



City of Jacksonville Beach

Regular Meeting Agenda

11 North Third Street
Jacksonville Beach, Florida

Board of Adjustment

Tuesday, March 5, 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, Jennifer Williams

Alternates: Matt Metz.

APPROVAL OF MINUTES

A. Minutes for February 6, 2024 Meeting

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s):** **BOA#24-100137**

Applicant: Michael Shumer

Agent: N/A

Owner: Michael Shumer & Tammy Shumer

Property Address: 203 34th Ave S

Parcel ID: 180627-0000

Legal Description: Lot 11 and lot 12, Block 19, *Replat Unit No.1 Atlantic Shores*

Current Zoning: RS-1

Motion to Consider: **Section(s):** 34-336(e)(1)(c)2, for westerly side setback of 5ft on Lot 11 in lieu of 10ft minimum; 34-336(e)(1)e, for 45% lot coverage on Lot 11 in lieu of 35% maximum, for proposed additions to a single family dwelling **for property addressed** 203 S 34th Ave, **RE#**180627-0000, **legally described as** Lot 11 and lot 12, Block 19, *Replat Unit No.1 Atlantic Shores*

B. **Case Number(s):** **BOA#24-100139**

Applicant: Aimee Herdt

Agent: Bob Hamil

Owner: Aimee Herdt

Property Address: 2930 S 2nd St

Parcel ID: 180692-0100
Legal Description: Lot 19, Block 24, *Replat Unit No.1 Atlantic Shores*
Current Zoning: RS-1
Motion to Consider: **Section(s):** 34-336(e)(1)(e), for 45% lot coverage in lieu of 35% maximum, for new pool deck and covered back patio to a single family dwelling located at **property addressed** 2930 S 2nd St, **RE#** 180692-0100, **legally described as** Lot 19, Block 24, *Replat Unit No.1 Atlantic Shores*

C. **Case Number(s): BOA#24-100140**

Applicant: Donald Young
Agent: Ian Brown
Owner: Donald Young
Property Address: 26 N 20th Ave
Parcel ID: 174775-0000
Legal Description: Lot 8, Pritchard-Clarsen Replat of Part of Block 201, *Pablo Beach North*
Current Zoning: RM-2
Motion to Consider: **Section(s):** 34-340(e)(1)f, for 57% lot coverage in lieu of 35% maximum; 34-340(e)(1)(c)2, for side yard setback of 5ft on both side in lieu of 10ft minimum; 34-340(e)(1)(c)1, for front yard setback of 7.5ft in lieu of 20ft minimum; 34-340(e)(1)(c)3 for rear yard setback of 17.5ft in lieu of 30ft minimum, for construction of a new two-family dwelling located at **property addressed** 26 N 20th Ave, **RE#** 174775-0000, **legally described as** Lot 8, Pritchard-Clarsen Replat of Part of Block 201, *Pablo Beach North*

D. **Case Number(s): BOA#24-100141**

Applicant: Wayne Pollard
Agent: The Batts Company
Owner: Wayne Pollard
Property Address: 1182 19th St N
Parcel ID: 179110-0032
Legal Description: Lot 1,Block 43, *Sec A Jacksonville Beach*
Current Zoning: RS-2
Motion to Consider: **Section(s):** 34-337(e)(1)(c)3, for rear yard setback of 22ft in lieu of 30ft minimum, to construct a covered patio area over new pool deck, 34-337(e)(1)g, for accessory structure set back of 3.6ft from primary structure for pool **for property addressed** 1182 N 19th St, **RE#** 179110-0032, **legally described as** Lot 1,Block 43, *Sec A Jacksonville Beach*

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

**Minutes of Board of Adjustment Meeting
held Tuesday, February 6, 2024, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

Chairperson Curley called the meeting to order at 6:01 P.M.

ROLL CALL:

Chairperson: Owen Curley
Vice-Chairperson: Jeff Truhlar
Board Members: John Moreland Todd Smith
Alternates: Matt Metz Jennifer Williams

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

APPROVAL OF MINUTES:

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

- Joint Boards Workshop held on January 10, 2024
- Regular Board of Adjustment Meeting held on January 17, 2024

CORRESPONDENCE: None

OLD BUSINESS:

A. Case Number: BOA#23-100128
Applicant/Owner: Chris Rood
Agent: N/A
Property Address: 903 S 4th Ave
Parcel ID: 1/2 Lot 8, Block 40, Pablo beach South

City of Jacksonville Beach Land Development Code Section(s): 34-373(d), for parking area set back of 0ft in lieu of 5ft minimum; 34-339(e)(2)d, for no garage or carport in lieu of a required garage or carport to address current nonconformities for property addressed 903 S 4th Ave, RE# 175868-0000, legally described as south 1/2 Lot 8, Block 40, Pablo beach South.

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

Agent: Brad Wester, 1 Independent Drive, Suite 1200, Jacksonville, stated the hardship was a nonconforming and undersized lot. Mr. Wester provided an aerial view of the property [on file].

A discussion ensued about the fence, driveway, and the proposed plans.

Public Hearing:

The following spoke about parking concerns:

- Janice Smith, 410 4th Avenue South, Jacksonville Beach

Mr. Curley closed the public hearing.

Mr. Wester addressed the parking concerns and questions from the board.
Discussion continued about the driveway and property.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Metz, to approve BOA#23-100128 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about parking.

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

The motion passed unanimously.

NEW BUSINESS:

A.	Case Number:	BOA#23-100122
	Applicant:	John Atkins
	Agent:	N/A
	Owner:	Atkins Builders, Inc
	Property Address:	215 N 19th Ave
	Parcel ID:	175442-0000

City of Jacksonville Beach Land Development Code Section(s): 34-342(e)(3)b, for side yard setbacks of 5ft on each side in lieu of 10ft minimum, to allow construction for a 2-unit Multifamily Structure for property addressed 215 N 19th Ave, RE#175442-0000, legally described as Lot 7, Block 203, Elton realty Co's replat.

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

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was an undersized lot. Mr. Atkins provided the proposed plans [on file].

A discussion ensued about the existing and proposed structure, zoning, driveway, and the neighbors. Planner Danevsky Joseph explained the zoning requirements.

Public Hearing:

No one came forward to speak. Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-100122 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the setbacks and the request. Mr. Joseph confirmed the zoning requirements.

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

The motion passed unanimously.

B. Case Number: **BOA#24-100002**
Applicant/Owner: Ryan Donlon
Agent: N/A
Property Address: 840 S 7th Avenue
Parcel ID: 176583.0000

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(2)f, for 38% lot coverage in lieu of 35% maximum, for a new 8 by 10 shed for property addressed 840 S 7th Ave, RE# 176583-0000, legally described as Lot 5, Block 79, Oceanside Park.

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

Applicant: Ryan Donlon, 840 7th Avenue South, Jacksonville Beach stated the request was needed due to lack of storage.

A discussion ensued about the shed.

Public Hearing:

No one came forward to speak. Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#24-100002 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about lot size and the request.

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

The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Wednesday, February 21, 2024, at 6:00 P.M. There are four scheduled cases.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:30 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100137 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, March 5, 2024 Board of Adjustment Meeting.

BOA #24-100137

ZONING: RS-1
RE NO.: 180627-0000
LEGAL: Lot 11 and lot 12, Block 19, *Replat Unit No.1 Atlantic Shores*
ADDRESS: 203 S 34th Ave

REQUEST:

Section(s): 34-336(e)(1)(c)2, for westerly side setback of 5ft on Lot 11 in lieu of 10ft minimum; 34-336(e)(1)e, for 45% lot coverage on Lot 11 in lieu of 35% maximum, for proposed additions to a single family dwelling **for property addressed** 203 S 34th Ave, **RE#**180627-0000, **legally described as** Lot 11 and lot 12, Block 19, *Replat Unit No.1 Atlantic Shores*

EXISTING CONDITIONS:

The subject property consists of two lots of record, (circa 1930) located in the Low Density Residential future land use category. The property is currently zoned Residential, single-family: RS-1. The subject parcel comprises Lots 11 & 12, and is 125 feet in width and 148.16 feet in depth, with a total area of 16,125 square feet, which spans two lots (Lot 11 & 12). The lot for the proposed additions is Lot 11. This lot consists of a 2-story dwelling, a rear patio, a covered porch, a concrete drive/walkway, and a hot tub, pool, and pool deck. Lot 12 is currently vacant, the applicant plans on adjusting the lot line split of the two lots in order to develop Lot 12. The subject parcel's single family structure was constructed in 1940, and the structure predates the existing LDC and will remain on Lot 11. Lot 12 has sat vacant for several years. A previous variance was applied for, for a front yard set back of 11.5 feet in lieu of 25 feet, for a westerly side yard of 3.9 feet in lieu of 10 feet, and for lot width of 48 feet at the building line of lot 12 in lieu of 90 feet requirement, and was subsequently amended and approved by the Board of Adjustment in December 2005. The subject property was granted the front and westerly setbacks. The applicant was approved and the request amended and limited to the structure as it exists currently on Lot 11, and for lot width of 48 feet at the building line for Lot 12 in lieu of 90 feet required, to allow for the reconstruction of Lot 11 and 12.

BOA#05-100354 for front a front yard set back of 11.5 feet in lieu of 25 feet, for a westerly side yard of 3.9 feet in lieu of 10 feet, and for lot width of 48 feet at the building line of lot 12 in lieu of 90 feet requirement

No Code violations

STAFF ANALYSIS:

The subject property was developed in 1940 as a 2-story single-family dwelling. Overall, the goal is to remove the hot tub, pool and pool pavers on Lot 11 in order to request a lot of line adjustment in order to develop Lot 12. A lot line adjustment will make the line separating the lots straight in order to make lot 12 buildable, and to facilitate the renovation of the existing dwelling on Lot 11. Once the lot line adjustment is approved, Lot 11 will measure 125 feet in width and 68 feet in depth, with an overall lot area of 8,375 square feet. It is required that a lot in the RS-1 zoning district have a total lot area of 10,000 square feet. The lot line adjustment will make it difficult to fit an accessory structure of any kind on the property without encroaching on setbacks.

The applicant is asking for a variance for a westerly side setback of 5ft on Lot 11 in lieu of 10ft minimum, for 45% lot coverage on Lot 11 in lieu of 35% maximum, to allow for proposed additions to an existing single-family dwelling. There is a hardship justified by each individual lot being platted as nonconforming lots in total lot area even after the lot line adjustment. 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 the additions to the existing home and future development of Lot 12.

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 property will remain two nonconforming lots once the lot of line adjustment is granted. The new Lot 11 will need a variance to accommodate any future additions to the property, as will Lot 12.

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

Staff does find that circumstances are a result of the applicant. If the lot of line remained the same, the proposed additions would cross the existing lot line based on the angle of the line. However,

in order to develop Lot 12 in the future, a lot line adjustment is needed, and a variance is needed to accommodate the new additions to the existing dwelling on Lot 11 that would be encroaching onto Lot 12 of the lot line was not straightened out.

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. Many of the lots in the surrounding neighborhood have similar lot sizes. Readjusting the lot line and adding the proposed additions to the home on Lot 11 is not a special privilege. Lot 12 is a buildable lot of record pursuant to the provisions of the Land Development Code.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The property cannot accommodate any new additions and still comply with current setbacks currently, or after the lot line adjustment is granted. Additionally, in its current configuration, the proposed additions would partially be encroaching onto Lot 12, based on the existing lot line angle. The adjustment of the lot line should not make either Lot 11 or 12 more nonconforming than it exists today.

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 to a single-family dwelling. The proposed variances will allow for the proposed additions to the existing dwelling on Lot 11, that would otherwise encroach onto Lot 12 without the lot line adjustment. Both lots are platted developable lots of record, but with unusual or irregular shapes.

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.

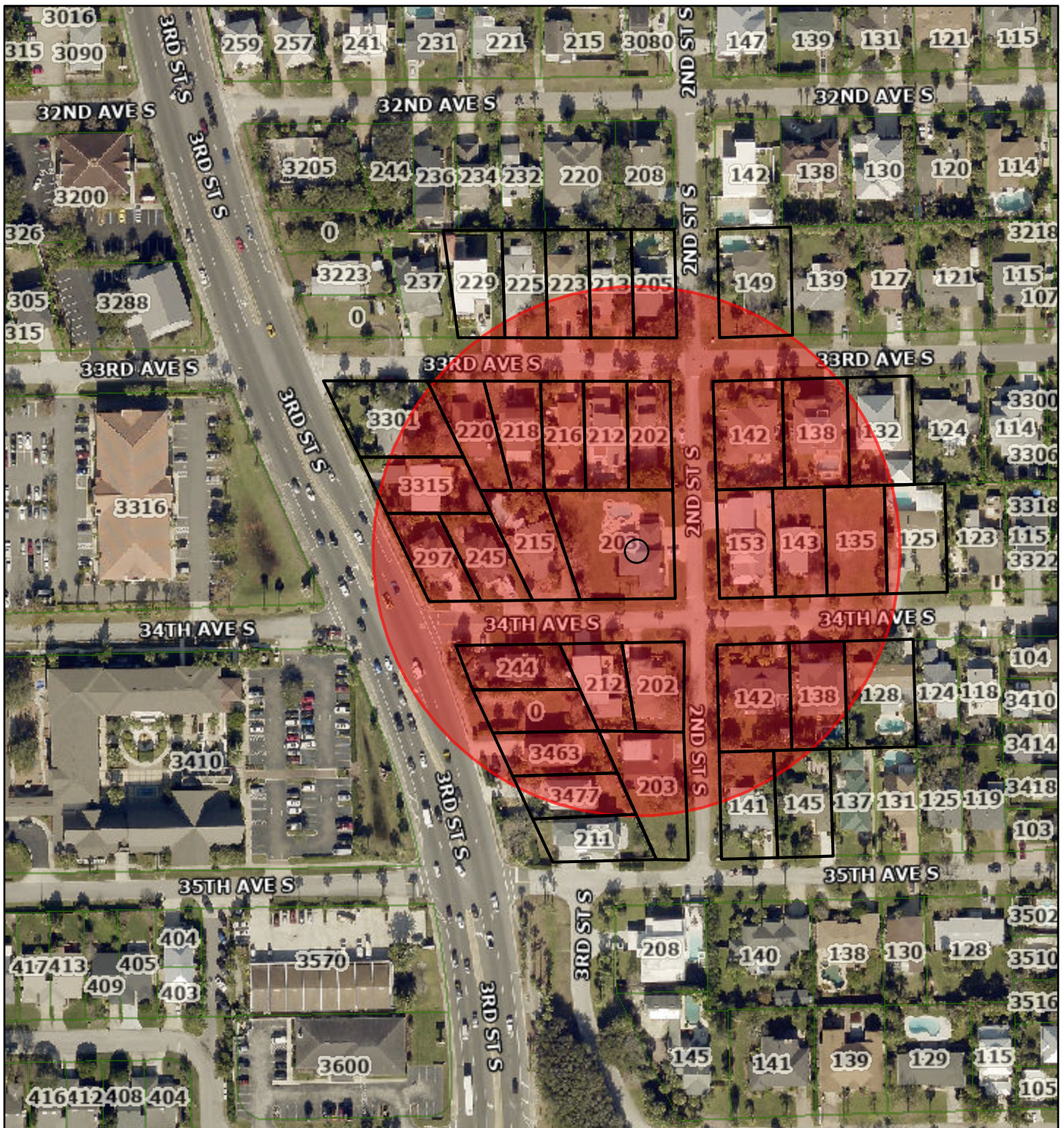
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

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#24-100137**

ATTACHMENTS:

1. 24-100137pics
2. 24-100137



February 8, 2024

 Parcels

1:2,257

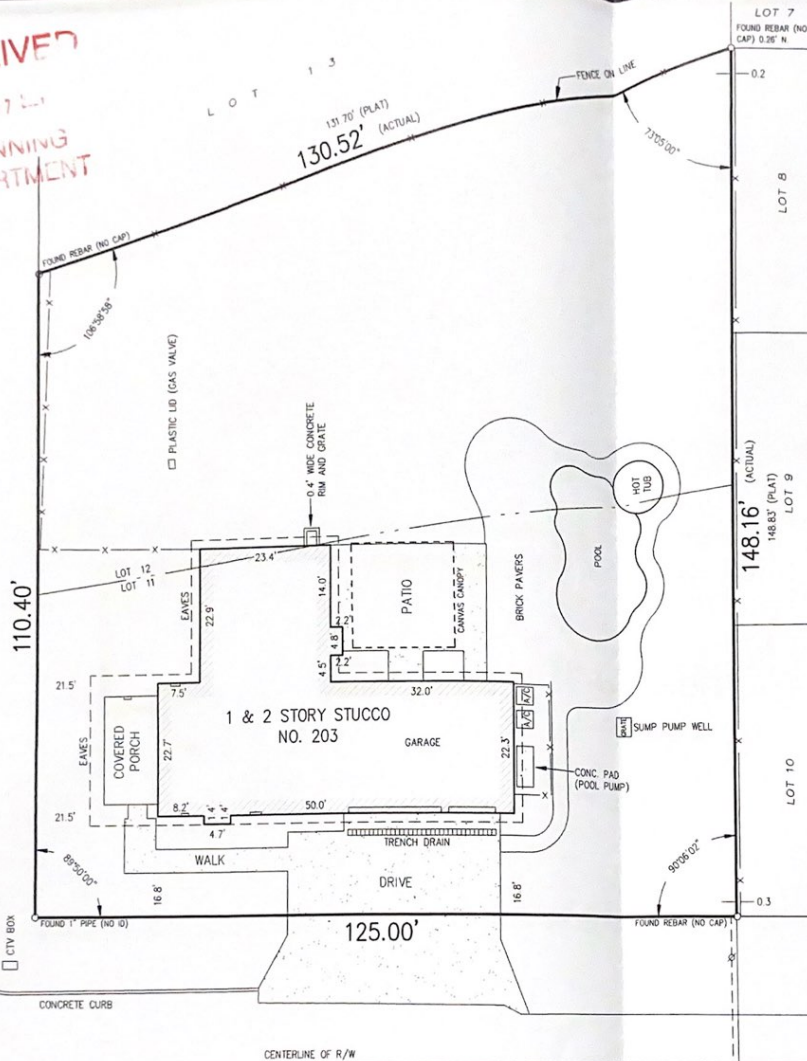
0 0.01 0.03 0.06 mi
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ABBREVIATIONS
 A/C - AIR CONDITIONER
 CONC - CONCRETE
 CTV - CABLE TELEVISION
 PLF - PLASTIC FENCE
 R/W - RIGHT OF WAY
 W/F - WOOD FENCE
 WF - WROUGHT IRON FENCE

RECEIVED
 JAN 17 2023
 PLANNING
 DEPARTMENT

34TH AVENUE SOUTH (50' R/W)

CENTERLINE OF R/W



SECOND STREET (50' R/W) SOUTH

MAP SHOWING BOUNDARY SURVEY OF

LOTS 11 AND 12, BLOCK 19, REPLAT UNIT NO. 1 ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGES 39 AND 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

DATE: DECEMBER 13, 2023

SCALE: 1" = 20'

PREPARED FOR:
 MICHAEL SHUMER 24100137

CERTIFICATION: This survey meets the standards of practice for a boundary survey as set forth by the Board of Professional Surveyors & Mappers, pursuant to Section 472.027, Florida Statutes, and I further certify that the property shown hereon lies within Zone X (shaded) as delineated on the Duval County, City of Jacksonville Beach Flood Insurance Rate Map, Community No. 120078, Panel 0419 J, dated November 2, 2018.

SIGNED: *Lisa A. Davis* 1-10-24
 Lisa A. Davis, Professional Surveyor & Mapper No. 6182

GENERAL NOTES:

1. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
2. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS, IF ANY, NOT LOCATED BY THIS SURVEY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. FLOOD ZONE X (SHADED) IS DEFINED PER THE FLOOD MAPS AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LEGEND:

1. WOOD POWER POLES ARE SHOWN THUS:
2. FENCES ARE SHOWN THUS:
3. CONCRETE PAVEMENT IS SHOWN THUS:
4. ASPHALT PAVEMENT IS SHOWN THUS:

UNLESS THIS MAP/REPORT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, IT IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.



CROASDELL COMPANY

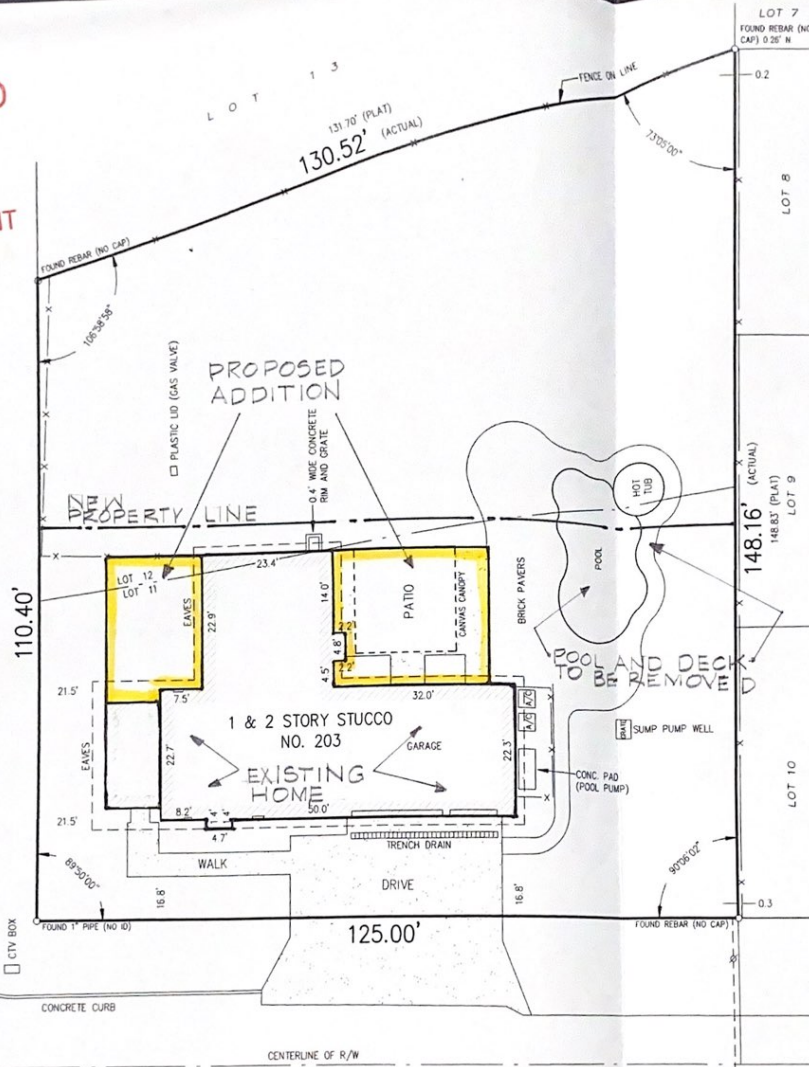
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 EB/LB 6219 WWW.CROASDELL.NET CROASDELL@GMAIL.COM SINCE 1925

ABBREVIATIONS
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DEPARTMENT

34TH AVENUE SOUTH (50' R/W)

CENTERLINE OF R/W



SECOND STREET (50' R/W) SOUTH

MAP SHOWING BOUNDARY SURVEY OF

LOTS 11 AND 12, BLOCK 19, REPLAT UNIT NO. 1 ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGES 39 AND 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

DATE: DECEMBER 13, 2023

SCALE: 1" = 20'

PREPARED FOR:
MICHAEL SHUMER 24-10-13-7

CERTIFICATION: This survey meets the standards of practice for a boundary survey as set forth by the Board of Professional Surveyors & Mappers, pursuant to Section 472.027, Florida Statutes, and I further certify that the property shown hereon lies within Zone X (shaded) as delineated on the Duval County, City of Jacksonville Beach Flood Insurance Rate Map, Community No. 12007B, Panel 0419 J, dated November 2, 2018.

SIGNED: Lisa A. Davis 1-10-24
Lisa A. Davis, Professional Surveyor & Mapper No. 6182

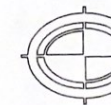
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LEGEND:

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APPLICATION FOR VARIANCE

BOA No. 24-100137
HEARING DATE 3/5/24

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: Michael Shumer **Telephone:** (904) 434-2534
Mailing Address: 203 34th Ave South **E-Mail:** mike@michaelshumer.com
Jacksonville Beach, FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____

Landowner Name: Michael & Tammy Shumer **Telephone:** (904) 434-2534
Mailing Address: 203 34th Ave South **E-Mail:** mike@michaelshumer.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: 203 34th Ave S, Jax Bch, FL 32250 ID:180627-0000
Legal description of property (Attach copy of deed): attached
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Please see attached typed document.

AFFIDAVIT

I, Michael Shumer, 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] Michael Shumer 1-17-2024
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 7th day of JANUARY, 2024, by MICHAEL SHUMER, who is personally known to me or produced FL DRIVERS LICENSE as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
JASON A. SHIRK
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X1 Shaded
CODE SECTION (S): _____

hereinafter called the grantor, to
Michael K. Shumer, a married man, and
Tammy L. Shumer, his wife
whose post office address is: **203 34th Avenue South**
Jacksonville Beach, Florida 32250
Grantees' Tax Id # : [REDACTED]

01/13/00 08:06:07 AM
HENRY W COOK
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 1.00
DEED DOC STAMP \$ 1,932.00
RECORDING \$ 5.00

24-100137

hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of \$ **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:

Lots 11 and 12, Block 19, REPLAT UNIT NO. 1, ATLANTIC SHORES,
according to plat thereof as recorded in Plat Book 14, pages 39
and 40 of the current public records of Duval County, Florida.

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

JAN 17 2024

PLANNING
DEPARTMENT

Parcel Identification Number: 180627-0000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple;
that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants
the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is
free of all encumbrances except taxes accruing subsequent to December 31, **99**

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

Signed, sealed and delivered in our presence:

[Signature]

Name:

[Signature]

Name & Address:

Donna Comegys

LS

[Signature]

Name:

[Signature]

Name & Address:

Robert C. Stolp

LS

Name:

Name & Address:

LS

Name:

Name & Address:

LS

State of **Florida**
County of **Duval**

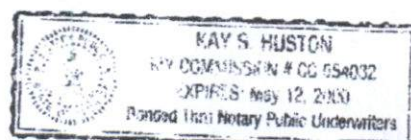
The foregoing instrument was acknowledged before me this **11th** day of **January**, **2000**, by

Donna Comegys and Robert C. Stolp, each unmarried

who is personally known to me or who has produced

valid driver's licenses

as identification.



[Signature]

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 24-100137

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.

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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.

JAN 17 2024
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DEPARTMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.		
Special circumstances and conditions do not result from the actions of the applicant.		
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.		
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.		
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.		
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.		



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

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JAN 17 2024

PLANNING
DEPARTMENT

December 21, 2005

Mr. Michael K. Shumer
203 34th Avenue South
Jacksonville Beach, FL 32250

RE: BOA #05-100354
234 34th Avenue South

Dear Mr. Shumer:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on December 20, 2005 to consider your variance application.

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

- 34-336 (e)(1) c.1, for a front yard of 11.5 feet in lieu of 25 feet required,
- 34-336 (e)(1) c.2, for a westerly side yard of 3.9 feet in lieu of 10 feet required and
- 34-336 (e)(1) b, for lot width of 48 feet at the building line of Lot 12 lieu of 90 feet required

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

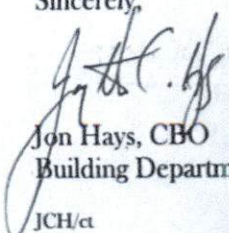
- 34-336 (e)(1) c.1, for a front yard of 11.5 feet in lieu of 25 feet required,
- 34-336 (e)(1) c.2, for a westerly side yard of 3.9 feet in lieu of 10 feet required,
- Limited to the structure as it exists currently on Lot 11, and
- 34-336 (e)(1) b, for lot width of 48 feet at the building line of Lot 12 in lieu of 90 feet required

To allow for the reconstitution of Lot 11 and Lot 12.

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

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

Sincerely,


Jon Hays, CBO
Building Department

JCH/ct

1/17/2024

Property

- 203 34th Ave South, Jacksonville Beach, FL 32250
- ID: 180627-0000
- Owner: Michael & Tammy Shumer

Variance Requests

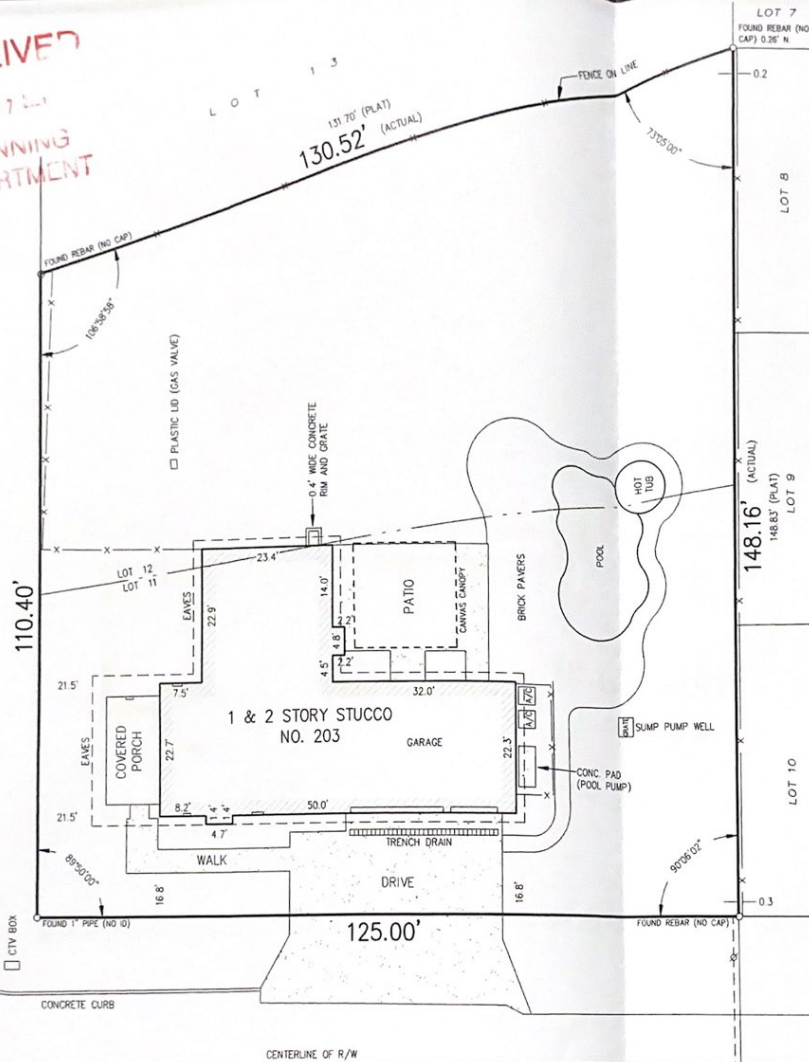
- I. Overall goal/intent is to renovate the existing structure on Lot 11, while meeting the spirit of the comprehensive plan and codes such that Lot 12 can be developed in the future. The intent is to remove the hot tub, pool and corollary pool pavers when Lot 12 is developed so that both Lots 11 and 12 meet appropriate codes and applicable variances.
- II. Request for Lot Line Adjustment
 - a. Goal is normalize and straighten the property line between Lots 11 and 12 in order to make Lot 12 buildable and facilitate renovation of the structure on Lot 11. Proposed new placement is noted on the attached map.
- III. Request for Variance of Western Side Setback of Lot 11
 - a. Previous variance in 2005 was approved for a westerly side yard setback of 3.9 feet. Presently, we are requesting a westerly side yard setback of 5 feet in lieu of 10 feet to accommodate the proposed renovation to the house on Lot 11.
- IV. Request of variance for Lot Coverage of Lot 11
 - a. This request is to facilitate the proposed renovation to the house on Lot 11, and allow for future projects. Note: We intend to remove the hot tub, pool and corollary pool pavers when we begin to apply for a permit to build a house on Lot 12. This coverage variance request facilitates Lot 11 remaining compliant at that time. Request is for 45% coverage of Lot 11 in lieu of 35%.

ABBREVIATIONS
A/C - AIR CONDITIONER
CONC - CONCRETE
CTV - CABLE TELEVISION
PLF - PLASTIC FENCE
R/W - RIGHT OF WAY
W/F - WOOD FENCE
WIF - WROUGHT IRON FENCE

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34TH AVENUE SOUTH (50' R/W)

CENTERLINE OF R/W



SECOND STREET (50' R/W) SOUTH

MAP SHOWING BOUNDARY SURVEY OF LOTS 11 AND 12, BLOCK 19, REPLAT UNIT NO. 1 ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGES 39 AND 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

DATE: DECEMBER 13, 2023

SCALE: 1" = 20'

PREPARED FOR:
MICHAEL SHUMER 24100137

CERTIFICATION: This survey meets the standards of practice for a boundary survey as set forth by the Board of Professional Surveyors & Mappers, pursuant to Section 472.027, Florida Statutes, and I further certify that the property shown hereon lies within Zone X (shaded) as delineated on the Duval County, City of Jacksonville Beach Flood Insurance Rate Map, Community No. 120078, Panel 0419 J, dated November 2, 2018.

SIGNED: *Lisa A. Davis* 1-10-24
Lisa A. Davis, Professional Surveyor & Mapper No. 6182

GENERAL NOTES:

1. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
2. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS, IF ANY, NOT LOCATED BY THIS SURVEY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. FLOOD ZONE X (SHADED) IS DEFINED PER THE FLOOD MAPS AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LEGEND:

1. WOOD POWER POLES ARE SHOWN THUS:
2. FENCES ARE SHOWN THUS:
3. CONCRETE PAVEMENT IS SHOWN THUS:
4. ASPHALT PAVEMENT IS SHOWN THUS:

UNLESS THIS MAP/REPORT BEARS THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER, IT IS FOR
INFORMATION PURPOSES ONLY AND IS NOT VALID.



CROASDELL COMPANY

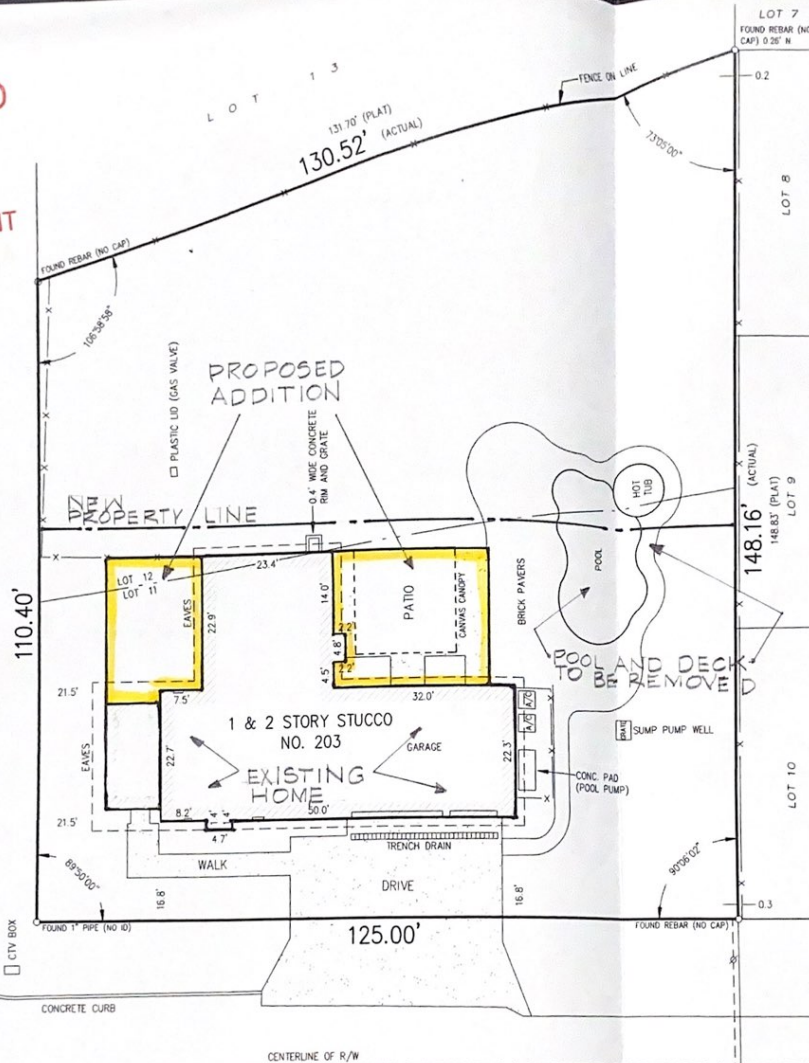
SITE PLANNING • SITE ENGINEERING • LAND SURVEYING
429 East Adams Street, Jacksonville, Florida 32202 • Phone 904.356.5649 • Fax 904.356.7824
E81LB 6219 WWW.CROASDELL.NET CROASDELL@GMAIL.COM SINCE 1925

ABBREVIATIONS
A/C - AIR CONDITIONER
CONC. - CONCRETE
CTV - CABLE TELEVISION
P/L - PLASTER
R/W - RIGHT OF WAY
W/F - WOOD FENCE
W/P - WROUGHT IRON FENCE

RECEIVED
JAN 17 2024
PLANNING
DEPARTMENT

34TH AVENUE SOUTH (50' R/W)

CENTERLINE OF R/W



SECOND STREET (50' R/W) SOUTH

MAP SHOWING BOUNDARY SURVEY OF

LOTS 11 AND 12, BLOCK 19, REPLAT UNIT NO. 1 ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGES 39 AND 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

DATE: DECEMBER 13, 2023

SCALE: 1" = 20'

PREPARED FOR:
MICHAEL SHUMER 24-10-13-7

CERTIFICATION: This survey meets the standards of practice for a boundary survey as set forth by the Board of Professional Surveyors & Mappers, pursuant to Section 472.027, Florida Statutes, and I further certify that the property shown hereon lies within Zone X (shaded) as delineated on the Duval County, City of Jacksonville Beach Flood Insurance Rate Map, Community No. 12007B, Panel 0419 J, dated November 2, 2018.

SIGNED: Lisa A. Davis 1-10-24
Lisa A. Davis, Professional Surveyor & Mapper No. 6182

GENERAL NOTES:

1. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
2. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS, IF ANY, NOT LOCATED BY THIS SURVEY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. FLOOD ZONE X (SHADED) IS DEFINED PER THE FLOOD MAPS AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LEGEND:

1. WOOD POWER POLES ARE SHOWN THUS: X
2. FENCES ARE SHOWN THUS: X X X X X X X X
3. CONCRETE PAVEMENT IS SHOWN THUS: [Pattern]
4. ASPHALT PAVEMENT IS SHOWN THUS: [Pattern]

UNLESS THIS MAP/REPORT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, IT IS FOR INFORMATION PURPOSES ONLY AND IS NOT VALID.



CROASDELL COMPANY

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EVLB 0219 WWW.CROASDELL.NET CROASDELL@GMAIL.COM SINCE 1925

BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100139 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, March 5, 2024 Board of Adjustment Meeting.

BOA #24-100139

ZONING: RS-1
 RE NO.: 180692-0100
 LEGAL: Lot 19, Block 24, *Replat Unit No.1 Atlantic Shores*
 ADDRESS: 2930 S 2nd St

REQUEST:

Section(s): 34-336(e)(1)(e), for 45% lot coverage in lieu of 35% maximum, for new pool deck and covered back patio to a single family dwelling located at **property addressed** 2930 S 2nd St, **RE#** 180692-0100, **legally described as** Lot 19, Block 24, *Replat Unit No.1 Atlantic Shores*

EXISTING CONDITIONS:

The subject property is an existing, platted lot of record, (circa 1930) located in the Low Density Residential future land use category. The property is currently zoned Residential, single-family: RS-1. The subject parcel is 50 feet in width and 150 feet in depth, with a total area of 7,500 square feet. The subject parcel is currently occupied by a 2-story single-family dwelling, covered concrete, and a paver drive/walkway. The subject parcel's single-family structure was constructed in 1988, and the structure predates the existing LDC. The subject parcel is nonconforming in both width and total lot area. In the RS-1 zoning district, the minimum dimensional requirement is 90 feet in width and a total lot area of 10,000 square feet. The subject property has a total impervious area of 30% and the addition of a pool, pool deck, and a covered patio will increase the impervious area to 42%. The applicant is asking for a variance for 45% lot coverage in lieu of 35% maximum, to accommodate a new pool deck and covered back patio. Staff finds that the requested variance is the minimum variance needed to accommodate the new pool deck and covered back patio. The property is undersized and the request is consistent with the comprehensive plan.

No previous BOA, no active code case.

STAFF ANALYSIS:

The subject property was developed in 1988 as a 2-story single-family dwelling. The applicant plans on adding a pool, a pool deck and a covered patio to the rear of the property. Due to the substandard size of the lot, adding any structure to the property will increase the lot coverage and result in exceeding the 35% maximum requirement. Allowing 45% coverage is the minimum variance needed for the reasonable use of the parcel of land. The subject property was platted in 1930 and the home

was constructed in 1988, both of which predated the existing LDC. The nonconforming lot is not the fault of the applicant and not allowing more lot coverage would deprive the applicant of rights and privileges, as most of the lots in this neighborhood are undersized and have been granted similar variance. There is a hardship justified by the lot being a nonconforming lot in total lot area and width, staff would recommend that the application be approved.

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 property is substandard in both total lot area and width. The RS-1 requirement allows for 90 feet in width and a total lot area of 10,000 square feet. This property measures 50 feet in width and has a total lot area of 7,500 square 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 property was developed in 1988, and was never designed to accommodate the modern LDC requirements. The applicant purchased the property in its current state and has not done anything to increase lot coverage.

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. Throughout this neighborhood, there are many nonconforming properties and they have been granted similar variances.

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. Without relief from the LDC requirements, the applicant cannot add anything to this property without exceeding the 35% maximum lot coverage.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the new pool deck and covered back patio. The proposed variance needed is for 45% lot coverage, and the applicant will only use 42%.

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.

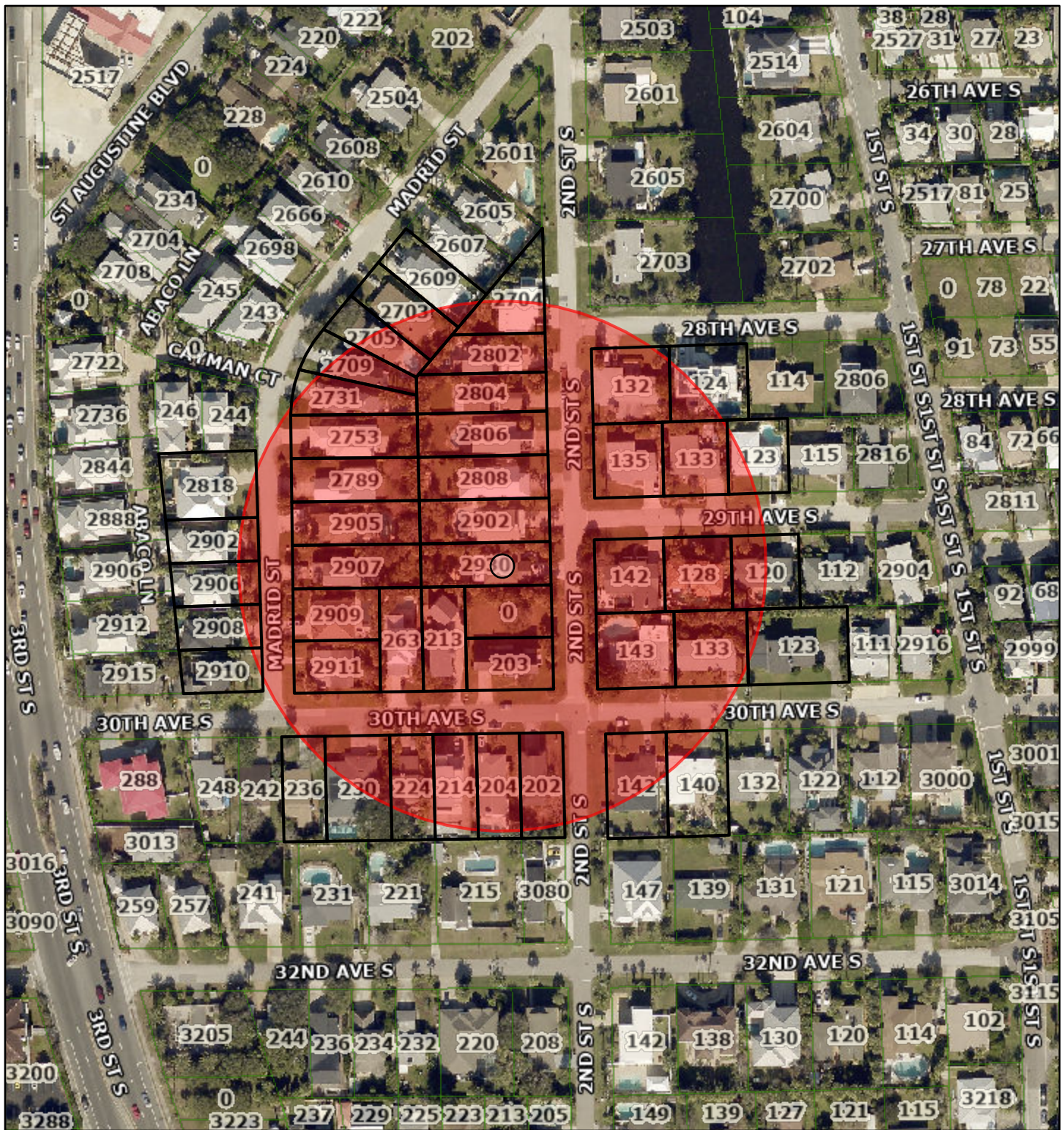
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

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#24-100139**

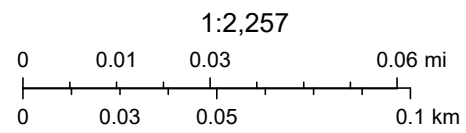
ATTACHMENTS:

1. 24-100139pics
2. 24-100139



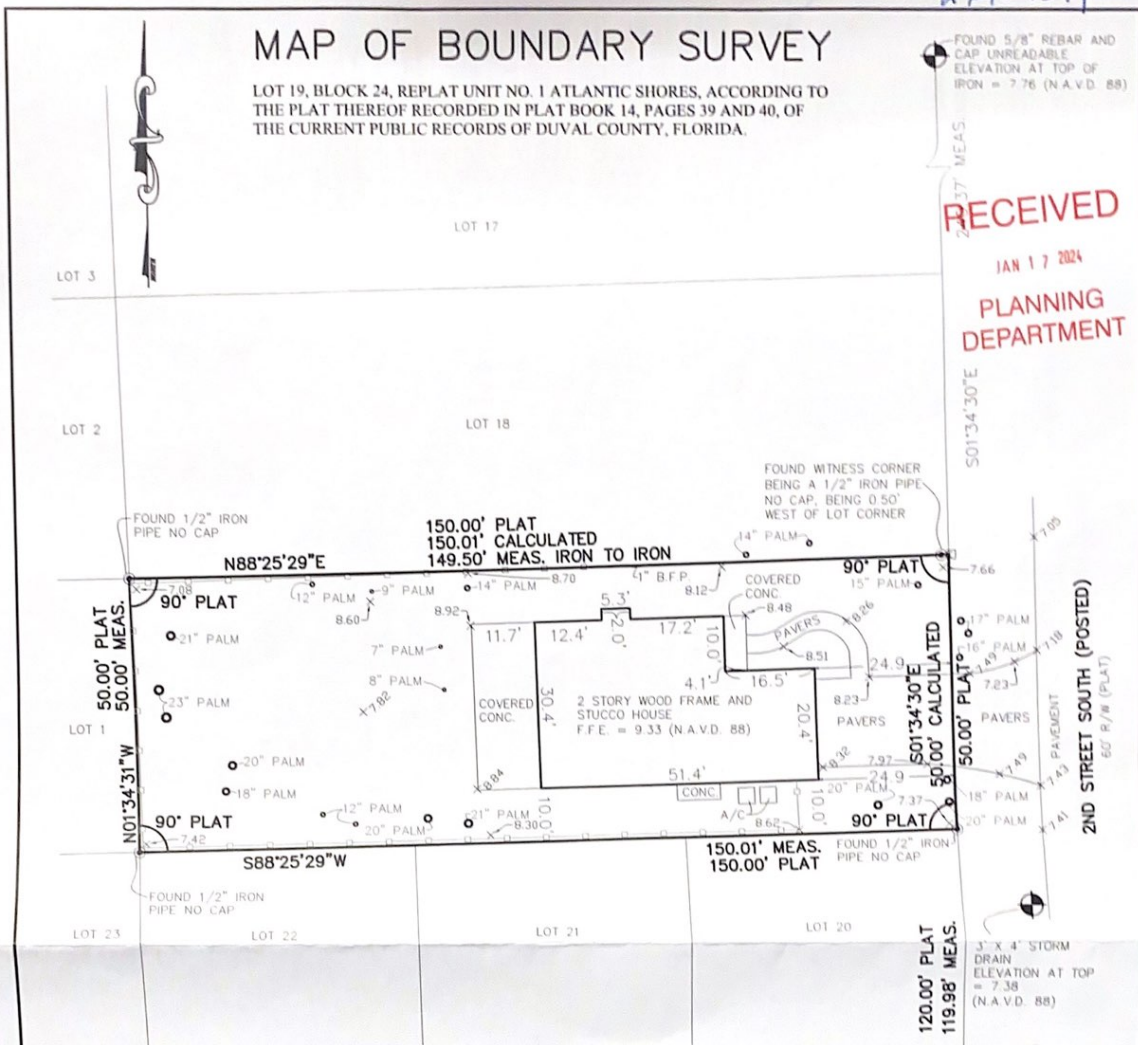
February 8, 2024

 Parcels



MAP OF BOUNDARY SURVEY

LOT 19, BLOCK 24, REPLAT UNIT NO. 1 ATLANTIC SHORES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGES 39 AND 40, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



SURVEY NOTES:

- 1) The "Legal Description" hereon is in accord with the description provided by the client.
- 2) Underground improvements were not located or shown.
- 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- 4) Bearings based on S 01°34'30" E for the centerline of 2nd Street South, Shown in Plat Book 14, Pages 39 and 40, Recorded in Duval County, Florida Public Records.
- 5) Fence ownership, if applicable, has not been determined by this office. Fences are drawn out of scale in order to accentuate their relationship to property lines. Fences are not deemed to be encroachments unless ownership is apparent.
- 6) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid."
- 7) The property shown hereon lies within flood zone "AE 9" as per F.E.M.A Flood Insurance Rate Map, Panel 12031C04194, Dated 11/02/2018.
- 8) Unless otherwise noted Measured angles and distances are the same as Plat or Deed angles and distances.
- 9) This survey has been performed according to the standard of care to achieve the following accuracy for the following surveyed:
Commercial / High risk linear accuracy: 1 foot in 10,000 feet
SOP Rule 5J-17.05(3) (B) (15) b.i
- 10) All elevations shown hereon this survey are based on the North American Vertical Datum of 1988 (NAVD 88).

TREE SURVEY NOTES:

- 1) The surveyed species definition is based on common species knowledge for Florida, sub-species or lesser known species may be misidentified. The client may need to obtain a certified Arborist to clarify said trees.
- 2) The noted tree inches are based on main trunks at breast height. Due to location of measurement and varying tree types the measurement may vary on average +/- 2".
- 3) Due to varying growth angles and species, the actual location of the center of the tree is based on a judgment call by the field surveyor and may vary approximately 12". This variance may be greater with double, triple, or cluster type of tree growth.
- 4) Tree canopy width was not surveyed unless otherwise noted.
- 5) Tree survey gives no indication of root ball size or root extents on the sight.
- 6) Noted tree inches is based on the sum of the main trunks at breast height. This includes the sum of double, triple, or cluster type growths.

ADDRESS: 2930 2ND STREET SOUTH, JACKSONVILLE, FL

LEGEND

— = AERIAL UTILITY WIRES
A/C = AIR CONDITIONER
AKA = ALSO KNOWN AS
B.F.P. = BACK FLOW PREVENTER
C/P = CABLE TELEVISION PEDESTAL
C/A = CENTRAL ANGLE
C/L = CENTERLINE
C/L F = CHAIN LINK FENCE
CB = CHAIN BEARING
CD = CHAIN DISTANCE

CONC = CONCRETE
C/P = CORRUGATED PLASTIC PIPE
C/M = CORRUGATED METAL PIPE
ELEV = ELEVATION
F.F. = FRESHWATER FLOOR
F.V. = FIRE VESICANT
G.M. = GAS METER
L = ARC LENGTH
L = ARC LENGTH
L = ARC LENGTH
L = ARC LENGTH

MEAS = MEASURED
N.A.S.D. = NATIONAL AMERICAN VERTICAL DATUM
O.R.B. = OFFICIAL RECORD BOOK
P.D.B. = PARCEL IDENTIFICATION NUMBER
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.R. = PARALLEL
R.C.P. = REINFORCED CONCRETE PIPE
R.W. = RIGHT-OF-WAY
S.E.M. = SEWER CLEANOUT
S.E.M. = SEWER MANHOLE

STORM MANHOLE
TELEPHONE PEDESTAL
WOOD FENCE
WOOD POWER POLE
WATER METER
WELL

THE INFORMATION SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY:
ALAN FRANKLIN GLASS
FLORIDA REGISTERED SURVEYOR
MAPPER CERTIFICATE NO. 5712

GLASS LAND SURVEYING, LLC

GLASS LAND SURVEYING, LLC
3731 WEST 5TH STREET, HILLIARD FLORIDA 32046
(904) 675-9241 • CELL (904) 370-0318
LICENSE BUSINESS NO. LB 8359

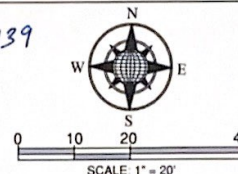
SCALE: 1"=20'
DATE: 09/19/23
DRN BY: WAG
CHK BY: AFG
JOB NO: 23-215
F.B. NO: A13
PAGE NO: 69

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DEPARTMENT

- MAP SHOWING SITE/DRAINAGE PLAN OF

ALL OF LOT 19 AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

DIMENSIONS, ELEVATIONS AND BEARINGS PROVIDED BY GLASS LAND SURVEYING

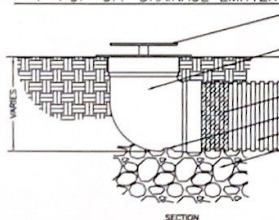


- PROPOSED IMPERVIOUS AREA CALCULATION's:
(S.F. DENOTES SQUARE FEET)

FLOOD ZONE NOTE:
THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN FLOOD ZONE "A", AND COASTAL FLOODPLAIN ZONE "AE 9" (EL 9 FEET), AS WELL AS CAN BE DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" NUMBER 12031C0419J EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

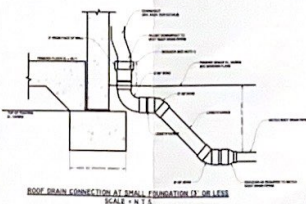
PM = PALM
LO = LIVE OAK TREE
CD = CEDAR TREE
PR = PEAR TREE
PN = PINE

TREE #	TYPE	SIZE(IN)
1	PALM	7
2	PALM	8
3	PALM	9
4	PALM	12
5	PALM	12
6	PALM	12
7	PALM	14
8	PALM	18
9	PALM	20
10	PALM	21
11	PALM	21
12	PALM	23
13	PALM	23



NOTES

1. PRODUCT MANUFACTURED BY NDS, INC. OR APPROVED EQUAL
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. DRAWING NOT TO SCALE.



SITE PLAN LEGEND

- | | | |
|---|---|-------------------------------|
|  | - | 8" WOODEN POWER POLE |
|  | - | OVERHEAD POWER |
|  | - | DIRECTION OF FLOW |
|  | - | TOPOGRAPHIC SPOT ELEVATION |
| 00.0 | - | PROPOSED TOPOGRAPHIC ELEV |
|  | - | CONCRETE |
|  | - | 4-INCH POP UP DRAIN EMITTER |
|  | - | GUY ANCHOR |
|  | - | 6" FENCE |
|  | - | GUTTER 1ST STORY |
|  | - | GUTTER 2ND STORY |
|  | - | DOWNSPOUT |
|  | - | 4-INCH ADS CORRUGATE DRN PIPE |

HERDT RESIDENCE
2930 2ND ST S, JACKSONVILLE BEACH
DUVAL COUNTY, FL, 32250

SITE DRAINAGE AND GRADING PLAN

PLOT DATE:	8/21/2023
DRAWN BY:	JAP
DESIGNED BY:	RCJ
CHECKED BY:	RCJ
DATE:	SEP 2023
SCALE:	1" = 20'
PROJECT No.	1023-2930
NUMBER SHEETS	1
PAGE NUMBER	1

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

REQUIRED DOCUMENTATION

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

RECEIVED

JAN 17 2024

PLANNING
DEPARTMENT**APPLICANT INFORMATION**

Applicant Name: Aimee Herdt **Telephone:** (612) 308-0586
Mailing Address: 2930 2nd St. S. **E-Mail:** aimeeherdt@gmail.com
Jacksonville Beach, FL 32250

Agent Name: Bob Hamil **Telephone:** (904) 241-7665 + 904-631-6268
Mailing Address: PO Box 330799 **E-Mail:** hendersonpoolbuilders@gmail.com
Atlantic Beach, FL 32233

Landowner Name: Aimee Herdt **Telephone:** (612) 308-0586
Mailing Address: 2930 2nd St. S. **E-Mail:** aimeeherdt@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: 2930 2nd St. S. (180692-0100)
Legal description of property (Attach copy of deed): (attached)
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

45% Lot Coverage in Lieu of 35%

AFFIDAVIT

I, Aimee Herdt, 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.

Aimee Herdt
APPLICANT SIGNATURE

Aimee Herdt
PRINT APPLICANT NAME

1/10/24
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16 day of January, 2024, by Aimee Herdt, who is personally known to me or produced _____ as identification.

Ashley McCabe
NOTARY PUBLIC SIGNATURE
Ashley McCabe
PRINT NOTARY NAME



Ashley McCabe
Notary Public
State of Florida
Comm# HH151806
Expires 7/11/2025

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: A

CODE SECTION (s): _____

24-100139

Prepared by:
Karen Stellhorn
Watson Title Services of North FL, Inc.
3951 Baymeadows Road
Jacksonville, Florida 32217

File Number: 2300238

23026424

RECEIVED

JAN 17 2024

PLANNING
DEPARTMENT

General Warranty Deed

Made this 21st day of April, 2023 A.D. By **MARISUE ATKINSON AND KIM A. BENSON, WIFE AND HUSBAND**, whose address is: 435 GREAT PINE WAY, Woodstock, Georgia 31088, hereinafter called the grantor, to **COURTNEY S. HERDT and AIMEE R. HERDT, husband and wife**, whose post office address is: 2930 2ND ST S, JACKSONVILLE BEACH, FL 32250, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of \$1,075,000.00 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 19, Block 24, Replat Unit No. 1 Atlantic Shores, according to the plat thereof recorded in Plat Book 14, Pages 39 and 40, of the Current Public Records of Duval County, Florida.

Parcel ID Number: 180692-0100

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

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

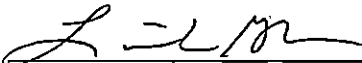
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful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

Prepared by:
Karen Stellhorn
Watson Title Services of North FL, Inc.
3951 Baymeadows Road
Jacksonville, Florida 32217

File Number: 2300238

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

Signed, sealed and delivered in our presence:



WITNESS #1 SIGNATURE

Linda Glavin

WITNESS #1 PRINTED NAME



WITNESS #2 SIGNATURE

Kimberly Loferski

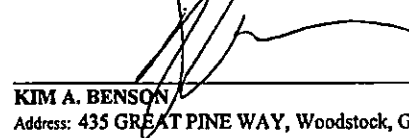
WITNESS #2 PRINTED NAME

State of Florida
County of Duval



MARISUE ATKINSON

Address: 435 GREAT PINE WAY, Woodstock, Georgia 31088



KIM A. BENSON

Address: 435 GREAT PINE WAY, Woodstock, Georgia 31088

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 21st day of April, 2023, by MARISUE ATKINSON AND KIM A. BENSON, WIFE AND HUSBAND, who is/are personally known to me or who has produced drivers license as identification.

(Notary Seal)



Linda Glavin
Notary Public
State of Florida
Comm# HH055617
Expires 10/21/2024



Notary Public

Print Name: Linda Glavin

My Commission Expires: 10/21/2024

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 24-100139

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.

JAN 17 2024
**PLANNING
DEPARTMENT**

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Substandard Sized lot
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Lot was Platted before the LDC.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	No special privileges due to the sub-standard lot size
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	Substandard sized lot is similar in size to most other properties in the neighborhood.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	
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	

24-100139

January 17, 2024

Bob Hamil
Henderson Pool Service, Inc.
PO Box 330799
Atlantic Beach, FL 32233

Dear Bob

The purpose of this letter is to acknowledge that you have permission to represent us at the Jacksonville Beach Variance Meeting on Wednesday, March 5th, regarding our property at 2930 2nd St. S, Jacksonville Beach, FL 32250. If you have any additional questions, please let me know.

Thanks for your support on this project!

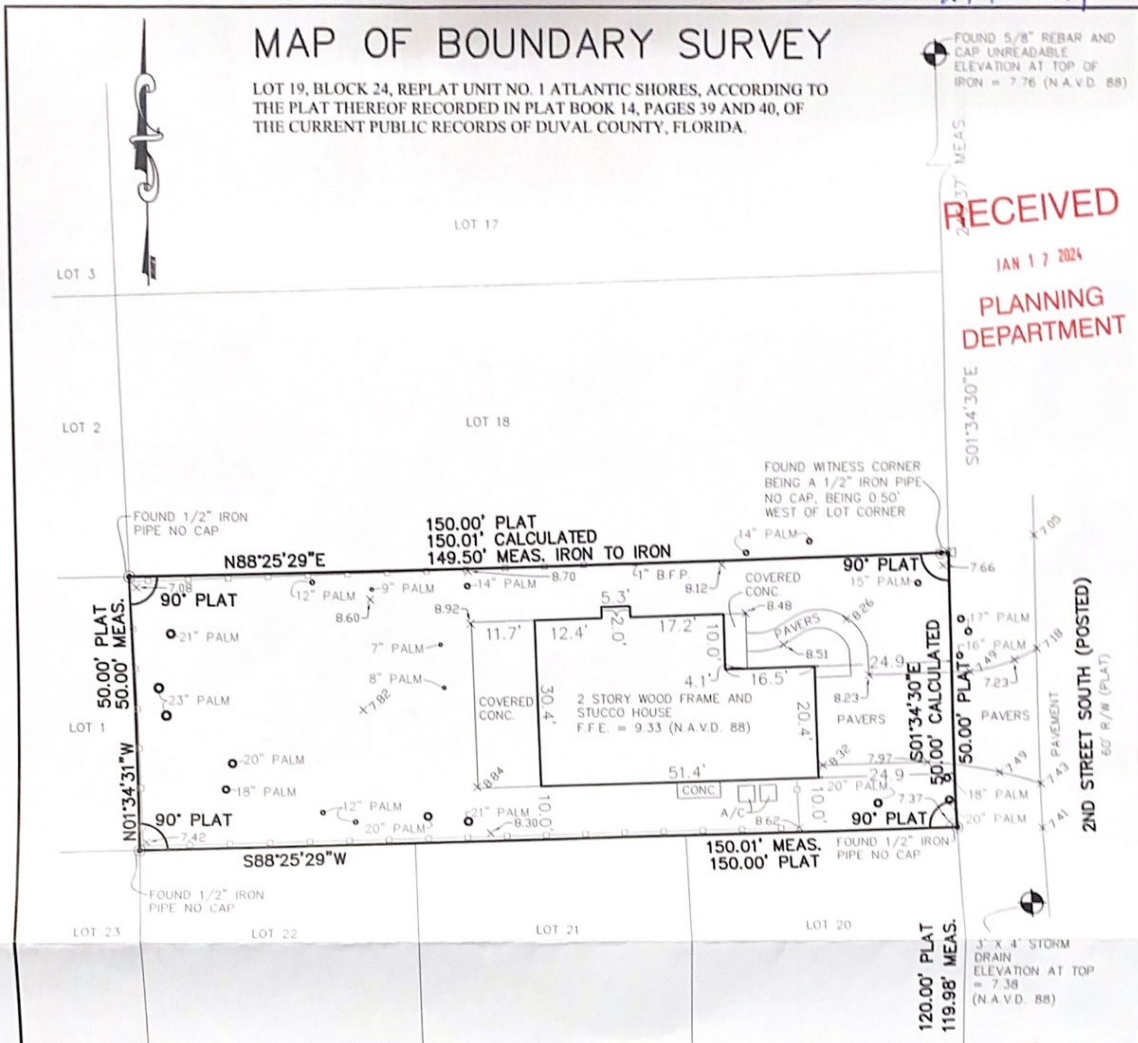
Sincerely

A handwritten signature in black ink, appearing to read 'Aimee Herdt', followed by a long horizontal line.

Aimee Herdt, PhD
(612) 308-0586
aimeeherdt@gmail.com

MAP OF BOUNDARY SURVEY

LOT 19, BLOCK 24, REPLAT UNIT NO. 1 ATLANTIC SHORES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 14, PAGES 39 AND 40, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



SURVEY NOTES:

- 1) The "Legal Description" hereon is in accord with the description provided by the client.
- 2) Underground improvements were not located or shown.
- 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- 4) Bearings based on S 01°34'30" E for the centerline of 2nd Street South, Shown in Plat Book 14, Pages 39 and 40, Recorded in Duval County, Florida Public Records.
- 5) Fence ownership, if applicable, has not been determined by this office. Fences are drawn out of scale in order to accentuate their relationship to property lines. Fences are not deemed to be encroachments unless ownership is apparent.
- 6) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid."
- 7) The property shown hereon lies within flood zone "AE 9" as per F.E.M.A Flood Insurance Rate Map, Panel 12031C04194, Dated 11/02/2018.
- 8) Unless otherwise noted Measured angles and distances are the same as Plat or Deed angles and distances.
- 9) This survey has been performed according to the standard of care to achieve the following accuracy for the following surveyed:
Commercial / High risk linear accuracy: 1 foot in 10,000 feet
SOP Rule 5J-17.05(3) (B) (15) b.i
- 10) All elevations shown hereon this survey are based on the North American Vertical Datum of 1988 (NAVD 88).

TREE SURVEY NOTES:

- 1) The surveyed species definition is based on common species knowledge for Florida, sub-species or lesser known species may be misidentified. The client may need to obtain a certified Arborist to clarify said trees.
- 2) The noted tree inches are based on main trunks at breast height. Due to location of measurement and varying tree types the measurement may vary on average +/- 2".
- 3) Due to varying growth angles and species, the actual location of the center of the tree is based on a judgment call by the field surveyor and may vary approximately 12". This variance may be greater with double, triple, or cluster type of tree growth.
- 4) Tree canopy width was not surveyed unless otherwise noted.
- 5) Tree survey gives no indication of root ball size or root extents on the sight.
- 6) Noted tree inches is based on the sum of the main trunks at breast height. This includes the sum of double, triple, or cluster type growths.

ADDRESS: 2930 2ND STREET SOUTH, JACKSONVILLE, FL

LEGEND

— — — — —	AERIAL UTILITY WIRES	CONC	CONCRETE	MEAS	MEASURED	STORM	STORM MANHOLE
A/C	AMP CONDUIT	CONC FL	CONCRETE FLATWORK	NAVD 88	NATIONAL AMERICAN VERTICAL DATUM	TEL	TELEPHONE PEDESTAL
AKA	ALSO KNOWN AS	CMP	CORRUGATED METAL PIPE	ORR	OFFICIAL RECORD BOOK	W	WOOD FENCE
BFP	BACK FLOW PREVENTER	ELEV	ELEVATION	PDR	PARCEL IDENTIFICATION NUMBER	W	WOOD POWER POLE
C	CABLE TELEVISION PEDESTAL	F	FRESHWATER FLOOR	P.O.C.	POINT OF COMMENCEMENT	W	WATER METER
CA	CENTRAL ANGLE	FL	FLORIDA	R	RADIUS	W	WELL
C	CENTERLINE	FL	FLORIDA	RCP	REINFORCED CONCRETE PIPE	W	WATER METER
CL	CHAIN LINE FENCE	FL	FLORIDA	R/W	RIGHT-OF-WAY	W	WELL
CR	CURB BEARING	FL	FLORIDA	R/W	RIGHT-OF-WAY	W	WELL
CD	CURB DISTANCE	FL	FLORIDA	R/W	RIGHT-OF-WAY	W	WELL

THE INFORMATION SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

BY:
ALAN FRANKLIN GLASS
FLORIDA REGISTERED SURVEYOR
MAPPER CERTIFICATE NO. 5712

GLASS LAND SURVEYING, LLC

GLASS LAND SURVEYING, LLC
3731 WEST 5TH STREET, HILLIARD FLORIDA 32046
(904) 675-9241 • CELL (904) 370-0318
LICENSE BUSINESS NO. LB 8359

SCALE: 1"=20'
DATE: 09/19/23
DRN BY: WAG
CHK BY: AFG
JOB NO: 23-215
F.B. NO: A13
PAGE NO: 69

GENERAL NOTES:

- JACKSONVILLE BEACH SETBACKS ARE MEASURED TO THE FURTHEST PROJECTION OF THE BUILDING
- ALL IMPROVEMENTS SHOWN HEREON ARE PROPOSED AND BASED ON THE PLANS PROVIDED
- BOUNDARY AND TOPOGRAPHIC DATA PER GLASS LAND SURVEYING (SEE SURVEY FOR ADDITIONAL SURVEY INFORMATION)
- EROSION CONTROL TO BE INSTALLED TO PREVENT IMPACT TO ADJACENT PROPERTIES (LOCATE AT PROPERTY BOUNDARIES)
- ROOF NOT TO EXCEED 35'
- ELEVATIONS SHOWN HERE IN ARE NAVD 88
- GARAGE ELEVATION 5' BELOW FFE
- A/C PAD WILL MATCH GARAGE FFE
- DRIVEWAY CULVERT OR A DRIVEWAY SWALE WILL BE PROVIDED IN COORDINATION WITH JACKSONVILLE BEACH PUBLIC WORKS DEPT
- RETAINING WALLS, ROOF GUTTERS WITH UNDERGROUND PIPING AND POP-UPS MAY BE REQUIRED BASED ON ACTUAL FIELD CONDITIONS, THE CONTRACTOR SHOULD COORDINATE WITH JACKSONVILLE BEACH GRADING STAFF

SURVEY NOTES:

- BEARINGS BASED ON S 01 34'30" E FOR THE CENTERLINE OF 2ND STREET SOUTH, SHOWN IN PLAT BOOK 14, PAGES 39 AND 40, RECORDED IN DUVAL COUNTY, FLORIDA PUBLIC RECORDS
- NO BUILDING RESTRICTION LINES AS PER PLAT.
- BENCHMARK USED IS A FOUND MAG NAIL & DISK (LB 3672), IN WEST EDGE OF PAVEMENT IN FRONT OF 2930 2ND ST S. GPS ELEVATION= 7.35 (N.A.V.D. 1988)
- BENCHMARK SHOWN HEREON ESTABLISHED BY GPS OBSERVATION USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND TRIMBLE VRS SOFTWARE.

PROPOSED IMPERVIOUS AREA CALCULATION'S

LOT AREA	(S.F. DENOTES SQUARE FEET)	7,500 S.F.
HOUSE AREA	=	1,767 S.F.
DRIVEWAY	=	400 S.F.
WALKWAY	=	136 S.F.
POOL	=	207 S.F.
POOL DECK	=	582 S.F.
COVERED BACK PATIO	=	279 S.F.
TOTAL IMPERVIOUS AREA	=	3,371 S.F.
3,371 / 7,500	=	44.9 %

FLOOD ZONE NOTE:

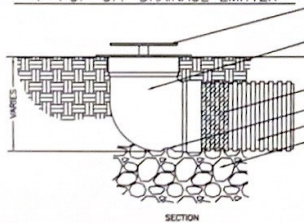
THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN FLOOD ZONE "A", AND COASTAL FLOODPLAIN ZONE "AE 9" (EL. 9 FEET), AS WELL AS CAN BE DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" NUMBER 12031C0419J EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

SPECIFICATIONS

PART # 620
MATERIAL: HIGH DENSITY POLYPROPYLENE (HDPE)
COLOR: GREEN
FITS: 4" SEWER AND DRAIN FITTINGS AND NOS
4" SPEE-D BASIN
SPRING: STAINLESS STEEL GRADE 302
OPEN PRESSURE: 1 PSI
OPEN SURFACE AREA: 28.8 SQ. INCHES
FLOW RATE:
1" HEAD: 124.60 GPM
0.5" HEAD: 66.10 GPM
WEIGHT PER EACH: 0.64 LBS
UV INHIBITOR

- PRODUCT MANUFACTURED BY NOS, INC. OR APPROVED EQUAL
- INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS
- DRAWING NOT TO SCALE

4" POP-OFF DRAINAGE EMITTER



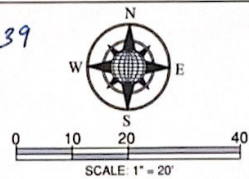
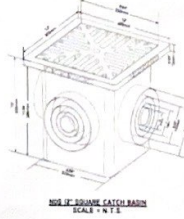
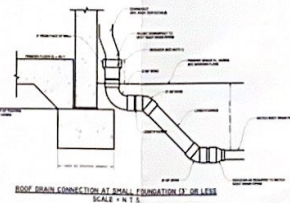
NOS POLYPROPYLENE POP-OFF DRAINAGE EMITTER WITH U.V. INHIBITOR
NOS 1/4" BEND SEMI DRAIN ELBOW
COMPACTED TOPSOIL
NOS CORRUGATED FITTING ADAPTER
1/4" LEACH HOLE
CORRUGATED PIPE
CURBED STONE DRY WELL

TREE LEGEND & ABBREVIATIONS

PM	○	= PALM
LO	○	= LIVE OAK TREE
CD	○	= CEDAR TREE
PR	○	= PEAR TREE
PN	○	= PINE

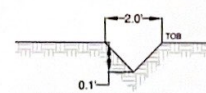
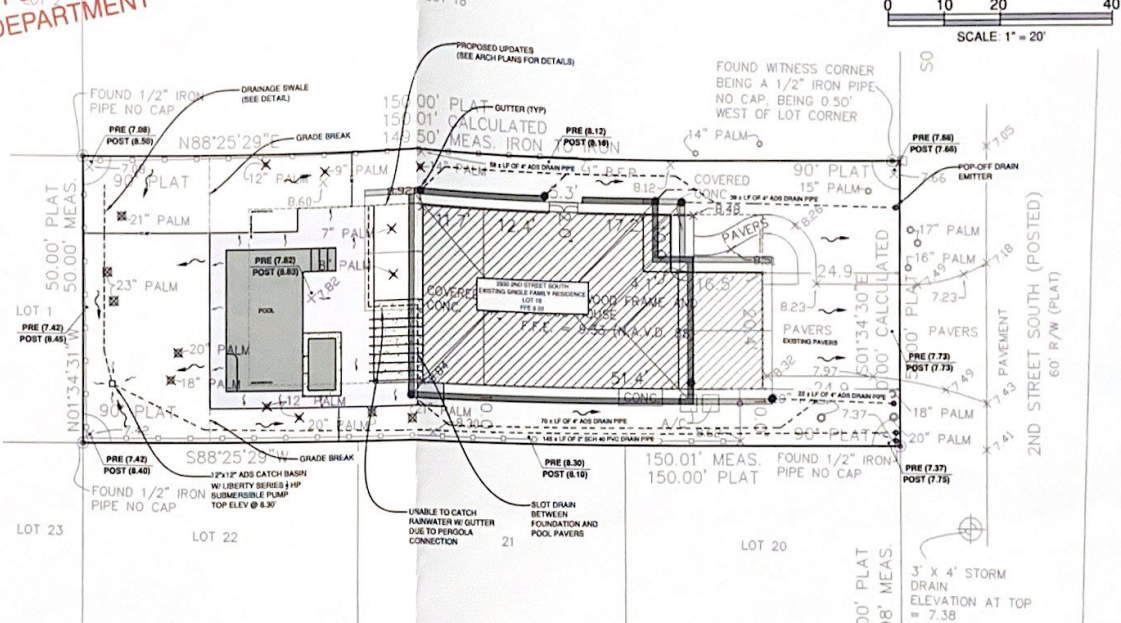
TREE REMOVAL TABLE

TREE #	TYPE	SIZE (IN)
1	PALM	7
2	PALM	8
3	PALM	9
4	PALM	12
5	PALM	12
6	PALM	12
7	PALM	14
8	PALM	18
9	PALM	20
10	PALM	21
11	PALM	21
12	PALM	23
13	PALM	23



MAP SHOWING SITE/DRAINAGE PLAN OF

ALL OF LOT 19 AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, DIMENSIONS, ELEVATIONS AND BEARINGS PROVIDED BY GLASS LAND SURVEYING



DRAINAGE SWALE

SITE PLAN LEGEND

○	8" WOODEN POWER POLE
—	OVERHEAD POWER
→	DIRECTION OF FLOW
00.0	TOPOGRAPHIC SPOT ELEVATION
00.0	PROPOSED TOPOGRAPHIC ELEVATION
○	CONCRETE
○	4-INCH POP UP DRAIN EMITTER
—X—X—	GUY ANCHOR
—	6" FENCE
—	GUTTER 1ST STORY
—	GUTTER 2ND STORY
●	DOWNSPOUT
---	4-INCH ADS CORRUGATE DRN PIPE

HERDT RESIDENCE
2930 2ND ST S, JACKSONVILLE BEACH
DUVAL COUNTY, FL 32250

SITE DRAINAGE AND GRADING PLAN

DATE	REV	DESCRIPTION
SEP 2023		
SCALE:	1" = 20'	
PROJECT No:	1023-2930	
NUMBER SHEETS	1	
PAGE NUMBER	1	



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100140 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, March 5, 2024 Board of Adjustment Meeting.

BOA #24-100140

ZONING: RM-2
RE NO.: 174775-0000
LEGAL: Lot 8, Pritchard-Clarsen Replat of Part of Block 201, *Pablo Beach North*
ADDRESS: 26 N 20th Ave

REQUEST:

Section(s): 34-340(e)(1)f, for 57% lot coverage in lieu of 35% maximum; 34-340(e)(1)(c)2, for side yard setback of 5ft on both side in lieu of 10ft minimum; 34-340(e)(1)(c)1, for front yard setback of 7.5ft in lieu of 20ft minimum; 34-340(e)(1)(c)3 for rear yard setback of 17.5ft in lieu of 30ft minimum, for construction of a new two-family dwelling located at **property addressed** 26 N 20th Ave, **RE#** 174775-0000, **legally described as** Lot 8, Pritchard-Clarsen Replat of Part of Block 201, *Pablo Beach North*

EXISTING CONDITIONS:

The subject property is a lot of record, (circa 1924) located in the High Density Residential future land use category. The property is currently zoned Residential, multiple-family: RM-2. The subject parcel is 45 feet in width and 69.60 feet in depth, with a total area of 2,948 square feet. This lot consists of a 2-story duplex, a shed, a wood deck, and covered concrete. The subject parcel's two-family dwelling was constructed in 1938, the structure predates the existing LDC. The dwelling is extremely old and dilapidated. The applicant will demolish the current building and build a new two-story two-family dwelling. This property was recently purchased by the applicant under the existing circumstances. Thus, the conditions are not the result of the applicant.

The subject parcel is nonconforming in total lot area. In the RM-2 zoning district, the minimum dimensional requirement for total lot area is 6,000 square feet, this property only measures 2,948 square feet. The applicant is asking for a variance for 57% lot coverage in lieu of 35% maximum, for side yard setback of 5ft on both side in lieu of 10ft minimum, for front yard setback of 7.5ft in lieu of 20ft minimum, and for rear yard setback of 17.5ft in lieu of 30ft minimum, for construction of a new two-family dwelling. Staff does find that the requested variance is the minimum variance needed to accommodate the new two-family dwelling. The property is undersized and the request is consistent with the comprehensive plan.

STAFF ANALYSIS:

The subject property was developed in 1938 as a 2-story two-family dwelling. The applicant plans on demolishing the current dilapidated structure and construct a new two-family dwelling. Due to the substandard size of the lot, building any structure on this property would encroach on setbacks and increase total lot coverage. Allowing or a variance for 57% lot coverage in lieu of 35% maximum, for side yard setback of 5ft on both side in lieu of 10ft minimum, for front yard setback of 7.5ft in lieu of 20ft minimum, and for rear yard setback of 17.5ft in lieu of 30ft minimum is the minimum variance needed for the reasonable use of the parcel of land. The subject property was platted in 1924 and the home was constructed in 1938, which predated the LDC. The nonconforming lot is not the fault of the applicant and not allowing the requested variance would deprive the applicant of using the subject property to its full extent. There is a hardship justified by the lot being a nonconforming lot in total lot area, staff would recommend that the application be approved.

MINIMUM DIMENSIONAL STANDARDS:

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - o Front yard: Twenty (20) feet.
 - o Side yard: Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - o Rear yard: Thirty (30) feet
- o Floor area: A two-family dwelling structure shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area. Each unit within a duplex structure shall contain a minimum of eight hundred (800) square feet of conditioned living area excluding garage or carport. Wall separation. Two-family dwellings shall contain a two (2) hour fire resistant wall between units.
- o Maximum lot coverage: Thirty-five (35) percent.
- o Height: Thirty-five (35) feet.
- o 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 property is substandard in both total lot area and width. The RM-2 requirement allows for a total lot area of 6,000 square feet. This property has a total lot area of 2,948 square feet.

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

Staff does not find that circumstances are a result of the applicant. The subject property was platted in 1924 and the home was constructed in 1938, which predated the LDC. The nonconforming lot is not the fault of the applicant.

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 dwelling is dilapidated and needs maintenance, the proposed renovation will bring the property up to standards.

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. Without relief from the LDC requirements, the applicant cannot build the two-family structure.

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 new two-family dwelling. The proposed variance will allow for the proposed two-family dwelling and adequate use of the parcel.

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.

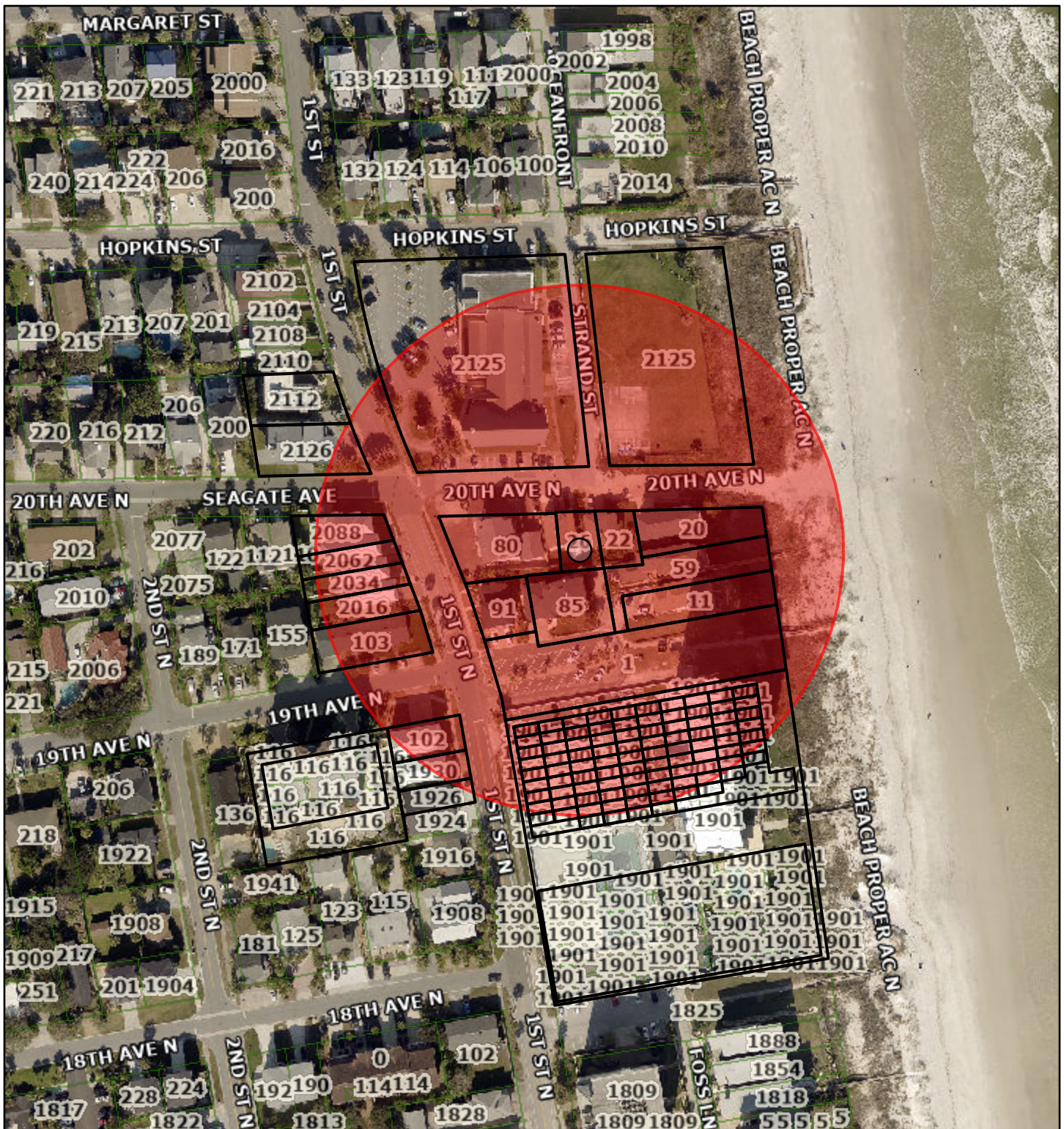
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies, and is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan.

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#24-100140**

ATTACHMENTS:

1. 24-100140pics
2. 24-100140



February 8, 2024

 Parcels

1:2,257

0 0.01 0.03 0.06 mi
0 0.03 0.05 0.1 km

24/00/40



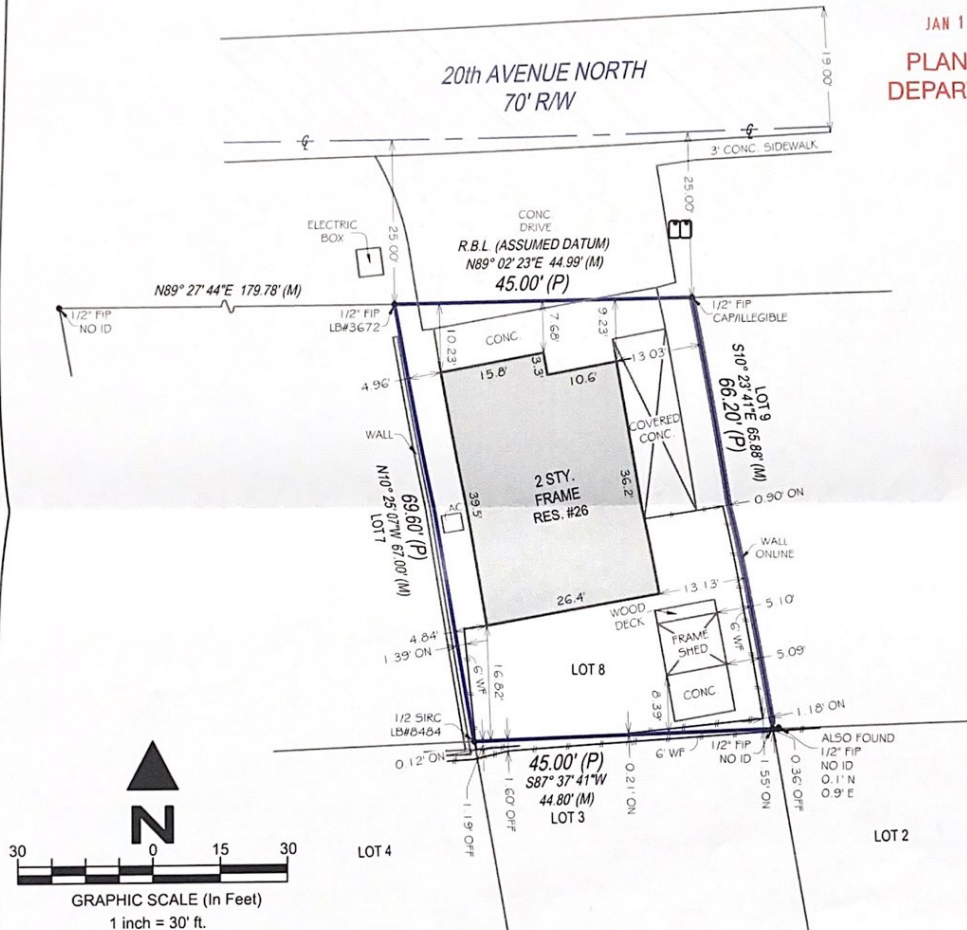
PROPERTY ADDRESS: 26 20th AVENUE NORTH, JACKSONVILLE BEACH, FL. 32250

BEARINGS BASED ON ASSUMED DATUM
THE PLAT HEREON CONTAINS NO BEARINGS OR
ANGLES FOR COMPARISON TO FIELD
MEASURED VALUES.

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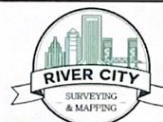


SURVEYOR'S CERTIFICATION
REPRODUCTIONS OF THIS SKETCH ARE NOT
VALID UNLESS SEALED WITH FLORIDA PSM
EMBOSSSED SEAL. THIS SKETCH OF SURVEY
OR PLAN DEPICTED HEREON CONFORMS TO
THE STANDARDS OF PRACTICE SET FORTH
BY THE FLORIDA BOARD OF SURVEYORS
AND MAPPERS IN ACCORDANCE WITH
CHAPTER 5J-17.050-17.053, PURSUANT TO
CHAPTER 472, FLORIDA STATUTES, AND WAS
DONE UNDER MY DIRECT SUPERVISION.

POINTS OF INTEREST:

DATE SIGNED: 11/14/2023
FIELD WORK DATE: 11/14/2023
REVISION DATE(S):
SURVEY NUMBER: 111023.06

CERTIFIED TO:
CAPITAL REAL ESTATE COLLECTIVE LLC
CROCKETT LAW P.L.
OLD REPUBLIC



RIVER CITY SURVEYING & MAPPING
LB#8484
904.675.9300 & 904.675.9301
F. 904-998-9736
7220 FINANCIAL WAY | JACKSONVILLE,
FL 32256

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

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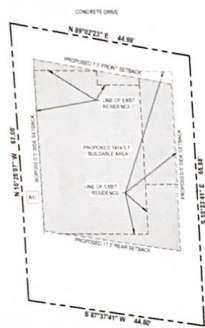
DATE	
TIME	
BY	
FOR	
REMARKS	

UPPERIOR HOME DESIGNS
OFFICE: 1014 E. 10th St., Suite 101, Jacksonville, FL 32204
PHONE: 904.233.3333
WWW.UHDESIGNS.COM

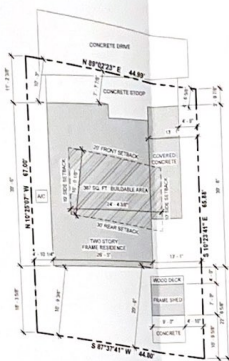
BLUE WAVE BUILDERS, INC.
1014 E. 10th St., Suite 101, Jacksonville, FL 32204
PHONE: 904.233.3333
WWW.BLUEWAVEBUILDERS.COM

YOUNG PROPERTY
26 20th Avenue North, Jacksonville Beach, Florida 32250
PHONE: 904.233.3333
WWW.YOUNGPROPERTY.COM

AWARD WINNING HOME DESIGNS SINCE 1987



3 SITE PLAN, PROPOSED
1" = 10'-0"



1 SITE PLAN, EXISTING
1" = 10'-0"

LOT COVERAGE CALCULATIONS - EXISTING

TOTAL LOT	2940	100%
HOUSE FOOTPRINT	1028	34.97%
CONCRETE DRIVE	47	1.59%
CONCRETE STOOP	204	6.94%
COVERED CONCRETE	228	7.75%
CONCRETE AC PAD	9	0.31%
FRAME SHED	70	2.38%
CONCRETE	62	2.11%
TOTAL IMPERVIOUS	1679	57.13%
WOOD DECK	18	0.61%
GREEN SPACE	1252	42.47%
TOTAL PERVIOUS	1270	42.87%

SITE PLAN
for
THE YOUNG PROPERTY
at
26 20th AVENUE NORTH
in
JACKSONVILLE BEACH FLORIDA



APPLICATION FOR VARIANCE

BOA NO. 24-100148
HEARING DATE 3/5/24

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.

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APPLICANT INFORMATION

Applicant Name:	Donald Young, Mbr, Capital Real Estate Collective LLC	Telephone:	(309) 397-7322
Mailing Address:	309 Ahern St Atlantic Beach, FL 32233	E-Mail:	dyoung@c5mi.com
Agent Name:	Ian A. Brown	Telephone:	(904) 625-7362
Mailing Address:	245 Riverside Ave, Suite 100 Jacksonville, FL 32202	E-Mail:	ian@yield-coach.com
Landowner Name:	Donald Young, Mbr, Capital Real Estate Collective LLC	Telephone:	(309) 397-7322
Mailing Address:	309 Ahern St Atlantic Beach, FL 32233	E-Mail:	dyoung@c5mi.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: 26 N 20TH AVE, JAX BCH FL (ID#174775-0000)
Legal description of property (Attach copy of deed): See copy of deed(s) attached
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Redevelopment of existing non-conforming residential dwelling with duplex requiring variance(s) for minimum lot size (subject lot approximately 2,948sf), width, proposed lot coverage of 57%, proposed side yard setbacks of 5 ft, front yard setback of 7.5 ft, and rear yard setback of 17.5 ft

AFFIDAVIT

I, Donald Young, 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] Donald Young
APPLICANT SIGNATURE PRINT APPLICANT NAME
DATE 1/17/24
STATE OF FLORIDA, COUNTY OF DUVAL
This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17 day of January, 20 24, by Donald Young, who is personally known to me or produced Debra's license as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Jamie E Mowery
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE	
CURRENT ZONING CLASSIFICATION: <u>AM-2</u>	FLOOD ZONE: <u>X</u>
CODE SECTION (S): _____	

24100140
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JAN 17 2024

**PLANNING
DEPARTMENT**

PREPARED BY & RETURN TO:

LeeAnn Chen
Crockett Law P.L.
10033 Sawgrass Drive W., Suite 125
Ponte Vedra Beach, FL 32082

File Number: 2023-203

(Space Above This Line For Recording Data)

23114854

Warranty Deed

This Warranty Deed made this 17th day of November, 2023, between Martha Wright Snyder, a married woman conveying non-homestead property and as an heir at law of Josephine Shropshire Wright, hereinafter called Grantor, whose address is 3434 Blanding Blvd Unit 240, Jacksonville, FL 32210 and Capital Real Estate Collective LLC, a Wyoming Limited Liability Company, whose address is 30 N. Gould Street, Ste N, Sheridan, WY 82801, hereinafter called Grantee.

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

Witnesseth that said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, to-wit:

Lot 8, Pritchard - Clarsen Replat of Part of Block 201, Pablo Beach North, a subdivision according to the plat thereof recorded in Plat Book 9, Page 4, of the Public Records of Duval County, Florida.

Parcel Identification Number: 174775-0000.

SUBJECT TO taxes accruing subsequent to December 31, 2023.

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

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

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

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

The property described in this instrument is not, nor has it ever been, the constitutional homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household(s) of Grantor(s) reside thereon or have ever resided thereon.

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

Signed, sealed and delivered in our presence:

Cheryl Shearon
Witness 1 Signature

Cheryl Shearon
Witness 1 Printed Name

Opal M. Lynch
Witness 2 Signature

Opal M. Lynch
Witness 2 Printed Name

State of Tennessee
County of Cheatham



Martha Wright Snyder
Martha Wright Snyder

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10 day of November, 2023 by Martha Wright Snyder who ☒ is personally known or ☒ has produced a driver's license as identification.

[Seal]

Cheryl Shearon
Notary Public
Print Name: Cheryl Shearon
My Commission Expires: 8-22-2026

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

Signed, sealed and delivered in our presence:

[Signature]
Witness 1 Signature

LeeAnn Chen
Witness 1 Printed Name

[Signature]
Witness 2 Signature

Joyce Ready
Witness 2 Printed Name

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of November, 2023 by Robert W. Wright who ☐ is personally known or ☒ has produced a driver's license as identification.

[Seal]



Robert W. Wright
Robert W. Wright

[Signature]
Notary Public
Print Name: _____
My Commission Expires: _____

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

Signed, sealed and delivered in our presence:

[Signature]
Witness 1 Signature

LeeAnn Chen
Witness 1 Printed Name

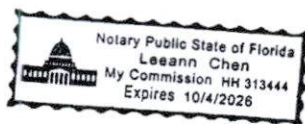
[Signature]
Witness 2 Signature

Joyce Ready
Witness 2 Printed Name

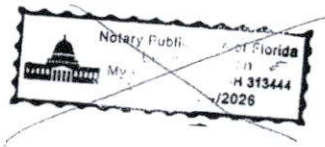
State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of November, 2023 by William E. Wright who ☒ is personally known or ☐ has produced a driver's license as identification.

[Seal]



William E. Wright
William E. Wright



[Signature]
Notary Public
Print Name: _____
My Commission Expires: _____

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

Signed, sealed and delivered in our presence:

[Signature]
Witness 1 Signature

Keith E. Crockett

Witness 1 Printed Name

[Signature]
Witness 2 Signature

Joyce Keady
Witness 2 Printed Name

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16th day of November, 2023 by Sarah Wright Adams who ☐ is personally known or ☒ has produced a driver's license as identification.

[Seal]



[Signature]
Notary Public
Print Name: Keith E. Crockett

My Commission Expires: _____

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

Signed, sealed and delivered in our presence:

[Signature]
Witness 1 Signature

Keith E. Crockett

Witness 1 Printed Name

[Signature]
Witness 2 Signature

Joyce Keady
Witness 2 Printed Name

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16th day of November, 2023 by Scott Adams who ☐ is personally known or ☒ has produced a driver's license as identification.

[Seal]



[Signature]
Notary Public
Print Name: Keith E. Crockett

My Commission Expires: _____

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JAN 17 2024

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DEPARTMENT

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 24-100140

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Building was constructed in 1938, has extensive deferred maintenance, and does not conform to current code.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Property recently purchased and existing circumstances and conditions are not a result of the applicant/current owner.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The subject will not have any special privilege and many older dwellings, on non-conforming lots, constructed prior to current building and zoning requirements require variances for redevelopment.
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	Strict application of the code would deny the owner/applicant rights commonly enjoyed by similarly constrained residential properties, with non-conforming parcels.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Applicant worked with licensed Architect to configure the a site plan significantly improved from existing configuration and more compliant with current code.
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	Application is consistent with purpose, goals, objectives, and policy of the comprehensive plan and no adjacent lands will be adversely impacted by proposed variance(s).

Heather Ireland

From: Alisa Miles <alisacmmc@gmail.com>
Sent: Friday, February 23, 2024 10:24 AM
To: Planning Division
Subject: Fwd: BOA#24-100140 RE# 174754 5070

[You don't often get email from alisacmmc@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Regarding 26 N 20th Ave RE# 174775-000

Bret McCulley
PO Box 100356
Nashville, TN 37224

We wish to NOT ALLOW for the variance. The setbacks are in place for a reason and should not be made smaller to allow for bigger homes. A bigger home would intrude on the neighbors' space which would not be very kind to the existing neighbors.

Think of others and not just oneself.

Thank you for asking for the public's opinion.

PREPARED BY & RETURN TO:

LeeAnn Chen
Crockett Law P.L.
10033 Sawgrass Drive W., Suite 125
Ponte Vedra Beach, FL 32082

File Number: 2023-203

23114834

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 17th day of November, 2023, between Robert W. Wright, a single man, William E. Wright, a single man, and Sarah Wright Adams, a married woman joined by her husband Scott Adams, as heirs at law of Josephine Shropshire Wright, hereinafter called Grantor, whose address is 3434 Blanding Blvd Unit 240, Jacksonville, FL 32210 and Capital Real Estate Collective LLC, a Wyoming Limited Liability Company, whose address is 30 N. Gould Street, Ste N, Sheridan, WY 82801, hereinafter called Grantee.

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

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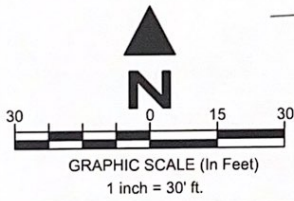
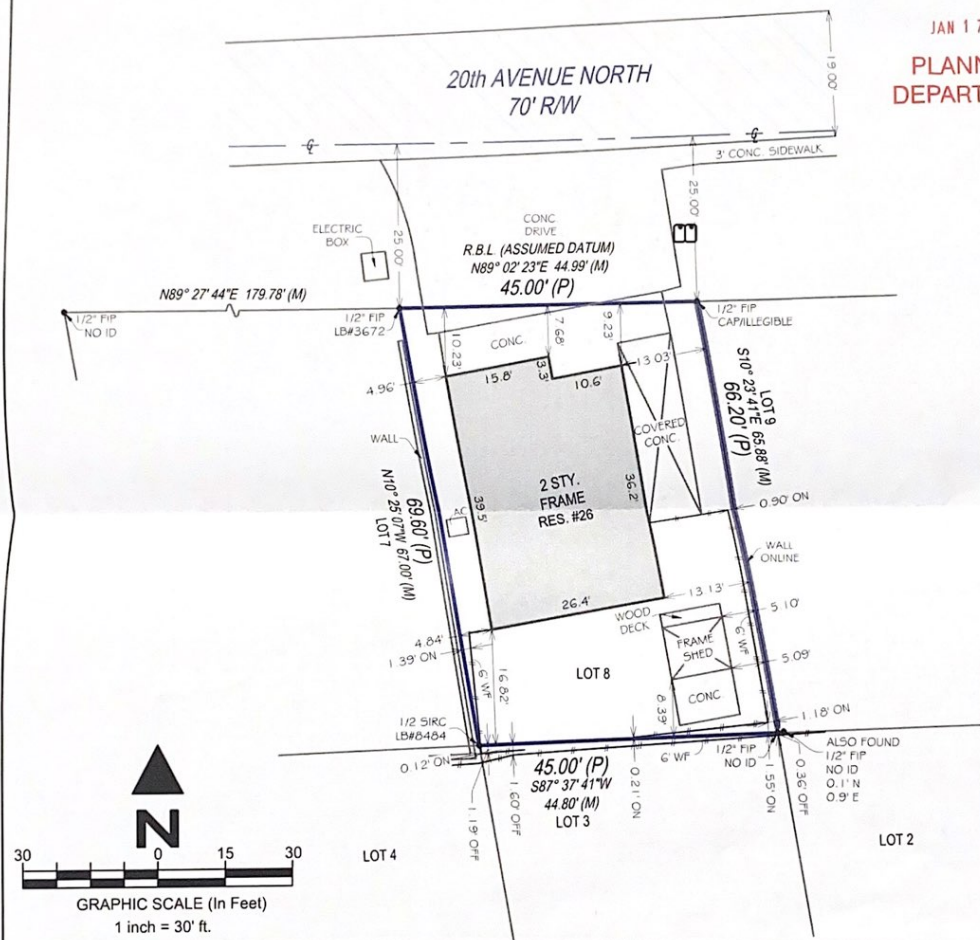
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PROPERTY ADDRESS: 26 20th AVENUE NORTH, JACKSONVILLE BEACH, FL. 32250

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SURVEY NUMBER: 111023.06

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CERTIFIED TO:
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OLD REPUBLIC

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

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MEMBER
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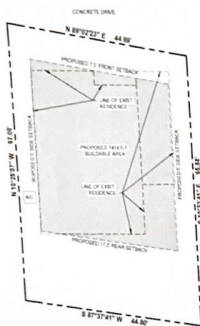
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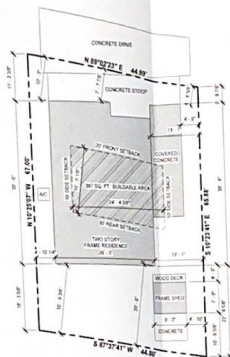
UPPERIOR HOME DESIGNS
OFFICE: 704.223.7244 MOBILE: 704.223.3287
BRAND: SUPERIOR HOME DESIGNS, INC.
AWARD WINNING HOME DESIGNS SINCE 1987

BLUE WAVE
BUILDERS, INC.

YOUNG PROPERTY
26 20th AVENUE NORTH, JACKSONVILLE BEACH, FLORIDA
32084-1001
© COPYRIGHT 2023



3 SITE PLAN, PROPOSED
1" = 10'-0"



1 SITE PLAN, EXISTING
1" = 10'-0"

LOT COVERAGE CALCULATIONS - EXISTING

TOTAL LOT	2940	100%
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CONCRETE DRIVE	47	1.59%
CONCRETE STOOP	204	6.94%
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GREEN SPACE	1252	42.47%
TOTAL PERVIOUS	1270	42.93%

SITE PLAN
for
THE YOUNG PROPERTY
at
26 20th AVENUE NORTH
in
**JACKSONVILLE BEACH
FLORIDA**



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	02/05/2024
SUBJECT:	BOA #24-100141 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, March 5, 2024 Board of Adjustment Meeting.

BOA #24-100141

ZONING: RS-2
RE NO.: 179110-0032
LEGAL: Lot 1, Block 43, *Sec A Jacksonville Beach*
ADDRESS: 1182 N 19th St

REQUEST:

Section(s): 34-337(e)(1)(c)3, for rear yard setback of 22ft in lieu of 30ft minimum, to construct a covered patio area over new pool deck, 34-337(e)(1)g, for accessory structure set back of 3.6ft from primary structure for pool **for property addressed** 1182 N 19th St, **RE#** 179110-0032, **legally described as** Lot 1,Block 43, *Sec A Jacksonville Beach*

EXISTING CONDITIONS:

The subject property is a nonconforming lot of record (circa 1944) located in the Medium Density Residential future land use category. The property is currently in Residential single-family: RS-2 zoning district. The lot is 70.11 feet in width, and 102.06 feet in depth, with an overall lot area of 7,140 square feet. The subject home was constructed in 1985, prior to the current LDC. The lot currently has an existing house, shed, pool, deck, and a paver patio. The applicant was granted a variance in October 2023 for lot coverage of 49% in lieu of 35% maximum, to allow for a new swimming pool with a pool deck, and to relocate a shed to the southwest rear corner of the property. The subject parcel is nonconforming in lot area. In the RS-2 zoning district, the conforming lot size is 7,500 square feet. The subject property is only 7,140 square feet. The applicant is asking for a variance for rear yard setback of 22ft in lieu of 30ft minimum, to construct a covered patio area over a portion of the new pool deck, and for an accessory structure set back 3.6ft from the primary structure for the pool, in order to construct a 9.4 x37.3 covered patio over the new pool deck. Staff does find that the requested variance is the minimum variance needed to accommodate the covered patio. The property is undersized and the request is consistent with the comprehensive plan.

BOA#23-100090 for lot coverage of 49% in lieu of 35% maximum, to allow for a new swimming pool with a pool deck, and to relocate a shed to the southwest rear corner of the property.

No Code violations.

STAFF ANALYSIS:

The subject property was developed in 1985 as a one-story single-family dwelling. The subject property is substandard in width. It measures 70.11 feet in width rather than the 75 feet minimum requirement in the RS-2 zoning district and is also nonconforming in size at 7,140 square feet. The applicant is proposing to add a covered patio area over a portion of the new pool deck. Due to the substandard size of the lot, adding any structure to the rear of the property will encroach into the rear yard setback. Allowing for a rear yard setback of 22ft in lieu of 30ft minimum is the minimum variance needed for the reasonable use of the parcel of land. The new addition will only encroach into the required rear yard by 8 feet. There is already a variance granted for 46% lot coverage. The new addition will not exceed the approved 46% lot coverage. Other properties in this area have been granted similar variances to encroach on required rear yard setbacks to accommodate various property additions. There is a hardship justified by having a nonconforming lot in width and area. Staff would recommend that the application be approved, as this is the minimum variance that will make possible the reasonable use of the parcel of land, building and structure.

MINIMUM DIMENSIONAL STANDARDS:

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

REVIEW OF CRITERIA:

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject lot is nonconforming and substandard in area and width. The property measures 70.11 feet in width rather than the 75 feet minimum and is nonconforming in size, at 7,140 square feet, slightly less than the required 7,500 square foot minimum.

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 1944 and the applicant purchased the property with these nonconforming conditions.

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

Staff finds that the proposed variance **will not** confer special privileges. The request for a rear yard setback of 22ft in lieu of 30ft minimum to construct a covered patio area over an existing pool deck on a lot that does not meet the minimum lot width and lot area for the RS-2 zoning district would not confer a special privilege as compared to other properties in the RS-2 zoning district. Similar properties have been granted variances for similar projects.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. Due to the nonconforming area and width of this property, any addition would require a variance from the RS-2 standards. These circumstances are not the fault of the applicant and literal interpretation of the code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district with non-conforming lots.

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

Staff **does** find that the requested variances are the minimum variances needed to accommodate the existing non-conformities, as well as the proposed new rear covered patio. The minimum variance needed to accomplish the proposed covered patio is for a rear yard setback of 22ft in lieu of 30ft 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.

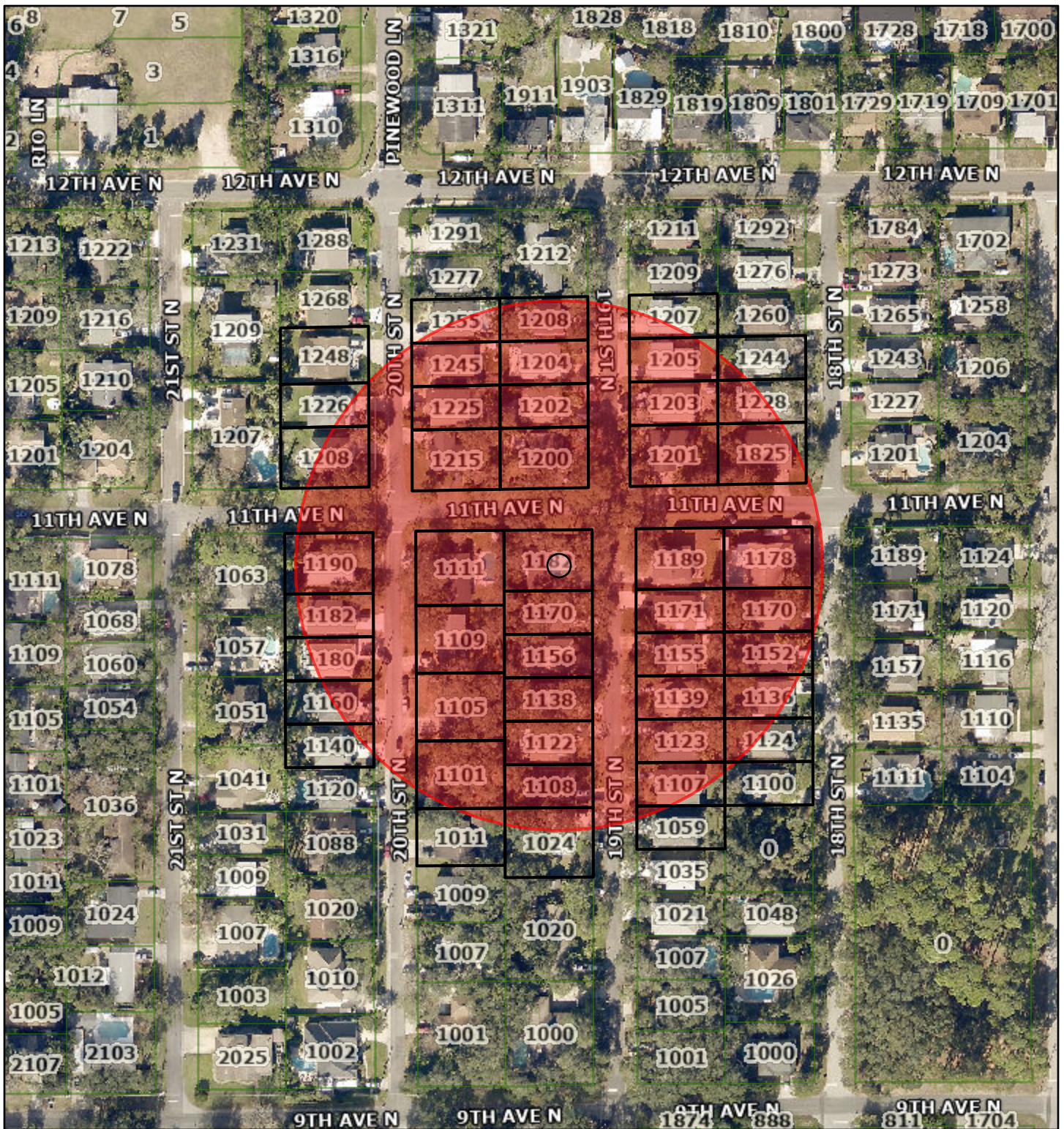
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies, and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

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#24-100141**

ATTACHMENTS:

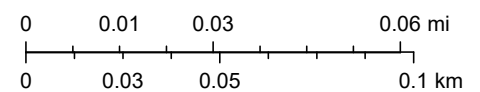
1. 24-100141pics
2. 24-100141



February 8, 2024

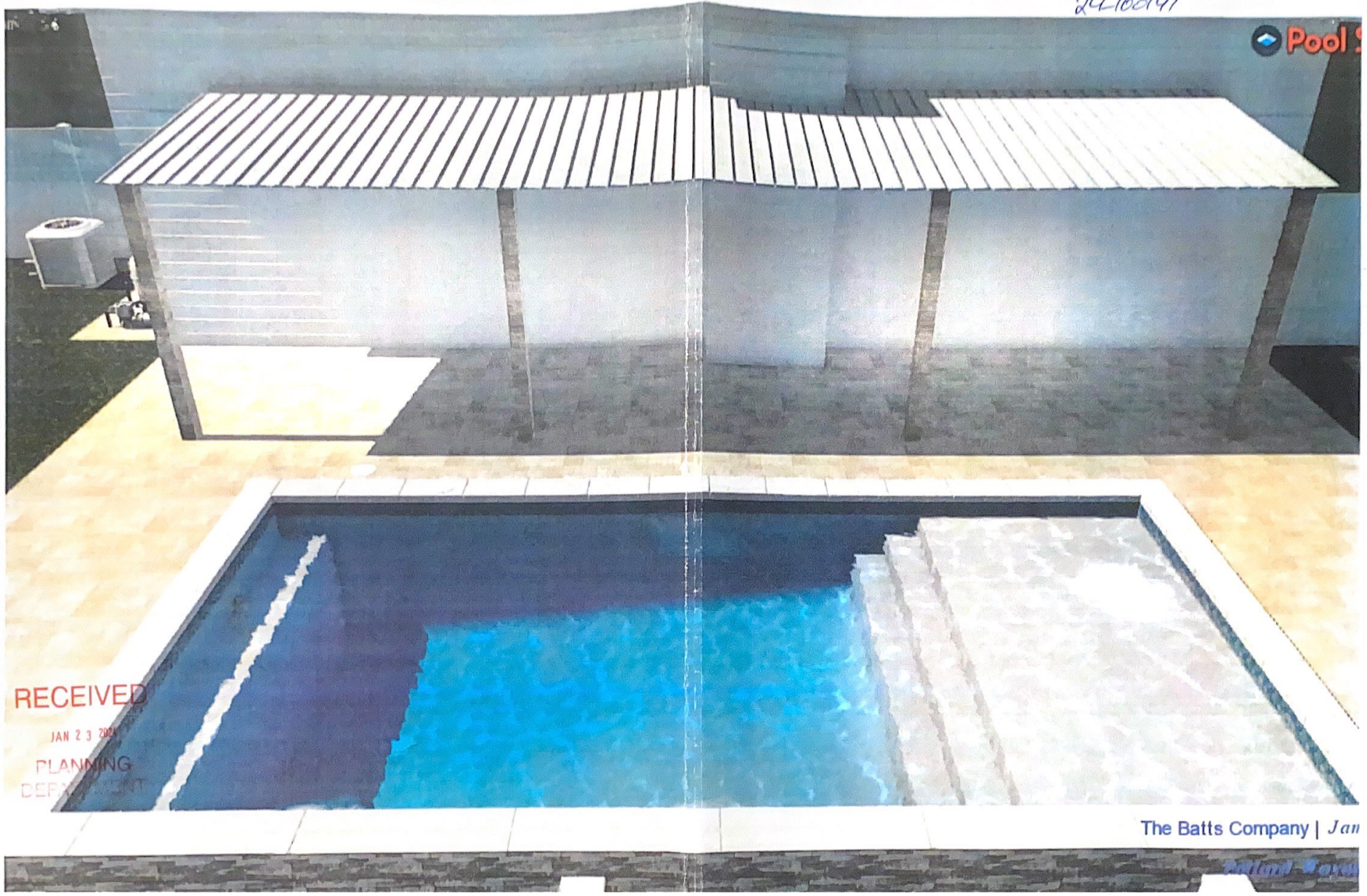
 Parcels

1:2,257



24100141

Pool



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DEPARTMENT

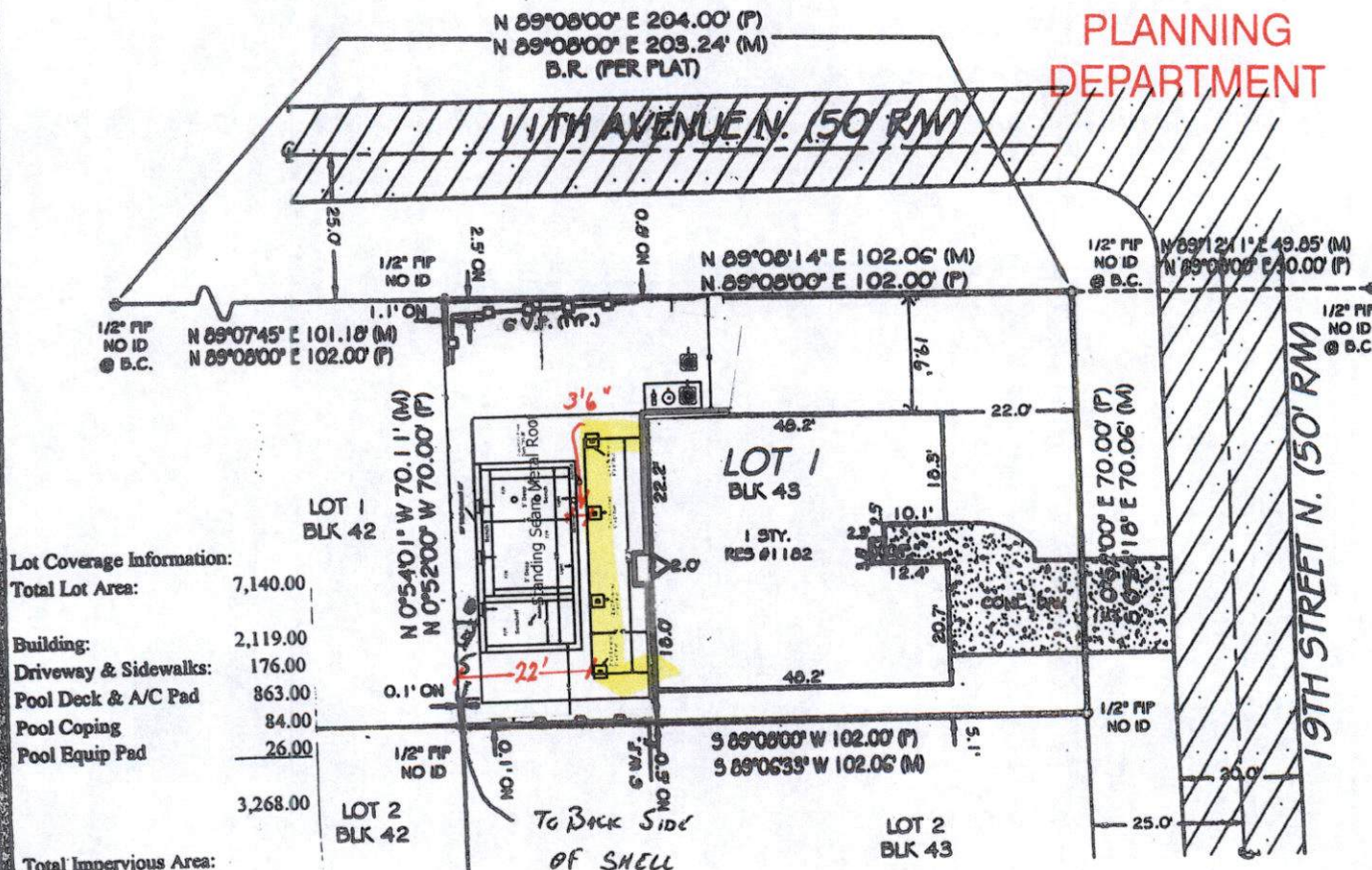
The Batts Company | Jan

Portland, ME



JAN 23 2024

PLANNING
DEPARTMENT



NOTES:
FENCE OWNERSHIP NOT DETERMINED

I hereby certify that this Boundary Survey of the herein described property has been made under my direction, and to the best of my knowledge and belief it is a true and correct representation of a survey that meets the Standards of Accuracy set forth by the Florida Board of Professional Surveyors and Engineers in Chapter 65-17 of the Florida Administrative Code.

Mark A. Johnson
State of Florida Professional Surveyor and Mapper
License No. 9572



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



Use of This Survey for Purposes other than intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing herein shall be construed to give any rights or benefits to anyone other than those Carried.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, DATED 06/03/13.

CLIENT NUMBER:

DATE: 8/25/2015

BUYER: Julia Lee Bates

SELLER:

CERTIFIED TO: JULIA LEE BATES; LAW OFFICES OF ROD SCHLOTH, P.
A.; OLD REPUBLIC NATIONAL TITLE INSURANCE
COMPANY; NAVY FEDERAL CREDIT UNION

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST
NONE VISIBLE

NONE VISIBLE

FETA

AFFILIATE MEMBERS

EXACTA
Land Surveyors, Inc.

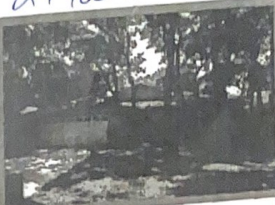
LM 7397

C. www.exactland.com
P883-735-1916 • F886-744-2882
11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913

24-100/41

ORDERED BY:

The Law Offices of Rod Schloth
2187 S Third St
Jacksonville Bch, FL 32250
904-372-9351
beach@rod-law.com



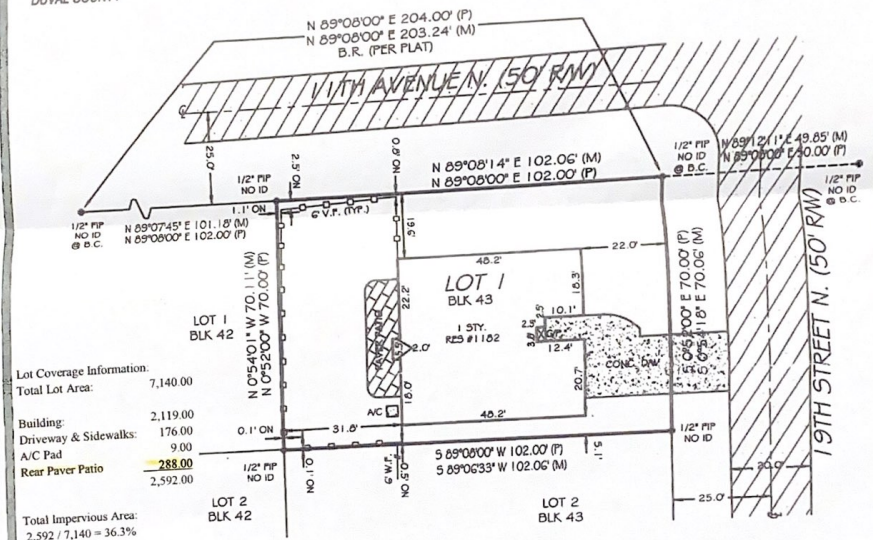
SURVEY NUMBER: 1508 1935

PROPERTY ADDRESS: 1182 19TH STREET N JACKSONVILLE BEACH, FLORIDA 32250

FIELD WORK DATE: 8/25/2015

REVISION DATE(S): (REV 0 8/25/2015)

1508.1935
BOUNDARY SURVEY
DUVAL COUNTY



Lot Coverage Information:
Total Lot Area: 7,140.00
Building: 2,119.00
Driveway & Sidewalks: 176.00
A/C Pad: 9.00
Rear Paver Patio: 288.00
Total Impervious Area: 2,592 / 7,140 = 36.3%

Rear Paver Patio To Be Removed

NOTES:
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I hereby certify that this Boundary Survey of the hereon described property has been made under my direction, and to the best of my knowledge and belief, it is a true and accurate representation of a survey that meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code.

Mark A. Johnson
State of Florida Professional Surveyor and Mapper
License No. 6572



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

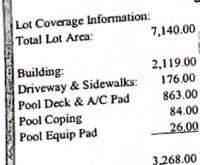


Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

24-100141

FIELD WORK DATE: 8/25/2015

REVISION DATE(S): (REV.0 8/25/2015)



NOTES:
FENCE OWNERSHIP NOT DETERMINED

MARK A. JOHNSON
LICENSE NUMBER 6522
STATE OF FLORIDA
PROFESSIONAL SURVEYOR & MAPPING

30 0 15 3

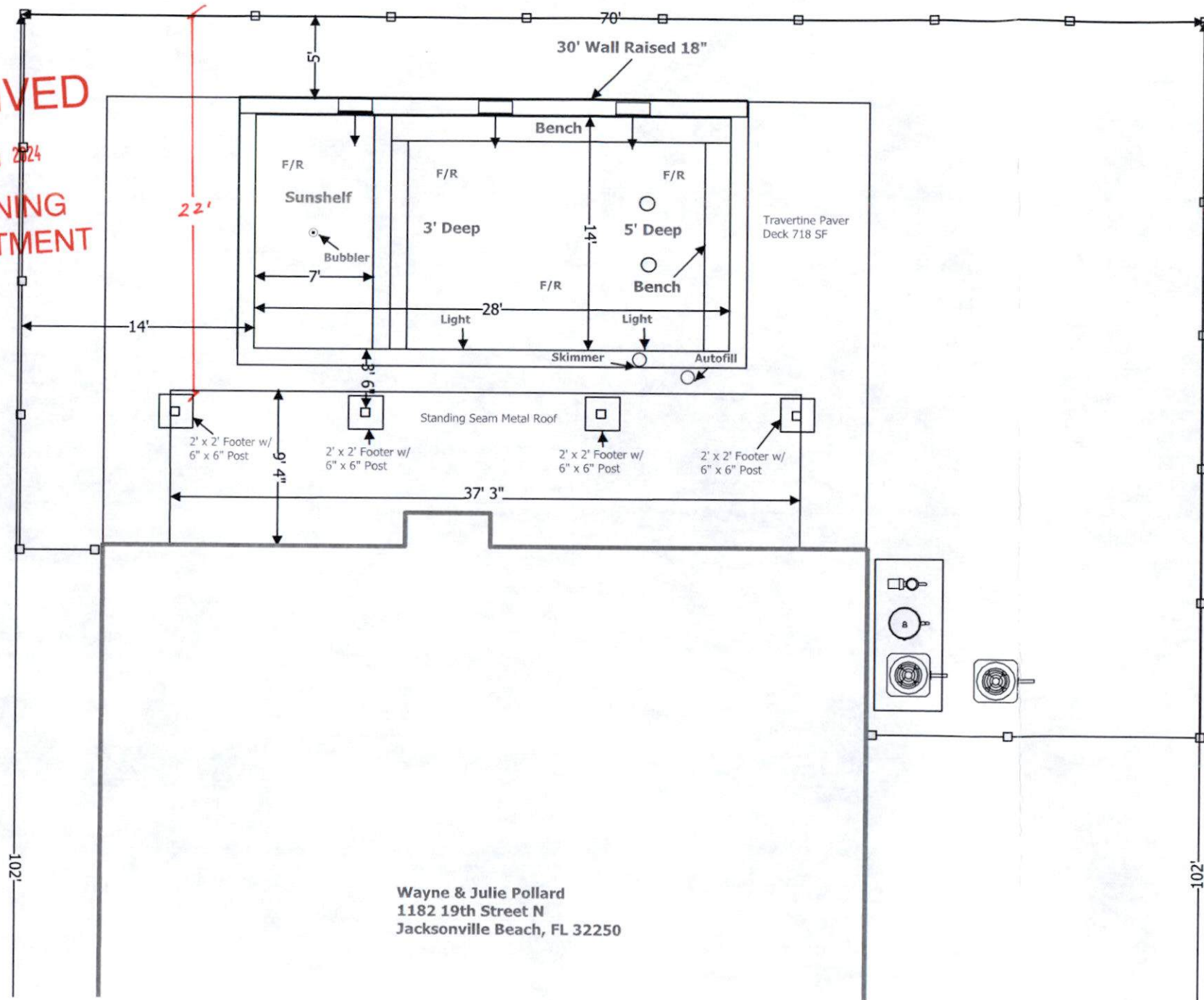
GRAPHIC SCALE (In Feet)
1 inch = 30' ft.



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Wayne & Julie Pollard
1182 19th Street N
Jacksonville Beach, FL 32250



APPLICATION FOR VARIANCE

BOA No. 24108141
HEARING DATE 3/5/24

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.

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JAN 23 2024
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APPLICANT INFORMATION

Applicant Name: Wayne Pollard **Telephone:** (904) 250-3698
Mailing Address: 1182 19th Street North **E-Mail:** Bikeit61@gmail.com
Jacksonville Beach, FL 32250
Agent Name: The Batts Company **Telephone:** (904) 246-2455
Mailing Address: 1602 Nth 3rd Street **E-Mail:** battscompany@gmail.com
Jacksonville Beach, FL 32250
Landowner Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1182 19th Street N 179110-0083
Legal description of property (Attach copy of deed): 179110-0083 18-33 38-2S-29E Sec A Jax Bch Lot 1 Blk 43
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).
Reduce rear building set back from 30' to 22' to construct a 9'4" x 37'3" covered patio area over the new pool deck.

AFFIDAVIT

I, Wayne Pollard, 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.

Wayne Pollard
APPLICANT SIGNATURE

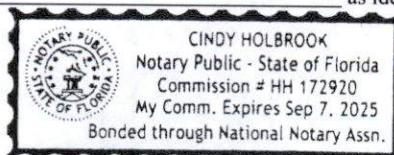
Wayne Pollard
PRINT APPLICANT NAME

1/23/24
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of January, 2024, by Wayne Pollard, who is personally known to me or produced n/a as identification.

Cindy Holbrook
NOTARY PUBLIC SIGNATURE
Cindy Holbrook
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2

FLOOD ZONE: X

CODE SECTION (S): _____

2022 NOTICE OF PROPOSED PROPERTY TAXES
Duval County, Florida

DO NOT PAY
THIS IS NOT A BILL

24-100141

Legal Description:

18-33 38-2S-29E
SEC A JACKSONVILLE BEACH
LOT 1 BLK 43

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JAN 23 2024

RE No: 1791100032R

Use: 0100

Dist: USD2

Prop. Address: 1182 N 19TH ST

**PLANNING
DEPARTMENT**

TAXING AUTHORITY TAX INFORMATION								
TAXING AUTHORITY	Prior (2021) Taxable Value*	Your Final Tax Rate and Taxes Last Year (2021)		Current (2022) Taxable Value*	Your Tax Rate and Taxes This Year if NO Budget Change is Made		Your Tax Rate and Taxes This Year if PROPOSED Budget Change is Made	
	COLUMN 1	COLUMN 2 RATE	COLUMN 3 TAXES	COLUMN 4	COLUMN 5 RATE	COLUMN 6 TAXES	COLUMN 7 RATE	COLUMN 8 TAXES
County	232,405	8.1512	1,894.38	240,877	7.3813	1,777.99	8.0262	1,933.3
Public Schools:								
By State Law	257,405	3.5600	916.36	265,877	3.1306	832.35	3.2360	860.3
By Local Board	257,405	2.2480	578.65	265,877	1.9769	525.61	2.2480	597.6
FL Inland Navigation Dist.	232,405	0.0320	7.44	240,877	0.0287	6.91	0.0320	7.7
Jax Beach	232,405	3.9947	928.39	240,877	3.6328	875.06	3.9947	962.2
Water Mgmt Dist. SJRWMD	232,405	0.2189	50.87	240,877	0.1974	47.55	0.1974	47.5
TOTAL AD VALOREM PROPERTY TAXES			4,376.09			4,065.47		4,408.8

PROPERTY APPRAISER VALUE INFORMATION			
	MARKET (JUST) VALUE	ASSESSED VALUE (Before Exemptions) Applies to School Millage	ASSESSED VALUE (Before Exemptions) Applies to Non-School Millage
PRIOR YEAR (2021)	319,890	282,405	282,405
CURRENT YEAR (2022)	425,781	290,877	290,877

Applied Assessment Reduction	Applies To	Prior Value (2021)	Current Value (2022)
Save Our Homes or Portability Benefit	All Taxes	37,485	134,904
Agricultural Classification	All Taxes	0	0
Non-Homestead 10% Cap Benefit	Non-School Taxes	0	0
Exemptions	Applies To	Prior Value (2021)	Current Value (2022)
Charitable & Institutional	All Taxes	0	0
First Homestead or TPP	All Taxes	25,000	25,000
Additional Homestead	Non-School Taxes	25,000	25,000
Disability	All Taxes	0	0
Limited-Income Senior 1	County/Municipal Taxes	0	0
Limited-Income Senior 2 (25 yrs)	County/Municipal Taxes	0	0
Widow/Widower	All Taxes	0	0
Historic Preservation	County Operating Taxes	0	0
Deployed Service Member Exemption	All Taxes	0	0

If you feel that the market value of the property is inaccurate or does not reflect fair market value as of January 1, 2022, or if you are entitled to an exemption or classification that is not reflected, please visit the Duval County Property Appraiser's Office at 231 E. Forsyth Street, Jacksonville, Florida 32202, call (904) 255-5900 or one of the numbers on the back of this notice.

If the Property Appraiser's Office is unable to resolve the matter as to the market value, classification, or exemption, you may file a petition for an adjustment with the Duval County Value Adjustment Board. Petition forms are available online at www.duvalpa.com or at the address above.

Petitions must be filed on or before
September 13, 2022

SEE REVERSE SIDE FOR EXPLANATIONS OF THE COLUMNS AND SECTIONS ABOVE.

The Taxing Authorities which levy property taxes against your property will soon hold **PUBLIC HEARINGS** to adopt budgets and tax rates for the next year. The purpose of the **PUBLIC HEARINGS** is to receive opinions from the general public and to answer questions on the proposed tax change and budget **PRIOR TO TAKING FINAL ACTION**. Each Taxing Authority may **AMEND** or **ALTER** its proposals at the hearing.

Taxing Authority Public Hearing Information			
Taxing Authority	Hearing Date	Time	Location
County	Tuesday, September 13, 2022	5:01 PM	117 West Duval St, Jacksonville, FL
School Board	Tuesday, September 6, 2022	5:05 PM	1701 Prudential Dr, Jacksonville, FL
Jacksonville Beach	Wednesday, September 7, 2022	5:45 PM	11 North Third St, Jacksonville Beach, FL
Atlantic Beach	Monday, September 12, 2022	6:30 PM	800 Seminole Rd, Atlantic Beach, FL
Neptune Beach	Wednesday, September 7, 2022	6:00 PM	116 First St, Neptune Beach, FL
Town of Baldwin	Tuesday, September 6, 2022	6:00 PM	10 U.S. 90 West, Baldwin, FL
St Johns River Water Management District	Tuesday, September 13, 2022	5:05 PM	4049 Reid St, Palatka, FL
Florida Inland Navigation District	Thursday, September 8, 2022	5:05 PM	221 SW Third Ave, Fort Lauderdale, FL

YOUR FINAL TAX BILL MAY CONTAIN NON-AD VALOREM ASSESSMENTS WHICH MAY NOT BE REFLECTED ON THIS NOTICE SUCH AS ASSESSMENTS FOR ROADS, FIRE, GARBAGE, LIGHTING, DRAINAGE, WATER, SEWER, OR OTHER GOVERNMENTAL SERVICES AND FACILITIES, INCLUDING SOLIDWASTE AND STORMWATER FEES, WHICH MAY BE LEVIED BY YOUR COUNTY, CITY OR A SPECIAL DISTRICT. PLEASE CALL 630-CITY(2489) FOR MORE INFORMATION.

Explanation of 'Taxing Authority Tax Information'

COLUMN 1* - "PRIOR TAXABLE VALUE"

This column shows the prior assessed value less all applicable exemptions used in the calculation of taxes for that specific taxing authority.

COLUMNS 2 & 3 - "YOUR FINAL TAX RATE AND TAXES LAST YEAR"

These columns show the tax rate and taxes that applied last year to your property. These amounts were based on budgets adopted last year and your property's previous taxable value.

COLUMN 4* - "CURRENT TAXABLE VALUE"

This column shows the current assessed value less all applicable exemptions used in the calculation of taxes for that specific taxing authority. Various taxable values in this column may indicate the impact of the Limited Income Senior, Historic, or Additional Homestead Exemptions. Current taxable values are as of January 1, 2022.

COLUMNS 5 & 6 - "YOUR TAX RATE AND TAXES THIS YEAR IF NO BUDGET CHANGE IS MADE"

These columns show what your tax rate and taxes will be if EACH TAXING AUTHORITY DOES NOT CHANGE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment.

COLUMNS 7 & 8 - "YOUR TAX RATE AND TAXES THIS YEAR IF PROPOSED BUDGET CHANGE IS MADE"

These columns show what your tax rate and taxes will be this year under the BUDGET ACTUALLY PROPOSED by each taxing authority. The proposal is NOT final and may be amended at the public hearings shown at the top of this notice. The difference between columns 6 and 8 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

***TAXABLE VALUE** - Taxable value is the value used to calculate the tax due on your property. Taxable value is the assessed value minus the value of your exemptions.

Note: Amounts shown on this form do not reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

Explanation of 'Property Appraiser Value Information'

MARKET (JUST) VALUE - Market value in Florida is also known as "just value" as provided by the constitution and described in state law. It is the amount a purchaser willing but not obliged to buy would pay to one willing but not obliged to sell, after proper consideration of all eight factors in section 193.011, F.S.

ASSESSED VALUE - The value of your property after any assessment reductions have been applied. This value may also reflect an Agricultural Classification. If "assessment reductions" are applied, the assessed value may be different for school versus non-school taxing authorities and for the purpose of calculating tax levies.

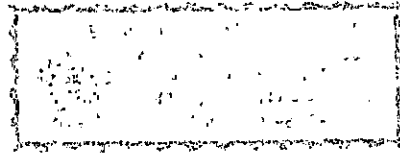
APPLIED ASSESSMENT REDUCTION - Properties can receive an assessment reduction for a number of reasons including the "Save Our Homes" assessment limitation on homesteaded property, portability and the 10% non-homestead property assessment limitation. The amount shown is the amount of the reduction. The Agricultural Classification is not considered an actual assessment reduction, but is an assessment determined per Florida Statute 193.461.

EXEMPTIONS - Any exemption that impacts your property is listed in this section along with its corresponding exemption value. Specific dollar or percentage reductions in assessed value may be applicable to a property based upon certain qualifications of the property or property owner. In some cases, an exemption's value may vary depending on the taxing authority.

If you have questions or concerns, please visit our web site at www.duvalpa.com or contact the Duval County Property Appraiser's Office at one of the numbers below:

Customer Service/Exemptions Division	(904) 255-5900
Commercial Appraisal Division	(904) 255-5901
Tangible Personal Property Division	(904) 255-5903
Greenbelt (Agricultural) Classification	(904) 255-5967

Land Records Division	(904) 255-5904
Residential Appraisal Division	(904) 255-5902
Main Number	(904) 255-7998
Exemption Abuse Hotline	(904) 255-7964



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VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 24100141

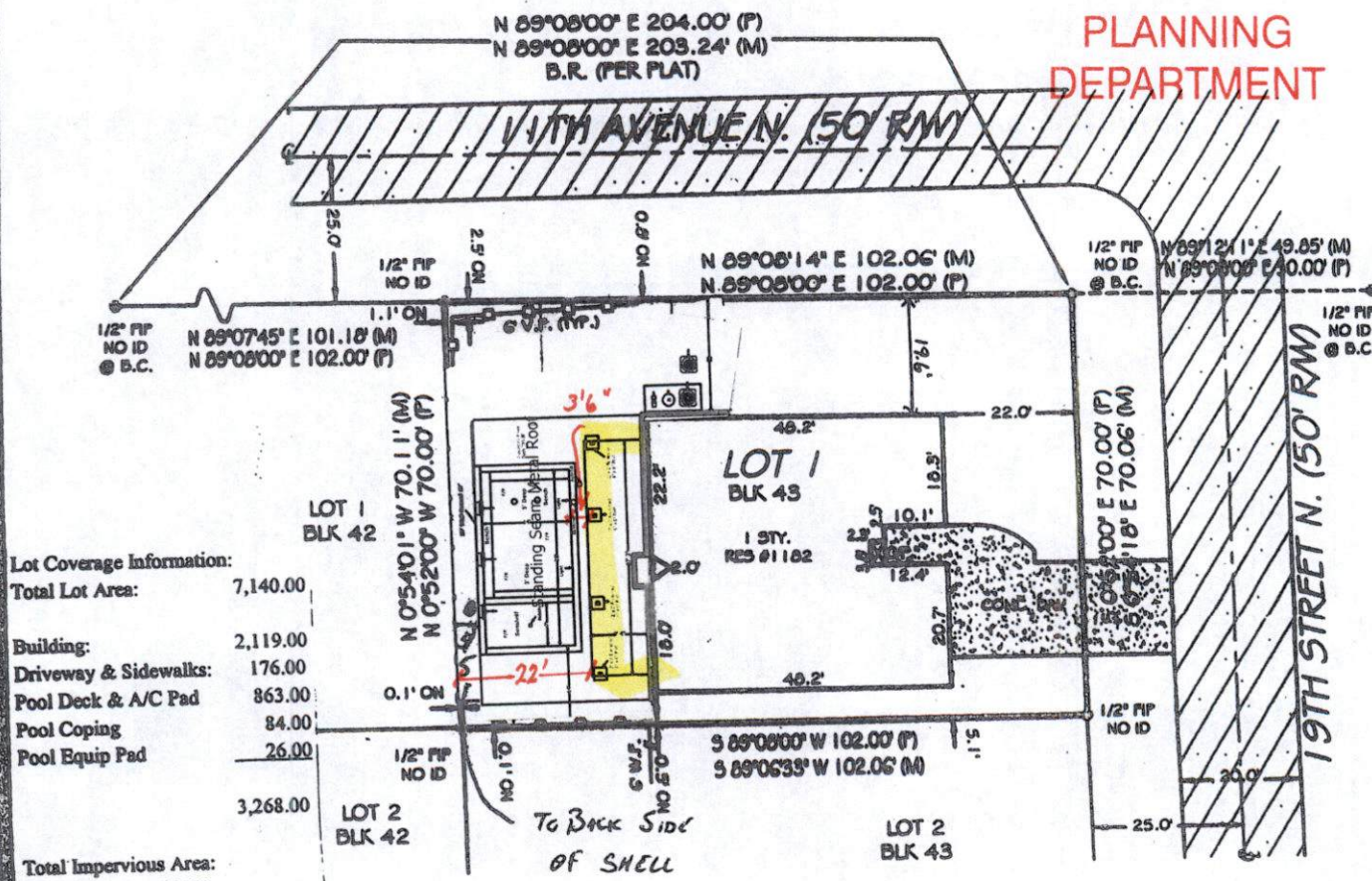
Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Owner has already received a variance for the installation of a new swimming pool. The owner would like to construct a small covered area on top of the pool deck that will attach to the rear wall of the house. The new roof area will not add to the lot coverage beyond what had already been approved. This request is to reduce the rear set back from 30' to 22'.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The Owner purchased the property with an existing house. The owner received a variance to install a swimming pool and would like to cover a small area over a portion of the pool deck which will be attached to the back of the house.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	Other properties in the area have added a screen enclosure to the pool which would require a further reduction of the rear setback than this owner is requesting
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	There are other similar properties in the area that have screen enclosures that require more setback reduction than this owner is requesting.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This owner is only requesting a reuction based on the amount of area needed to construct the roof addition.
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 have been told there are several other properties in the area that have received permission to install screen enclosures that require a further reduction of the rear setback than we are requesting.

JAN 23 2024

PLANNING
DEPARTMENT



Lot Coverage Information:

Total Lot Area:	7,140.00
Building:	2,119.00
Driveway & Sidewalks:	176.00
Pool Deck & A/C Pad	863.00
Pool Coping	84.00
Pool Equip Pad	26.00
	3,268.00

Total Impervious Area:
3,268 / 7,140 = 45.7%

NOTES:
FENCE OWNERSHIP NOT DETERMINED

I hereby certify that this Boundary Survey of the herein described property has been made under my direction, and to the best of my knowledge and belief, it is a fair and true representation of a survey that meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and is in compliance with Chapter 63-17 of the Florida Administrative Code.

Mark A. Johnson
State of Florida Professional Surveyor and Mapper
License No. 6672



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



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SELLER:

CERTIFIED TO: JULIA LEE BATES; LAW OFFICES OF ROD SCHLOTH, P.
A.; OLD REPUBLIC NATIONAL TITLE INSURANCE
COMPANY; NAVY FEDERAL CREDIT UNION

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POINTS OF INTEREST
NONE VISIBLE



AFFILIATE
MEMBERS

EXACTA
Land Surveyors, Inc.

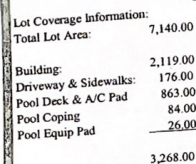
LD07237

www.exacta-land.com
850-735-1916 • FAX 850-744-2882
11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913

24-100141

FIELD WORK DATE: 8/25/2015

REVISION DATE(S): (REV.0 8/25/2019)



NOTES:
FENCE OWNERSHIP NOT DETERMINED



30 0 15 3

GRAPHIC SCALE (In Feet)
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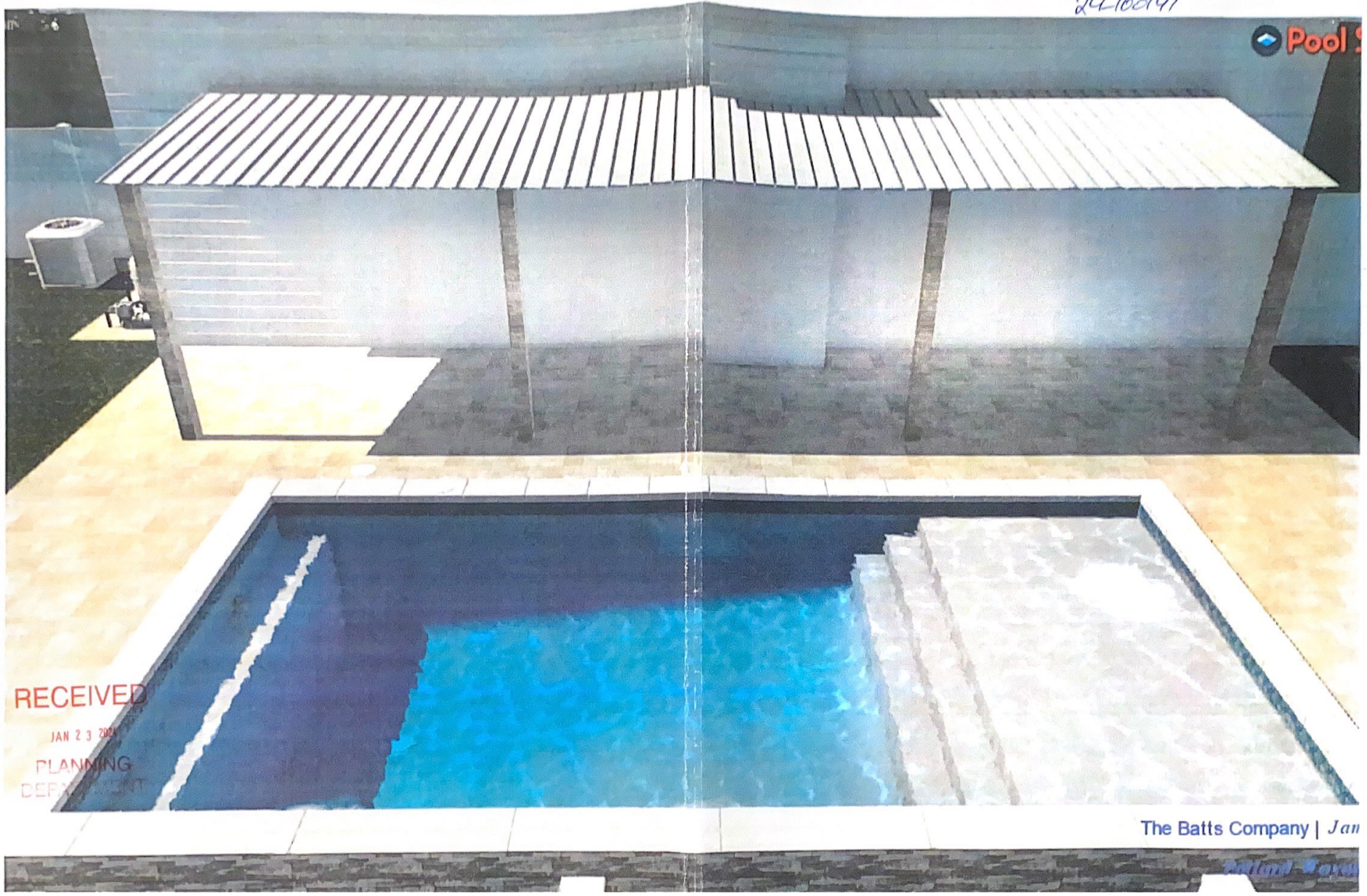
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JAN 23 2024

PLANNING
DEPARTMENT

24100141

Pool



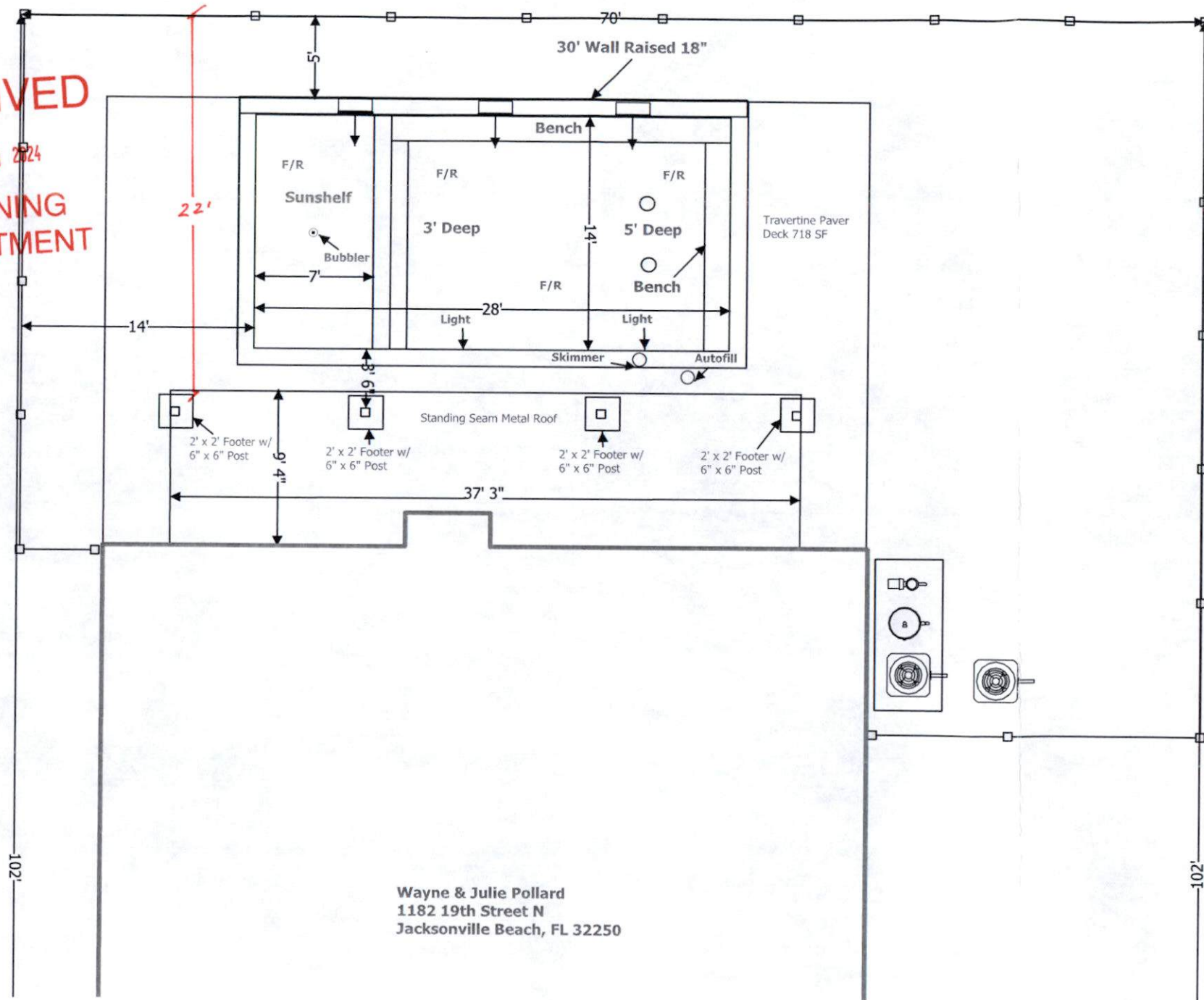
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