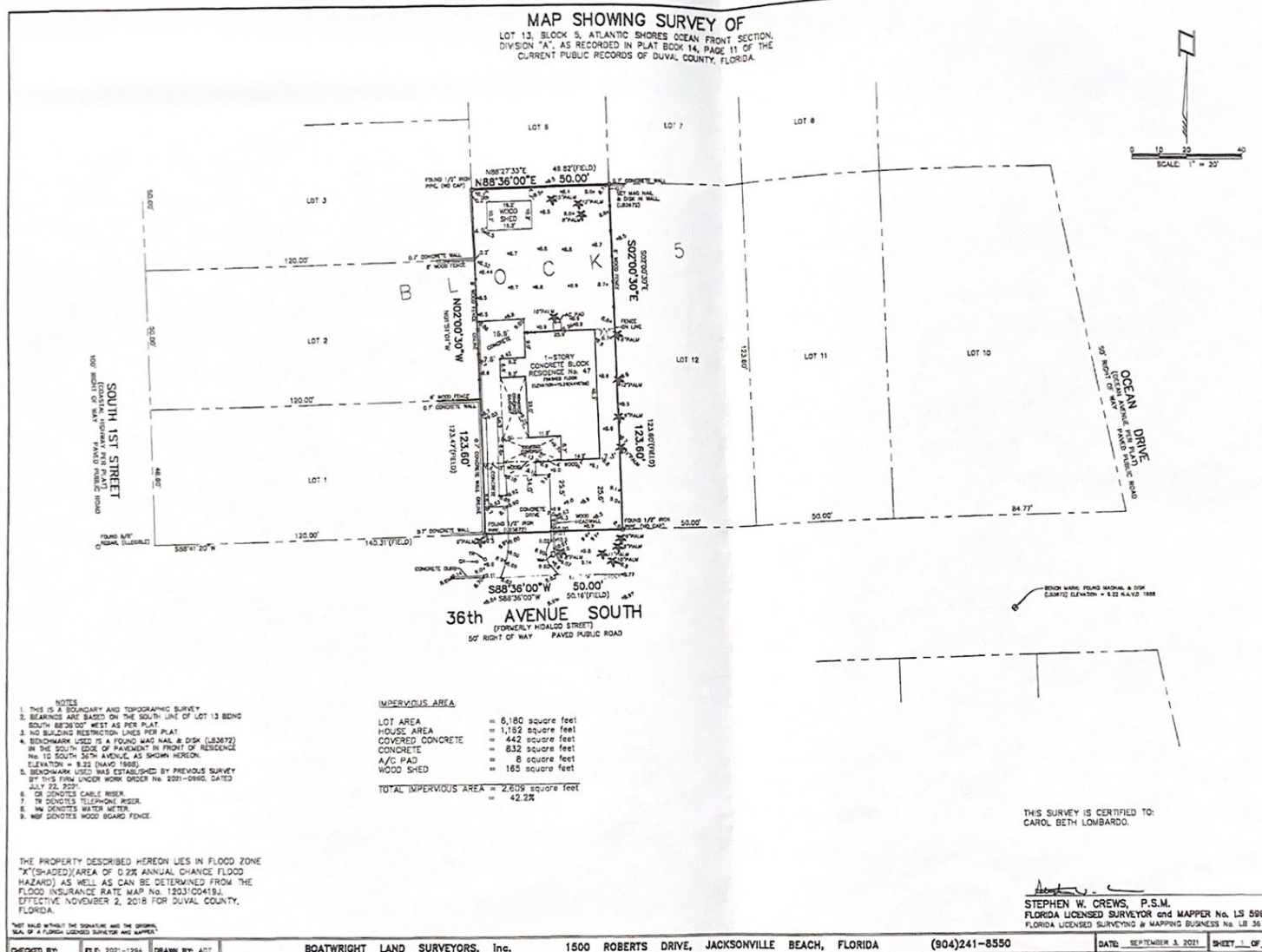
 Parcels

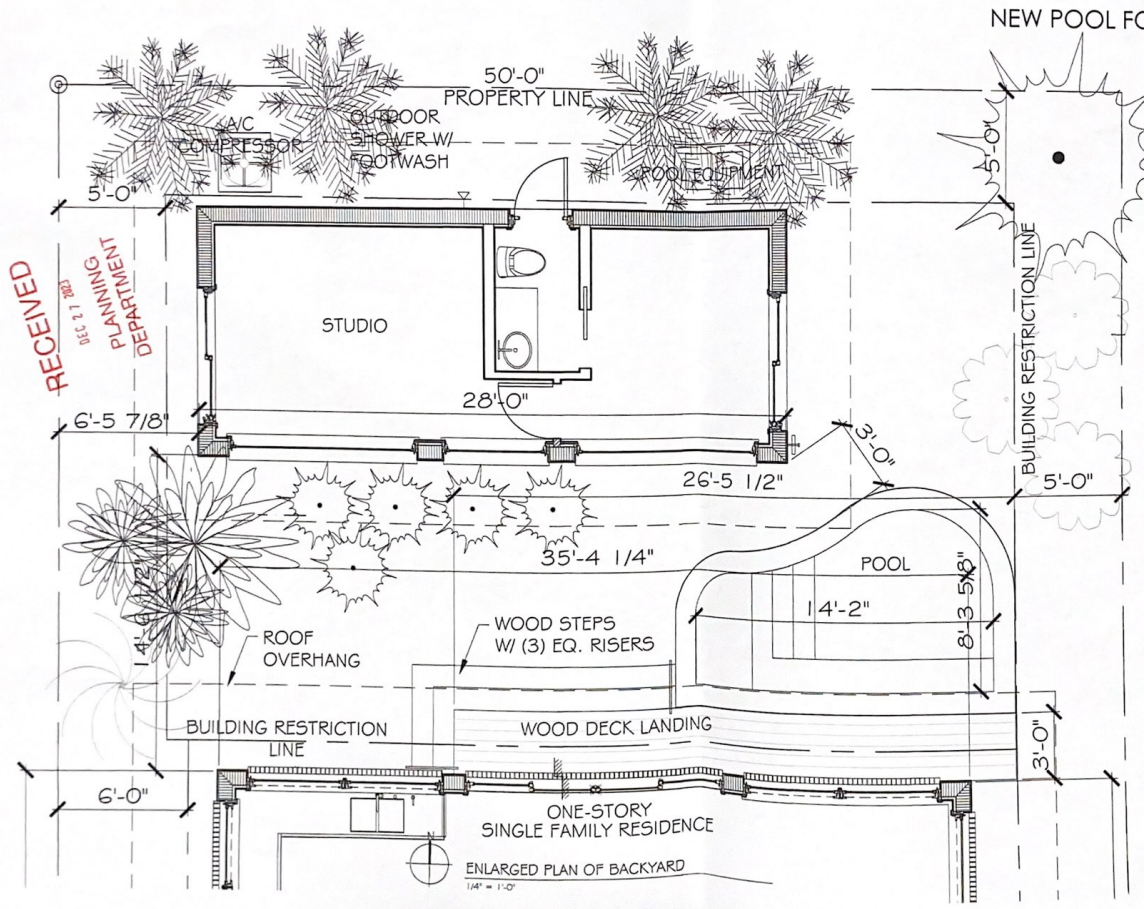
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24-100005

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NEW POOL FOR CAROL LOMBARDO

47 36TH AVENUE SOUTH
JACKSONVILLE BEACH, FL

24-100005

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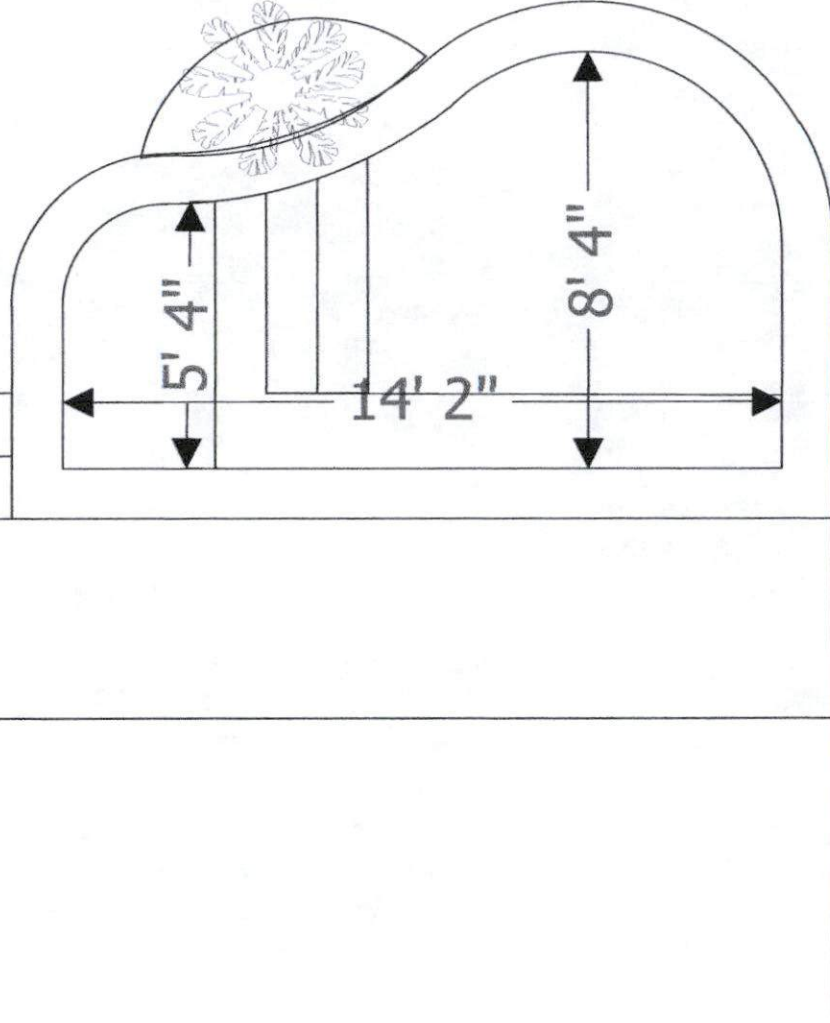
LOCI ARCHITECTS, LLC



1936 San Marco Blvd.
Jacksonville, FL 32207
904.377.2852
Catherine A. Duncan
FL License #94478

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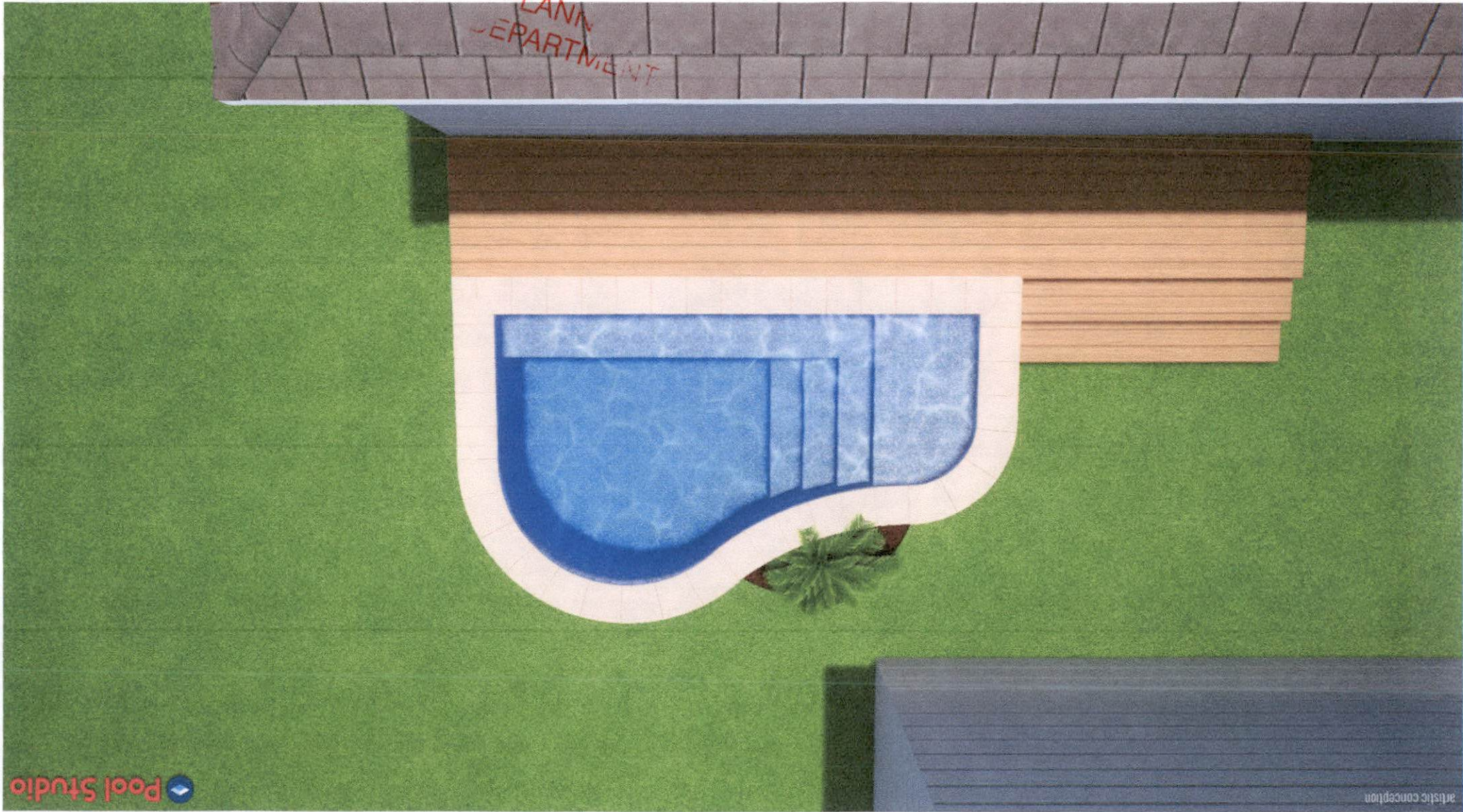
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24-16005

24-100005

artistic conception

Pool Studio



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APPLICATION FOR VARIANCE

BOA No. 24-100005
HEARING DATE 02/21/24

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: Carol Lombardo Telephone: 904-610-7990
Mailing Address: 4039 Duval Drive, Jacksonville Beach, FL E-Mail: flagalpal@gmail.com
3948 3rd St S. #192 JB 32250
Agent Name: Loci Architects, LLC Telephone: 904-377-2852
Mailing Address: 1936 San Marco Blvd., Jacksonville, FL 32207 E-Mail: catherine@lociarchitects.com
Landowner Name: Carol Lombardo Telephone: 904-610-7990
Mailing Address: 2821 Sanctuary Boulevard E-Mail: flagalpal@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: 47 36th Avenue South, Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): See attached property tax bill
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 attached Exhibit "A"

AFFIDAVIT

I, Carol Lombardo, 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.

Carol Lombardo Carol Lombardo 12-27-23
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 27th day of December, 2023, by Carol Lombardo, who is personally known to me or produced as identification.
PUBLIC
NOTARY PUBLIC SIGNATURE
Jessica Ambrosio
PRINT NOTARY NAME (Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE	
CURRENT ZONING CLASSIFICATION: <u>RS-1</u>	FLOOD ZONE: <u>X-Shaded</u>
CODE SECTION (s):	

24-100005

APPLICATION FOR VARIANCE

Address: 47 S. 36th Avenue
Jacksonville Beach, FL 32250

RE#: 181479-0000

Owner: Ms. Carol Lombardo

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Agent Authorization/ Owner's Consent Form

Agent / Applicant Information:

Agent's Name: Catherine Duncan, Loci Architects, LLC
Jennifer Pietschker, Loci Architects, LLC

Address: 1936 San Marco Boulevard, Jacksonville, FL 32225

I hereby give CONSENT to the above referenced agent/applicant to act on my behalf, to submit application and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the Variance application process.

Furthermore, I hereby give consent to the party designed above to agree to all terms and conditions as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as the property owner.

Owner Authorization:

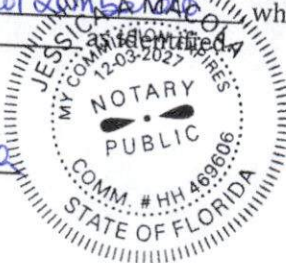
Name Carol Lombardo Address 47 S. 36th Ave JB
Owner's Signature Carol Lombardo City, State, Zip Jax Beach 32250

State of Florida, County of Duval:

This instrument was acknowledged before me by means of X physical presence this 27th day of December, 2023, by Carol Lombardo who is personally known to me or produced FL DL as identified.

Jessica A Macola
Notary Public Signature

Jessica A Macola
Print Notary Name



VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 24-100005

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.

DEC 27 2023

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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.	No	See Attached Exhibit "A"
Special circumstances and conditions do not result from the actions of the applicant.	Yes	See Attached Exhibit "A"
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	See Attached Exhibit "A"
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	See Attached Exhibit "A"
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 Exhibit "A"
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	See Attached Exhibit "A"

24-100005

APPLICATION FOR VARIANCE

Request for 3' in lieu of 5' distance required of pool from building structures

Address: 47 S. 36th Avenue 32250
Jacksonville Beach, FL 32250

RE#: 181479-0000

Owner: Ms. Carol Lombardo

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Exhibit "A"

Description of requested variance:

A reduction in the 5' set-back requirement for a swimming pool from a building structure, as shown on the Site Plan is being requested in this variance. The pool is shown at 3' from existing structures. The structural design of the new buildings has considered the pool location.

General Site Set-back requirements:

Front Set Back: 20'-1 1/2"
West Side Set-back: 6'
East Side Set-back: 5'
Rear Set Back: 30'

Lot Coverage: 45% lot coverage

Standard

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.

Explanation

The lot is uniquely narrow in this neighborhood measuring 50' x 123.60'. Two conditions exist on lots that are 50' wide. They tend to have an older house that has been grandfathered in, or, they require a variance to accommodate a new home and site features since most of the older homes exceed the set-back requirements and/or lot coverage. The older homes also tend to have a very small footprint for today's standards.

The new house and detached studio will both be one story. They are very small structures compared to other new structures. A small pool is proposed for the backyard area but needs a variance to be less than 5' from both buildings. The variance request is that the pool is granted a 3' distance from the main house and studio. Otherwise the pool would be limited to less than a 5' width. The property received a variance on January 2, 2022, for a reduction in the setbacks for the main house.

Standard

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

Explanation

The new one-story 1,893 s.f. house essentially is very similar to the former 1955 one-story house from the 36th Avenue streetscape. The studio is hidden in back and is 317 sf. The pool is very small and is tucked in between the studio and main house. The impact of the pool on the neighborhood is

minimal on the neighbors will be minimal and the pool is quite small considering today's standards. The small lot just requires a small pool. The foundation of both the new house and studio have been designed to accommodate the proximity of the pool.

Standard

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 structure, in the same zoning district.

Explanation

The adjacent houses with 50' wide lots have requested and have been granted various variances prior to their construction. It seems that any applicant with a 50' wide lot who is building a new house and/or pool will require the same types of variances even if the buildings are 2-story. The proposed new pool is not visible from the adjacent properties and the structural engineer designed the new structures to accommodate a pool next to the exterior walls. The Owner intends to landscape the entire property with Florida native plants, and this will help in obscuring the views into the property from adjacent lots.

Standard

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.

Explanation

The current existing house and hardscape is 2,981 s.f. . The proposed total impervious new residence and hardscape lot coverage will be just below 49%. If the pool variance of 3' from buildings is not granted, the pool would have to be approximately 5' wide which isn't acceptable for a pool size.

Standard

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

Explanation

The new house, hardscape and pool are minimally sized and are slightly greater than the lot coverage of the existing house, which had to request a variance to increase the lot coverage from 39% to 49%. This request was granted. The existing lot coverage calculated by Boatwright Land Surveyors was 42% for the old house. Much of the lot coverage is from hardscape, required garage and covered porches. The pool, as shown, is the minimal size that the pool company thinks would work. The structural engineer designed the new buildings to accommodate a pool next to their foundations.

Standard

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.

Explanation

The new proposed pool meets the existing comprehensive plan of this Code with the exception of the Variance that we are requesting to allow the pool to be less than 5' from the buildings. The variance would be for the pool to be 3' from the buildings. The pool's size and location will not adversely affect the adjacent properties because the footprint is extremely small and will be hidden by landscaping. Neighboring properties have requested variances to allow much larger homes and pools to be built.

CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 5175

24-100005

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DEPARTMENT

January 7, 2022

Carol Lombardo
4039 Duval Drive
Jacksonville Beach, FL 32250

CC: Catherine Duncan, Loci Architects

DEVELOPMENT ORDER FOR VARIANCE

BOA#21-100180
47 36th Avenue South
Lot 13, Block 5, *Atlantic Shores Ocean Front Section, Division "A"*

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, January 4, 2022, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

- 34-336(e)(1)c.1, for a front yard setback of 20.1 feet in lieu of 25 feet required;
- 34-336(e)(1)c.2, for an easterly side yard setback of 5 feet and a westerly side yard setback of 6 feet each in lieu of 10 feet required;
- 34-336(e)(1)c.3, for a rear yard setback of 15 feet in lieu of 30 feet required;
- 34-336(e)(1)e, for 50% lot coverage in lieu of 35% maximum; and
- 34-373(d), for a turf block driveway in lieu of a solid paved driveway

To allow for construction of a new single family dwelling and swimming pool

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

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

- 34-336(e)(1)c.1, for a front yard setback of 20.1 feet in lieu of 25 feet required;
- 34-336(e)(1)c.2, for an easterly side yard setback of 5 feet and a westerly side yard setback of 6 feet each in lieu of 10 feet required;
- 34-336(e)(1)e, for **49%** lot coverage in lieu of 35% maximum; and
- 34-373(d), for a turf block driveway in lieu of a solid paved driveway

CONTINUED ON PAGE 2

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

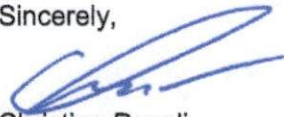
www.jacksonvillebeach.org



This development order does not constitute final approval to commence the development proposed in the referenced application(s). The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements, and shall apply for and obtain all necessary permits before initiating development. Information about permitting, including official address assignments, application forms, and checklists, is available in our office or online at www.jacksonvillebeach.org/building.

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

Sincerely,



Christian Popoli
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

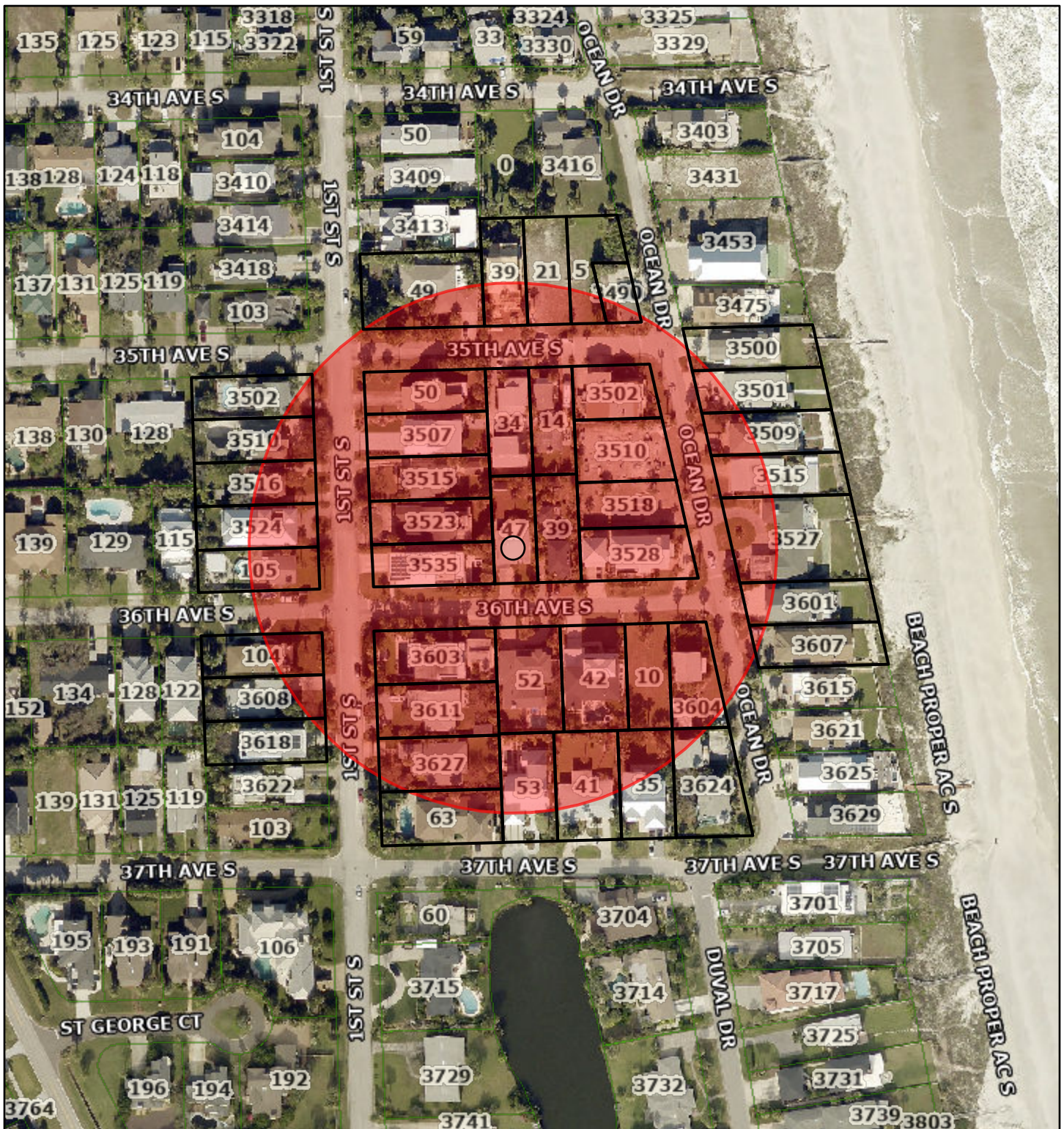
www.jacksonvillebeach.org



DISCLAIMER

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

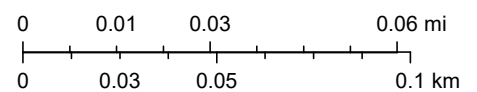
BOA#21-100180



February 1, 2024

 Parcels

1:2,257

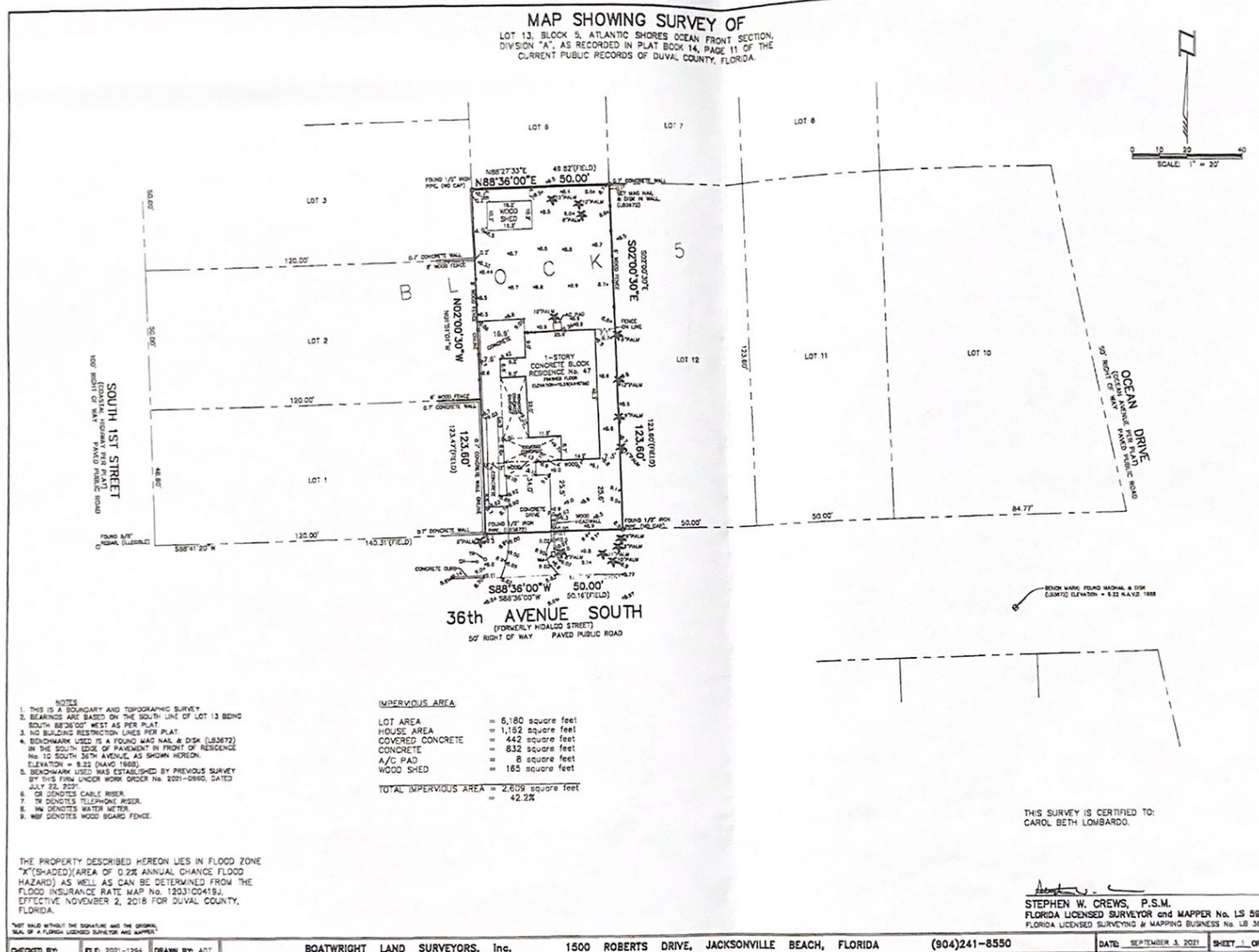


24-100005

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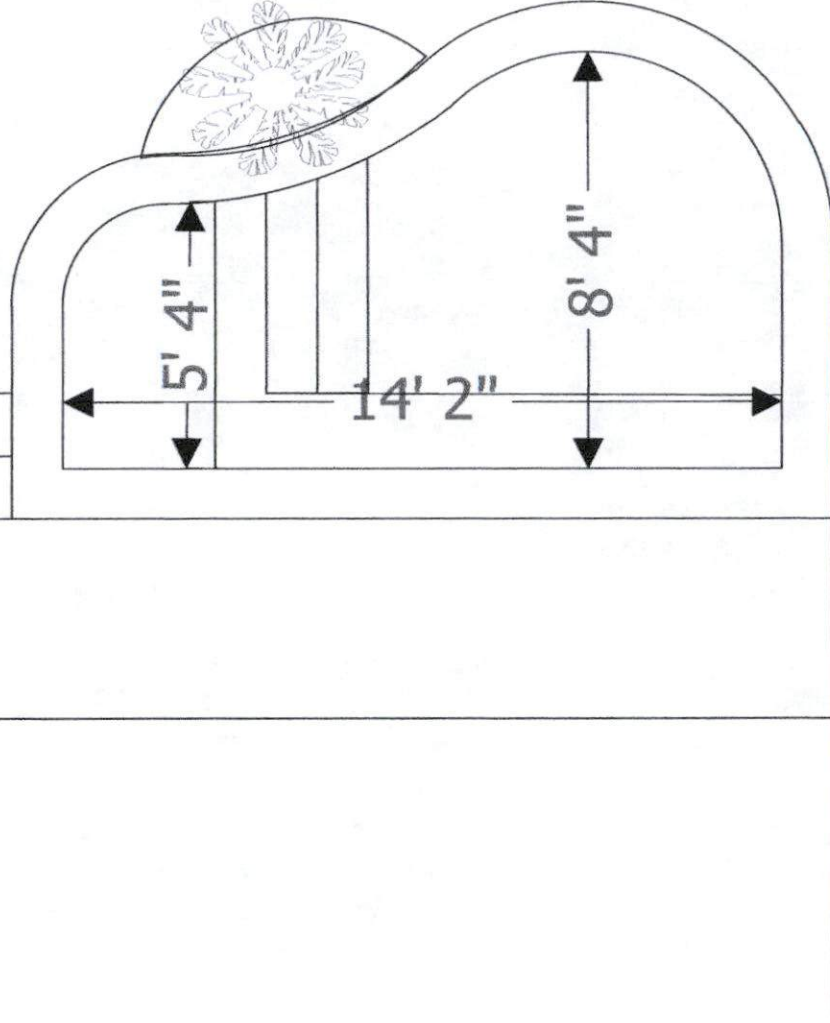
DEC 27 2023

PLANNING
DEPARTMENT



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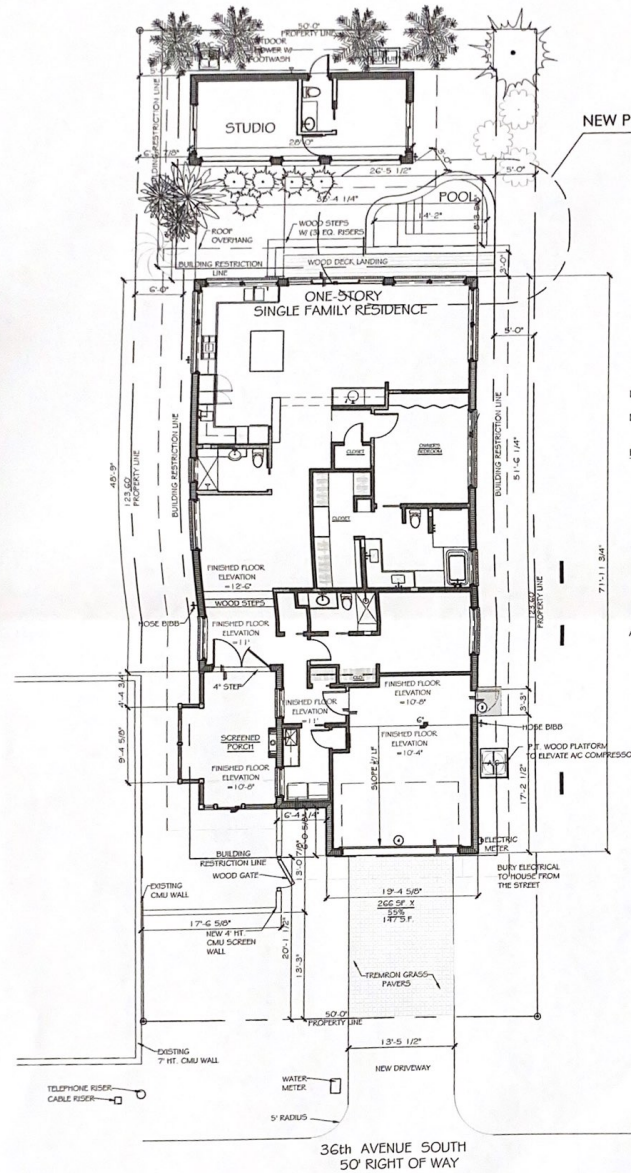
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DEC 27 2023
PLANNING
DEPARTMENT



24-100005

NEW POOL FOR CAROL LOMBARDO

47 36TH AVENUE SOUTH
JACKSONVILLE BEACH, FL



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LOT AREA: SQ. FT.: 6,180 S.F. .14 ACRES
LOT COVERAGE 49% ALLOWABLE = 3,026 S.F.

BREAKDOWN OF S.F. AREAS

CONDITIONED HOUSE: 1,893 S.F.
GARAGE: 390 S.F.
COVERED PORCH: 189 S.F.
REAR STEPS AND LANDING: 37 S.F.
DRIVEWAY: 147 S.F.
DETACHED STUDIO: 317 S.F.

ACTUAL LOT COVERAGE USED: 2,973 S.F.



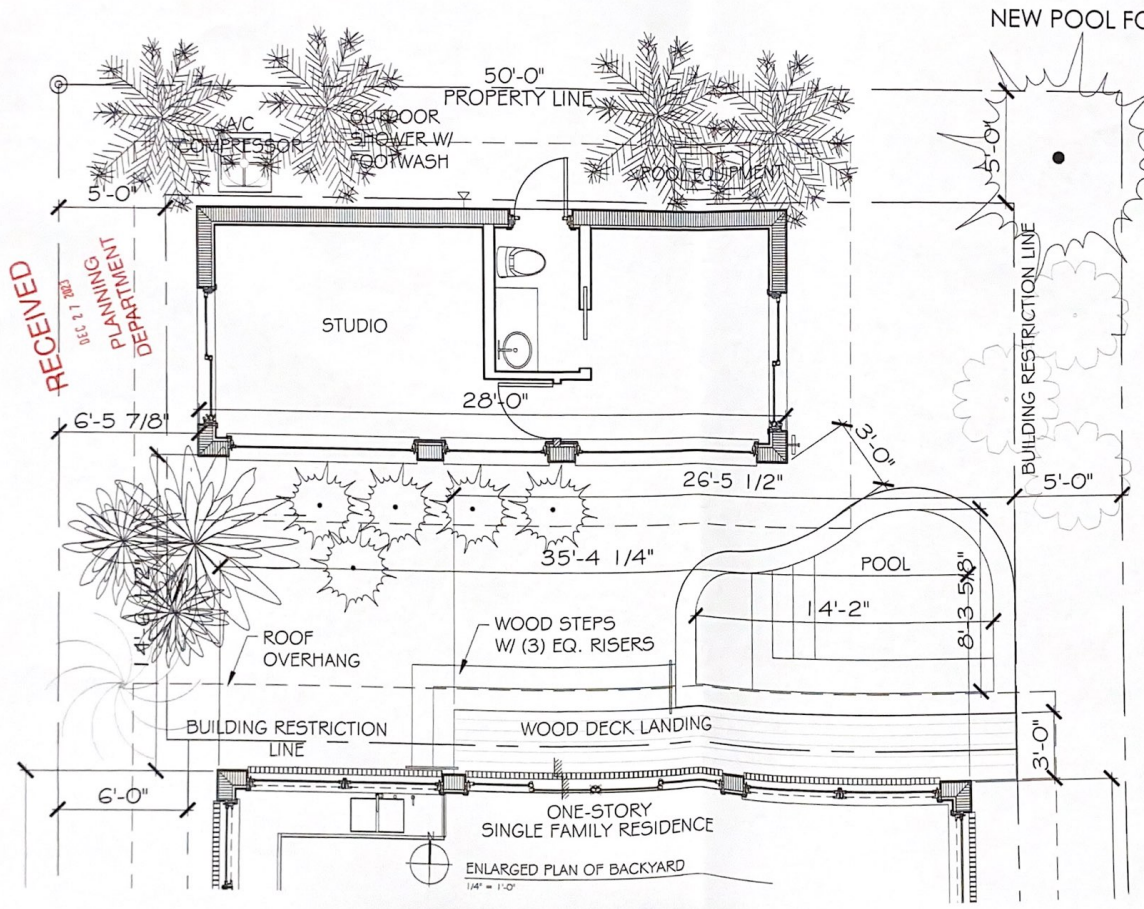
OVERALL SITE PLAN
3/32" = 1'-0"

LOCI ARCHITECTS, LLC



1936 San Marco Blvd.
Jacksonville, FL 32207
904.377.2852
Catherine A. Duncan
FL License #94478

12.26.23



NEW POOL FOR CAROL LOMBARDO

47 36TH AVENUE SOUTH
JACKSONVILLE BEACH, FL

24-100005

RECEIVED
DEC 21 2003
PLANNING
DEPARTMENT

LOCI ARCHITECTS, LLC

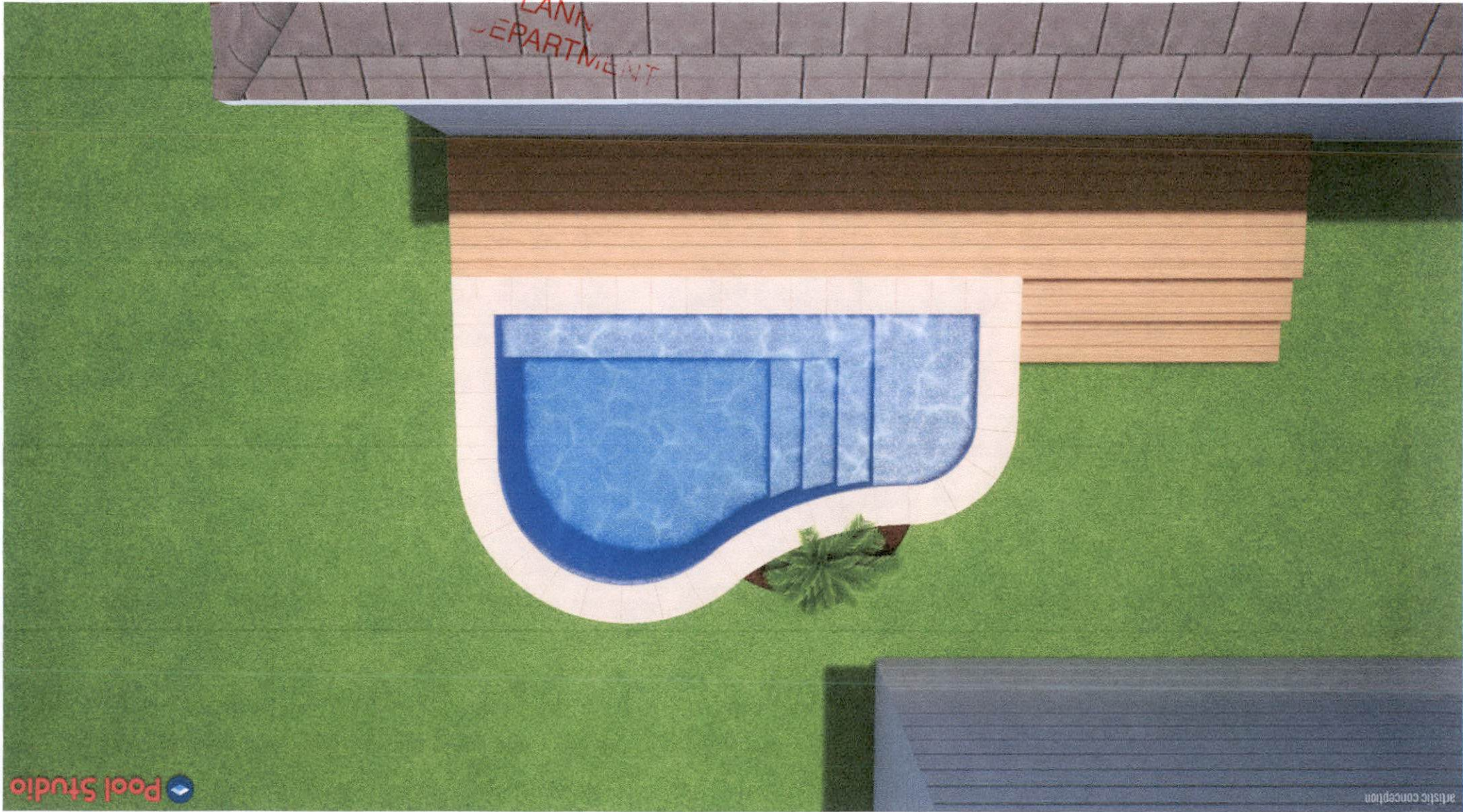


1936 San Marco Blvd.
Jacksonville, FL 32207
904.377.2852
Catherine A. Duncan
FL License #94478

RECEIVED

DEC 27 2003

PLANNING
DEPARTMENT



Pool Studio

artistic conception

24-16005

24-100005

artistic conception

Pool Studio



RECEIVED
DEC 27 2023
PLANNING
DEPARTMENT



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100007 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, February 21, 2024 Board of Adjustment Meeting.

BOA #24-100007

ZONING: RS-3
RE NO.: 176621-0000
LEGAL: the East 43.54 feet of Lot 9 and the West 4.2 feet of Lot 10, Block 95,
Oceanside Park.
ADDRESS: 525 10th Avenue South

REQUEST:

Section(s): 34-338(e)(2)(c)(1), for a front yard setback of 11.5 ft in lieu of 20 ft minimum; 34-338(e)(2)(c)(1), for a secondary front yard setback of 9.5 ft. in lieu of 30 ft; 34-338(e)(2)(f), for 41.5% lot coverage in lieu of 35% maximum, to construct a new kitchen addition and new entry porch addition and to rectify existing nonconformities to half of a two-family dwelling, located **at property addressed** 525 10th Avenue South, **RE#** 176621-0000, **legally described as** the East 43.54 feet of Lot 9 and the West 4.2 feet of Lot 10, Block 95, *Oceanside Park*.

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1922) located in the Medium Density Residential future land use category. The property is currently in the Residential, Single Family: RS-3 Zoning District. The lot is 48 feet in width and 64 feet in depth, with an overall lot area of 2,884 square feet. This does not conform with RS-3 standards in width. This lot was split into two halves. The subject property is occupied by half of a two-family dwelling constructed in 1986, a concrete driveway, a screened enclosure, and a metal shed. The applicant plans to construct a new kitchen addition and a new entry porch addition. The applicant is asking for a variance for a front yard setback of 11.5 ft in lieu of 20 ft minimum, for a secondary front yard setback of 9.5 ft. in lieu of 30 ft, and for 41.5% lot coverage in lieu of 35% maximum.

No previous BOA, no active code case.

STAFF ANALYSIS:

The subject property is half of a lot of record substandard in width and total lot area, as it originally was part of two other lots prior to the construction of the home in 1986. The lot now measures 47 in width rather than the 60 feet minimum requirement in the RS-3 zoning district. The subject property

has two front yards, which makes it difficult not to encroach on side setbacks if any additions are made. The applicant will be removing the metal shed, which will reduce lot coverage and address an existing nonconformity. The applicant is requesting to construct a new kitchen addition and new entry porch addition and to rectify existing nonconformities to half of a two-family dwelling. In order to add these additions, the applicant will need a variance for a front yard setback of 11.5 ft in lieu of the 20 ft minimum, for a secondary front yard setback of 9.5 ft. in lieu of 30 ft, and for 41.5% lot coverage in lieu of a 35% maximum. There is a hardship justified by having a nonconforming lot. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

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

REVIEW OF CRITERIA:

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject parcel is nonconforming in width and lot area. The subject parcel is 2,884 square feet and 48 feet in width. The minimum lot area in the RS-3 zoning district 6,000 square feet and the minimum width is 60 feet.

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

Staff does not find that circumstances are a result of the applicant. The lot is substandard, the existing lot coverage and setbacks for the two-family dwelling are not the result of the applicant, and therefore are not self-imposed.

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

Staff finds that the proposed variance will not confer special privileges. The request to allow a front yard setback of 11.5 ft in lieu of the 20 ft minimum, a secondary front yard setback of 9.5 ft.

in lieu of 30 ft, and 41.5% lot coverage in lieu of a 35% maximum to a lot that does not meet the minimum lot width for the RS-3 zoning district would not confer a special privilege as compared to other properties in the same zoning district.

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

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. Due to the width and lot area of this property, you cannot add any additions to the front and rear and meet RS-3 standards. This situation is not the fault of the applicant and will deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with non-conforming lots.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed additions. The minimum variance needed would be to approve a front yard setback of 11.5 ft in lieu of the 20 ft minimum, for a secondary front yard setback of 9.5 ft. in lieu of 30 ft, and for 41.5% 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 this Code and will not adversely affect adjacent land.

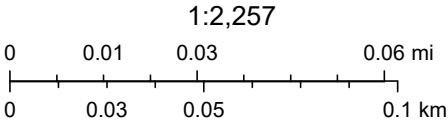
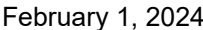
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

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#24-100007**

ATTACHMENTS:

1. 24-100007pics
2. 24-100007



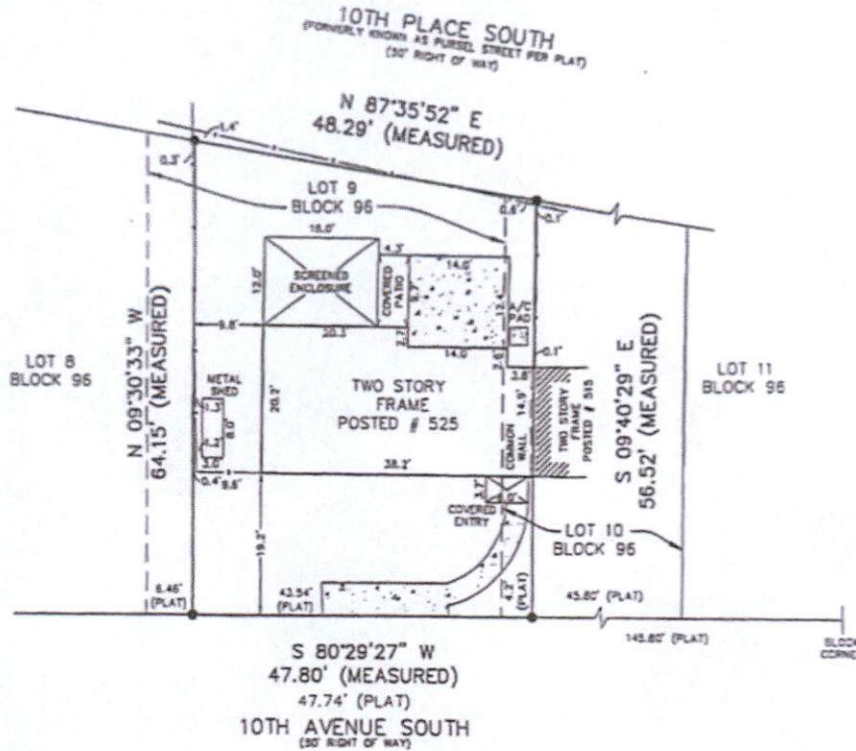
MAP SHOWING BOUNDARY SURVEY OF
THE EAST 43.54 FEET OF LOT 9 AND THE WEST 4.2 FEET OF LOT 10,
BLOCK 96, OCEANSIDE PARK, AS RECORDED IN PLAT BOOK 8, PAGE 13, OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
RAMONA J INGLETT
MID AMERICAN MORTGAGE, INCORPORATED
LANDMARK TITLE
FIRST AMERICAN TITLE INSURANCE COMPANY

RECEIVED

JAN 03 2024

PLANNING
DEPARTMENT



- LEGEND:**
- = FENCE
 - = CONCRETE
 - = SET 1/2" REBAR STAMPED PSM#146
 - = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
 - = 4"x4" CONCRETE MONUMENT
 - A/C = AIR CONDITIONER

Street to House - 43'

PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
PRC = POINT OF REVERSE CURVATURE
PCC = POINT OF COMPOUND CURVATURE

- NOTES:**
- BEARINGS ARE BASED ON THE ASSUMED BEARING OF S 80°29'27" W ALONG THE NORTHERLY RIGHT OF WAY LINE OF 10TH AVENUE SOUTH.
 - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X", AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 2419.H.
 - THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 - THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION

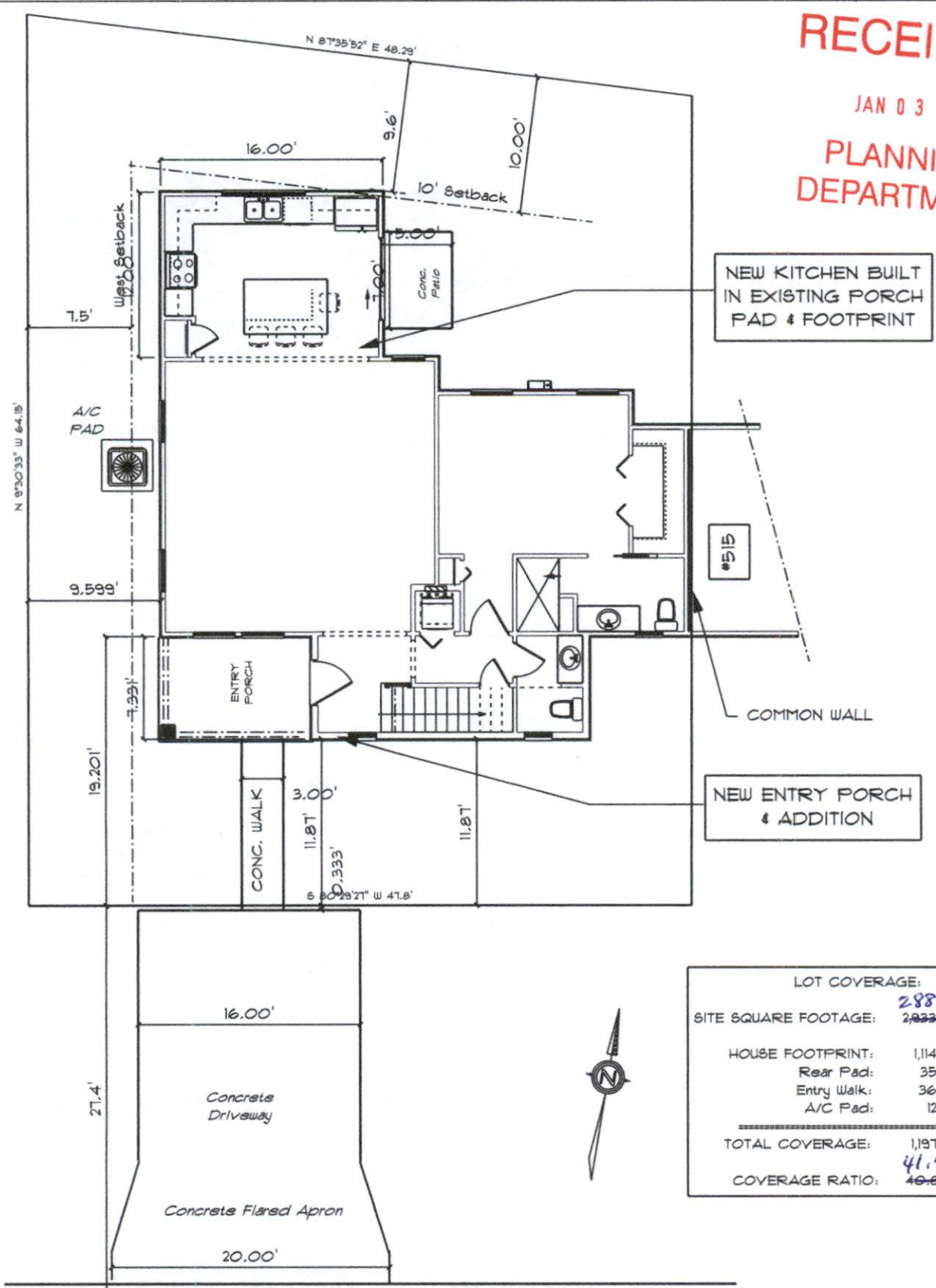
JOB # 34957	DATE OF FIELD SURVEY: 04-10-18	SCALE: 1" = 20'
Ray Thompson SURVEYING, Inc. <i>Going the DISTANCE for You</i> 1825 University Boulevard West Jacksonville, Florida 32217 (Phone) 904-448-5125 (Fax) 904-448-5178		CERTIFICATE I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS GOVERNED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 52-17, FLORIDA ADMINISTRATIVE CODE, SUBCHAPTER 17.001, FLORIDA STATUTES. RAYMOND THOMPSON REGISTERED SURVEYOR AND MAPPER LICENSE BUSINESS # 7468
LAND SURVEYS	CONSTRUCTION SURVEYS	SUBDIVISIONS

24-100007

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JAN 03 2024

PLANNING
DEPARTMENT



LOT COVERAGE:		2884 SF
SITE SQUARE FOOTAGE:		2933 SF
HOUSE FOOTPRINT:	1,114 SF	
Rear Pad:	35 SF	
Entry Walk:	36 SF	
A/C Pad:	12 SF	
TOTAL COVERAGE:		1,197 SF
COVERAGE RATIO:		41.5%

EXISTING CURB AT STREET
10th Street South Ave S.

SITE PLAN

Scale: 1" = 1'-10"

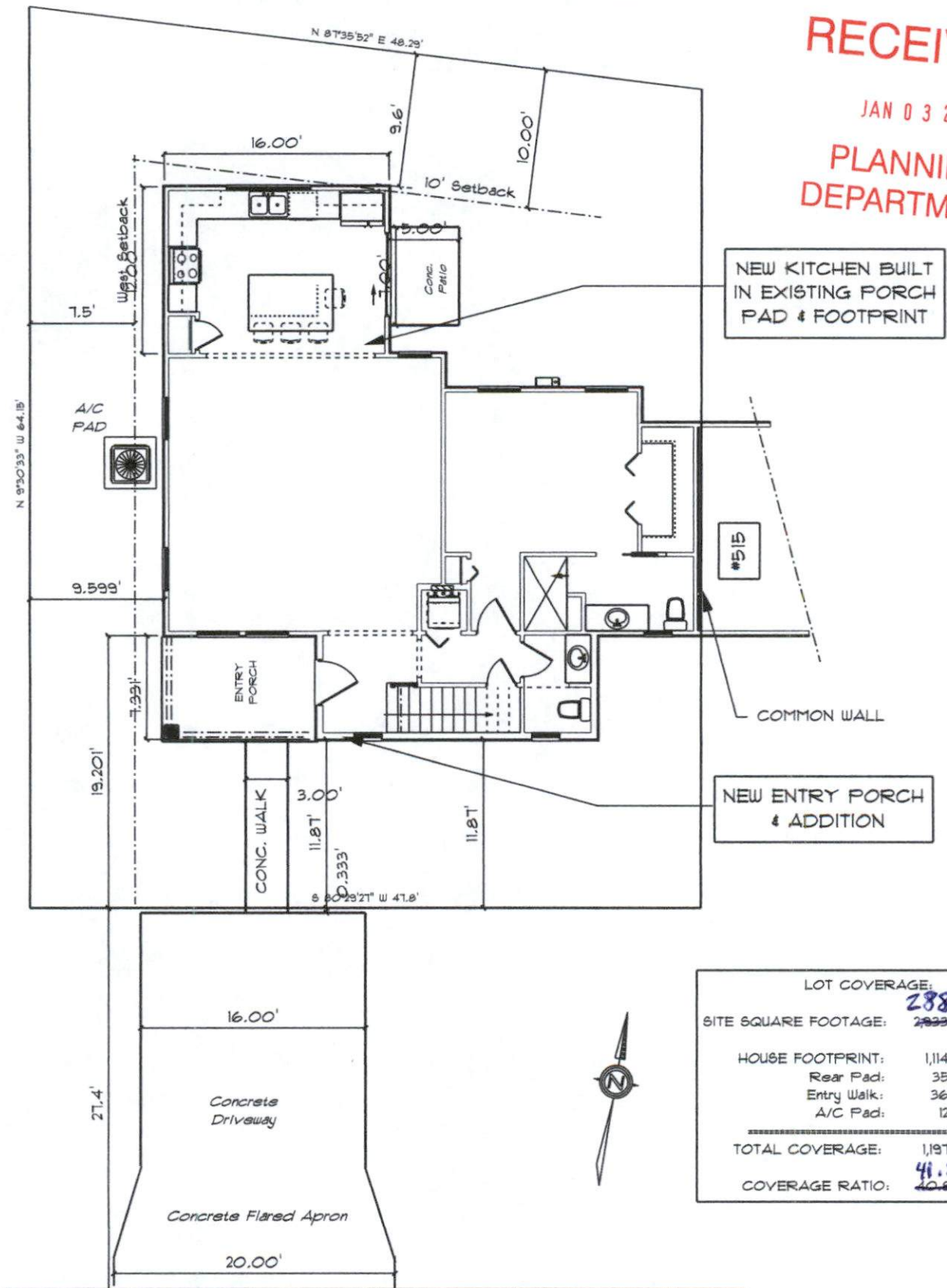
Remodel & Addition Plans to the
HOPRICH RESIDENCE
525 10th Avenue South
Jacksonville Beach, Florida 32250

24-100007

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JAN 03 2024

PLANNING
DEPARTMENT



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HOUSE FOOTPRINT:	1,114 SF	
Rear Pad:	35 SF	
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TOTAL COVERAGE:		1,197 SF
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EXISTING CURB AT STREET
10th Street South *Alc S.*

SITE PLAN

Scale: 1" = 1'-10"

Remodel & Addition Plans to the
HOPRICH RESIDENCE
525 10th Avenue South
Jacksonville Beach, Florida 32250

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PLANNING DEPARTMENT

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: Jennifer Hoprich
 Mailing Address: 525 10th Aves.
Jacksonville Beach, FL 32250
 Agent Name: Alex Castro
 Mailing Address: 189 19th Ave N.
Jacksonville Beach, FL 32250
 Landowner Name: Jennifer Hoprich
 Mailing Address: 525 10th Ave S.
Jacksonville Beach, FL 32250

Telephone: 904-599-5830
 E-Mail: jenfuller8@gmail.com
 Telephone: 904-718-6602
 E-Mail: 360AWC@gmail.com
 Telephone: 904-599-5830
 E-Mail: jenfuller8@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: 525 10th Aves. Jacksonville Beach FL 32250
 Legal description of property (Attach copy of deed): SEE ATTACHED DEED
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary):
Front yard set back of 11.5 feet in lieu of 20ft. and
back yard set back of 9.5 feet in lieu of 10ft. and
lot coverage ratio of 41.5%

AFFIDAVIT

I, Jennifer L. Hoprich, 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

Jennifer L Hoprich
 PRINT APPLICANT NAME

1/3/2024
 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 January, 2024, by Jennifer L Hoprich who is personally known to me or produced FL DL as identification.

Jessica A Macola
 NOTARY PUBLIC SIGNATURE
JESSICA A MACOLA
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3

FLOOD ZONE: X

CODE SECTION (s): _____

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	Non-conforming lot.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Land not conforming and purchased accordingly.
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	Variance will not confer any special privileges due to nature of lot.
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	Because of non-conforming lots and neighbors in similar conditions.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is minimum needed to utilize parcel compliance
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	The variance will be consistent with purposes and goals and not adversely affect adjacent properties.

PREPARED BY AND RETURN TO:

David J. Heekin, Esq.
Landmark Title, LLC
7220 Financial Way
Jacksonville, FL 32256
File 23-4097

RE#: 176621-0000

CONSIDERATION: \$34,200.00

24-10007
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JAN 03 2024

**PLANNING
DEPARTMENT**

QUIT CLAIM DEED

This Quit Claim Deed is made this 3 day of August, 2023, by **RAMONA J. INGLETT**, a single woman ("Grantor"), whose address is 525 10th Avenue South, Jacksonville Beach, Florida 32250, to **RAMONA J. INGLETT**, a single woman, and **JENNIFER L. HOPRICH** and **THOMAS HOPRICH**, wife and husband, all as joint tenants with rights of survivorship (collectively, "Grantee"), whose address is 525 10th Avenue South, Jacksonville Beach, Florida 32250.

(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, trusts and trustees.)

WITNESSETH:

For and in consideration of Ten Dollars (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor has remised, released and quit-claimed, and by these presents does remise, release and quit-claim to Grantee, and Grantee's heirs, successors, and assigns forever, the following described land located in Duval County, Florida, being more particularly described as follows (the "Property"):

**The East 43.54 feet of Lot 9 and the West 4.2 feet of Lot 10, Block 96,
Oceanside Park, according to the map or plat thereof, as recorded in Plat
Book 8, Page(s) 13, of the Public Records of Duval County, Florida.**

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

TO HAVE AND TO HOLD same, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the Grantee, Grantee's heirs, successors and assigns forever.

IN WITNESS WHEREOF, Grantor has executed and delivered this Quit Claim Deed as of the date and year provided above.

Signed, sealed and delivered
in our presence:

Witness #1

Linda Garcia
(Witness #1 Printed Name)

RAMONA J. INGLETT

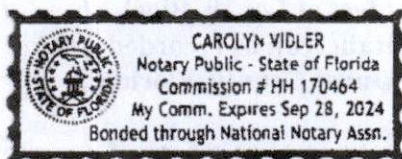
Witness #2

CAROLYN VIDLER
(Witness #2 Printed Name)

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30th day of August, 2023, by RAMONA J. INGLETT, who ☐ is personally known to me or ☐ has produced DL as identification.

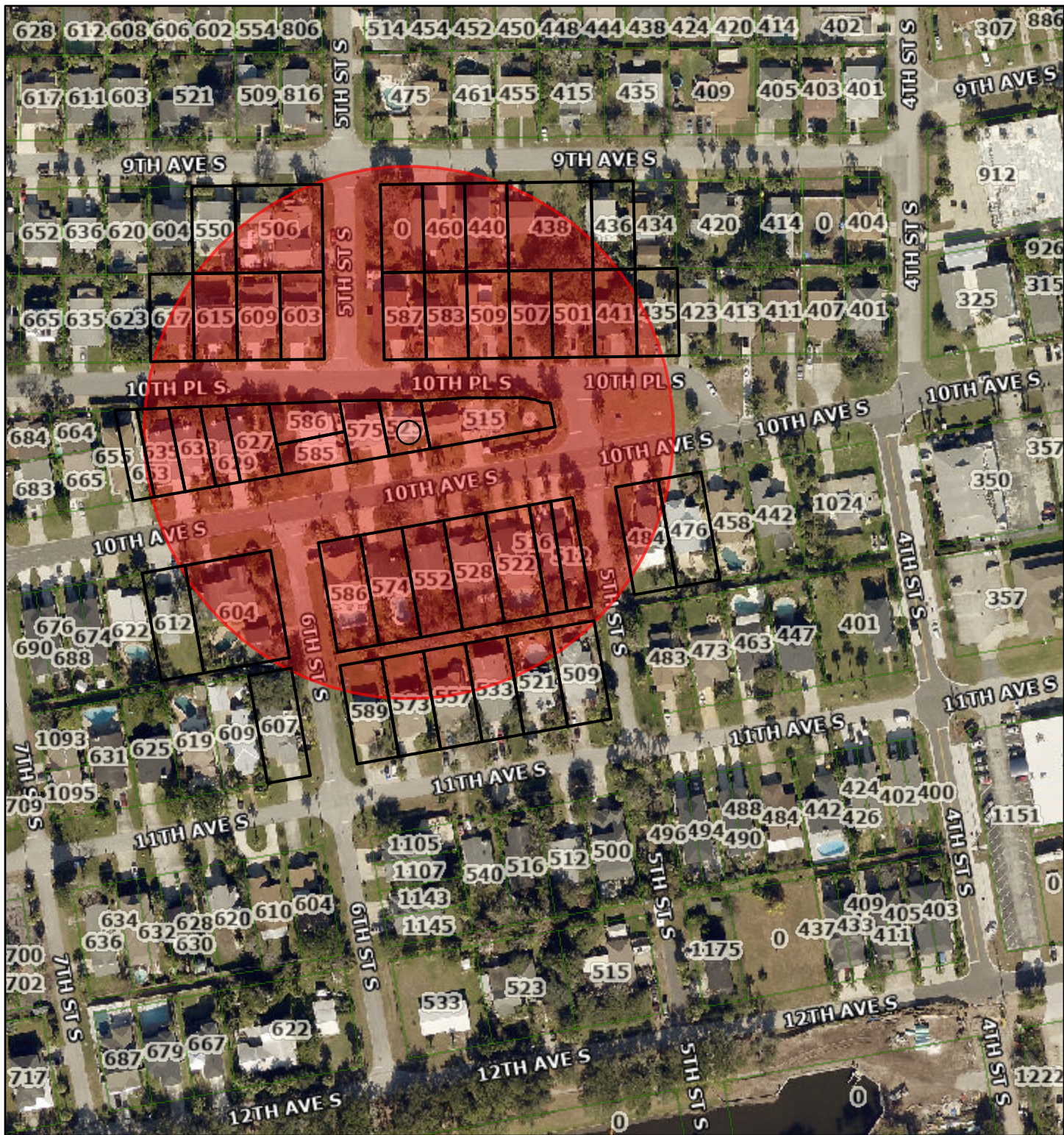


[Notary Seal]

Carolyn Vidler
Notary Public

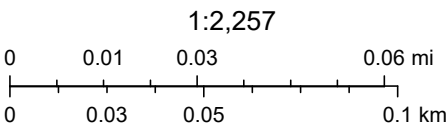
Print Name: _____

My Commission Expires: _____



February 1, 2024

Parcels



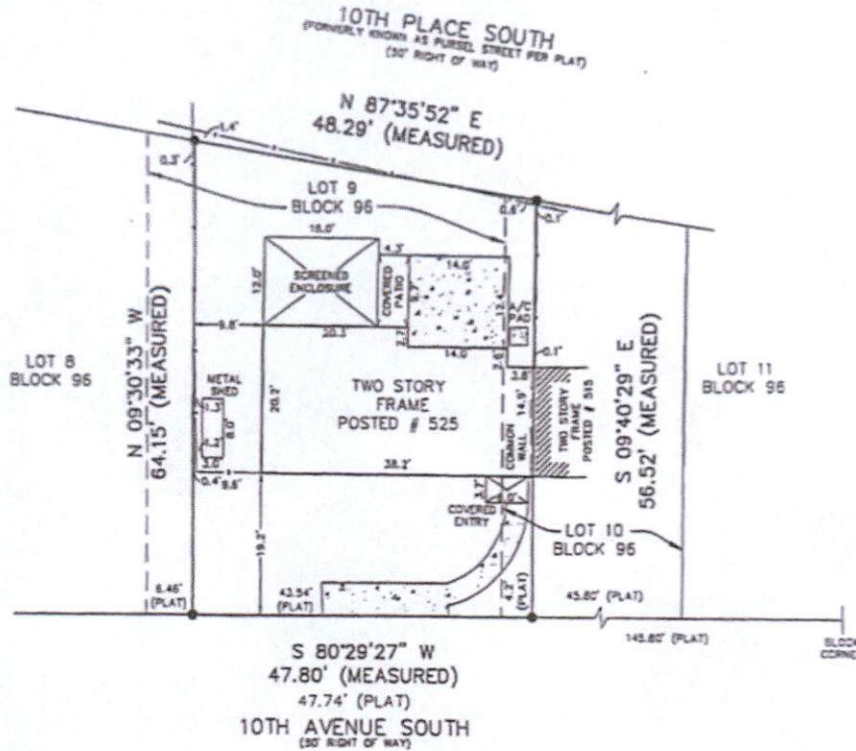
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CERTIFIED TO:
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MID AMERICAN MORTGAGE, INCORPORATED
LANDMARK TITLE
FIRST AMERICAN TITLE INSURANCE COMPANY

RECEIVED

JAN 03 2024

PLANNING
DEPARTMENT



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 - = CONCRETE
 - = SET 1/2" REBAR STAMPED PSM#146
 - = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
 - = 4"x4" CONCRETE MONUMENT
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Street to House - 43'

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REVISIONS	
DATE	DESCRIPTION

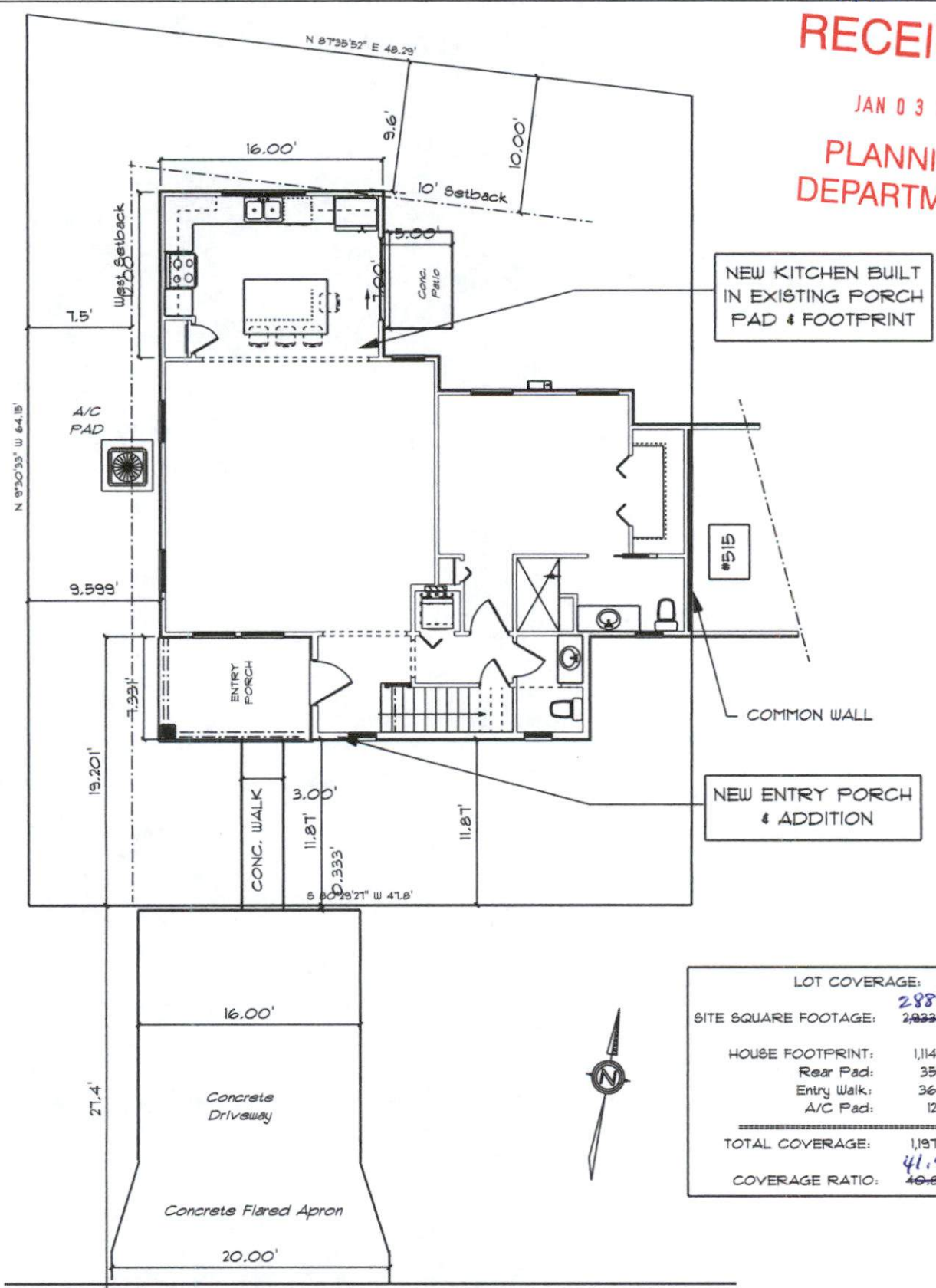
JOB # 34957	DATE OF FIELD SURVEY: 04-10-18	SCALE: 1" = 20'
Ray Thompson SURVEYING, Inc. <i>Going the DISTANCE for You</i> 1825 University Boulevard West Jacksonville, Florida 32217 (Phone) 904-448-5125 (Fax) 904-448-5178		CERTIFICATE I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS GOVERNED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 52-17, FLORIDA ADMINISTRATIVE CODE, SUBCHAPTER 17.001, FLORIDA STATUTES. RAYMOND THOMPSON REGISTERED SURVEYOR AND MAPPER LICENSE BUSINESS # 7468
LAND SURVEYS	CONSTRUCTION SURVEYS	SUBDIVISIONS

24-100007

RECEIVED

JAN 03 2024

PLANNING
DEPARTMENT



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SITE SQUARE FOOTAGE:	2884 SF
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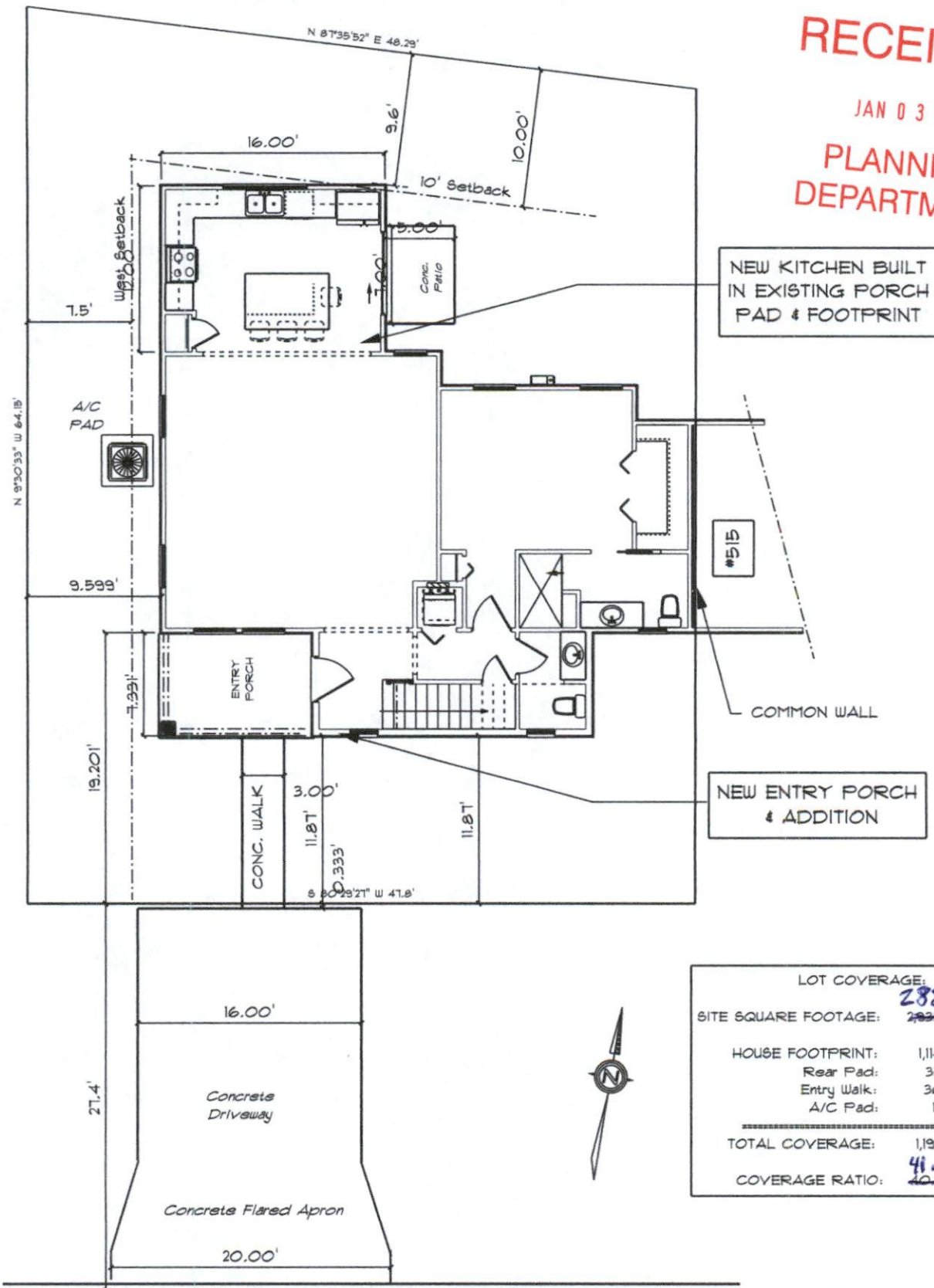
EXISTING CURB AT STREET
10th Street South Ave S.

SITE PLAN

Scale: 1" = 1'-10"

Remodel & Addition Plans to the
HOPRICH RESIDENCE
525 10th Avenue South
Jacksonville Beach, Florida 32250

PLANNING
DEPARTMENT



EXISTING CURB AT STREET

~~10th Street South~~

Alc 5.

SITE PLAN

Scale: 1" = 1'-10"

Remodel & Addition Plans to the
HOPRICH RESIDENCE
525 10th Avenue South
Jacksonville Beach, Florida 32250



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100008 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, February 21, 2024 Board of Adjustment Meeting.

BOA #24-100008

ZONING: RS-1
RE NO.: 178166-0000
LEGAL: Lot 13, Block 5, *San Pablo Terrace*
ADDRESS: 2006 Oak Grove Circle

REQUEST:

Section(s): 34-336(e)(1)(c)(3), for a rear yard setback of 23 feet in lieu of 30 feet minimum and 34-336(e)(1)g, the construction of a rear addition to an existing single family home located **at property addressed** 2006 Oak Grove Circle, **RE#** 178166-0000, **legally described as** Lot 13, Block 5, *San Pablo Terrace*.

EXISTING CONDITIONS:

The subject property is a legal nonconforming lot of record (circa 1954) located in the Low Density Residential future land use category. The property is currently zoned Residential, Single Family: RS-1. The subject property has an irregular shape and is 50 feet in width with an overall area of 11,271 square feet. The property measures less in width in the front than in the back. The front yard has a width of 50 ft and the rear yard has a width that is approximately 124.91 ft. The subject home was constructed in 1972, before the adoption of the Land Development Code. The lot currently has an existing one-story dwelling, a concrete driveway, and a covered patio. The applicant is applying for this variance for a rear yard setback of 23 feet in lieu of 30 feet minimum for the construction of a rear addition to an existing single family home.

No previous BOA, no active code case.

STAFF ANALYSIS:

The subject property is substandard in width, it measures 50 feet in width rather than the 90 feet minimum requirement in the RS-1 zoning district, and is conforming in area at 11,271 square feet. The new rear addition will encroach on the rear yard setback by 7 feet. The applicant plans on maintaining the current style and aesthetic of the home as it exists today. There is a hardship justified by having an irregular shape and nonconforming lot. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - 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 width and has an irregular shape. The dimensional requirements for RS-1 are 10,000 sq. ft. in lot size and 90 ft. in width. This property is conforming in lot area at 11,271 sq. ft. and nonconforming at 50 ft. in width. Additionally, the home was constructed in 1972.

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 1954 and the home was constructed in 1972, which is not the result of the applicant, and therefore conditions are not self-imposed.

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

Staff finds that the proposed variance will not confer special privileges. The lot is irregular in shape, and the home was constructed in 1972. The request to add a rear addition with a rear setback of 23 ft will not confer special privileges as compared to other properties in the RS-1 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 width and irregular shape of this property, the applicant cannot add any rear addition and meet RS-1 standards. This situation is not the fault of the applicant and will deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with non-conforming lots.



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

Staff **does** find that the requested variances are the minimum variances needed to accommodate the proposed rear addition. The minimum variance needed would be to approve the rear yard setback of 23 feet in lieu of 30 feet minimum.

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.

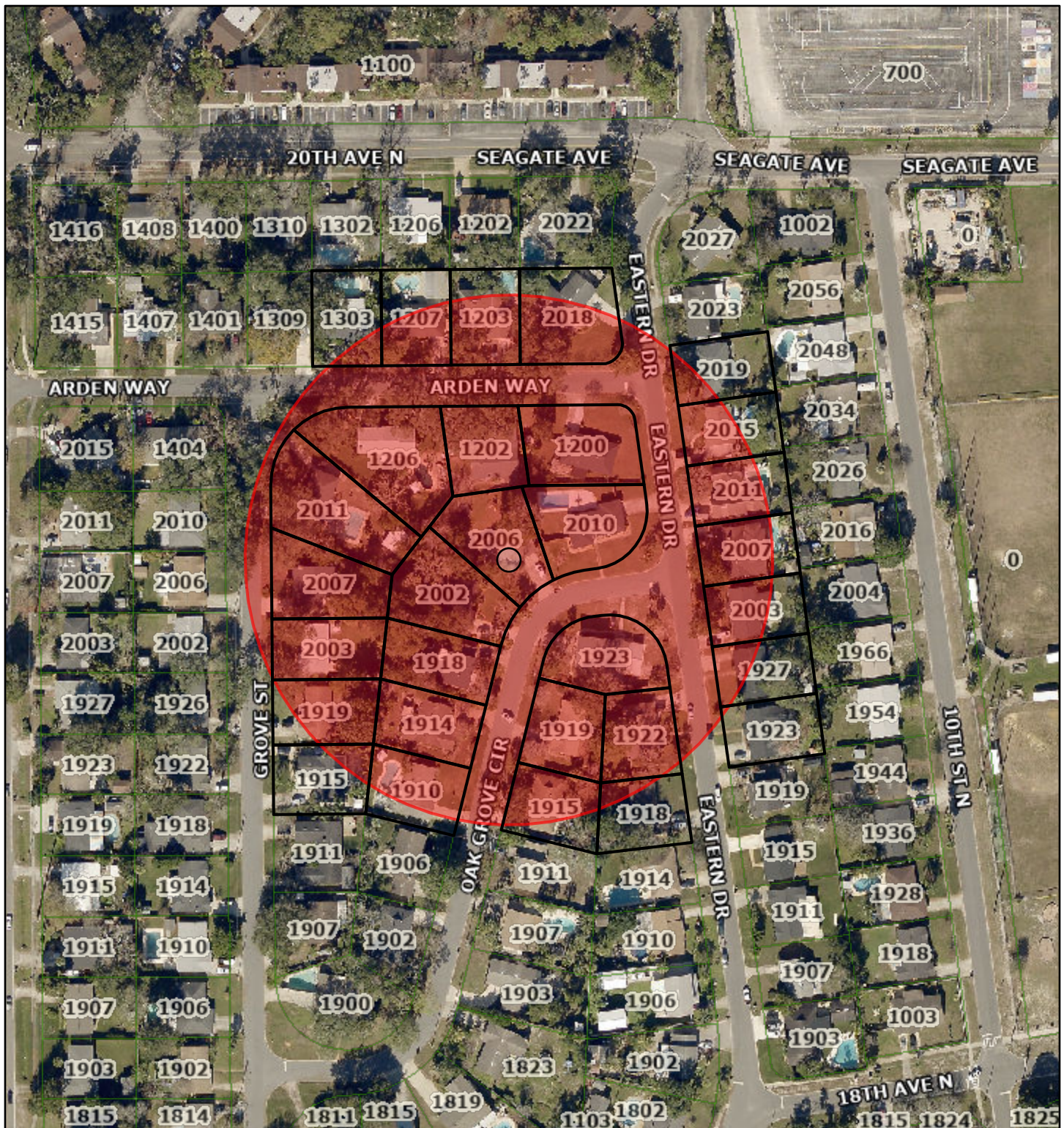
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

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#24-100008**

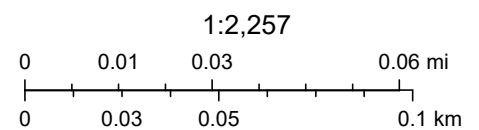
ATTACHMENTS:

1. 24-100008pics
2. 24-100008



February 1, 2024

 Parcels



24/00008

MAP SHOWING BOUNDARY SURVEY OF
LOT 13, BLOCK 5, SAN PABLO TERRACE, AS RECORDED IN PLAT BOOK 24, PAGE 96
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

JAN 03 2024

PLANNING
DEPARTMENT

CERTIFIED TO:
CHRISTOPHER KLOTZ
COMMERCIAL FEDERAL MORTGAGE CORPORATION
ACCELERATED TITLE COMPANY
STEWART TITLE GUARANTY COMPANY

LOT 9
BLOCK 5

N 38°07'05" E
49.16' (PLAT)
N 38°04'46" E
49.18' (MEASURED)

LOT 10
BLOCK 5

N 82°09'45" E
75.75' (PLAT)
75.72' (MEASURED)
NO UTILITY EASEMENT

LOT 13
BLOCK 5

LOT 14
BLOCK 5

N 139.52' (PLAT)
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ONE STORY
MASONRY &
POSTED # 2006

LOT 12
BLOCK 5

N 114.43' (MEASURED)
114.40' (PLAT)
S 20°38'35" E
20.38' (PLAT)
20.38' (MEASURED)

S 51°14'49" W
49.89' (MEASURED)
(CHORD)
S 51°14'15" W
50.00' (PLAT)(CHORD)

OAK GROVE CIRCLE
(50.0' RIGHT OF WAY)

POINT OF CURVATURE
FOUND 1/2" IRON PIPE
NO IDENTIFICATION
50.04' (MEASURED)(CHORD)
50.00' (PLAT)(CHORD)

FOUND 1/2" IRON PIPE
NO IDENTIFICATION
L=116.80'
R=116.80'

COVERED
PAVO

20' BUILDING
RESTRICTION LINE

LEGEND:

R = RADIUS
L = LENGTH
— X — = FENCE
⊙ = CONCRETE

NOTES:	ACCEPTED BY:

- NOTES:
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 - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE X AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED APRIL 17, 1989, COMMUNITY NUMBER 120078, PANEL 0001D
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 - THIS SURVEY NOT VALID WITHOUT THE EMBOSSED SEAL OF THE CERTIFYING SURVEYOR.

REVISIONS	
DATE	DESCRIPTION

JOB # 158 | DATE OF FIELD SURVEY: 10-05-00 | SCALE: 1" = 30'

RAY THOMPSON SURVEYING

1936 Southampton Road
Jacksonville, Florida 32207
(Phone) 904-396-3155
(Fax) 904-396-3156

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.072, FLORIDA STATUTES.

Raymond Thompson
RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA

LAND SURVEYS O CONSTRUCTION SURVEYS O SUBDIVISIONS

2410008

RECEIVED

JAN 03 2024

PLANNING
DEPARTMENT

CERTIFIED TO:
CHRISTOPHER KLOTZ
COMMERCIAL FEDERAL MORTGAGE CORPORATION
ACCELERATED TITLE COMPANY
STEWART TITLE GUARANTY COMPANY

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S 51°14'15" W
50.00' (PLAT)(CHORD)

OAK GROVE CIRCLE
(50.0' RIGHT OF WAY)

FOUND 1/2" IRON PIPE
NO IDENTIFICATION



1 SITE PLAN
A-1 SCALE: 1" = 20'-0"

0 10' 20' 40'
SCALE: 1" = 20'-0"

S&A

SHARON & ASSOCIATES, LLC
101 MARKETPLACE AVENUE, SUITE 400
PORT JEFFERSON, FL 33656
(813) 947-1977
www.sharonassociates.com

**KLOTZ'S
PATIO
ADDITION**

2006 OAK GROVE CIR.
JACKSONVILLE BEACH,
FL

Digitally signed
by Lawrence
Sharon
DN: cn=Lawrence Sharon,
o=S&A, ou=Sharon & Associates, LLC,
c=US, email=ls@sharonassociates.com,
11.08.23.01507

REVISIONS

DATE ISSUED: 11/10/2023

PROJECT NUMBER

P23079

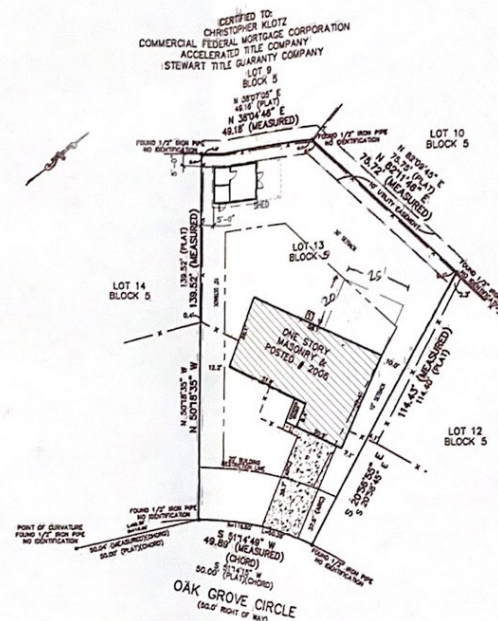
SHEET TITLE

SITE PLAN

SHEET NUMBER

A-1

LOT AREA TABULATION		
	AREA	PERCENTAGE
LOT AREA	11,271 SF	+/-
BUILDING COVERAGE	2,789 SF (+/-)	24%
IMPERVIOUS COVERAGE	3,445 SF (+/-)	30%



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DEPARTMENT

24/0008

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JAN 03 2024

PLANNING
DEPARTMENT

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: Christopher Klotz **Telephone:** (904) 834-1130
Mailing Address: 2006 Oak Grove Circle **E-Mail:** chrisjklotz@gmail.com
Jacksonville Beach FL 32250
Agent Name: Christopher Klotz **Telephone:** (904) 834-1130
Mailing Address: 2006 Oak Grove Circle **E-Mail:** chrisjklotz@gmail.com
Jacksonville Beach FL 32250
Landowner Name: Christopher Klotz **Telephone:** (904) 834-1130
Mailing Address: 2006 Oak Grove Circle **E-Mail:** chrisjklotz@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: 2006 Oak Grove Circle 178166-0000
Legal description of property (Attach copy of deed): 24-96 38-2S-29E SAN PABLO TERRACE LOT 13 BLK 5
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Rear yard setback of 23ft in lieu of 30ft to construct a proposed 20' x 25' covered patio to match existing roof style and pitch. Separately, a backyard shed of 280 SF (unsure if this requires a variance)

AFFIDAVIT

I, Christopher Klotz, 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

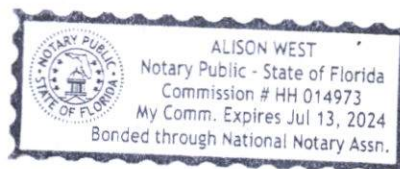
Christopher Klotz
PRINT APPLICANT NAME

11-27-23
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of November, 20 23, by Christopher Klotz, who is personally known to me or produced N/A as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
ALISON WEST
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): _____

...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.

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JAN 03 2024

PLANNING
DEPARTMENT

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Due to the small size of the lot, and 30' rear yard setback, it does not allow enough space to enjoy the outdoors. By creating a covered patio, it would allow for comfortable seating and dining space for our family.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	I purchased the house as-is and have not altered the lot or footprint of the house since it was constructed in 1972.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	We intend to keep the existing roof line without any added height to not interfere with or effect neighbors. This variance would not confer because this & many adjacent/surrounding homes are built within setbacks boundaries.
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	As most of these homes were constructed in and around the early 1970's, many are constructed inside the established setbacks. Surrounding homes have adequate outdoor entertainment spaces that this home does not.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The proposed size of the patio addition is of minimal enjoyable space for a family of 4, while still maintaining approximately 23' from the rear property boundary.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	We plan to maintain the integrity of the current style & aesthetic of the home as it exists today, the neighborhood & Jacksonville Beach in general. The proposed roof of the covered patio is the same pitch & style as existing.

5 MIN. RETURN
PHONE # 608 7141

Book 9783 Page 1739

RECEIVED

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Accelerated Title Company
6821 Southpoint Drive North
Jacksonville, Florida 32216

Property Appraisers Parcel Identification (Folio) Numbers:
178166-0000

Grantees SS #s:

608 7141
608 7141

Doc# 2000250113

Book: 9783

Page: 1739

Filed & Recorded

10/27/2000 10:30:46 AM

HENRY W COOK

CLERK CIRCUIT COURT

DUVAL COUNTY

TRUST FUND

DEED DOC STAMP

RECORDING

\$

\$

\$

\$

1.00

553.00

5.00

JAN 03 2024

PLANNING
DEPARTMENT

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 13th day of October, A.D. 2000 by DIANE DORSCH, AN UNMARRIED WOMAN, ALSO KNOWN AS DIANE D. KLOTZ, herein called the grantor, to DIANE DORSCH, AN UNMARRIED WOMAN, and CHRISTOPHER KLOTZ, AN UNMARRIED MAN, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP whose post office address is 2006 OAK GROVE CIRCLE, JACKSONVILLE BEACH, FL 32250, hereinafter called the Grantees:

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

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars 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, State of Florida, viz:

LOT 13, SAN PABLO TERRACE, BLOCK 5, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 24, PAGE 96, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Subject to easements, restrictions and reservations of record and to taxes for the year 2000 and thereafter.

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 grantees 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, and hereby 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, 1999.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Signature

DAVID E. FILICE

Witness #1 Printed Name

Witness #2 Signature

John D. Filice

Witness #2 Printed Name

Diane Dorsch
DIANE DORSCH

L.S.

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 13th day of October, 2000 by DIANE DORSCH who is personally known to me or has produced Florida Drivers License as identification.

SEAL



Carrie Lee

My Commission CC750800

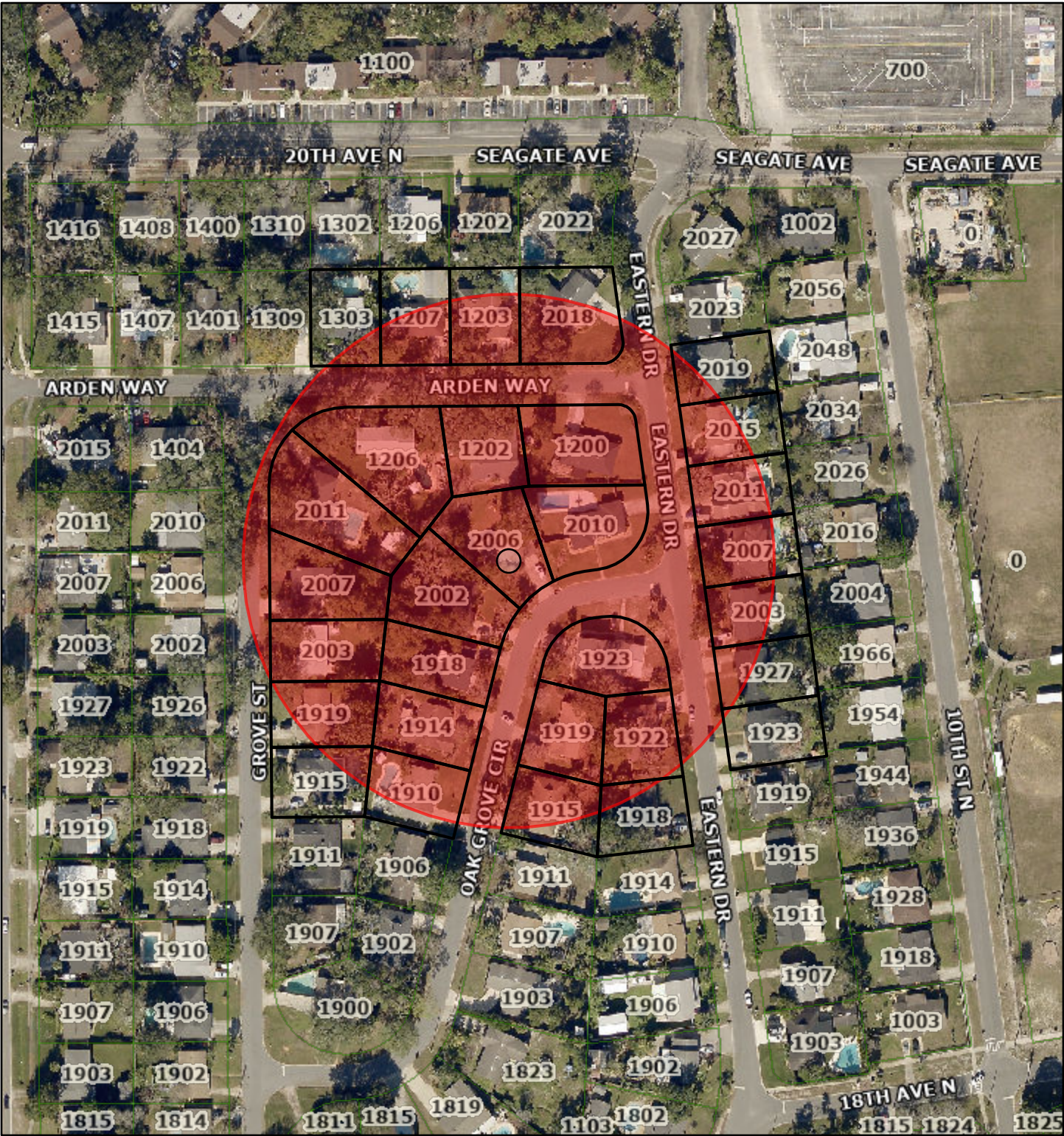
Expires July 4, 2002

Notary Signature

Carrie Lee

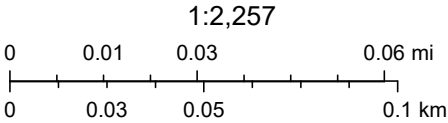
Printed Notary Signature

My Commission Expires: 7/4/02



February 1, 2024

 Parcels



24/00008

MAP SHOWING BOUNDARY SURVEY OF
LOT 13, BLOCK 5, SAN PABLO TERRACE, AS RECORDED IN PLAT BOOK 24, PAGE 96
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

JAN 03 2024

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CERTIFIED TO:
CHRISTOPHER KLOTZ
COMMERCIAL FEDERAL MORTGAGE CORPORATION
ACCELERATED TITLE COMPANY
STEWART TITLE GUARANTY COMPANY

LOT 9
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MASONRY &
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49.89' (MEASURED)
(CHORD)
S 51°14'15" W
50.00' (PLAT)(CHORD)

OAK GROVE CIRCLE
(50.0' RIGHT OF WAY)

POINT OF CURVATURE
FOUND 1/2" IRON PIPE
NO IDENTIFICATION
50.04' (MEASURED)(CHORD)
50.00' (PLAT)(CHORD)

FOUND 1/2" IRON PIPE
NO IDENTIFICATION
L=116.80'
R=116.80'

FOUND 1/2" IRON PIPE
NO IDENTIFICATION
L=30.38'
R=30.38'

LEGEND:

R = RADIUS
L = LENGTH
— X — = FENCE
⊙ = CONCRETE

NOTES:	ACCEPTED BY:

- NOTES:
1. BEARINGS ARE BASED ON THE PLAT BEARING OF N 50°18'35" W ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SUBJECT PARCEL
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 4. THIS SURVEY NOT VALID WITHOUT THE EMBOSSED SEAL OF THE CERTIFYING SURVEYOR.

REVISIONS	
DATE	DESCRIPTION

JOB # 158 | DATE OF FIELD SURVEY: 10-05-00 | SCALE: 1" = 30'

RAY THOMPSON SURVEYING

1936 Southampton Road
Jacksonville, Florida 32207
(Phone) 904-396-3155
(Fax) 904-396-3156

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.072, FLORIDA STATUTES.

Raymond Thompson
RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA

LAND SURVEYS O CONSTRUCTION SURVEYS O SUBDIVISIONS

2410008

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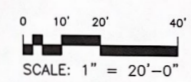
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(50.0' RIGHT OF WAY)

FOUND 1/2" IRON PIPE
NO IDENTIFICATION



1
A-1
SITE PLAN
SCALE: 1" = 20'-0"



S&A

SHARON & ASSOCIATES, LLC
101 MARKETPLACE AVENUE, SUITE 400
PORT JEFFERSON, FL 33658
(813) 947-1977
www.sharonassociates.com

**KLOTZ'S
PATIO
ADDITION**

2006 OAK GROVE CIR.
JACKSONVILLE BEACH,
FL

Digitally signed
by Lawrence
Sharon
DN: cn=Lawrence Sharon,
o=S&A, ou=Sharon & Associates, LLC,
c=US, email=ls@sharonassociates.com,
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REVISIONS

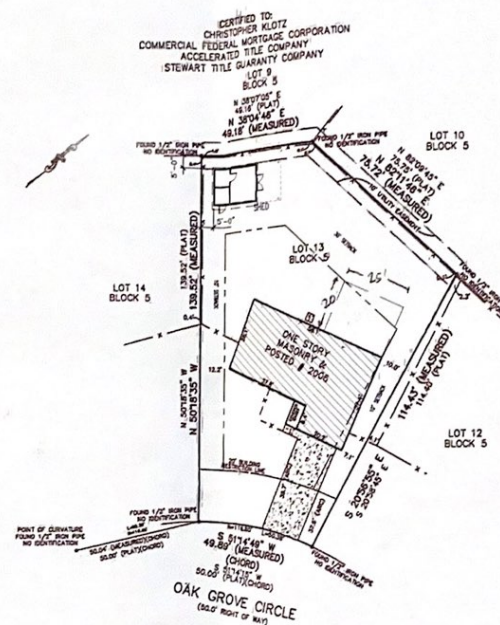
DATE ISSUED: 11/10/2023

PROJECT NUMBER
P23079

SHEET TITLE
SITE PLAN

SHEET NUMBER
A-1

LOT AREA TABULATION		
	AREA	PERCENTAGE
LOT AREA	11,271 SF	+/-
BUILDING COVERAGE	2,789 SF (+/-)	24%
IMPERVIOUS COVERAGE	3,445 SF (+/-)	30%



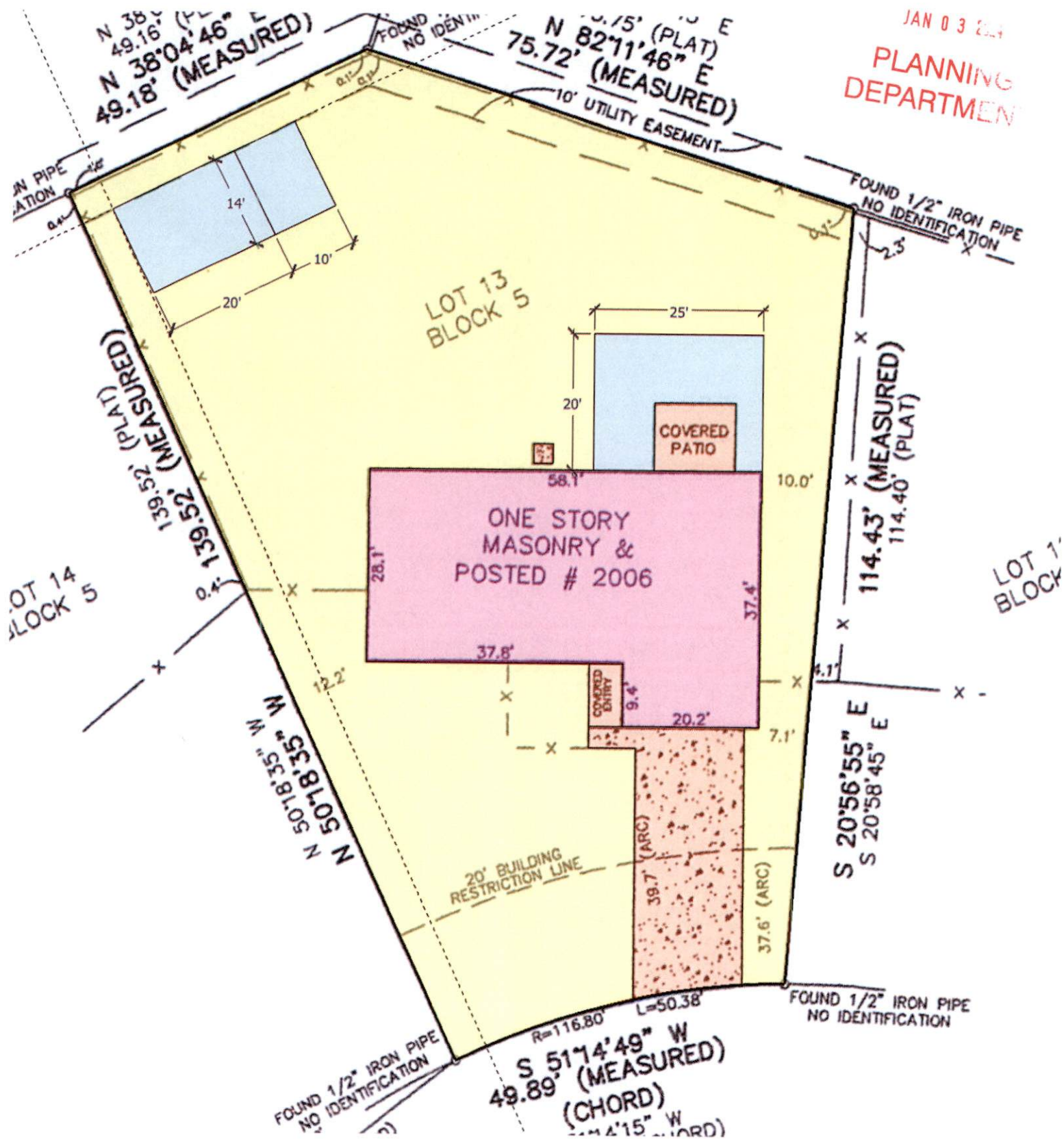
SITE PLAN
SCALE: 1" = 20'-0"

0 10' 20' 40'
SCALE: 1" = 20'-0"

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24-100008

2006 Oak Grove Circle Lot Coverage Calculations

	Sq Ft	%	
Total Lot Size	11,189	100.0%	*per tax
Home, incl cov porch, garage	1,872	16.7%	*1,849 per tax
Existing back patio	120	1.1%	
Driveway / Walkway	644	5.8%	
AC pad	9	0.1%	
Total Existing	2,645	23.6%	
Proposed Patio extension	500	4.5%	
Proposed Patio Extension net	380	3.4%	
Proposed Shed	280	2.5%	
Proposed Shed incl overhang	420	3.8%	
Total Proposed	800	7.1%	
Total Including Proposed	3,445	30.8%	



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100135 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Wednesday, February 21, 2024 Board of Adjustment Meeting.

BOA #24-100135

ZONING: RS-3
RE NO.: 179459-3190
LEGAL: Lot 38, *Seabreeze Park*.
ADDRESS: 1382 Eastwind Drive N

REQUEST:

Section(s): 34-338(e)(1)(d) for no garage or car-port in lieu of a required garage or carport, 34-338(e)(1)(g), for a detached accessory structure pool structure setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back; 34-388(e)(1)(g), for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool; 34-338(e)(1)(e), for lot coverage of 55% in lieu of 35% maximum **for property addressed** 1382 Eastwind Drive N., **Re#** 179459-3190, **legally described as** Lot 38 Seabreeze Park.

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1989), located in the Medium Density Residential future land use category. The property is currently zoned Residential, single-family: RS-3 zoning district. The subject parcel is 50 ft in width with a total area of 4,445.86 square feet. These dimensions do not conform with the RS-3 standards. The subject property is occupied by a single-family dwelling, a driveway, backyard patio, and concrete slabs on the east and west sides of the property. This totals 2,719.71 sq. ft. of impervious surfaces, or 60.98% lot coverage. The applicant is asking for a variance for no garage or car-port in lieu of a required garage or carport, for a detached accessory structure pool structure setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back, for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool, for lot coverage of 55% in lieu of 35% maximum. Shortly after the applicant purchased the property, he was made aware that the southwestern triangle of the property was not owned by him. This event caused the applicant to lose 16% of the property size. Additionally, there are three previous variances for this property. In 1988 a variance was approved for rear yard setback of 20 ft in lieu of 30 ft, In 1992a variance was approved as amended for a rear yard setback of 12ft in lieu of 20ft, and in 1997 a variance was approved for an accessory structure of 0.67 ft in lieu of 5ft.

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

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

BOA#6-97: Approved; Allow accessory structure of 0.67 ft in lieu of 5ft from interior lot line.

No active code cases.

STAFF ANALYSIS:

Per Section 34.158 - Successive applications: Staff has reviewed the proposed new application and determined the overall request has been reduced by 25% in both scope of setback encroachments and by a reduction in lot coverage. Staff has approved the applicant to submit this new application under this code section, as noted below. Based on a review by the Planning and Development Director, this new application is considered Materially Different.

The subject property is substandard in width, as it originally measured 50 in width rather than the 60 feet minimum requirement in the RS-3 zoning district. The applicant is requesting a variance for no garage or car-port in lieu of a required garage or carport, for a detached accessory structure pool structure setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back, for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool, for lot coverage of 55% in lieu of 35% maximum. The subject property is irregular as compared to the surrounding lot pattern to its rear. The applicant plans on adding a new pool and detached structure to the property. The applicant was denied a variance for similar requests back in December of 2023. The applicant will reduce the driveway by 13%, reduce current pacers by 36%, and reduce the detached structure by 20% from the original request in December. There will be a total deduction of 9% of the lot coverage from the request made in December. If this was a standard lot, it would only have 41.44% of lot coverage. The total lot coverage will be reduced from 61% to 55%. There is a hardship justified by having a nonconforming lot. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

Minimum lot area: Six thousand (6,000) square feet.

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

Sec. 34-158. - Successive applications.

*Whenever any application for a development permit is denied for failure to meet the substantive requirements of the LDC, an application for a development permit for all or a part of the same land shall not be considered for a period of one (1) year after the date of denial unless the subsequent application involves an application for development permit that is materially different from the prior proposal, or unless the person or four (4) members of the decision making body that made the final decision on the application determines that the prior denial was based on a material mistake of fact. **For the purposes of this section, an application for a development permit shall be considered materially different if it involves a change in land use, a change in intensity of use of twenty-five (25) percent,** or the application expressly satisfies the deficiencies that were identified in the prior denial. The body charged with conducting the initial public hearing under such successive application shall resolve any question concerning the similarity of a second application or other questions which may develop under this section.*

REVIEW OF CRITERIA:

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject parcel is nonconforming in both width and lot area. The subject parcel is 4,459.86 sq ft square feet and 50 feet in width. The minimum lot area: Six thousand (6,000) square feet and the minimum width is 60 feet.

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

Staff **does not** find that circumstances are a result of the applicant. The lot is substandard, the existing lot coverage and setbacks for the home are not the result of the applicant, and therefore are not self-imposed.

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

Staff finds that the proposed variance **will not** confer special privileges. The request to allow for no garage or car-port in lieu of a required garage or carport, for a detached accessory structure pool structure setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back, for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool, for lot coverage of 55% in lieu of 35% maximum, all to allow for a new pool and detached addition and to address existing nonconformities to a lot that does not meet the minimum lot size or width for the RS-3 zoning district would not confer a special privilege as compared to other properties in the same zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Due to the size and irregular shape of this property, you cannot add any accessory structures and meet RS-3 standards. This situation is not the fault of the applicant and will deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with non-conforming lots.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the existing request. The minimum variance needed would be to approve no garage or car-port in lieu of a required garage or carport, for a detached accessory structure pool setback of 3 ft in lieu of 5 ft minimum from the rear yard set-back, for an east side yard setback accessory structure setback of 2 ft in lieu of 5 ft minimum for a pool, for lot coverage of 55% in lieu of 35% maximum.

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.

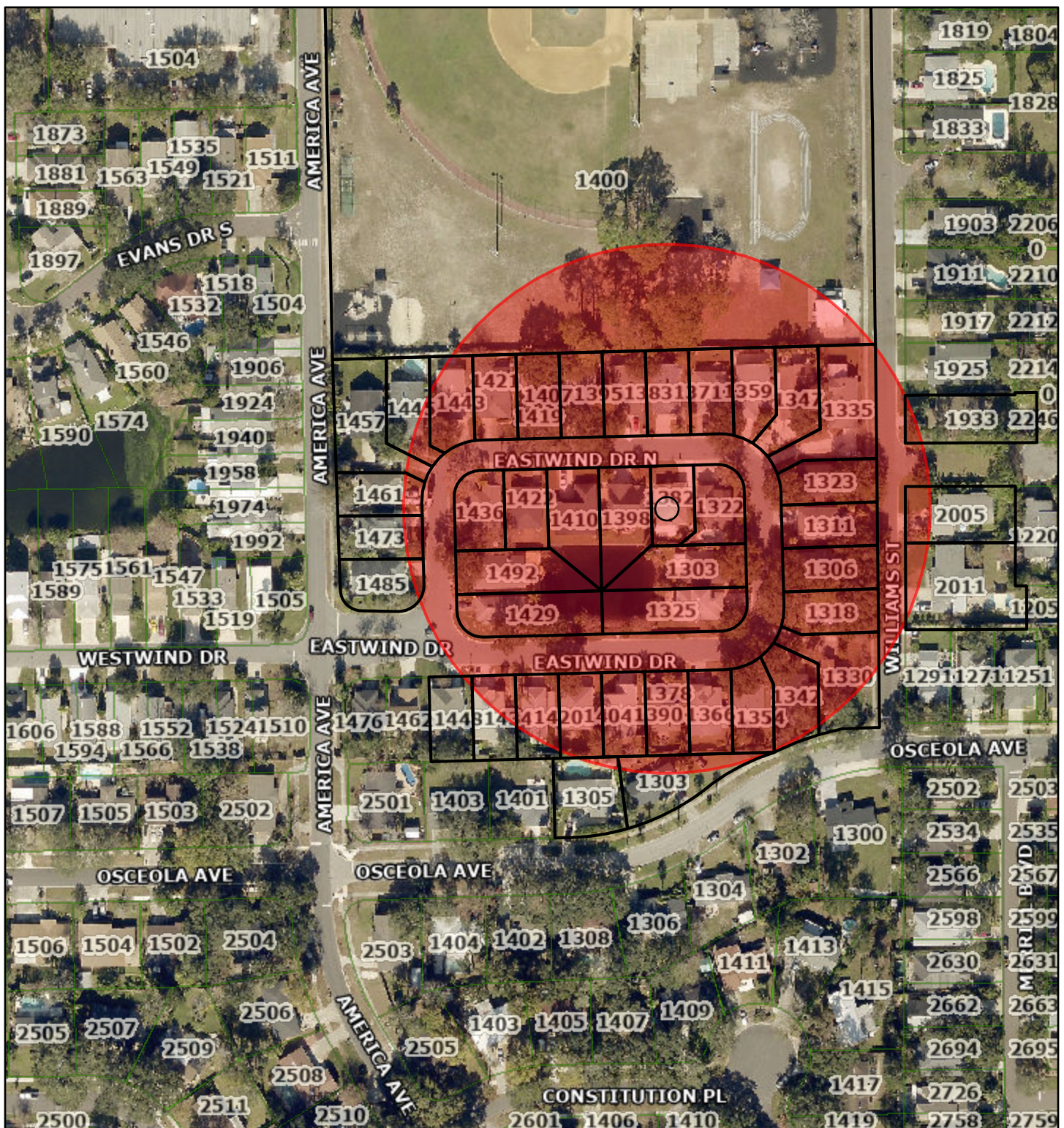
Staff **does** find that the request is consistent with the comprehensive plan. The applicant does not meet land development codes but does meet the comprehensive plan with regards to use and density in the medium density residential future land use.

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#24-100135**

ATTACHMENTS:

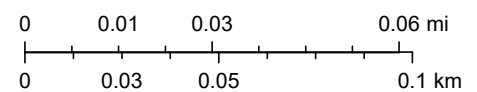
1. 24-100135pics
2. 24-100135



February 1, 2024

 Parcels

1:2,257



Current Design

Lot Coverage:

Driveway/Walkway:	639.43 sq ft
Concrete Foyer:	28.16 sq ft
House:	1640.93 sq ft
West Concrete Slab:	33.83 sq ft
Backyard Patio:	321.54 sq ft
A/C Slab:	8.58 sq ft
East Concrete Slab:	47.24 sq ft

Total: 2719.71 sq ft

Lot Size: 4459.86 sq ft

Lot Coverage: $(2719.71 / 4459.86) * 100 = 60.982\%$

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Note: Survey provided during purchase of the property and the above survey that I paid for as a supplemental survey matched. Design was done prior to purchase of the property that required no setback variances.

Proposed Design

Lot Coverage:

Driveway/Walkway V1:	427.89 sq ft
Driveway/Walkway V2:	375.76 sq ft (13% reduction)
Concrete Foyer:	29.16 sq ft
House:	1640.93 sq ft
Pavers between OLS and Pool V1:	197.68 sq ft
Pavers between OLS and Pool V2:	127.26 sq ft (36% reduction)
Outdoor Living Space (OLS) V1:	270 sq ft
Outdoor Living Space (OLS) V2:	218.17 sq ft (20% reduction)
A/C Slab:	9 sq ft
Pool Equipment Slab	15 sq ft
Pool Skirt:	305.5 (Area of skirt + pool) - 234.24 (Pool) = 71.26 sq ft
Total V1:	2660.92 sq ft
Total V2:	2660.92 sq ft
Current Total V1:	2719.71 sq ft
Current Total V2:	2486.54 sq ft (9% reduction)
Lot Size:	4459.86 sq ft
Current Lot Coverage:	60.982%
Lot Coverage V1:	$(2660.92 / 4459.86) * 100 = 59.664\%$
Lot Coverage V2:	$(2486.54 / 4459.86) * 100 = 55.753\%$
Lot Coverage if standard lot size:	$(2486.54 / 6000.00) * 100 = 41.442\%$

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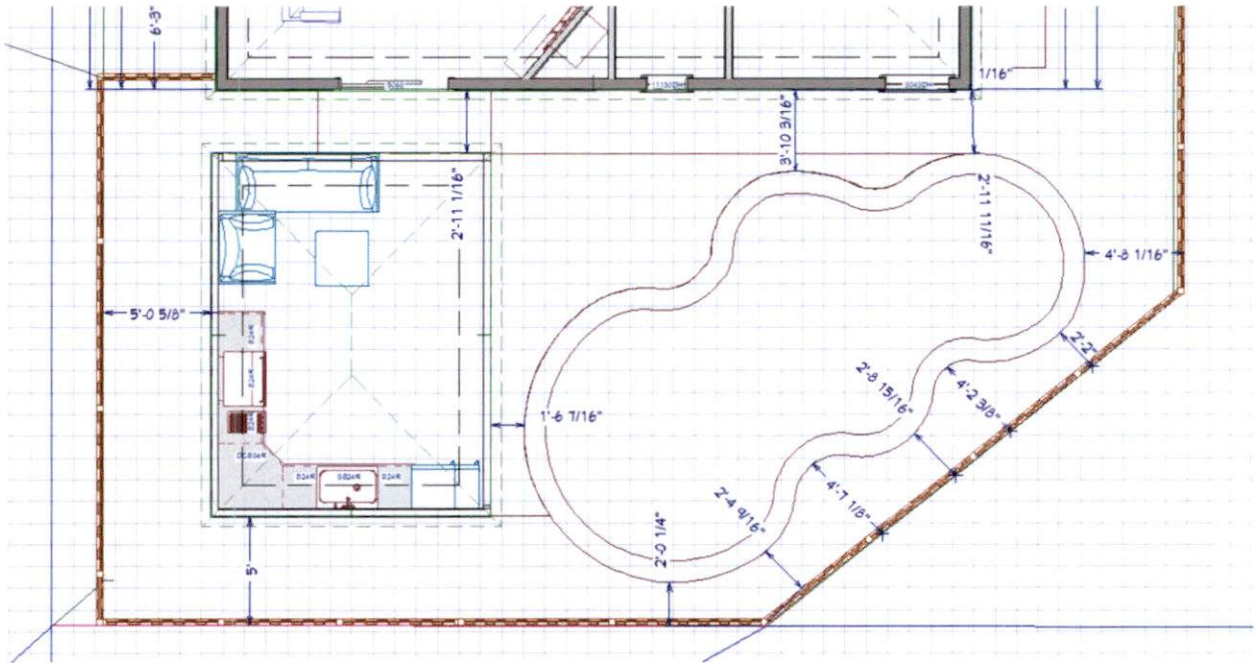
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Note: The variances that this design requires are related to the pool addition, detached structure addition, and garage conversion. The pool is within 5 feet of the primary residence, detached structure, and setbacks (East, Southeast, and South). The detached structure is within 5 feet of the primary residence. Lastly, the lot coverage will be reduced from 61% to 55%.



Additional Pictures for Dimension and Visualization



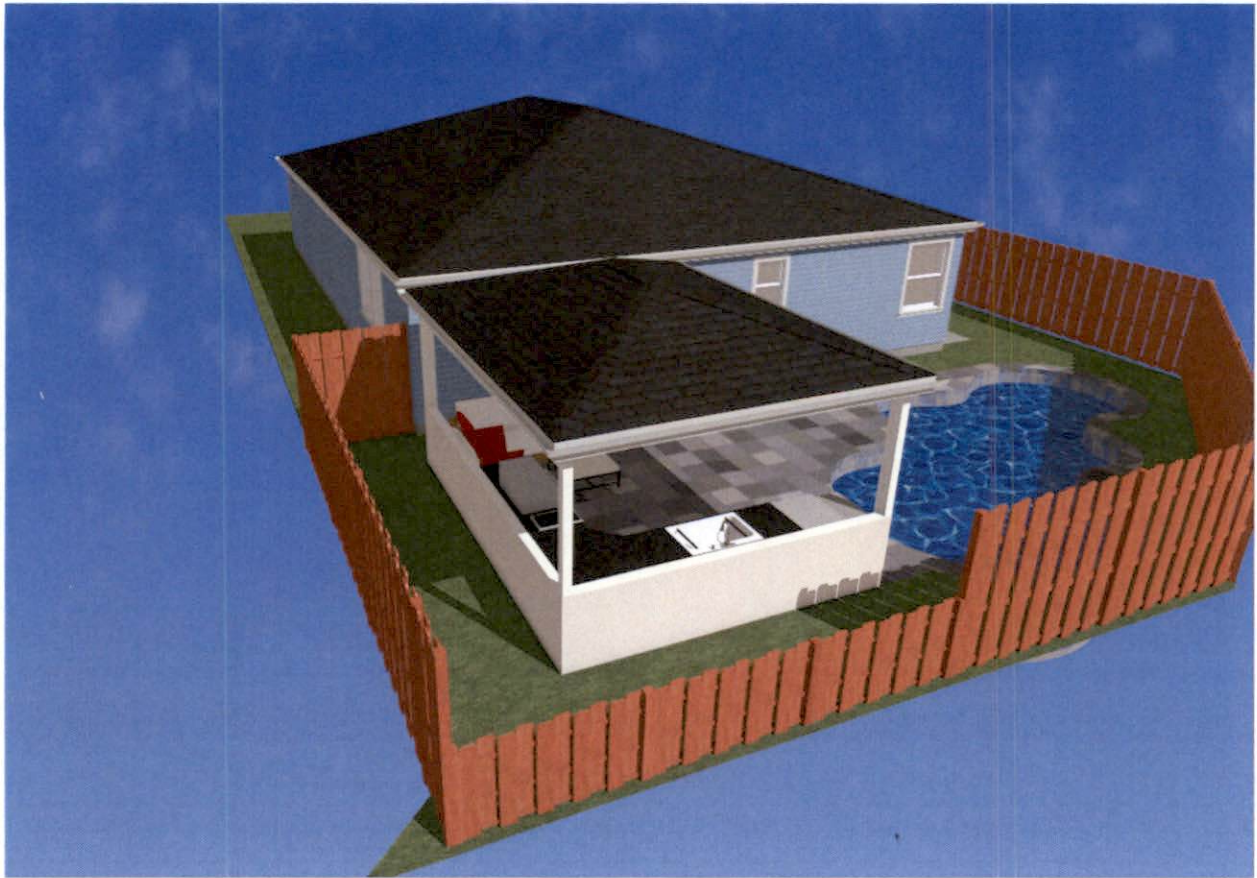
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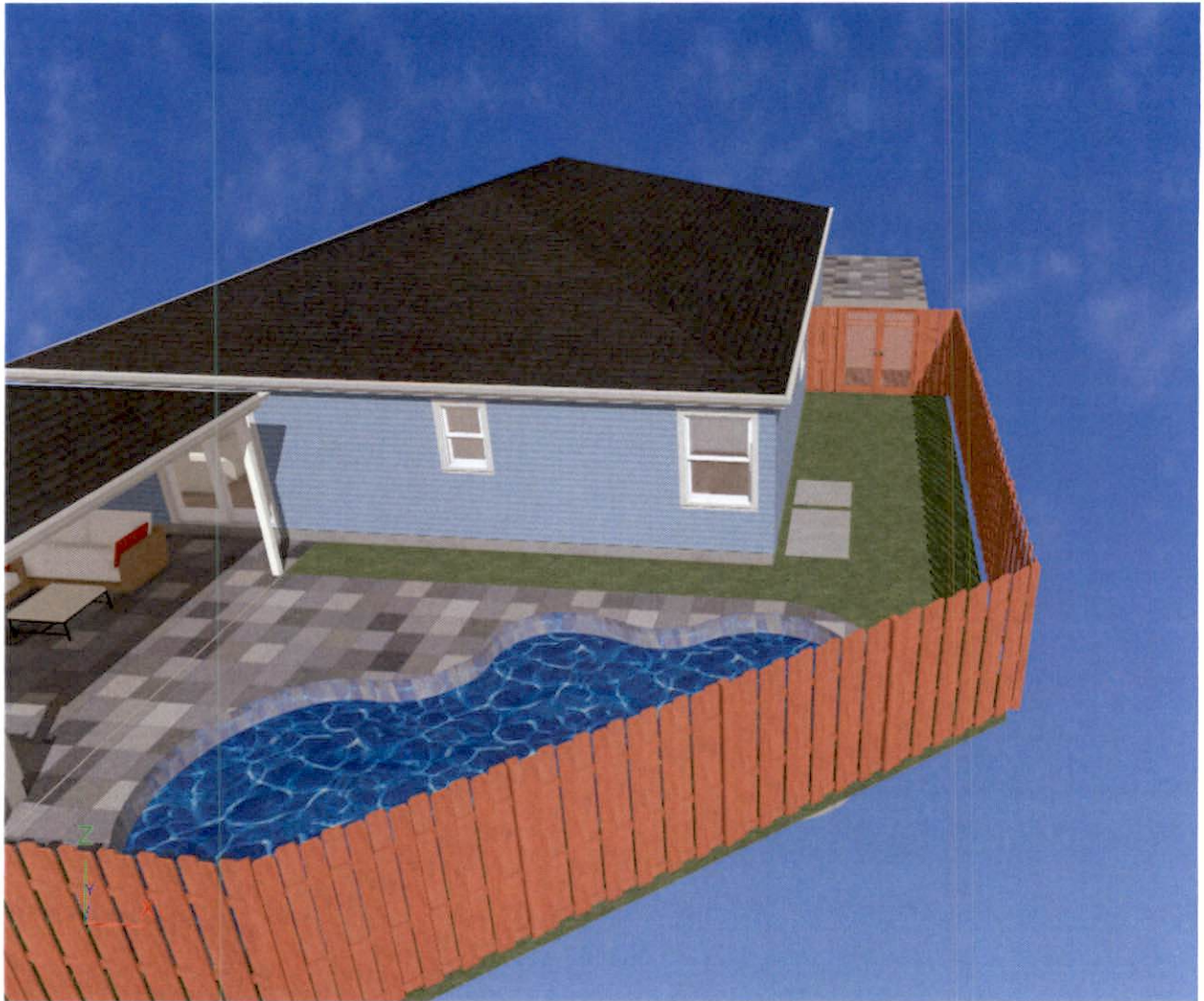
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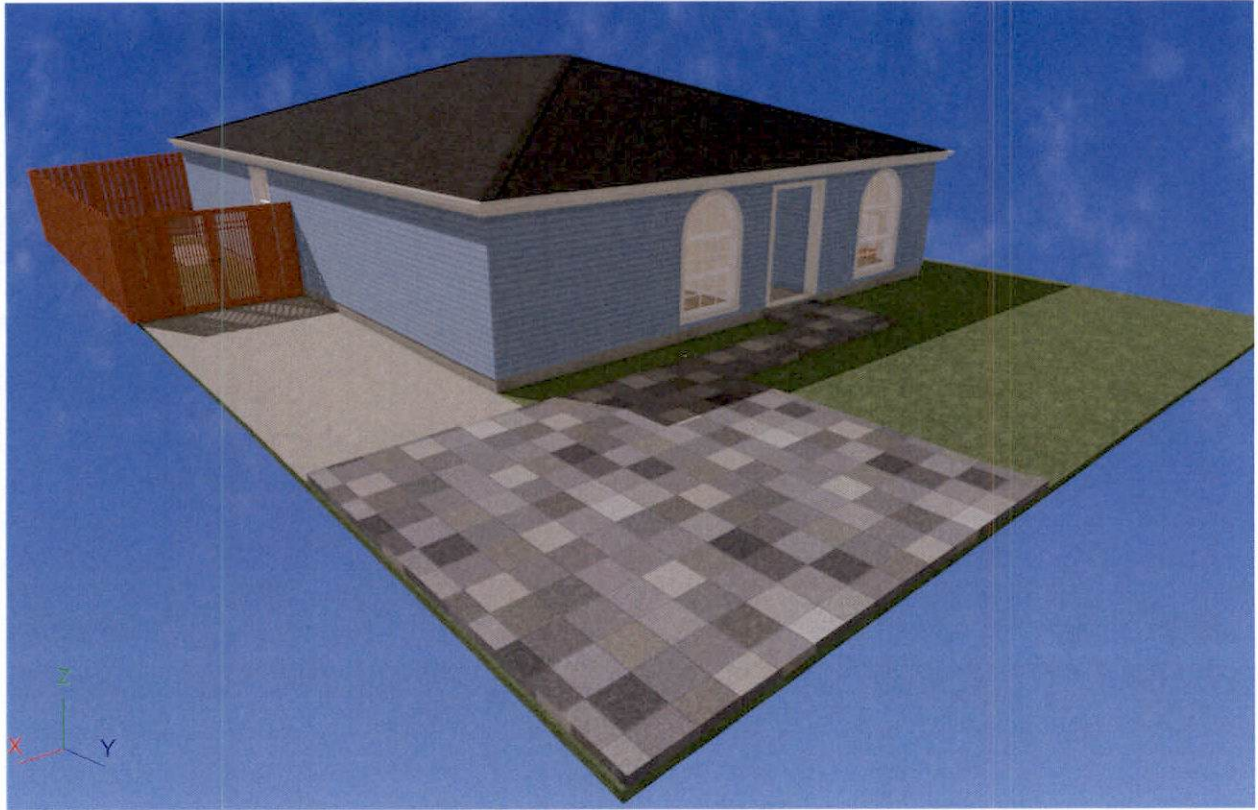
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APPLICANT INFORMATION

Applicant Name: Jordan Quick Telephone: 803 640 2136
 Mailing Address: 1382 Eastwind Drive N E-Mail: jordan_quick@yahoo.com
Jacksonville Beach FL 32250
 Agent Name: _____ 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: 1382 Eastwind Drive N
 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).
Primary house setback of 3ft in lieu of 5 ft for pool + detached structure; backyard
setback of 2 ft on East, Southeast, and South setbacks for pool; lot coverage of
55% in lieu of the NC 61% I currently have.

AFFIDAVIT

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

[Signature]
 APPLICANT SIGNATURE

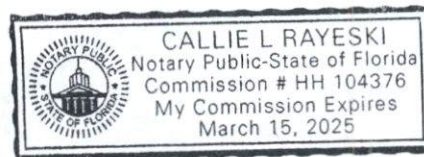
Jordan Quick
 PRINT APPLICANT NAME

1/18/24
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18 day of January, 2024, by Jordan Quick, who is personally known to me or produced drivers license as identification.

[Signature]
 NOTARY PUBLIC SIGNATURE
Callie Rayeski-Bowling
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: R5-3FLOOD ZONE: X

CODE SECTION (S): _____

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	I have a hardship due to lot size being 4459 sq. ft. instead of the required 6000 sq. ft. This is 74% of required lot size. Also lot width is 50ft. instead of 60ft.
Special circumstances and conditions do not result from the actions of the applicant.	yes	lot size lot width as explained above
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	lot size lot width
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	lot size lot width
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	lot size lot width
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	lot size lot width

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

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

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General Warranty Deed

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

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

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

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

Parcel ID Number: 179459-3190

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

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

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

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

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Current Design

Lot Coverage:

Driveway/Walkway:	639.43 sq ft
Concrete Foyer:	28.16 sq ft
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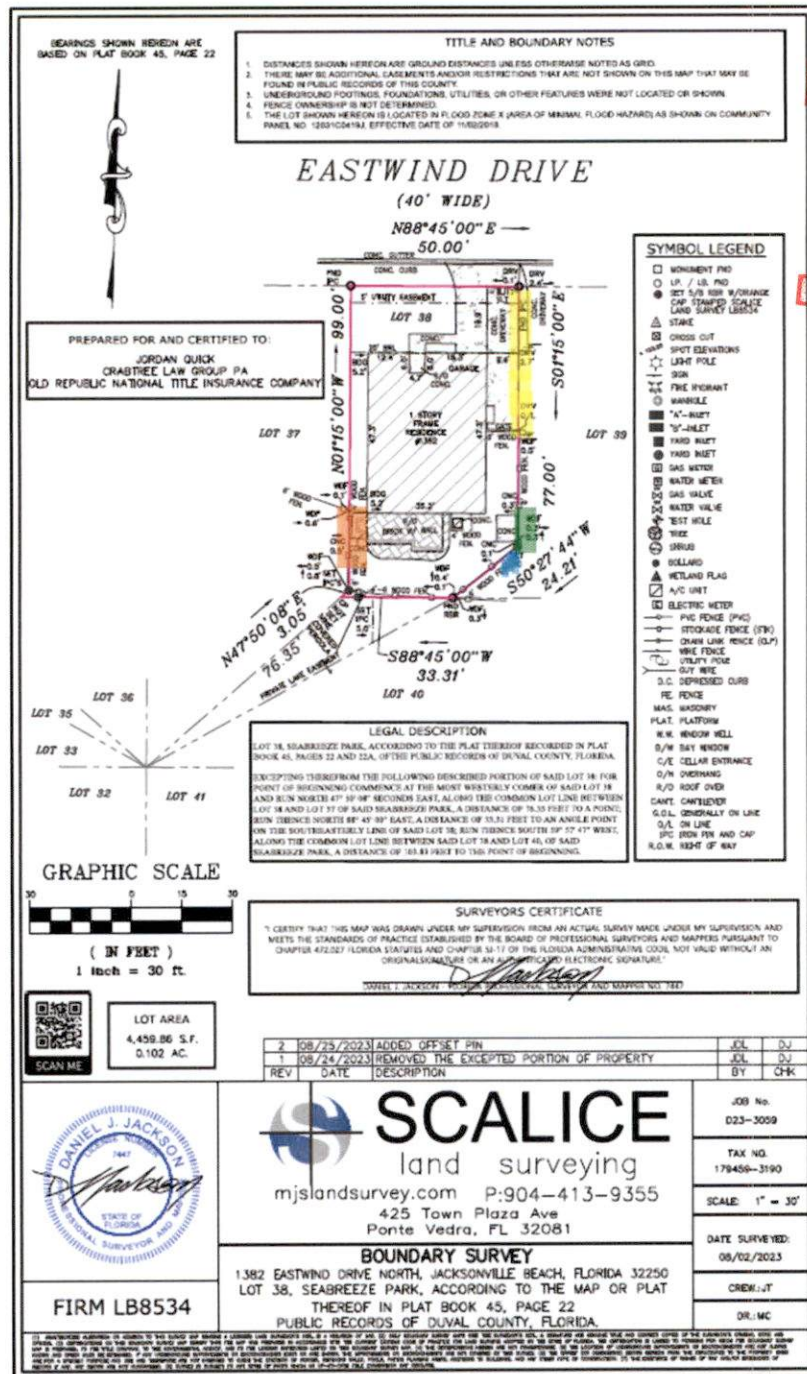
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Note: Survey provided during purchase of the property and the above survey that I paid for as a supplemental survey matched. Design was done prior to purchase of the property that required no setback variances.



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Note: Shortly after purchasing the property, I was made aware the southwestern triangle of the property was not actually mine. The surveyor came back to correct the mistake and above is the new survey with a loss of 16% of the property size. Additionally, I found out all the highlighted regions are non-conforming setback variances. As well as the lot coverage was not captured in the variances as well. The current property has 4 non-conforming setback variances and 1 non-conforming lot coverage variance at 61%.

Proposed Design

Lot Coverage:

Driveway/Walkway V1:	427.89 sq ft
Driveway/Walkway V2:	375.76 sq ft (13% reduction)
Concrete Foyer:	29.16 sq ft
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Pavers between OLS and Pool V1:	197.68 sq ft
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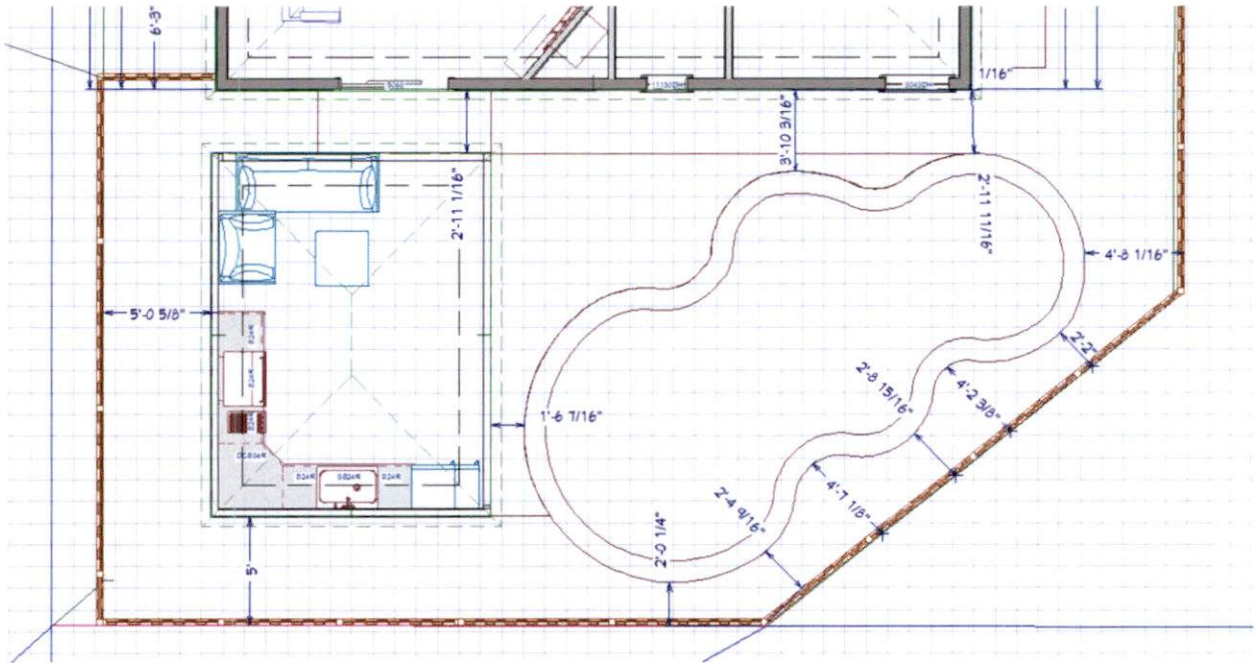
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Additional Pictures for Dimension and Visualization

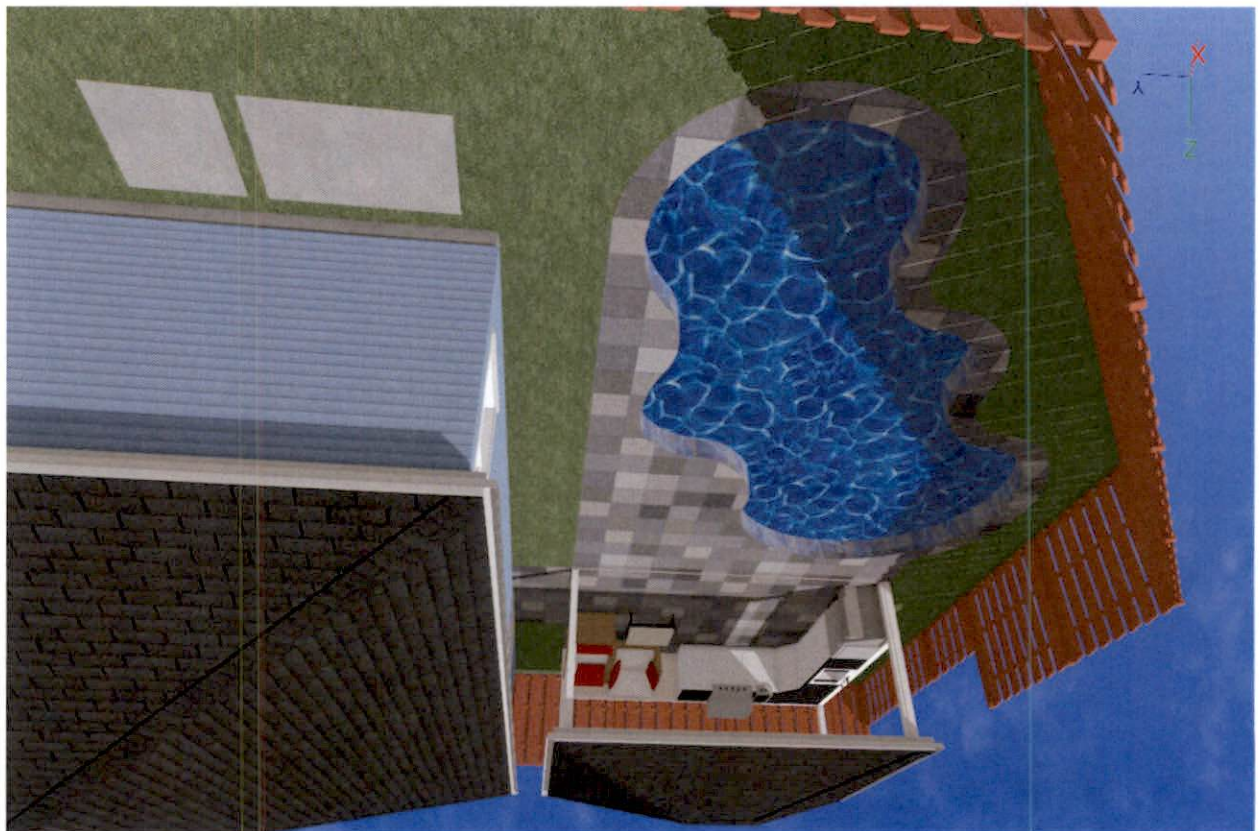


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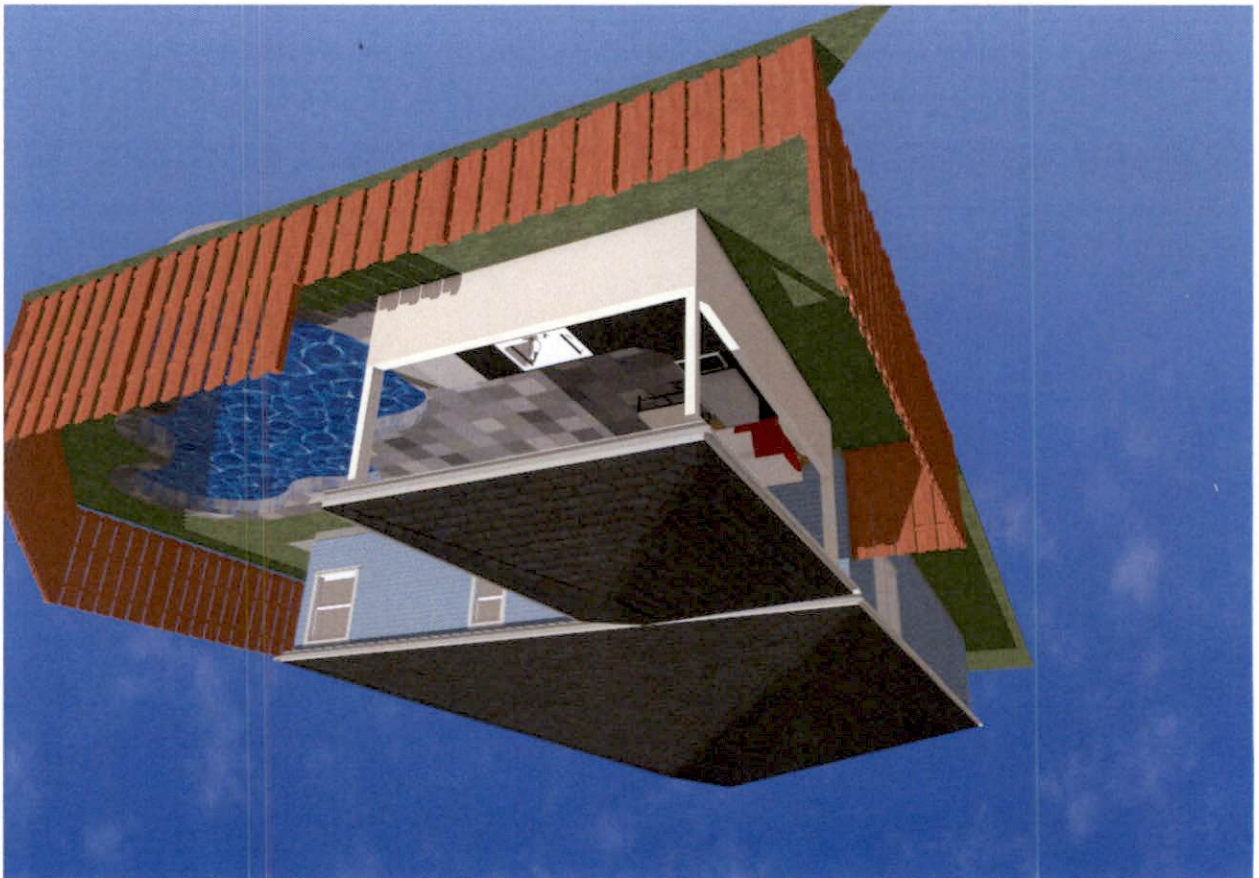
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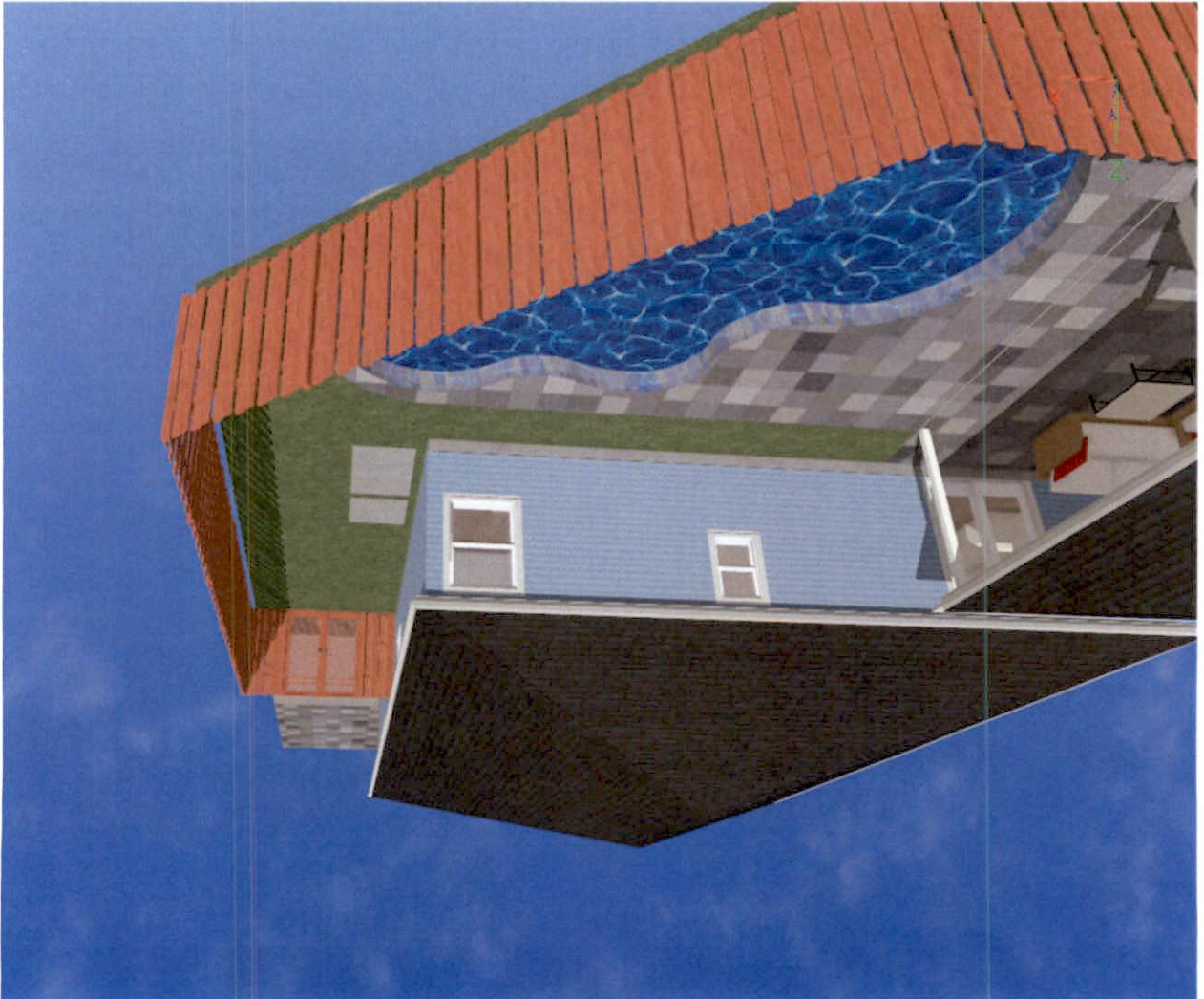
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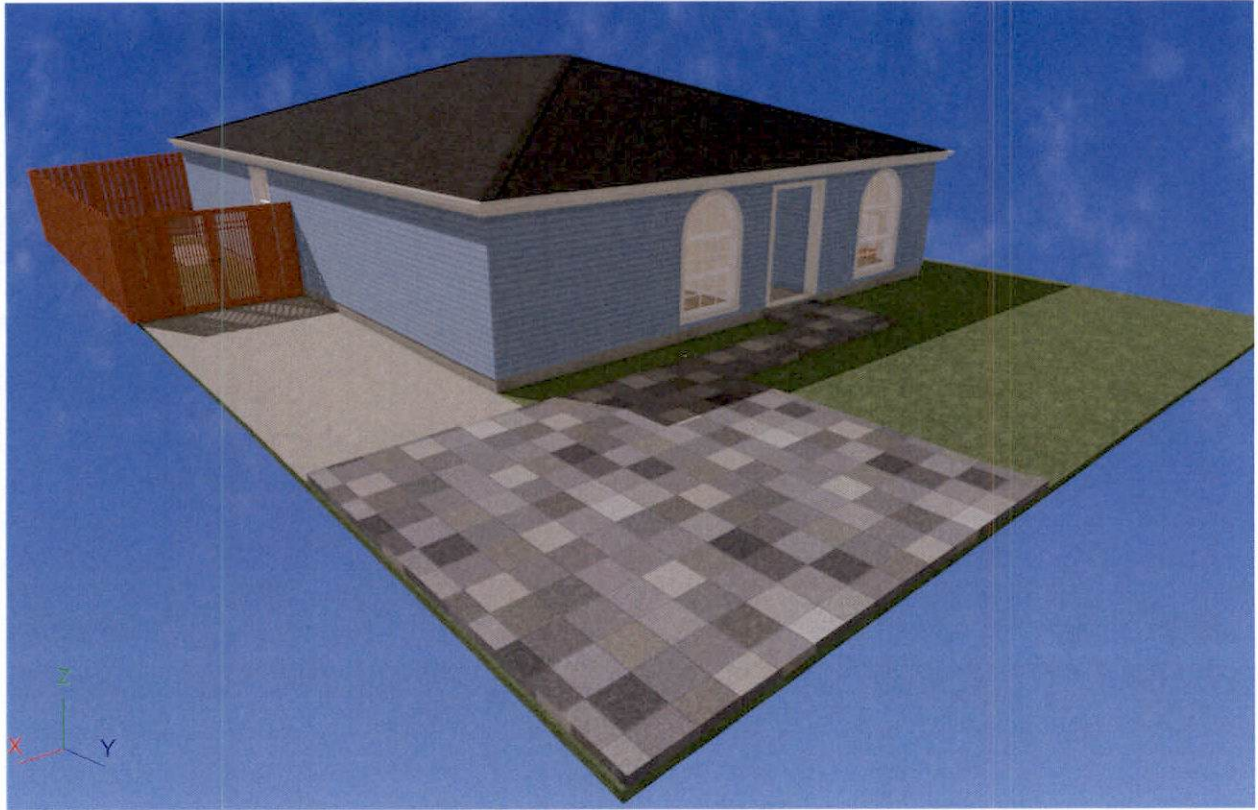


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