



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, June 1, 2021

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Board of Adjustment.

CALL TO ORDER

ROLL CALL

John Moreland (Chairperson), Alexi Gonzalez (Vice-Chairperson), Scott Cummings, Francis Reddington, Jeff Truhlar

Alternates: Owen Curley, Dan Elmaleh

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

- a. Regular Board of Adjustment Meeting held May 18, 2021

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number(s):** BOA#21-100057
Applicant: Michael Stauffer, Architect
Owner: Joseph K. Bing
Property Address: 73 28th Avenue South
Parcel ID: 181624-0000
Legal Description: Lot 7, Block 4, *Atlantic Shores, Ocean Front Section Division C*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections:** 34-336(e)(1)c.1, for a front yard setback of 14 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for side yard setbacks of 6 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

Notes: _____

- b. **Case Number(s): BOA#21-100058**
Applicant: Michael Stauffer, Architect
Owner: Joseph K. Bing
Property Address: 91 28th Avenue South
Parcel ID: 181625-0000
Legal Description: Lot 8, Block 4, *Atlantic Shores, Ocean Front Section Division C*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections: 34-336(e)(1)c.1, for a front yard setback of 14 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for corner side and side yard setbacks of 6 feet both in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling**

Notes: _____

- c. **Case Number(s): BOA#21-100059**
Applicant: John Atkins, Atkins Builders
Owner: Ossi Development, Inc.
Property Address: 1952 Horn Street
Parcel ID: 179928-0000
Legal Description: Lot 12, Block 10, *Williams Coastal Boulevard Heights*
Current Zoning: RS-2
Motion to Consider: **A variance from Land Development Code Sections: 34-337(e)(1)c.2, for total side yard setbacks of 10 feet in lieu of 15 feet required to allow for construction of a new single-family dwelling**

Notes: _____

- d. **Case Number(s):** **BOA#21-100063**
Applicant/Owner: Kristen & Brett McInerney
Property Address: 1550 Sunset Drive
Parcel ID: 178348-0000
Legal Description: Lot 23, Block 5, *Ocean Forest Unit One*
Current Zoning: RS-1
Motion to Consider: **A variance from Land Development Code Sections: 34-336(e)(1)c.1, for a front yard setback of 16.7 feet in lieu of 25 feet minimum and 34-336(e)(1)d, for a carport in lieu of a required one-car garage to convert the existing carport into habitable space and to allow for a carport addition to a nonconforming single-family dwelling**

Notes: _____

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, June 15, 2021. There are four scheduled cases.

ADJOURNMENT

NOTICE

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting. Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Board. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Board when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbchfl.net, (2) Postal mail to Planning and Development, Board of Adjustment - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Board and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three (3) minutes of reading time. All comments received are public record.

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

**Minutes of Board of Adjustment Meeting
held Tuesday, May 18, 2021, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Vice-Chairperson Alexi Gonzalez called the meeting to order at 7:00 P.M.

ROLL CALL

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

Senior Planner Christian Popoli and Administrative Assistant Jodilynn Byrd were also present.

EX PARTE COMMUNICATION: No ex-parte was reported.

APPROVAL OF MINUTES:

It was moved by Mr. Truhlar, seconded by Mr. Reddington, and passed unanimously to approve the following minutes:

- May 4, 2021

CORRESPONDENCE: Senior Planner Christian Popoli stated BOA#21-100051 was withdrawn.

OLD BUSINESS: None

NEW BUSINESS:

A.	Case Number:	BOA#20-100040
	Applicant:	Dakota Briggs
	Owner:	American Classic Homes
	Property Address:	512 1 st Street South
	Parcel ID:	175951-0000

Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)c.1, for a front yard setback of 18 feet in lieu of 20 feet required; 34-338(e)(1)c.3, for a rear yard setback of 15.5 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for 42% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Applicant: Dakota Briggs, 4449 Hudnall Road, Jacksonville, stated the hardship was the previously approved variance allowed for a duplex, not a single-family home. Also, Mr. Briggs stated the lot is non-conforming.

Public Hearing:

The following spoke in opposition to the application:

- Sandra Kosek, 112 5th Avenue South, #202, Jacksonville Beach

- Teresa Shirk, 112 5th Avenue South, #402, Jacksonville Beach
- Bob Lumby, 112 5th Avenue South, #203, Jacksonville Beach
- Jim Burgener, 112 5th Avenue South, #902, Jacksonville Beach
- Craig Heligman, 112 5th Avenue South, #302, Jacksonville Beach
- Lynn Duncan, 112 5th Avenue South, #901, Jacksonville Beach
- Alexander Harden, 1431 Riverplace Boulevard, Jacksonville

The following did not wish to speak but were in opposition of the application:

- Lawrence Halstead, 112 5th Avenue South, #901, Jacksonville Beach
- Donetha Heligman, 112 5th Avenue South, #302, Jacksonville Beach
- John Moore, 112 5th Avenue South, #702, Jacksonville Beach
- Rita Burgener, 112 5th Avenue South, #902, Jacksonville Beach
- Eduardo Somensatto, 112 5th Avenue South, #801, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Discussion: Conversation ensued regarding RS-3 zoning standards and previous variances.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Reddington, to approve BOA#21-100040, as it is consistent with the Land Development Code.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Dan Elmaleh, and Alexi Gonzalez

The motion was unanimously approved.

B. Case Number: **BOA#21-100043**
Applicant/Owner: William DiPaula
Agent: Brad Correia, Crown Pools, Inc.
Property Address: 522 6th Street North
Parcel ID: 174129-0005

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 41.6% lot coverage in lieu of 35% maximum and 34-337(e)(1)g, for the following accessory structure setbacks; a corner side yard of 9 feet in lieu of 10 feet required, for 4.1 feet in lieu of 5 feet minimum from the interior side property line all to allow for a swimming pool and paver patio deck addition to an existing single-family dwelling.

Applicant: Brad Correia, 4757 Empire Avenue, Jacksonville, stated the hardship of the property was the lot was undersized in width.

Public Hearing: Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Reddington, seconded by Mr. Truhlar, to approve BOA#21-100043, based on the Standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Dan Elmaleh, and Alexi Gonzalez

The motion was unanimously approved.

C. Case Number: BOA#21-100045 & BOA#21-100046

Applicant: John Atkins, Atkins Builders
Owner: John Wadman
Property Address: 1204 1st Street North
Parcel ID: 174600-0000 and 174601-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.1, for front yard setbacks of 5 feet for the west half and 6 feet for the east half in lieu of 20 feet minimum; 34-340(e)(1)c.2, for a rear yard setback of 12 feet in lieu of 30 feet minimum; and 34-340(e)(1)f, for 40.38% lot coverage in lieu of 35% maximum to allow for construction of a new two-family dwelling.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was the lot being undersized in width.

Public Hearing: Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to approve BOA#21-100045 & BOA#21-100046.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Dan Elmaleh, and Alexi Gonzalez

The motion was unanimously approved.

D. Case Number: BOA#21-100047

Applicant/Owner: Kenneth Parrish
Property Address: 540 18th Street North
Parcel ID: 177978-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a side-yard setback of 5 feet in lieu of 10 feet required; 34-336(e)(1)e, for 36.5% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 3.5 feet from the principle structure in lieu of 5 feet minimum to allow for a detached boat and recreational vehicle storage accessory structure addition to an existing single-family dwelling.

Applicant: Kenneth Parrish, 540 18th Street North, Jacksonville Beach, stated the hardship was a non-conforming lot and the growth of an old oak tree. Mr. Parrish showed pictures [on file] of the current boat covering and what he planned to build if his application was approved.

Public Hearing:

The following spoke in support of the application:

- Michael Vickery, 202 18th Street North, Jacksonville Beach

The following showed support of the application by signing a petition:

- Gene Wilson, 1810 5th Avenue North, Jacksonville Beach
- Devon Yelenosky, 1734 5th Avenue North, Jacksonville Beach
- Stephen Park, 1808 5th Avenue North, Jacksonville Beach
- James Lavit, 590 12th Street North, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Elmaleh, seconded by Mr. Curley to approve BOA#21-100047 as it is consistent with the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Francis Reddington, Owen Curley, Dan Elmaleh, and Alexi Gonzalez

The motion was unanimously approved.

E. **Case Number:** BOA#21-100048
Applicant/Owner: Travis Dixon
Property Address: 716 11th Avenue South
Parcel ID: 176751-0011

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(2)f, for 48.2% lot coverage in lieu of 35% maximum and 34-338(e)(2)h, for an accessory structure setback of 1.5 feet from an interior side property line in lieu of 5 feet minimum to add a paver walkway, enlarge the overall width of the existing paver-wheel strip driveway and to allow for open-air paver patio additions to an existing two-family dwelling.

Applicant: Travis Dixon, 716 11th Avenue South, Jacksonville Beach, stated the lot was undersized and sub-standard in area and width.

Public Hearing: Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Reddington, seconded by Mr. Truhlar, to approve BOA#21-100048 as it is consistent with the Land Development Code.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Dan Elmaleh, and Alexi Gonzalez

The motion was unanimously approved.

F. Case Number: **BOA#21-100051**
Applicant: Dakota Briggs
Owner: American Classic Homes, LLC
Property Address: 135 34th Avenue South
Parcel ID: 181550-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a side-yard setback of 5 feet in lieu of 10 feet required; 34-336(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet minimum to allow for a two-story accessory structure attached by a roofed breezeway and 34-336(e)(1)e, for 42.3% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling with an attached accessory building.

The applicant withdrew this case.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, June 1, 2021. There are four scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Ms. Gonzalez adjourned the meeting at 8:17 P.M.

Submitted by: Jodilynn Byrd
Recording Secretary

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

Board of Adjustment Public Hearing Staff Report

BOA# 21-100057 / 73 28th Avenue South/ Stauffer

Lot 7, Block 4, *Atlantic Shores, Ocean Front Section Division 'C'*

Zoning: Residential, single-family: RS-1

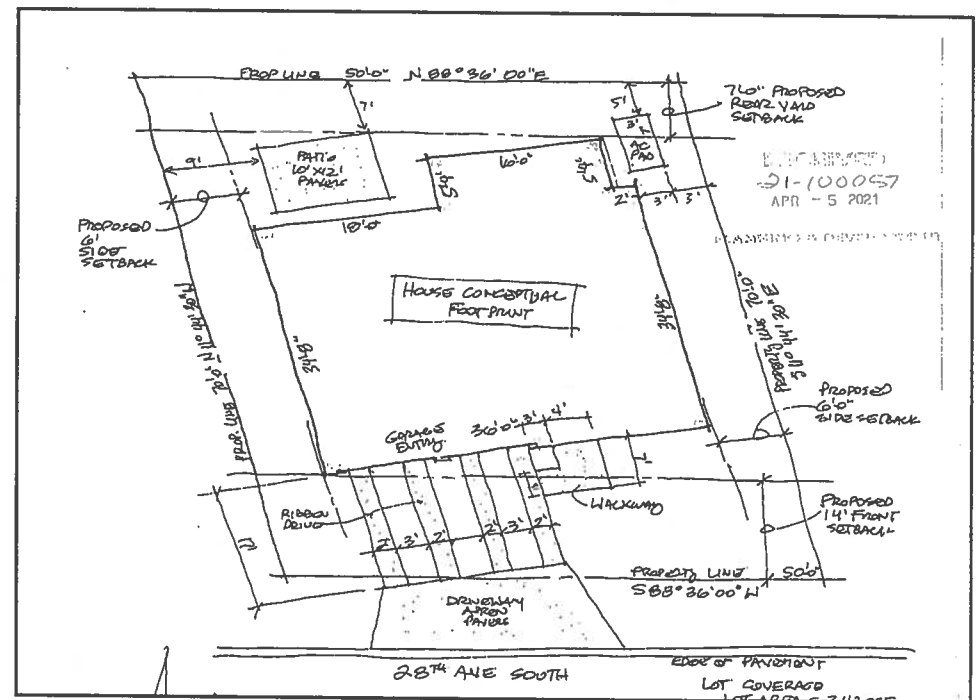
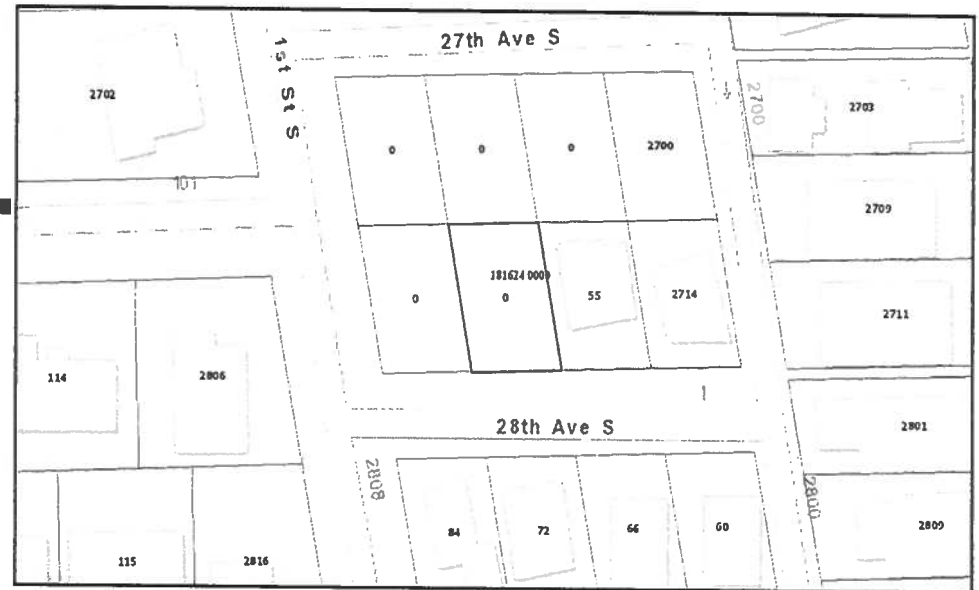
Variances Requested: Front yard of 14 feet in lieu of 25 feet minimum, side yards of 6 feet in lieu of 10 feet, a rear yard of 7 feet in lieu of 30 feet minimum and 49% lot coverage in lieu of 35% maximum

Project: Construct a new single-family dwelling

Subject property is an existing platted lot of record (circa 1933) located in a low-density residential land use district. The applicant is requesting relief from dimensional standards to allow for construction of a new single-family dwelling on a vacant lot.

The lot is substandard in area and width, totaling 3,500 square feet and measuring 50 feet wide. Minimum lot area and width within this district is 10,000 square feet and 90 feet at the building line respectively. Properties with comparable lot area and width exist within this district. The adjacent lots within the block share the same dimensional constraints and similar setback and lot coverage variances have been requested to allow for the construction of new single-family dwellings. The proposed development constitutes a reasonable use of the property and should not adversely or negatively affect adjacent land.

There are no previously recorded variances or active code enforcement violations on file for the subject property.





APPLICATION FOR VARIANCE

BOA NO. 21-100057
HEARING DATE 6-1-21

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

REQUIRED DOCUMENTATION

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

APR - 5 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Michael Stauffer Architect Telephone: (904) 540-6059
Mailing Address: 1417 Sadler Rd #195 E-Mail: mike@mstaufferarchitect.com
Fernandina Beach, FL 32034
Agent Name: Michael Stauffer Architect Telephone: (904) 540-6059
Mailing Address: 1417 Sadler Rd #195 E-Mail: mike@mstaufferarchitect.com
Fernandina Beach, FL 32034
Landowner Name: Jospeh Kevin Bing Telephone: (904) 343-0009
Mailing Address: 328 N Shipwreck Ave E-Mail: KBING@BINGCPA.COM
Ponte Vedra, FL 32081

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: "0" 28th Ave South; RE 181624-0000
Legal description of property (Attach copy of deed): Lot 7, Block 4 Replat of Div C, Atlantic Shores
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
See attached memo for proposed residential single family dwelling

AFFIDAVIT

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

APPLICANT SIGNATURE [Signature] Michael Stauffer
PRINT APPLICANT NAME
DATE 4/5/2021

STATE OF FLORIDA, COUNTY OF DUVAL
This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of April, 2021, by Michael Donald Stauffer, who is personally known to me or produced DRIVER LICENSE as identification.

Rosemarie T. Evatt
NOTARY PUBLIC SIGNATURE
PRINT NOTARY NAME
ROSEMARIE T. EVATT
Notary Public - State of Florida
Commission # GG 060297
My Comm. Expires Apr 28, 2021
Bonded through National Notary Assn
(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: AE-9
CODE SECTION (S):
34-336(e)(1)c.1, for a front yard setback of 14 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for side yard setbacks of 6 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA NO. 21-100057

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	This lot is zoned RS-1 and is a non-conforming lot of record of 3,430 SF (vs. min req'd 10,000 SF per LDC).
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The RS-1 zoning per the LDC was placed over this non-conforming lot by the City.
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	Other non-conforming lots have the same right to apply for a variance as have other lots in the vicinity.
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	Conforming lots in the RS-1 zoning which would have a minimum size of 10,000 SF per the LDC and therefore allowed 3500 SF of lot coverage. This non-conforming lot cannot reach the 3500 SF at 35% due to the smaller size and the setbacks make the lot unbuildable.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	A new house designed for this lot will be a three story home and will work within the proposed variances for setbacks and lot coverage.
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	This request is the minimum needed for this project and allow for the development of this parcel with a new home that will add to the value of the City and adjacent properties.

PROPOSED

Memorandum

Date: April 2, 2021
To: Jacksonville Beach Board of Adjustment
From: Michael Stauffer
RE: Variance Application

RECEIVED
21-100057
APR - 5 2021

Lot 7 Block 4 Atlantic Shores – RE # 181624-0000 PLANNING & DEVELOPMENT

The zoning variance application for this property seeks variances from the Jacksonville Beach Land Development Code Section 34-336. – Residential Single Family: RS-1 as follows:

Section 34-336. (e) (1) c. 1 – for a front yard setback of 14' in lieu of required 25'

Section 34-336. (e) (1) c. 2 – for side yard setbacks of 6' in lieu of required 10'

Section 34-336. (e) (1) c. 3 – for a rear yard setback of 7' in lieu of required 30'

Section 34-336. (e) (1) e. – a maximum lot coverage of 49% in lieu of required 35%

Lot size is 50' wide x 70' long in a parallelogram shape.

The total area of the lot is 3,430 SF so 49% would be 1680 SF.

See attached site plan as well.

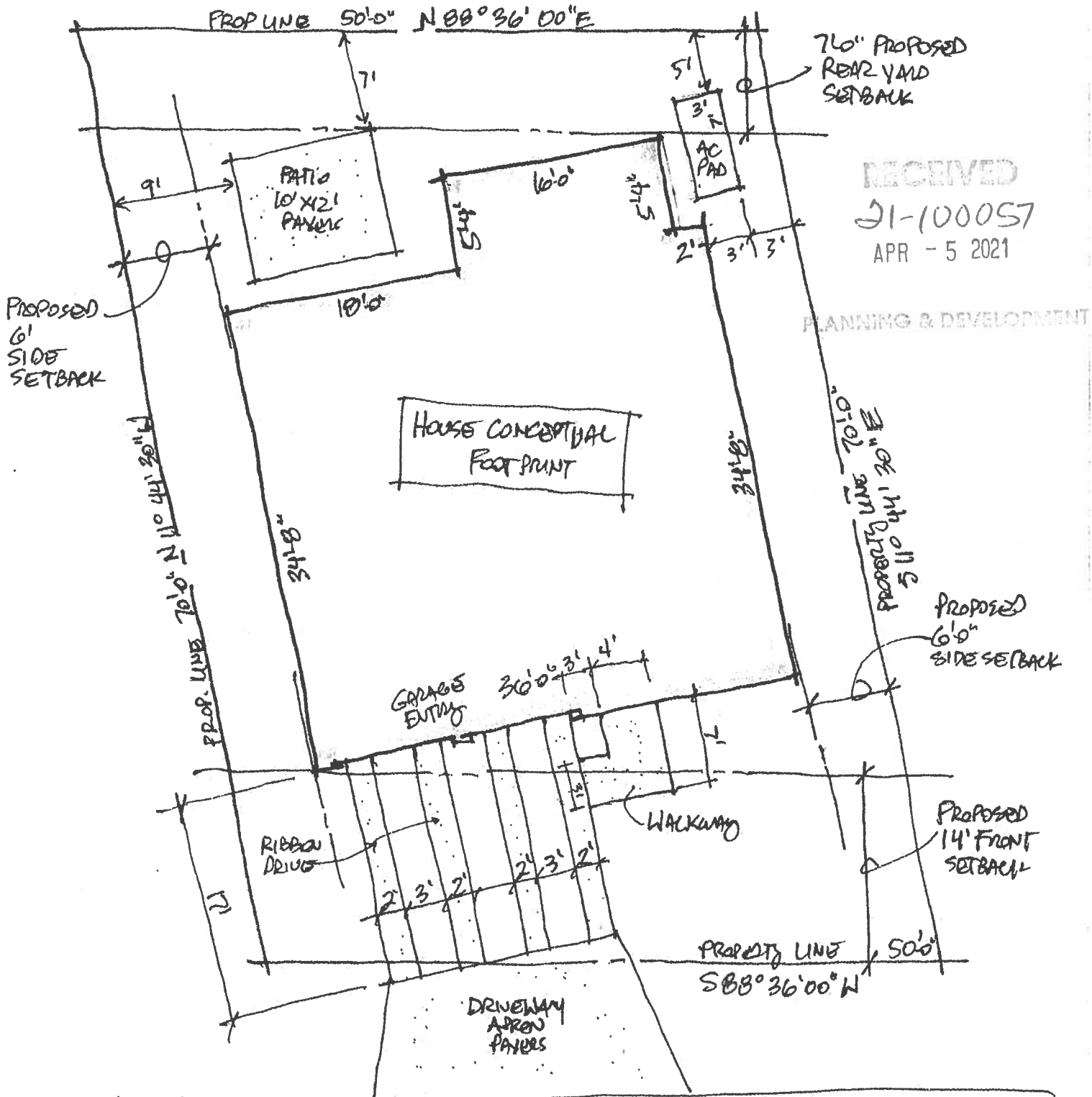
Lot coverage

Lot coverage allowed = 1680 SF

Shown on Conceptual Site Plan

House	1339
Driveway ribbons	150
Walks/paving /AC	71
<u>Patio</u>	<u>120</u>
Total	1680 SF

PROPOSED



RECEIVED

21-100057

APR - 5 2021

PLANNING & DEVELOPMENT

28TH AVE SOUTH

EDGE OF PAVEMENT

CONCEPTUAL SITE PLAN

1"=10'-0"

LOT 7 BLOCK 4 ATLANTIC SHORES

REPLAT OF DIVISION C

RE# 181624-0000

4/2/2021

LOT COVERAGE

LOT AREA = 3,430SF

49% = 1,680

ACTUAL

HOUSE 1339

DRIVEWAY 150

WALK/PAVING/AC 71

PATIO 120

TOTAL 1,680SF

NORTH

PG. 1 EXISTING

CERTIFICATE OF AUTHORIZATION NO. 18 8251

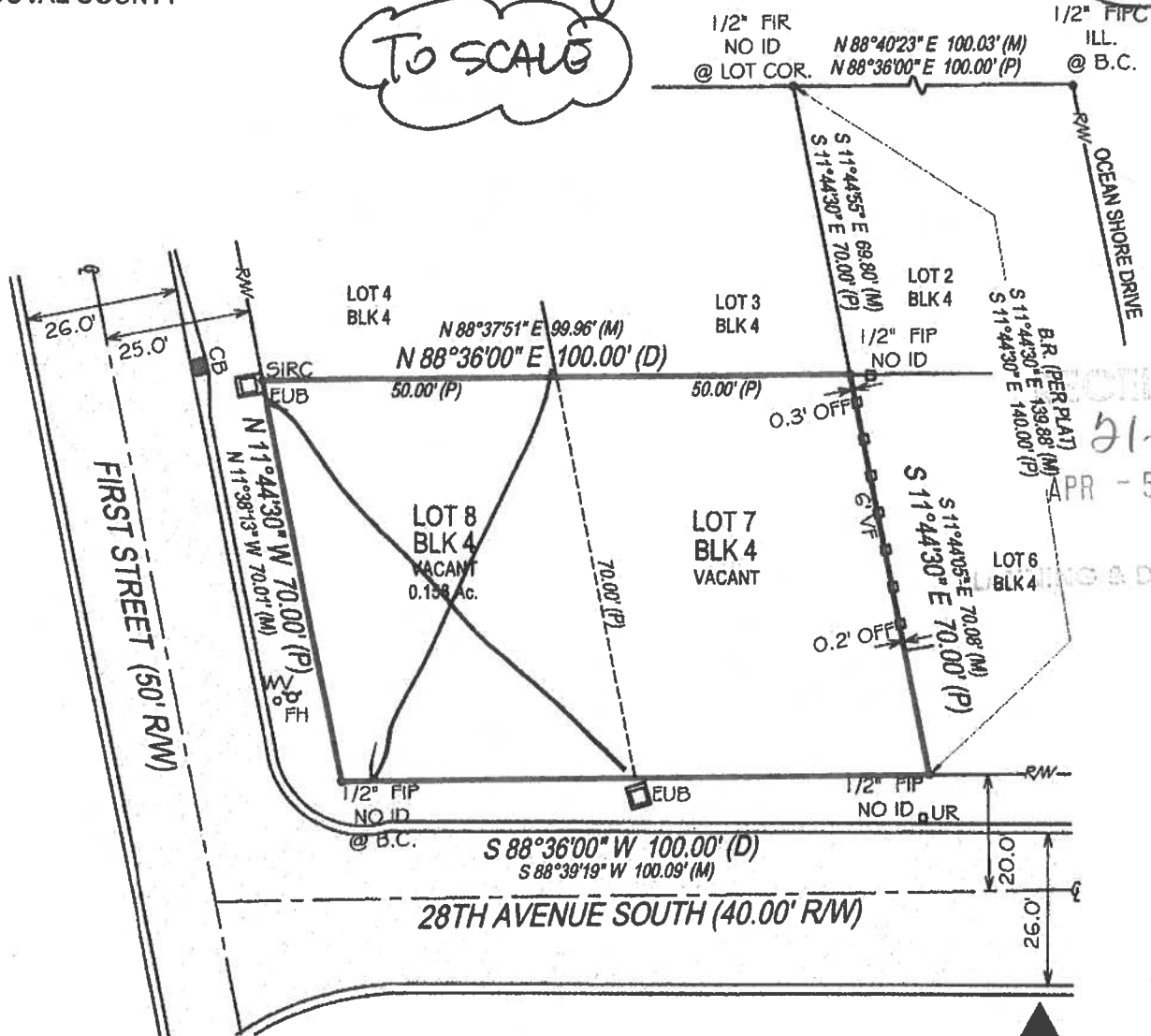
PROPERTY ADDRESS: 0 28TH AVENUE S, JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: 2103.3481

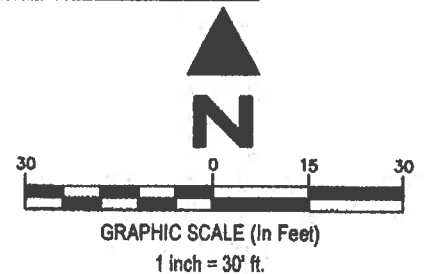
2103.3481
BOUNDARY SURVEY
DUVAL COUNTY

PARTIAL SURVEY
TO SCALE

LOT 7



SURVEYOR'S NOTES:
FENCE OWNERSHIP NOT DETERMINED.



SURVEYORS CERTIFICATION:

I hereby certify that this Survey of the lands described hereon was made under my direct supervision, and to the best of my knowledge and belief is a true and accurate representation of said lands and meets the Standards of Practice set forth in Chapter 5J-15.050 through 5J-15.053, Florida Administrative Code, pursuant to section 472.027, Florida Statutes. This survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper, except when the electronic signature and seal of a Florida licensed surveyor

POINTS OF INTEREST:

NONE VISIBLE



SURVEY NUMBER: 2103.3481

THE BEARING REFERENCE OF SOUTH 11 DEGREES 44 MINUTES 30 SECONDS EAST IS BASED ON THE EASTERLY PROPERTY LINE OF LOT 7 AND LOT 3, BLOCK 4, LOCATED WITHIN REPLAT OF PART OF DIVISION C, ATLANTIC SHORES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 1 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

LOT 7

LOT 7 AND 8, BLOCK FOUR (4), REPLAT OF PART OF DIVISION C, ATLANTIC SHORES, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 1 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any features shown hereon. Unless otherwise noted, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
2. The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
3. If there is a septic tank or drain field shown on this survey, the location depicted thereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
4. This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.

5. Alterations to this survey map and report by other than the signing surveyor are prohibited.
6. Dimensions are in feet and decimals thereof.
7. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
8. Unless otherwise noted "SIRC" indicates a Set Iron Rebar with a Cap stamped LB89281, a minimum half inch in diameter and eighteen inches long.
9. If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter 5317.082 (3) of the Florida Administrative Code and Florida Statute 5325. The Electronic Signature File related to this document is prominently displayed on the invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor.
10. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of

- the field location and may not represent the actual shape or size of a feature.
11. Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
 12. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
 13. The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
 14. Pursuant to F.S. 558.0033, an individual employee or agent may not be held individually liable for negligence.
 15. Due to varying construction standards, house dimensions are approximate and are not intended to be used for new construction or planning.

	Elevation
	Fire Hydrant
	Find or Set Monument
	Guywire or Anchor
	Manhole
	Tree
	Utility or Light Pole
	Well

C/S - Concrete Slab
 CATV - Cable TV/Router
 CB - Concrete Block
 CH - Chord Bearing
 CHIM - Chimney
 CLF - Chain Link Fence
 CME - Canal Maintenance Easement
 CO - Clean Out
 CONC - Concrete
 COR - Corner
 C/S/W - Concrete Sidewalk
 CUG - Control/Utility Easement
 CVG - Concrete Valley Gutter
 D/W - Driveway
 DE - Drainage Easement
 DF - Drain Field
 DH - Drill Hole
 DUE - Drainage & Utility Easement
 ELEV - Elevation
 EM - Electric Meter
 ENCL - Enclosure
 ENT - Entrance
 EOP - Edge of Pavement
 EOW - Edge of Water
 ESMT - Easement
 EUB - Electric Utility Box
 F/DH - Found Drill Hole
 FCM - Found Concrete Monument
 FF - Finished Floor
 FIP - Found Iron Pipe
 FIFC - Found Iron Pipe & Cap

FIR - Found Iron Rod
 FIRC - Found Iron Rod & Cap
 FN - Found Nail
 FRBSP - Found Nail & Disc
 FRNSP - Found Nail Rod Spike
 GAR - Garage
 GM - Gas Meter
 ID - Identification
 IE/EE - Ingress/Egress Easement
 ILL - Illegible
 INST - Instrument
 INT - Intersection
 IRR - Irrigation Easement
 L - Length
 LAE - Limited Access Easement
 LB - License No. (Business)
 LBE - Limited Buffer Easement
 LE - Landscape Easement
 LME - Lake/Landscape Maintenance Easement
 LSP - License No. (Surveyor)
 MB - Map Book
 ME - Maintenance Easement
 MES - Mitered End Section
 MF - Metal Fence
 MH - Manhole
 NR - Non-Radial
 NTS - Not to Scale
 NAVD88 - North American Vertical Datum 1988
 NGVD29 - National Geodetic Vertical Datum 1929
 OG - On Ground

ORR - Official Records Book
ORV - Official Record Volume
O/A - Overall
O/S - Offset
OFF - Outside Subject Property
OH - Overhang
OHL - Overhead Utility Line
ON - Inside Subject Property
P/E - Pool Equipment
PB - Plat Book
PC - Point of Curvature
PCP - Point of Compound Curvature
PCP - Permanent Control Point
PI - Point of Intersection
PLS - Professional Land Surveyor
PLT - Planter
POB - Point of Beginning
POC - Point of Commencement
PRC - Point of Reverse Curvature
PRM - Permanent Reference Monument
PSM - Professional Surveyor & Mapper
PT - Point of Tangency
PUE - Public Utility Easement
R - Radius or Radial
R/W - Right of Way
RES - Residential
RGE - Range
ROE - Roof Overhang Easement
RP - Radius Point

SJ/W - Sidewalk
SBL - Setback Line
SCL - Survey Closure Line
SCR - Screen
SEC - Section
SEP - Septic Tank
SEW - Sewer
SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement
SNAD - Set Nail and Disc
SQFT - Square Feet
STL - Survey Tie Line
STY - Story
SW - Sewer Valve
SWE - Sidewalk Easement
TBM - Temporary Bench Mark
TEL - Telephone Facilities
TOB - Top of Bank
TUE - Technological Utility Easement
TWP - Township
TX - Transformer
TYP - Typical
UE - Utility Easement
UG - Underground
UP - Utility Pole
UR - Utility Riser
VF - Vinyl Fence
W/C - Winch Corner
W/F - Water Fillet
WF - Wood Fence
WM - Water Metered/Valve Box
WZ - Waterline

CERTIFIED TO:
NICKOLAS STAM

DATE OF SURVEY: 03/25/21

BUYER: NICKOLAS STAM

LENDER:

TITLE COMPANY:**TITLE COMMITMENT:**

CLIENT FILE NO:

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

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE (WITH A BASE FLOOD ELEVATION OF 9). THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, PANEL NUMBER 0419 DATED 11/02/2018.

21-100057
APR - 5 2021



Board of Adjustment Public Hearing Staff Report

BOA# 21-100058 / 91 28th Avenue South / Stauffer

Lot 8, Block 4, *Atlantic Shores, Ocean Front Section Division 'C'*

Zoning: Residential, single-family: RS-1

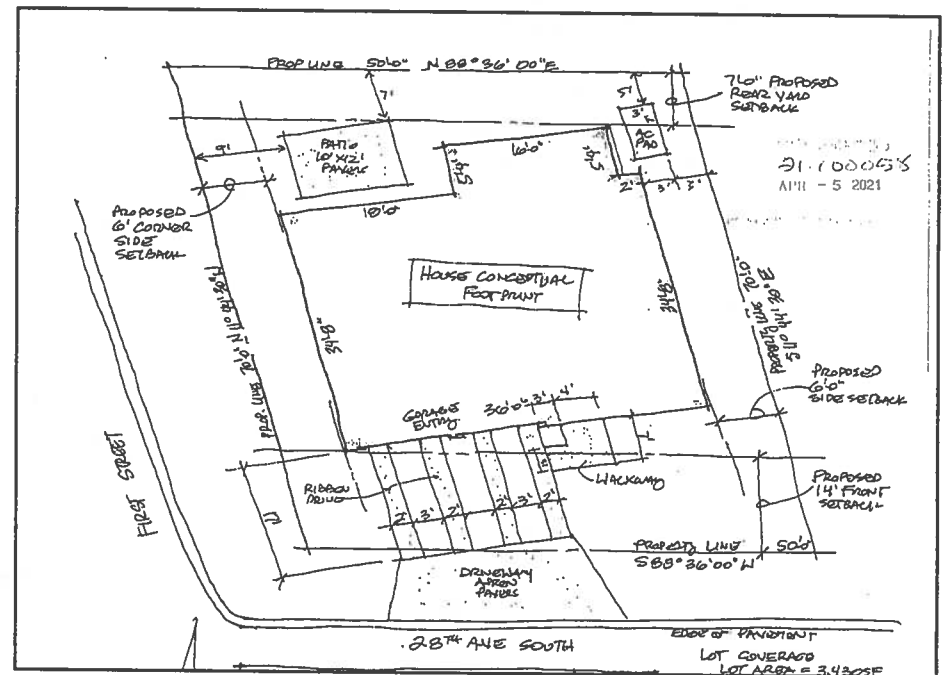
Variances Requested: Front yard of 14 feet in lieu of 25 feet minimum, corner side and side yards of 6 feet in lieu of 10 feet, a rear yard of 7 feet in lieu of 30 feet minimum and 49% lot coverage in lieu of 35% maximum

Project: Construct a new single-family dwelling

Subject property is an existing platted lot of record (circa 1933) located in a low-density residential land use district. The applicant is requesting relief from dimensional standards to allow for construction of a new single-family dwelling on a vacant lot.

The lot is substandard in area and width, totaling 3,500 square feet and measuring 50 feet wide. Minimum lot area and width within this district is 10,000 square feet and 90 feet at the building line respectively. Properties with comparable lot area and width exist within this district. The adjacent lots within the block share the same dimensional constraints and similar setback and lot coverage variances have been requested to allow for the construction of new single-family dwellings. The proposed development constitutes a reasonable use of the property and should not adversely or negatively affect adjacent land.

There are no previously recorded variances or active code enforcement violations on file for the subject property.





APPLICATION FOR VARIANCE

BOA No. 21-100058
HEARING DATE 6.1.21

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

REQUIRED DOCUMENTATION

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

APR - 5 2021

APPLICANT INFORMATION

Applicant Name: Michael Stauffer Architect **Telephone:** (904) 540-6059
Mailing Address: 1417 Sadler Rd #195 **E-Mail:** mike@mstaufferarchitect.com
Fernandina Beach, FL 32034
Agent Name: Michael Stauffer Architect **Telephone:** (904) 540-6059
Mailing Address: 1417 Sadler Rd #195 **E-Mail:** mike@mstaufferarchitect.com
Fernandina Beach, FL 32034
Landowner Name: Jospeh Kevin Bing **Telephone:** (904) 343-0009
Mailing Address: 328 N Shipwreck Ave **E-Mail:** KBING@BINGCPA.COM
Ponte Vedra, FL 32081

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: "0" 28th Ave South; RE 181625-0000
Legal description of property (Attach copy of deed): Lot 8, Block 4 Replat of Div C, Atlantic Shores
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
See attached memo for proposed single family dwelling

AFFIDAVIT

I, Michael Stauffer, 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.

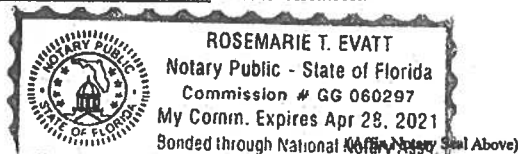
Michael Stauffer
APPLICANT SIGNATURE PRINT APPLICANT NAME

4/5/2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of April, 2021, by Michael Donald Stauffer, who is personally known to me or produced DRIVER LICENSE as identification.

Rosemarie T. Evatt
NOTARY PUBLIC SIGNATURE
ROSEMARIE T. EVATT
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: AE-9

CODE SECTION (s):

34-336(e)(1)c.1, for a front yard setback of 14 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for cornerside and side yard setbacks of 6 feet both in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 21-100058

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.

APR - 5 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	This lot is zoned RS-1 and is a non-conforming lot of record of 3,430 SF (vs. min req'd 10,000 SF per LDC).
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The RS-1 zoning per the LDC was placed over this non-conforming lot by the City.
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	Other non-conforming lots have the same right to apply for a variance as have other lots in the vicinity.
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	Conforming lots in the RS-1 zoning which would have a minimum size of 10,000 SF per the LDC and therefore allowed 3500 SF of lot coverage. This non-conforming lot cannot reach the 3500 SF at 35% due to the smaller size and the setbacks make the lot unbuildable.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	A new house designed for this lot will be a three story home and will work within the proposed variances for setbacks and lot coverage.
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	This request is the minimum needed for this project and allow for the development of this parcel with a new home that will add to the value of the City and adjacent properties.

PROPOSED

Memorandum

Date: April 2, 2021
To: Jacksonville Beach Board of Adjustment
From: Michael Stauffer
RE: Variance Application
Lot 8 Block 4 Atlantic Shores – RE # 181625-0000

RECEIVED
21-100058

APR - 5 2021

PLANNING & DEVELOPMENT

The zoning variance application for this property seeks variances from the Jacksonville Beach Land Development Code Section 34-336. – Residential Single Family: RS-1 as follows:

Section 34-336. (e) (1) c. 1 – for a front yard setback of 14' in lieu of required 25'

Section 34-336. (e) (1) c. 2 – for corner side yard setbacks of 6' in lieu of required 10' minimum

Section 34-336. (e) (1) c. 2 – for side yard setbacks of 6' in lieu of required 10'

Section 34-336. (e) (1) c. 3 – for a rear yard setback of 7' in lieu of required 30'

Section 34-336. (e) (1) e. – a maximum lot coverage of 49% in lieu of required 35%

Lot size is 50' wide x 70' long in a parallelogram shape.

The total area of the lot is 3,430 SF so 49% would be 1680 SF.

See attached site plan as well.

Lot coverage

Lot coverage allowed = 1680 SF

Shown on Conceptual Site Plan

House	1339
Driveway ribbons	150
Walks/paving /AC	71
<u>Patio</u>	<u>120</u>
Total	1680 SF

Board of Adjustment Public Hearing Staff Report

BOA# 21-100059 / 1952 Horn Street / Atkins

Lot 12, Block 10, *Williams Coastal Boulevard Heights*

Zoning: Residential, single-family: RS-2

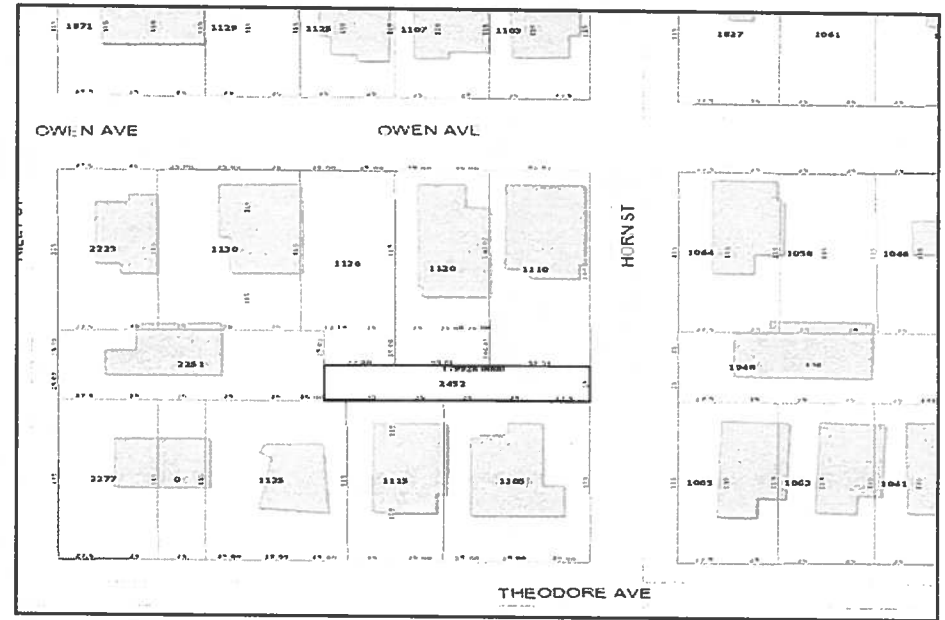
Variances Requested: Total side yard setbacks of 10 feet in lieu of 15 feet required

Project: Construct a new single-family dwelling

Subject property is an existing platted lot of record (circa 1946) located in a mixed-land use district. The applicant is requesting relief from dimensional standards to allow for construction of a new single-family dwelling on a vacant lot.

The lot is substandard in area and width, totaling 3,500 square feet and measuring 25 feet wide. Minimum lot area and width within this district is 7,500 square feet and 75 feet at the building line respectively. Albeit lots of comparable size and width exist within this district, developed parcels surrounding the subject property contain two or more combined parcels and similar variances does not appear to exist on other properties immediately surrounding the subject property. The proposed development constitutes a reasonable use of the property and should not adversely or negatively affect adjacent land.

There is one previously denied variance request on file for the subject property.





APPLICATION FOR VARIANCE

BOA No. 21-100059
HEARING DATE 6-1-21

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

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller)
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
5. Completed application.

RECEIVED

APR - 6 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: John Atkins **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:** atkinsbuilders@hotmail.com
Jacksonville Beach, Fl. 32240
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Ossi Development, Inc. **Telephone:** (904) 394-4474
Mailing Address: 1112 3rd St. Suite 4 **E-Mail:** _____
Neptune Beach, Fl. 32266

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: 1952 2452 Horn St. RE #179928-0000
Legal description of property (Attach copy of deed): Lot 12 Blk 10 Williams Coastal Blvd Heights
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).
Side yard setbacks of 5' each in lieu of 15' total provided no side is less than 5'. SINGLE FAMILY

AFFIDAVIT

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

APPLICANT SIGNATURE

John Atkins
PRINT APPLICANT NAME

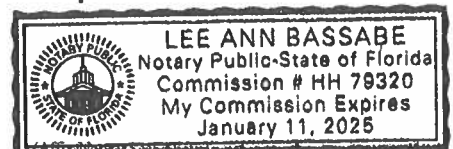
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 6 day of April, 2021 by John Atkins, who is personally known to me or has produced _____ as identification.

NOTARY PUBLIC SIGNATURE

LeeAnn Bassabe
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

CODE SECTION (S):

34-337(e)(1)c.2, for total side yard setbacks of 10 feet in lieu of 15 feet required to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100059

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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

APR - 6 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	This is a platted lot of record that has no other contiguous available parcels
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This is a platted lot of record prior to the current Land Development Code.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This is consistent with other variances granted to the same size parcel.
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	Literal interpretation would render the parcel un-buildable.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	5' setbacks are permitted on one side of house in this zoning district.
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	New home would be consistent with the neighborhood.

PROPOSED

~~2452~~
1952 per HORN ST.
Planning +
Development

RECEIVED
21-100059
APR - 6 2021

PLANNING & DEVELOPMENT

LOT SIZE = 3500 ϕ

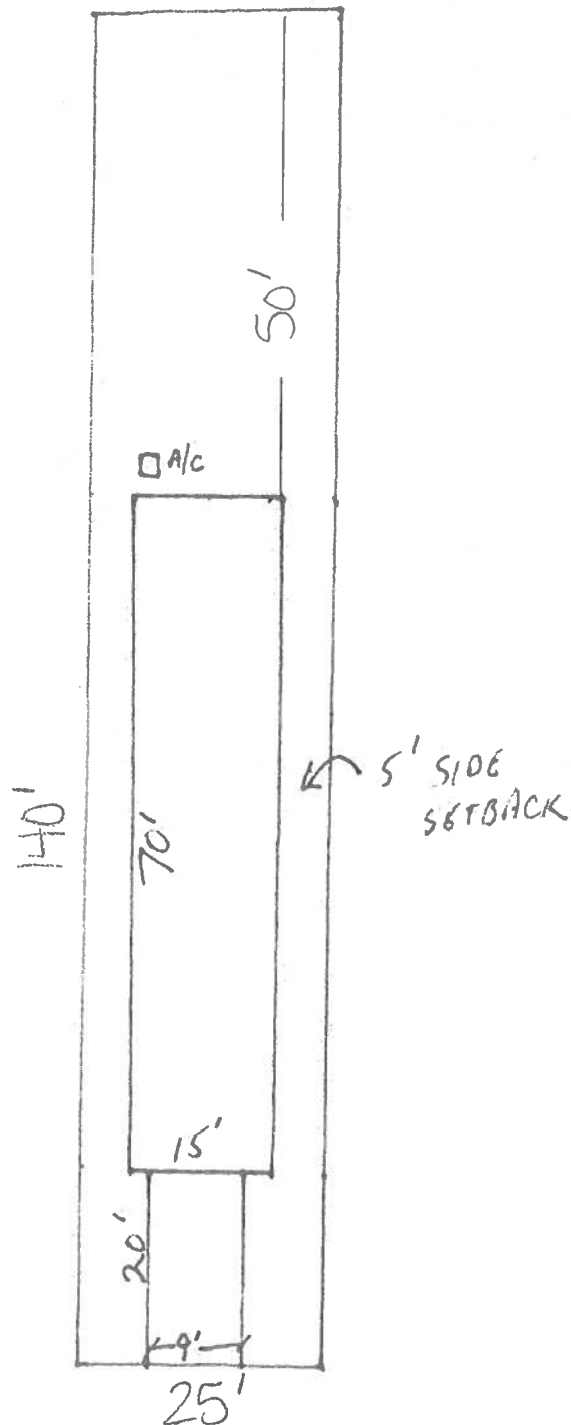
HOUSE SIZE = 1050 $\square$

PAVERS (PERVIOUS)

200 ϕ / 2 = 100 ϕ

TOTAL IMPERVIOUS 1150 ϕ

TOTAL IMPERVIOUS 33%

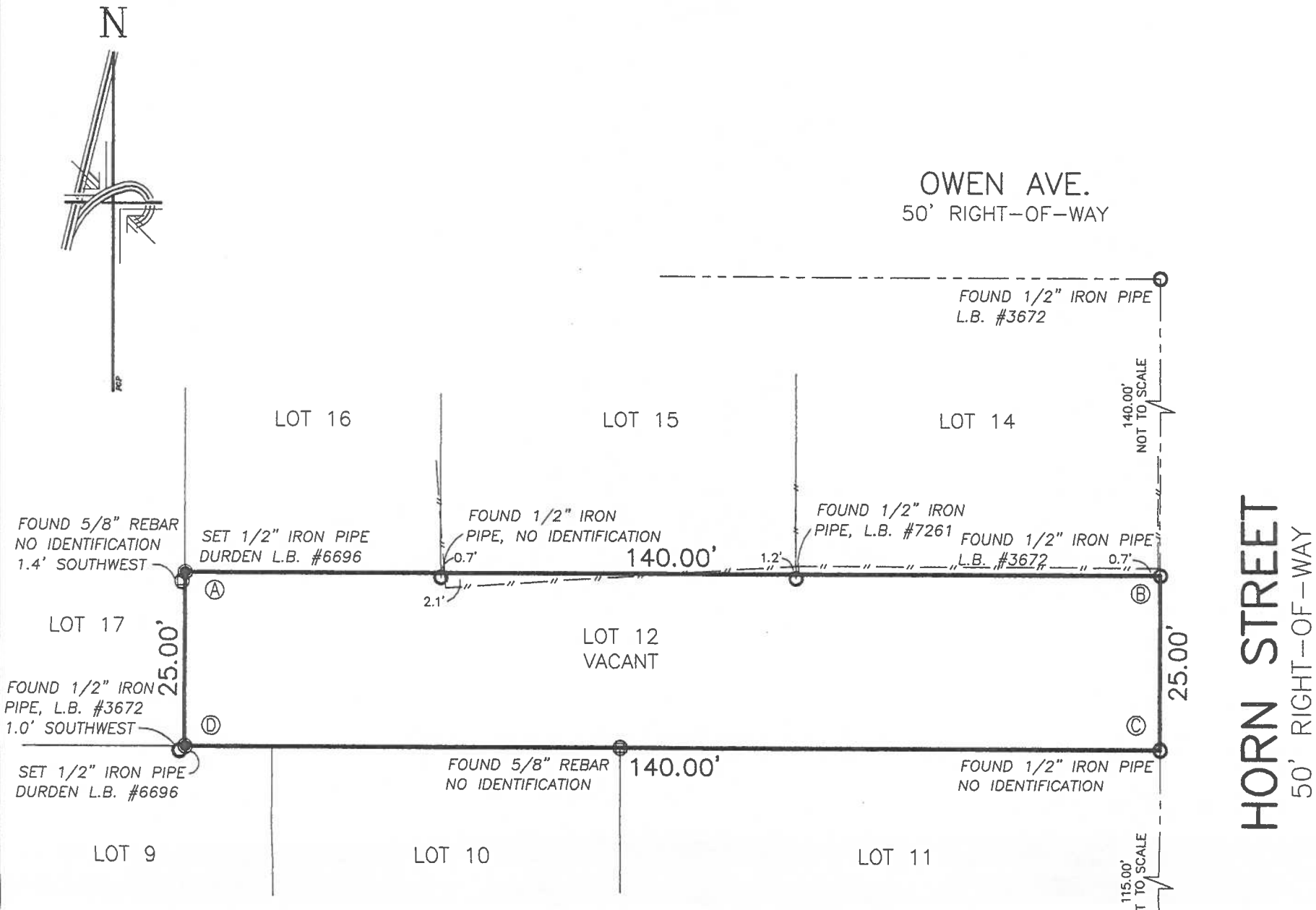


1" = 20'

EXISTING

MAP SHOWING BOUNDARY SURVEY OF:

LOT 12, BLOCK 10, WILLIAMS COASTAL BOULEVARD HEIGHTS, AS RECORDED IN PLAT
BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



Ref. BOA # 21-100059

LeeAnn Bassabe

From: City of Jacksonville Beach <no-reply@jacksonvillebeach.org>
Sent: Friday, May 21, 2021 12:17 AM
To: Planning Division
Subject: Contact Form Submission

Submitted on Friday, May 21, 2021 - 12:16am Submitted values are:

Subject BOA#21-100059

Message

The lot mentioned is Lot 12 Block 10 of Williams Coastal Boulevard Heights

This particular lot is undersized for any kind of structure. The construction of a single family home should not be

allowed in our neighborhood. I believe this lot to be around 15-20 feet wide frontage on Horn Street.

Thank You

Contact Information

Company Name

Address

City, State, Zip

Your Name

E-mail Address

Phone Number

Fax Number

RECEIVED

via e-mail

MAY 21 2021

PLANNING & DEVELOPMENT

Ref. BOA 21-100059

LeeAnn Bassabe

From: Leslie McMahan <lkmcmahan@gmail.com>
Sent: Friday, May 21, 2021 11:47 AM
To: Planning Division
Subject: BOA#21-100059

RECEIVED
via e-mail
MAY 21 2021

Dear Department of Planning and Development,

PLANNING & DEVELOPMENT

My name is Leslie McMahan and I live at 1110 Owen Ave, Jacksonville Beach, FL 32250, corner of Horn and Owen. My property shares a property line with the property in question, which I did not realize until BOA#19-100115 in July 2019, was not already owned by the neighbor behind me on the corner of Horn and Theodore. I bought my house a few years ago as an as-is foreclosed property. I purchased this property because of the well maintained, large, upscale homes in this neighborhood and the consistency of high property values throughout the neighborhood. I felt strongly then and luckily I still do now that my house is a good investment

I have replaced every appliance including the pool equipment and the air conditioner. I have replaced the fence after Matthew and repaired the fence after Irma. I have replaced the roof, repainted the exterior, replaced the gutters and downspouts, replaced all the flooring, remodeled the kitchen, remodeled a bathroom and replaced the exterior doors. I began landscaping last year in 2020 which brings me to the flooding issue.

The houses in this neighborhood are already so close to each other. The land on the west side of my house is 54" wide and my next door neighbor is maybe 2-3 times more than that. Rain water from both properties floods my backyard quickly. If a property were to be built on the location in question the flooding on my property in the backyard would be unmanageable.

I am shocked, devastated and heartbroken to learn that someone wants to build a house on such a tiny property in this wonderful neighborhood. I beg you not to approve a variance as this neighborhood is already in need of absorbent land.

Please vote NO on the variance to build a house here.

Thank you for your time and consideration,
Leslie McMahan
1110 Owen Ave
Jacksonville Beach, FL 32250
lkmcmahan@gmail.com
816-721-8913

Ref. BOA 21-100059

LeeAnn Bassabe

From: Sharon Pickering <truckiel1b@yahoo.com>
Sent: Saturday, May 22, 2021 2:55 PM
To: Planning Division
Subject: BOA# 21-100059 OPPOSED

Please do not allow a builder to squeeze a tiny shotgun home in my neighborhood on a 25' wide lot on 2452 Horn St. This home will negatively affect our property values, increase flooding on our street and set a trend to build more of these tiny homes.

A recent variance application (BOA# 21-100059) has been submitted that involves a property within 300' from my home. We request you vote NO on this application.

Thank you for your time,

Tim & Sharon Pickering
1102 Theodore Ave.
Jacksonville Beach, Fl.
32250

RECEIVED

via e-mail

MAY 24 2021

PLANNING & DEVELOPMENT

Ref. BOA 21-100059

LeeAnn Bassabe

From: Dan Goldman <dantgoldman@gmail.com>
Sent: Sunday, May 23, 2021 9:41 AM
To: Planning Division
Cc: Olga Goldman
Subject: Comments for June 1, 2021 - BOA #21-100059

Hello,

I live at 1046 Owen Ave, Jacksonville Beach, FL 32250 and am writing to voice my opinion against allowing a variance for the property at 1952 Horn St.

The primary reason for this is due to flooding. Our front yard contains 2 city drains, and these are already overwhelmed during moderate rainstorms, with the water level approaching our front door during heavier downpours. This Horn property drains towards ours and would further overwhelm these drains.

Regards,
Dan Goldman

RECEIVED

via e-mail

MAY 24 2021

PLANNING & DEVELOPMENT

Ref. BOA^P 21-100059

LeeAnn Bassabe

From: Peter Kimball <pgk1978@gmail.com>
Sent: Sunday, May 23, 2021 11:56 AM
To: Planning Division
Subject: BOA#21-100059 - opinion of an adjacent homeowner

To whom it may concern:

This email is regarding the public hearing scheduled for June 1, 2021 for BOA#21-100059.
Concerning the requested decrease of yard setbacks for address 1952 Horn St in Jacksonville Beach, FL.

I own a house and property adjacent to the above-referenced property, and I do not feel that this property is large enough for the proposed decrease of setbacks. This is a very full block of properties and houses, and would cause more noise, less privacy, and congestion. Additionally, the addition of new buildings on this block would likely cause problems with drainage of yards and possible damage to other adjacent properties. This property is also very vibrant with tall trees that are frequented by area birds, including ospreys, cardinals, among other types of birds.

I do NOT believe that it is in the best interest of this neighborhood to allow for the requested decrease of setbacks. Thank you for your consideration of this opinion.

Sincerely,
P. Kimball
2251 Riley St, Jacksonville Beach, FL 32250

RECEIVED
via email
MAY 24 2021

PLANNING & DEVELOPMENT

Ref. BOA #21.100059

LeeAnn Bassabe

From: Shawn Dahbour <shawndfromnc@aol.com>
Sent: Sunday, May 23, 2021 11:50 AM
To: Planning Division
Subject: BOA#21-100059 -I Oppose

Hello,

I Oppose this variance request. I am humbly asking you to put yourselves in my communities shoes. I am writing out of concern for our neighborhood and the negative impact a structure of this type will have. There are no other structures like this in Coastal Heights and to allow this variance will set a Negative Precedent. My other concerns for our neighborhood are:

- 1) Parking- there are already not enough places to park on the street.
- 2) Flooding- my property is directly beside the requested variance and during severe thunderstorms and hurricanes there is no place for the water to go now.
- 3) Fire hazard- this tiny house is being sandwiched between several existing homes. To minimize side variances increase our fire risk especially since this proposed property will more than likely be an Air BNB.
- 4) Property values- A 15 ft wide shotgun house two or three stories high will not positively effect existing home values in our established neighborhood.

Please put yourself in our shoes. We do not want mobile home type structures built in our neighborhood.

P.S. Many of the neighbors are confused as the address in the Public Notice is 1952 Horn Street and the county has the property listed as 2452 Horn Street. Also more concerning, the public notice in front of the property was removed so none of the neighbors would know what is going on.

Thank you,

Shawn E. Dahbour, MBA
(352) 246-1392

RECEIVED
via email
MAY 24 2021

PLANNING & DEVELOPMENT

Ref. BOA #21. 100059

LeeAnn Bassabe

From: Sara Pyle <sarampyle@gmail.com>
Sent: Sunday, May 23, 2021 12:30 PM
To: Planning Division
Subject: BOA#21-100059 OPPOSE

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via email
MAY 24 2021

Jacksonville Beach Board of Adjustment/Planning and Development,

PLANNING & DEVELOPMENT

I strongly oppose the proposed variance #21-100059 at 2452 Horn St.

According to the Jacksonville Beach website section on code enforcement, the definition of what constitutes a nuisance is as follows: "A nuisance is defined as permitting any condition to exist that essentially interferes with the comfortable enjoyment of life and property, or tends to depreciate the property value of others." This proposed variance is quite literally a nuisance. Not only would building a home here interfere with our comfortable enjoyment of our backyard, but it would also depreciate the property values for multiple existing homes in this area.

As you well know, the current zoning code of ordinances for this area states that there are fifteen feet total needed for both side yards, provided that no side yards are less than five feet. This is for good reason. With the close proximity of this proposed home to the already established and surrounding homes, squeezing in a tiny shotgun style home will decrease free land area, thereby increasing water retention and flood potential. My home's backyard shares its entirety with one side of this lot's property line and there is already a standing water issue when large or heavy rainfall occurs. Besides being a threat to our properties with potential water damage, this raises a huge health concern with our yards becoming a mosquito breeding ground. Multiple vector-borne diseases carried by mosquitoes are putting the residents of this neighborhood at risk due to the standing water that is bound to accumulate if this variance is approved.

Building such a small narrow home with limited yard space this close to other existing homes raises a huge concern for privacy. If a residence is built on this property, there is little to no privacy for the surrounding neighbors. Five current homes share their property lines with this small section of land in question. We chose to live here and build single family homes so as to avoid apartment style living. Having a house this close to my own home would feel like I am residing in a condominium. Squeezing as many homes as possible onto small parcels of available land is not in the best interest of residents, wildlife, and the environment in Jax Beach. It would also directly affect our property values in a negative manner. Most people seek privacy in regards to their own homes, and having someone nearly on top of your backyard is detrimental to the value of my and others' homes.

Lastly, and of huge concern: the posted signage of this requested variance has been removed from the property. Many residents and neighbors are not even aware or informed as to what is going on regarding this piece of land.

I respectfully implore you to deny the variance approval for this piece of property.

Sincerely,

Sara Dahbour, MSN, ARNP
1120 Owen Ave. Jacksonville Beach, FL 32250

Ref. BOA #21-100059

LeeAnn Bassabe

From: Liz Cell <elizabeth.p.cell@gmail.com>
Sent: Monday, May 24, 2021 8:41 AM
To: Planning Division
Subject: Board of Adjustment Meeting June 1 / BOA#21-100059

I am against granting the side yard setback variance for 1952 Horn Street. It would negatively affect those who live directly on either side of the lot. The owner should have to abide by the same rules as everyone else.

If the variance were to be granted, I think it would have a negative impact on the neighborhood. One of the best things about this area is that the houses have character, nice yards, and space. It is not like many other developments currently being built, with the cookie cutter houses and as many houses jammed into as little space as possible.

Thank you,
Concerned Neighbor

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MAY 24 2021

PLANNING & DEVELOPMENT

Ref. BOA #21-100059

LeeAnn Bassabe

From: Kris Barton <kabmba@yahoo.com>
Sent: Monday, May 24, 2021 9:33 AM
To: Planning Division
Subject: BOA#21-100059 - Opposition

I am writing to oppose the variance request, BOA#21-100059. There are entirely too many variances being approved and degrading the community. The city should focus more on the preservation of single family homes, that do not require variances for constriction. Additionally, the city should seriously consider a denial of these variances and/or rezoning of properties to eliminate all of the multifamily properties popping up. Building a 2500 sq ft 4 bedroom house with a 1 car driveway and a 1 car garage, that barely holds a car, degrades our beach community. Those propoerties cause stress on the community by creating parking issues in the street and stress public servcies, such as trash/recycling collection and mail delivery. Please stop approving these varainces that add increasing density to the beach community.

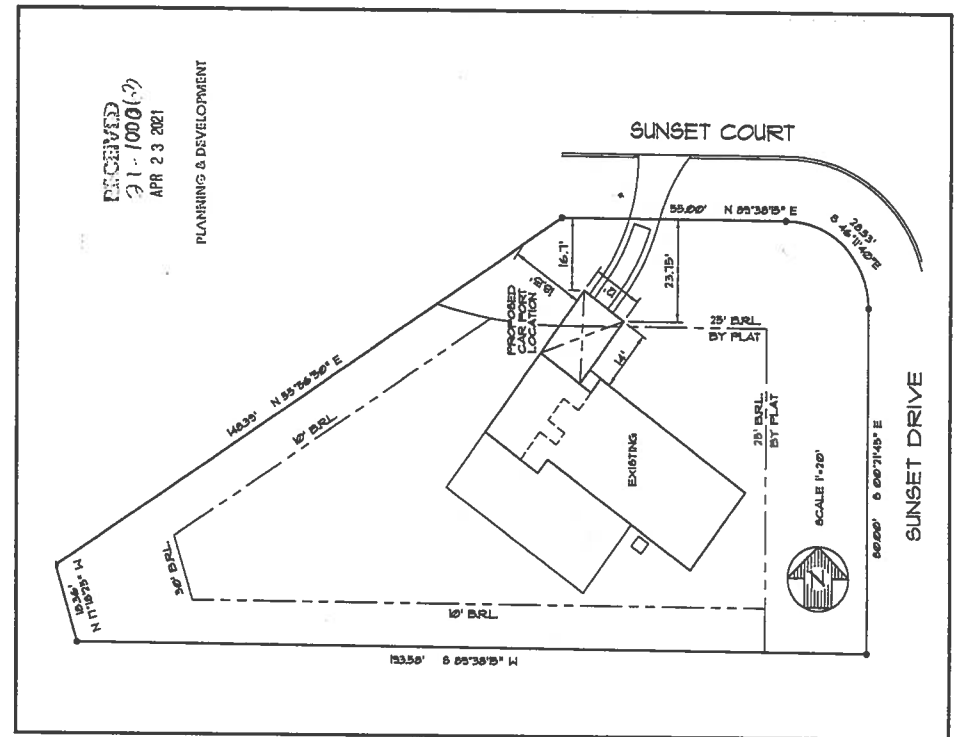
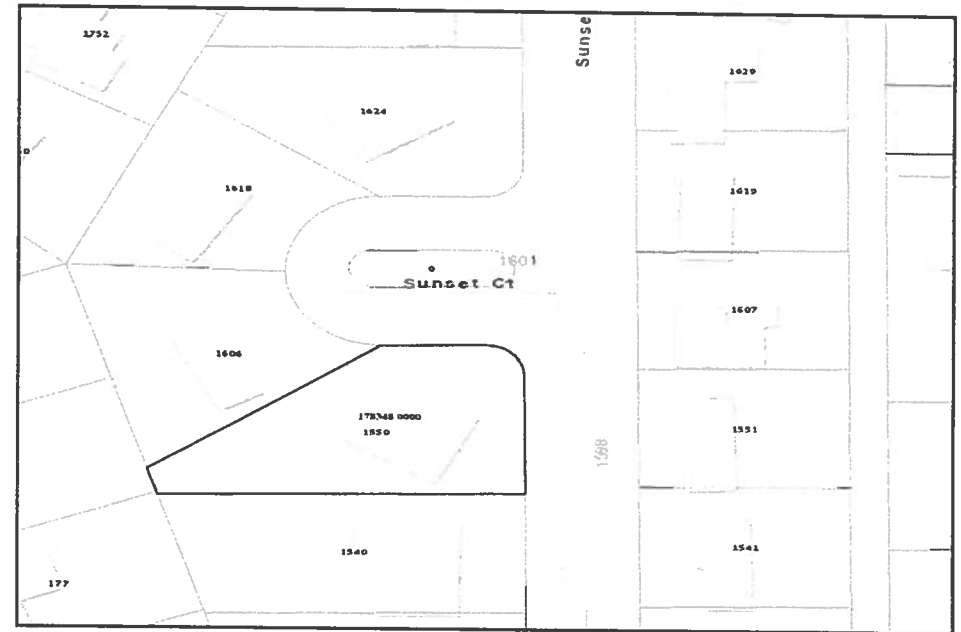
Kris Barton
574 10th avenue South
Jacksonville Beach, FL 32250

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Lot 23, Block 5, Ocean Forest Unit 1

There are no previously recorded variances or active code enforcement violations on file for the subject property.



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.

APR - 9 2021

APPLICANT INFORMATION

Applicant Name: Kristen K McInerney **Telephone:** 316-5494
Mailing Address: 1550 Sunset Dr **E-Mail:** kristenjxbch@yahoo.com
Jacksonville Beach, FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Brett E & Kristen K McInerney **Telephone:** 316-5494
Mailing Address: 1550 Sunset Dr **E-Mail:** kristenjxbch@yahoo.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 1550 Sunset Drive / 178348-0000

Legal description of property (Attach copy of deed): see attached deed

Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

Homeowners are currently planning to enclose the existing carport of the home and would like to add a new carport / covered parking on the front of the house over the existing driveway. The request is for a carport / covered parking encroaching onto front yard setback by approximately 11 feet. The carport

AFFIDAVITis in lieu of a garage. (in)

I, Kristen McInerney, 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.

Kristen McInerney
APPLICANT SIGNATURE

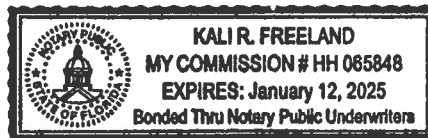
Kristen McInerney
PRINT APPLICANT NAME

3-21-2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21st day of March, 2021, by Kristen McInerney, who is personally known to me or produced drivers license as identification.

Kali Freeland
NOTARY PUBLIC SIGNATURE
Kali Freeland
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: X

CODE SECTION (s):

34-336(e)(1)c.1, for a front yard setback of 16.7 feet in lieu of 25 feet minimum and 34-336(e)(1)d, for a carport in lieu of a required one-car garage to convert the existing carport into habitable space and to allow for a carport addition to a nonconforming single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

21-100063

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.

APR - 9 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The house is constructed at an angle on a triangular shaped lot. The standard front yard set back line comes unusually close to the house due to the position of the house and the shape of the lot.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The house was built in 1955 and currently stands as it was purchased from the homeowners in 2016. Homeowners have not done any construction or made any changes to the front of the home or how it sits on the lot.
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	Homeowner is unaware of any special privileges denied to other parcels, however there are many homes in the neighborhood with similar carports/covered parking in front of the home.
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 many homes in the neighborhood with similar covered parking that extend off the front of the house over the current driveway. Moving the carport to the side of the house would have significant cost as it would require demolishing the existing driveway and pouring a new driveway which currently has a curb in the way of the access, removing a tree and trimming overhanging trees, pouring a new concrete slab on the side of the house and other additional changes not planned for in our original design to close in the existing carport.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Having covered parking is a desire for most homeowners to protect vehicles from sun and Florida weather. It will allow us to enjoy our homesteaded residence without worry of weather damage to our vehicles. Many homes in the area have similar covered parking and granting of the variance is the most inexpensive way for us to be able to fully enjoy our property.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting the variance to allow for covered parking over the existing driveway will have no impact on adjacent property.

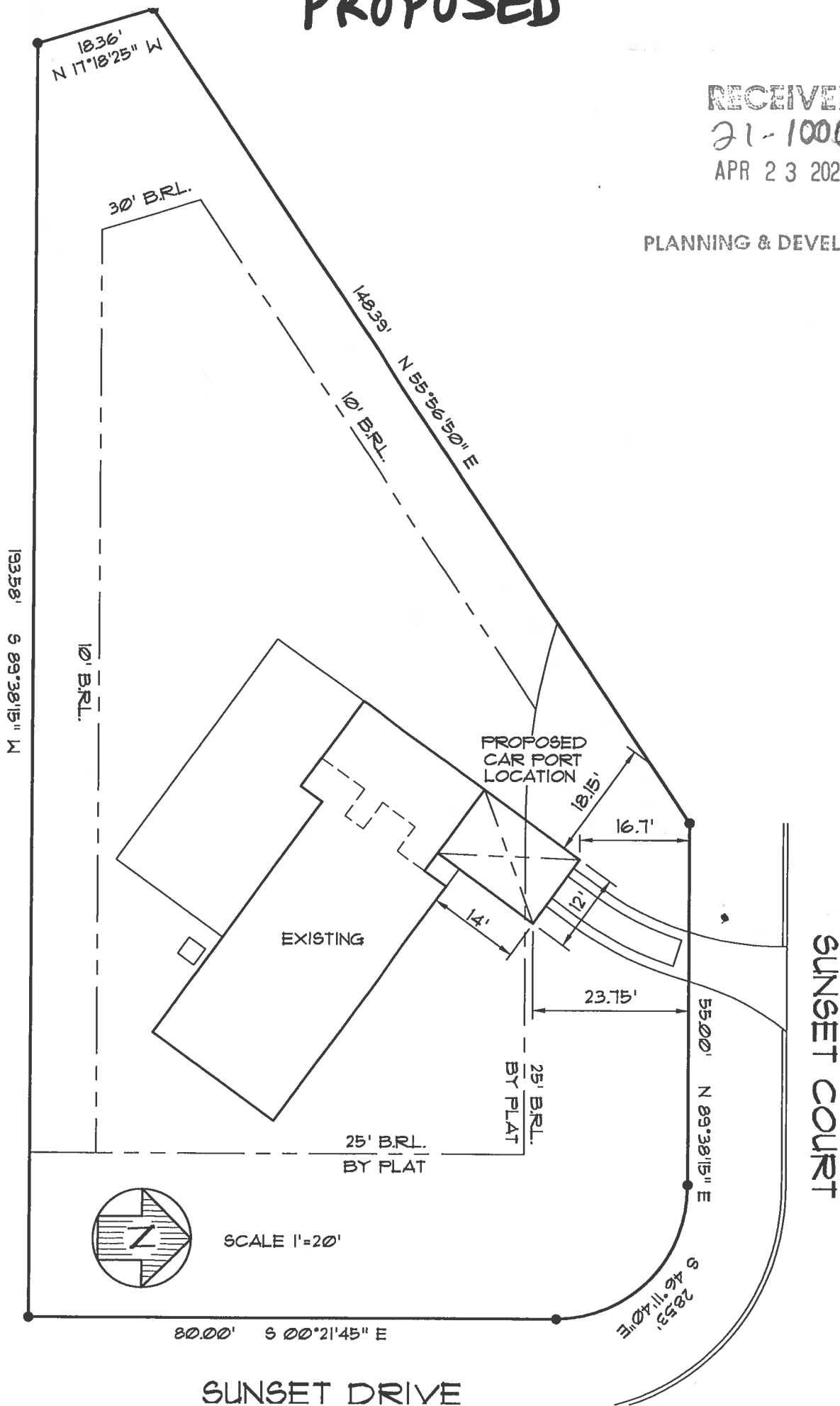
PROPOSED

RECEIVED

21-100063

APR 23 2021

PLANNING & DEVELOPMENT



EXISTING

LOT 21

LOT 22

LOT 23

ARC=78.54'
RADIUS=50.00'

FOUND 1/2" IRON PIPE
NO IDENTIFICATION

ARC=78.54'
RADIUS=50.00'

25' B.R.L. BY PLAT.

FOUND 1/2" IRON PIPE
NO IDENTIFICATION

SUNSET

40' RIGHT-OF-WAY

N89°38'15"

55.00'

FOUND NO IDENTIFICATION

25' B.R.L. BY PLAT.

N55°56'50"E 148.39'

EASEMENT FOR UTILITIES

10.0' METAL SHED ON WOOD FLOOR

1 STORY CONCRETE BLOCK RESIDENCE #1550

CONCRETE PAD WITH A/C UNIT

FOUND 1/2" IRON PIPE
NO IDENTIFICATION

S89°38'15"W 193.58' (MEASURED)

S89°38'15"W 193.12' (PLAT)

ADJOINING CONCRETE DRIVE NOT SHOWN