



City of Jacksonville Beach

Regular Meeting Agenda

11 North Third Street
Jacksonville Beach, Florida

Board of Adjustment

Tuesday, April 2, 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, Laura Tierney

APPROVAL OF MINUTES

A. Meeting minutes for March 20, 2024

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- A. **Case Number(s): BOA#24-100146**
Applicant: Jan & John Coarsey
Agent: Chris Myers
Owner: Jan & John Coarsey
Property Address: 544 Marshview Dr
Parcel ID: 179997-6145
Legal Description: Lot 28 Block 19, *Replat of Marshside*
Current Zoning: RS-1
Motion to Consider: **Section(s):** 34-373(d), for parking area set back of 0ft in lieu of minimum; for replacement of existing concrete driveway to a single-family dwelling for **property addressed** 544 Marshview Dr, **RE#**179997-6145, **legally described as** Lot 28 Block 19, *Replat of Marshside*
- B. **Case Number(s): BOA#24-100147**
Applicant: James Wesley Jr
Agent: N/A
Owner: James Wesley Jr
Property Address: 116 N 13th Ave
Parcel ID: 174649-0000
Legal Description: West 38 Feet of Lot 4 & 5, Block 132, *Pablo Beach North*
Current Zoning: RM-2

Motion to
Consider:

Section(s): 34-340(e)(1)(c)(2), for a westerly side yard setback of 1.75 feet and for an easterly side yard setback of 4 feet in lieu of 10 feet; 34-340(e)(1)(c)(1), for a front yard setback of 0.5 in lieu of 20 feet minimum; 34-340(e)(1)(f), for 44.3% lot coverage in lieu of 35% maximum, to address nonconformities to a two-family dwelling located at **property addressed** 116 N 13th Ave, **RE#** 174649-0000, **legally described as** West 38 Feet of Lot 4 & 5, Block 132, *Pablo Beach North*

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

CALL TO ORDER:

Acting Chair Jennifer Williams called the meeting to order at 6:00 P.M.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number:	BOA#24-100144
Applicant/Owner:	Joseph & Laurie Matsinger
Agent:	N/A
Property Address:	930 N 16th Ave
Parcel ID:	175244-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)(c)3, for a rear yard setback of 5 feet in lieu of 30 feet minimum; 34-336(e)(1)(c)2, for an east side yard setback of 2.8 feet in lieu of 10 feet; 34-336(e)(1)e, for 47.5% lot coverage in lieu of 35% maximum; 34-373(d), for a parking area set back of 1.2 feet in lieu of 5 feet minimum, for proposed rear additions to a single-family dwelling for property addressed 930 N 16th Ave, RE# 175244-0000, legally described as Lot 17, Block 6, Beach Homesites Unit 3.

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

Ms. Williams noted only four board members were present and the applicant would be required to get three votes in favor of the application to be approved, or the applicant could choose to defer to another meeting.

Applicant: Joseph Matsinger, 930 North 16th Ave, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about setbacks, a utility easement, and letters of support.

Public Hearing:

The following submitted emails in support of the variance:

- Michael Heerema, 923 15th Avenue North, Jacksonville Beach
- Jennifer Davis, 922 16th Avenue North, Jacksonville Beach

Ms. Williams closed the public hearing.

Motion: It was moved by Mr. Metz, seconded by Mr. Moreland, to approve BOA#24-100144 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the undersized lot and lot coverage.

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, and Matt Metz

The motion passed unanimously.

ROLL CALL:

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

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

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on February 21, 2024

PLANNING DEPARTMENT REPORT:

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

COURTESY OF THE FLOOR TO VISITORS: None.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:16 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	03/12/2024
SUBJECT:	BOA #24-100146 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, April 2, 2024 Board of Adjustment Meeting.

BOA #24-100146

ZONING: RS-1
RE NO.: 179997-6145
LEGAL: Lot 28 Block 19, *Replat of Marshside*
ADDRESS: 544 Marshview Dr

REQUEST:

Section(s): 34-373(d), for parking area set back of 0ft in lieu of 5ft minimum; for replacement of existing concrete driveway to a single-family dwelling **for property addressed** 544 Marshview Dr, **RE#179997-6145, legally described as** Lot 28 Block 19, *Replat of Marshside*

EXISTING CONDITIONS:

The subject property is a platted lot of record, (circa 1989) located in the Low Density Residential future land use category. The property is currently zoned Residential, single-family: RS-1. The subject parcel is approximately 90 feet in width and 600 feet on one side and 300 feet on another side in depth, with a total area of 44,730 square feet, in which 8,372 square feet may be developed due to the jurisdictional wetland line. The subject parcel is currently occupied by a one-story single-family dwelling, concrete driveway/walkway, wood deck, screened porch, and pavers. The subject parcel's single-family structure was constructed in 1990, and the structure predates the existing LDC.

The subject parcel is nonconforming due to only having 8,372 square feet available to develop. The remaining 38,358 square feet of property are not able to be developed because it is considered conservation land. According to **Sec. 34-469(d)(2)(a)(2)**; *All undeveloped areas of natural vegetation within a fifty-foot strip landward of the salt marsh shall be designated conservation-protected lands and shall remain as an undisturbed buffer region providing habitat adjacent to the marsh.* Thus, conservation-protected wetlands shall be protected from physical and hydrologic alteration. The buildable area has a total impervious area of 9.4%. The current driveway is deteriorated and needs to be replaced. The previous homeowner installed the driveway over 20 years ago. The applicant will not deviate from the current footprint of the driveway. The new driveway will have similar measurements and features as the current driveway. The variance is simply for a parking area setback of 0ft in lieu of 5ft minimum in order to accommodate backing out of the garage effectively. This will also rectify existing nonconformities since the parking area is already encroaching into the side setback.

STAFF ANALYSIS:

The subject property was developed in 1990 as a one-story single-family dwelling. The applicant plans on removing the current driveway and replacing it within the same footprint as the current driveway. Due to the limited buildable area of the lot, adding any structure to the property would cause encroachments to setbacks. The parking area currently encroaches into the side yard setback, and allowing the applicant to rebuild within the same footprint while rectifying existing nonconformities is a reasonable request. The subject property was platted in 1989 and the home was constructed in 1990, both of which predated the existing LDC. The limited buildable area of this lot is not the fault of the applicant along with the nonconforming parking area setback. Not allowing the proposed renovation and encroachment on parking setbacks would deprive the applicant of rights and privileges, as most of the lots in this neighborhood have conservation land that is protected and not able to be built on, and have been granted similar variances. There is a hardship justified by the lot being limited in buildable area, and 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 parcel is limited in developable area due to its proximity to the marsh. There are only 8,372 square feet viable to build on.

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 1989, and was not designed to the modern LDC requirements. The applicant purchased the property in its current state and will not make any changes to the footprint on the lot.

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 which have conservation land that cannot be built on.

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 renovate their parking area without encroaching on side yard setbacks.

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

Staff **does** find that the requested variance is the minimum variance needed to accommodate the renovated parking area. The proposed variance needed is for a parking area set back of 0ft in lieu of 5ft minimum.

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

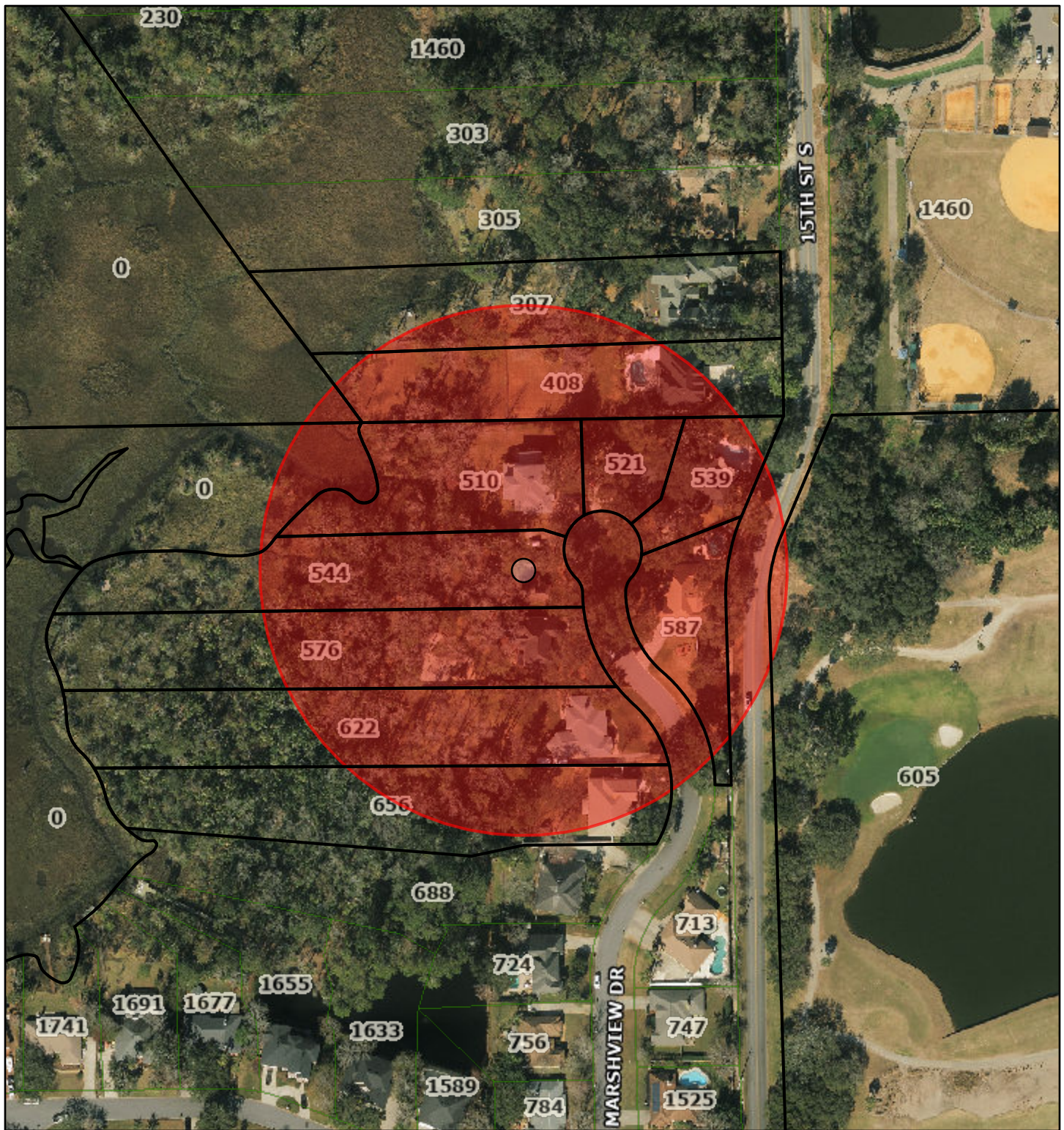
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and it is consistent with the Goals Objectives and Policies of the adopted Comprehensive Plan

STAFF RECOMMENDATION:

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#24-100146**

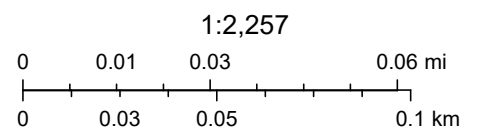
ATTACHMENTS:

1. 24-100146pics
2. 24-100146



March 11, 2024

 Parcels



MAP SHOWING SURVEY OF
LOT 28, REPLAT OF MARSHSIDE, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 45, PAGES 31, 31A, 31B AND 31C, OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

FEB - 9 2023

PLANNING
DEPARTMENT

LOT 30

LOT 29

LOT 28

LOT 27

SALT MARSH

MARSHVIEW DRIVE
50' RIGHT OF WAY (PAVED PUBLIC ROAD)

UNPLATTED LANDS GOVERNMENT LOT 2, SECTION 5,
TOWNSHIP 3 SOUTH, RANGE 29 EAST

CASTRO Y FERRER GRANT, SECTION 37,
GOVERNMENT LOT 2, SECTION 5

CASTRO Y FERRER GRANT, SECTION 37,
GOVERNMENT LOT 1, SECTION 5

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	FIELD BEARING
C1	50.76'	45.00'	84°37'39"	S13°11'31"E	48.11'	S13°08'58"E
C2	19.38'	25.00'	44°25'11"	S23°17'43"E	18.90'	S23°16'49"E
C3	16.86'	175.00'	9°31'08"	S03°50'50"E	16.85'	S04°07'40"E

LOT COVERAGE CALCULATION
(TO THE JURISDICTIONAL LINE)

LOT AREA	= 8,372 S.F.
BUILDING AREA	= 2,360 S.F.
COVERED CONCRETE	= 46 S.F.
CONCRETE DRIVE	= 972 S.F.
CONCRETE WALK	= 139 S.F.
PAVERS	= 90 S.F.
SCREEN PORCH	= 301 S.F.
WOOD DECK/STEPS	= 282 S.F.
EQUIPMENT PADS	= 14 S.F.

TOTAL IMPERVIOUS AREA = 4,184 S.F.
EXISTING LOT COVERAGE = 49.9%

LOT COVERAGE CALCULATION

LOT AREA	= 44,730 S.F.
BUILDING AREA	= 2,360 S.F.
COVERED CONCRETE	= 46 S.F.
CONCRETE DRIVE	= 972 S.F.
CONCRETE WALK	= 139 S.F.
PAVERS	= 90 S.F.
SCREEN PORCH	= 301 S.F.
WOOD DECK/STEPS	= 282 S.F.
EQUIPMENT PADS	= 14 S.F.

TOTAL IMPERVIOUS AREA = 4,184 S.F.
EXISTING LOT COVERAGE = 9.4%

SYMBOL LEGEND

XX FIRE HYDRANT
* LIGHT POLE
W GAS VALVE
WV WATER VALVE
C CLEAN OUT
U UTILITY POLE
G GUY ANCHOR
B BOLLARD
WM WATER METER
OR GAS RISER
CR CABLE RISER
E.E. ELECTRIC BOX
S.S. SIGN
T TRANSFORMER
M MANHOLE

ABBREVIATION LEGEND

BFP BACK-FLOW PREVENTER
CALD CALCULATED
F.M. FIELD MEASUREMENT
ALF ALUMINUM RAIL FENCE
CLF CHAIN LINK FENCE
VF VINYL FENCE
WF WOOD FENCE
CONC. CONCRETE
OFFICIAL RECORDS BOOK
PB PLAT BOOK
P.P. PAGE
M.E.S. METERED END SECTION
CMP CORRUGATED METAL PIPE
PVC POLYVINYL CHLORIDE PIPE
RCP REINFORCED CONCRETE PIPE
ICV IRRIGATION CONTROL VALVE
F.F.E. FINISHED FLOOR ELEVATION
INV INVERT ELEVATION
PT POINT OF TANGENCY
PC POINT OF CURVATURE
PCC POINT OF COMPOUND CURVE
PRC POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

- THIS IS A BOUNDARY SURVEY.
- BEARINGS ARE BASED ON THE SOUTHERLY LINE OF LOT 28, BEING SOUTH 88°54'45" WEST, AS PER PLAT.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
- NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
- BUILDING RESTRICTION LINES, AS PER PLAT.

- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD) AND ZONE "AE" (EL 6) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0416J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

JAN COARSEY

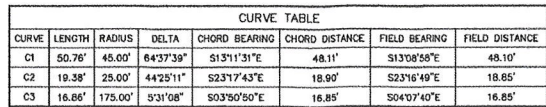
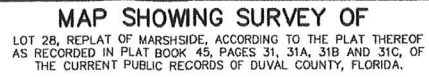
JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550

DATE: JANUARY 31, 2024
SHEET 1 OF 1

FILE: 2024-0151
DRAWN BY: KJC-P
SCALE: 1" = 20'

PLANNING
DEPARTMENT



CURVE TABLE							
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	FIELD BEARING	FIELD DISTANCE
C1	50.76'	45.00'	64°37'39"	S13°11'31"E	48.11'	S13°08'56"E	48.10'
C2	19.38'	25.00'	44°25'11"	S23°17'43"E	18.89'	S23°16'49"E	18.85'
C3	16.86'	175.00'	53°1'08"	S23°50'50"E	16.85'	S04°07'40"E	16.85'

BUILDING AREA	=	2,360	S.F.
COVERED CONCRETE	=	48	S.F.
CONCRETE DRIVE	=	972	S.F.
CONCRETE WALK	=	139	S.F.
PAVERS	=	90	S.F.
SCREEN PORCH	=	301	S.F.
WOOD DECK/STEPS	=	262	S.F.
EQUIPMENT PADS	=	14	S.F.

BUILDING AREA	= 2,360	S.F.
COVERED CONCRETE	= 46	S.F.
CONCRETE DRIVE	= 972	S.F.
CONCRETE WALK	= 139	S.F.
PAVERS	= 90	S.F.
SCREEN PORCH	= 301	S.F.
WOOD DECK/STEPS	= 262	S.F.
EQUIPMENT PADS	= 14	S.F.

Proposed Lot Calculation (to the Jurisdiction line).	
Lot Area:	8,372 sq ft
Building Area: 2,360 sq ft	
Covered Concrete:	46 sq ft
New Paver Driveway:	1,235 sq ft
New Front Walkway:	182 sq ft
New Rear Walkway:	146 sq ft
Front Paver Pad:	57 sq ft
Screen Porch:	301 sq ft
Wooden Deck/Steps:	282 sq ft
Equipment Pad:	14 sq ft

Revised Lot Calculation	
Lot Area:	44,730 sq ft
Building Area:	2,360 sq ft
Covered Concrete:	46 sq ft
New Paver Driveway:	1,235 sq ft
New Front Walkway:	182 sq ft
New Rear Walkway:	146 sq ft
Front Paver Pad:	57 sq ft
Screen Porch:	301 sq ft
Wooden Deck/Steps:	282 sq ft
Equipment Pad:	14 sq ft

CASTRO Y FERRER GRANT, SECTION 37
GOVERNMENT LOT 1, SECTION 5

ABBREVIATION LEGEND

BFP	BACK-FLOW PREVENTER
(CALC)	CALCULATED
(FIELD)	FIELD MEASUREMENT
ALF	ALUMINUM RAIL FENCE
CLF	CHAIN LINK FENCE
VF	VINYL FENCE
WF	WOOD FENCE
CONC.	CONCRETE
OSB	OFFICIAL RECORDS BOOK
FB	FOOT BOOK
PG	PAGE
MES	METERED END SECTION
OMP	CORRUGATED METAL PIPE
CP	POLYVINYL CHLORIDE PIPE
RCF	REINFORCED CONCRETE PIPE
HCV	IRRIGATION CONTROL VALVE
FTE	FINISHED FLOOR ELEVATION
INV	INVERT ELEVATION
CU	CURB CURVATURE
PT	POINT OF TANGENCY OF CURVE
PCO	POINT OF COMPOUND CURVE
PRC	POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS ARE BASED ON THE SOUTHERLY LINE OF LOT 28, BEING SOUTH 88°54'45" WEST, AS PER PLAT.
3. THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO QUANTITIES, RIGHT OF WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
4. NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
5. BUILDING RESTRICTION LINES, AS PER PLAT.

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550

6. THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD) AND ZONE "AE" (EL 6) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C04161, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JAN COARSEY



JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
 FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672
 "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

L:\D\Shared\2024 Project Folder\2024-0151 544 Morshview Drive - BW\2024-0151.dwg

Scale: 1/50" = 1 ft



APPLICATION FOR VARIANCE

BOA No. 24-108146
HEARING DATE 4/2/24

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, 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
FEB - 9 2024
PLANNING
DEPARTMENT

APPLICANT INFORMATION

Applicant Name: John B & Jan B. Coarsey Telephone: 904-635-8809
Mailing Address: 544 Marshview Dr E-Mail: jancoarsey@gmail.com
Jacksonville FL 32250
Agent Name: Chris Myers & Marwan Lefair Telephone: 904-543-2626
Mailing Address: 145 Solana Rd Suite C E-Mail: Chris@coastalluminypr.com
Ponte Vedra Beach FL 32082
Landowner Name: Same as applicant Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property AND Real Estate Number: 544 Marshview Dr. Parcel ID 179997-6145
Legal description of property (Attach copy of deed): Lot 28, Replat of Marshside, Block 45, Pages 31, 31A, 31B
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary): Replace existing concrete driveway with pavers that was installed over twenty years ago passed the 15ft setback by the previous property owner

AFFIDAVIT

I, Jan B. Coarsey, 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.

Jan B. Coarsey
APPLICANT SIGNATURE

Jan B. Coarsey
PRINT APPLICANT NAME

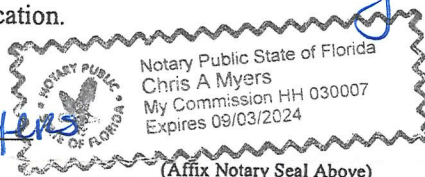
Jan 24, 2024
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 24 day of January, 2024 by Jan B. Coarsey who is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC SIGNATURE

Chris A. Myers
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X

CODE SECTION (s): _____

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 24100446

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
FEB - 9 2024

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.

**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	The current driveway is cracked and needs to be replaced
Special circumstances and conditions do not result from the actions of the applicant.	yes	The previous home owner installed the driveway over twenty years ago
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 driveways in the neighborhood have similar or larger driveway.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	If the new driveway is made smaller to accommodate the 5ft wet, the homeowners will have a difficult time backing out of their garage
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	If variance is granted the homeowner will be able to use their garage effectively
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	Other neighbors have large paved driveways. The neighbor next door has no issues with the driveway. See attached letter

This instrument prepared by
and after recording return to:

Matthew T. Harrod, Esq.
Harrod Law, PLLC
145 Hilden Rd., Suite 105
Ponte Vedra, Florida 32081

Property Appraiser's Parcel
Identification Number: 179997-6145

RECEIVED
FEB - 9 2023
PLANNING
DEPARTMENT

WARRANTY DEED

The Grantors, John B. Coarsey and Jan B. Coarsey, husband and wife, in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration received from the Grantees, hereby grants and conveys to the Grantees, Clay Coarsey and Logan Coarsey, whose mailing addresses are 112 The Vinings Dr., St. Johns, FL 32259 and 171 Woodlands Creek Dr., Ponte Vedra Beach, FL 32082, respectively, to hold as Tenants in Common, all of the Grantors' right, title and interest in and to certain property located in Duval County, Florida (the "Property"), but subject to the reservation of the Grantors' rights enumerated below. The Property is more particularly, described as follows:

Lot 28, Replat of Marshside, according to the plat thereof as
recorded in Plat Book 45, Pages 31, 31A, 31B and 31C, of the
current public records of Duval County, Florida.

The Grantors reserve to themselves, as joint Life Tenants, an enhanced life estate in the Property, being the exclusive possession, use and enjoyment of the Property and its rents and profits, without liability for waste, and specifically reserves to themselves the following rights, exercisable without the joinder of the remainder beneficiaries and with or without consideration: to sell, lease, encumber, or pledge the Property; to manage or dispose of all or part of the Property or to grant any interest in the Property, all by gift, sale, or otherwise; to retain any and all proceeds generated by a sale, lease, or encumbrance, as the Life Tenants in their sole discretion decides; to terminate the interest of the Grantees by the exercise of any right retained in this deed, including the right to cancel this deed by further conveyance to themselves or to anyone else.

The Grantors warrant that the property is free of all encumbrances, except the lien for real estate taxes not yet due and payable and restrictions, reservations, and easements of record, and that lawful seisin of and good right to convey the property is vested in the Grantors. The Grantors hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons.

THE PROPERTY IS THE HOMESTEAD OF THE GRANTORS.

Signed on November 30, 2022.

Signed in the presence of:

M
Print Name: Matthew Harrod

Kimberly Harrod
Print Name: Kimberly Harrod

John B. Coarsey
John B. Coarsey
544 Marshview Dr.
Jacksonville Beach, FL 32250

Signed in the presence of:

M
Print Name: Matthew Harrod

Kimberly Harrod
Print Name: Kimberly Harrod

Jan B. Coarsey
Jan B. Coarsey
544 Marshview Dr.
Jacksonville Beach, FL 32250

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me on November 30, 2022, by John B. Coarsey and Jan B. Coarsey.

Physical Presence ☒
Online Notarization ☐
Personally Known ☒
Produced Identification ☐
Type of Identification

[Signature]
Notary Public--State of Florida
Print Notary Name: _____
My Commission Number is: _____
My Commission Expires: _____

 LATRENDAAASHLEY SINGLETON
Notary Public
State of Florida
Comm# HH264030
Expires 5/11/2026

THIS INSTRUMENT PREPARED BY:
Watson & Osborne Title Servi
Watson & Osborne Title Services, Inc.
208 Ponte Vedra Park Drive, Suite 101
Ponte Vedra Beach, Florida 32082

RECORD AND RETURN TO:
John B. Coarsey
544 Marshview Drive
Jacksonville Beach, Florida 32250

RE PARCEL ID #: 179997-6145
BUYER'S TIN: 254-84-6009

Doch# 2002318995
Book: 10757
Pages: 256 - 257
Filed & Recorded
11/08/2002 11:18:05 AM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 9.00
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 1,995.00

RECEIVED
FEB - 9 2003
PLANNING
DEPARTMENT

WARRANTY DEED

THIS WARRANTY DEED made this 25th day of October, 2002 by Jean Swanner f/k/a Jean Diane Marini, a SINGLE woman, hereinafter called Grantor, and whose address is 1071 MIMOSA CIRCLE, ATL Bch to John B. Coarsey and Jan B. Coarsey, husband and wife, hereinafter called Grantee and whose address is 544 Marshview Drive, Jacksonville Beach, Florida 32250.

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

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz:

Lot 28, Replat of Marshside, according to the plat thereof as recorded in Plat Book 45, Pages 31, 31A, 31B and 31C, of the current public records of Duval County, Florida.

Q
1050
1995.00

SUBJECT TO taxes accruing subsequent to December 31, 2001.

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 thereunto 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.

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 Signature

GERARD E. SCHLOTH

Witness Printed Signature

Witness Signature

SHANNON SWANSON

Witness Printed Signature

Jean Swanner
Jean Swanner

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 25th day of October, 2002 by Jean Swanner f/k/a Jean Diane Marini, a Single woman. He/She is personally known to me or has produced Driver's Licenses as identification.

Notary Public, State and County aforesaid

Notary Signature

GERARD E. SCHLOTH

Notary Printed Signature



(Title or Rank)

(Serial No., if any)

January 23, 2024

Shawn and Tara Budd
510 Marshview Dr
Jacksonville Beach, FL. 32250

RECEIVED

FEB - 9 2024

PLANNING
DEPARTMENT

City of Jacksonville Beach
Building Department

To whom it may concern:

This letter is to advise the City of Jacksonville Beach Council that John and Jan Coarsey, 544 Marshview Drive, Jax Bch, our next door neighbors, have our permission to remove their broken, chipped, very old concrete driveway and replace it with pavers. They also have our permission to use the same driveway space as they now have even though boundary restrictions have changed since their driveway was installed. We give our permission for this variance.

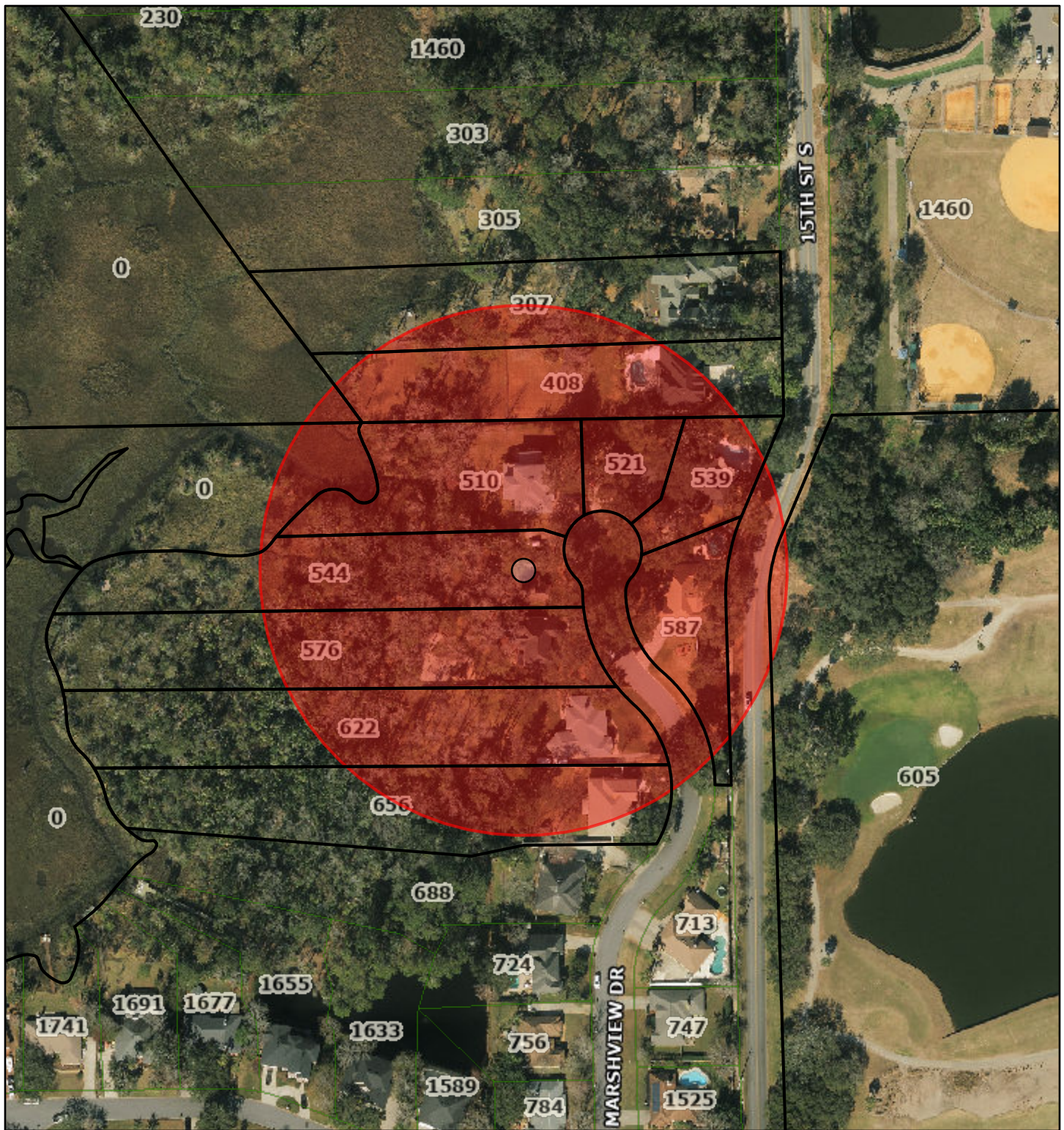
Thank you,

Sincerely,



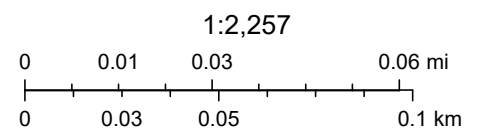
Shawn and Tara Budd

904 - 588 - 8555



March 11, 2024

 Parcels



MAP SHOWING SURVEY OF
LOT 28, REPLAT OF MARSHSIDE, ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 45, PAGES 31, 31A, 31B AND 31C, OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

FEB - 9 2023

PLANNING
DEPARTMENT

LOT 30

LOT 29

LOT 28

LOT 27

SALT MARSH

MARSHVIEW DRIVE
50' RIGHT OF WAY (PAVED PUBLIC ROAD)

UNPLATTED LANDS GOVERNMENT LOT 2, SECTION 5,
TOWNSHIP 3 SOUTH, RANGE 29 EAST

CASTRO Y FERRER GRANT, SECTION 37,
GOVERNMENT LOT 2, SECTION 5

CASTRO Y FERRER GRANT, SECTION 37,
GOVERNMENT LOT 1, SECTION 5

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	FIELD BEARING
C1	50.76'	45.00'	84°37'39"	S13°11'31"E	48.11'	S13°08'58"E
C2	19.38'	25.00'	44°25'11"	S23°17'43"E	18.90'	S23°16'49"E
C3	16.86'	175.00'	9°31'08"	S03°50'50"E	16.85'	S04°07'40"E

LOT COVERAGE CALCULATION
(TO THE JURISDICTIONAL LINE)

LOT AREA	= 8,372 S.F.
BUILDING AREA	= 2,360 S.F.
COVERED CONCRETE	= 46 S.F.
CONCRETE DRIVE	= 972 S.F.
CONCRETE WALK	= 139 S.F.
PAVERS	= 90 S.F.
SCREEN PORCH	= 301 S.F.
WOOD DECK/STEPS	= 282 S.F.
EQUIPMENT PADS	= 14 S.F.

TOTAL IMPERVIOUS AREA = 4,184 S.F.
EXISTING LOT COVERAGE = 49.9%

LOT COVERAGE CALCULATION

LOT AREA	= 44,730 S.F.
BUILDING AREA	= 2,360 S.F.
COVERED CONCRETE	= 46 S.F.
CONCRETE DRIVE	= 972 S.F.
CONCRETE WALK	= 139 S.F.
PAVERS	= 90 S.F.
SCREEN PORCH	= 301 S.F.
WOOD DECK/STEPS	= 282 S.F.
EQUIPMENT PADS	= 14 S.F.

TOTAL IMPERVIOUS AREA = 4,184 S.F.
EXISTING LOT COVERAGE = 9.4%

SYMBOL LEGEND

XX FIRE HYDRANT
* LIGHT POLE
WV GAS VALVE
WV WATER VALVE
C CLEAN OUT
UP UTILITY POLE
GUY ANCHOR
BOLLARD
WM WATER METER
OR GAS RISER
CR CABLE RISER
E.E. ELECTRIC BOX
S.S. SIGN
T TRANSFORMER
M MANHOLE

ABBREVIATION LEGEND

BFP BACK-FLOW PREVENTER
CALD CALCULATED
F.M. FIELD MEASUREMENT
ALF ALUMINUM RAIL FENCE
CLF CHAIN LINK FENCE
WF WOOD FENCE
WB WOOD FENCE
CONC. CONCRETE
OFFICIAL RECORDS BOOK
P.B. PLAT BOOK
P.B. PAGE
M.E.S. METERED END SECTION
CMP CORRUGATED METAL PIPE
PVC POLYVINYL CHLORIDE PIPE
RCP REINFORCED CONCRETE PIPE
ICV IRRIGATION CONTROL VALVE
F.F.E. FINISHED FLOOR ELEVATION
INV INVERT ELEVATION
PT POINT OF TANGENCY
PC POINT OF CURVATURE
PCC POINT OF COMPOUND CURVE
PRC POINT OF REVERSE CURVE

GENERAL SURVEY NOTES

- THIS IS A BOUNDARY SURVEY.
- BEARINGS ARE BASED ON THE SOUTHERLY LINE OF LOT 28, BEING SOUTH 88°54'45" WEST, AS PER PLAT.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
- NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
- BUILDING RESTRICTION LINES, AS PER PLAT.

- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD) AND ZONE "AE" (EL 6) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0416J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JAN COARSEY

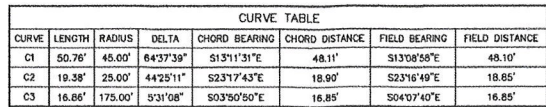
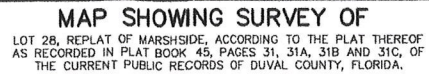
JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550

DATE: JANUARY 31, 2024
SHEET 1 OF 1

FILE: 2024-0151
DRAWN BY: KJC-P
SCALE: 1" = 20'

PLANNING
DEPARTMENT



CURVE TABLE							
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	FIELD BEARING	FIELD DISTANCE
C1	50.76'	45.00'	64°37'39"	S13°11'31"E	48.11'	S13°08'56"E	48.10'
C2	19.38'	25.00'	44°25'11"	S23°17'43"E	18.89'	S23°16'49"E	18.85'
C3	16.86'	175.00'	53°1'08"	S23°50'50"E	16.85'	S04°07'40"E	16.85'

BUILDING AREA	=	2,360	S.F.
COVERED CONCRETE	=	48	S.F.
CONCRETE DRIVE	=	972	S.F.
CONCRETE WALK	=	139	S.F.
PAVERS	=	90	S.F.
SCREEN PORCH	=	301	S.F.
WOOD DECK/STEPS	=	262	S.F.
EQUIPMENT PADS	=	14	S.F.

BUILDING AREA	= 2,360	S.F.
COVERED CONCRETE	= 46	S.F.
CONCRETE DRIVE	= 972	S.F.
CONCRETE WALK	= 139	S.F.
PAVERS	= 90	S.F.
SCREEN PORCH	= 301	S.F.
WOOD DECK/STEPS	= 262	S.F.
EQUIPMENT PADS	= 14	S.F.

Proposed Lot Calculation (to the Jurisdiction line).	
Lot Area:	8,372 sq ft
Building Area:	2,360 sq ft
Covered Concrete:	46 sq ft
New Paver Driveway:	1,235 sq ft
New Front Walkway:	182 sq ft
New Rear Walkway:	146 sq ft
Front Paver Pad:	57 sq ft
Screen Porch:	301 sq ft
Wooden Deck/Steps:	282 sq ft
Equipment Pad:	14 sq ft

Revised Lot Calculation	
Lot Area:	44,730 sq ft
Building Area:	2,360 sq ft
Covered Concrete:	46 sq ft
New Paver Driveway:	1,235 sq ft
New Front Walkway:	182 sq ft
New Rear Walkway:	146 sq ft
Front Paver Pad:	57 sq ft
Screen Porch:	301 sq ft
Wooden Deck/Steps:	282 sq ft
Equipment Pad:	14 sq ft

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7202
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672
*NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.*

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32250 (PH) 904-241-8550

DATE: JANUARY 31, 2024
SHEET 1 OF 1

Scale: 1/50" = 1 ft



BOARD OF ADJUSTMENT AGENDA ITEM	
TO:	Board of Adjustment Members
FROM:	Department of Planning & Development
DATE:	03/12/2024
SUBJECT:	BOA #24-100147 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, April 2, 2024 Board of Adjustment Meeting.

BOA #24-100147

ZONING: RM-2
RE NO.: 174649-0000
LEGAL: West 38 Feet of Lot 4 & 5, Block 132, *Pablo Beach North*
ADDRESS: 116 N 13th Ave

REQUEST:

Section(s): 34-340(e)(1)(c)(2), for a westerly side yard setback of 1.75 feet and for an easterly side yard setback of 4 feet in lieu of 10 feet; 34-340(e)(1)(c)(1), for a front yard setback of 0.5 in lieu of 20 feet minimum; 34-340(e)(1)(f), for 44.3% lot coverage in lieu of 35% maximum, to address nonconformities to a two-family dwelling located at **property addressed** 116 N 13th Ave, **RE#** 174649-0000, **legally described** as West 38 Feet of Lot 4 & 5, Block 132, *Pablo Beach North*

EXISTING CONDITIONS:

The subject property is a lot of record, (circa 1913) located in the High Density Residential future land use category. The property is currently zoned Residential, multiple-family: RM-2. The subject parcel is 38 feet in width and 105 feet in depth, with a total area of 3,964 square feet. This lot consists of a two-family dwelling and a concrete driveway. The subject parcel's two-family dwelling was constructed in 1934. The structure predates the existing LDC. The subject property has many nonconformities. There are encroachments on the westerly side at 1.75ft, on the easterly side at 4ft, in the front yard at .5, and the property exceeds the maximum lot coverage at 44.3%. The applicant is asking for the variance to rectify these nonconformities.

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 3,964 square feet. Additionally the property is only 38 feet in width, slightly more than half the required 60 feet. The applicant is asking for a variance for a westerly side yard setback of 1.75 feet and for an easterly side yard setback of 4 feet in lieu of 10 feet, for a front yard setback of 0.5 in lieu of 20 feet minimum, and for 44.3% lot coverage in lieu of 35% maximum, to address the existing nonconformities. Staff finds that the requested variances are the minimum variances needed to accommodate the existing two-family dwelling. The property is undersized and the request is consistent with the comprehensive plan.

STAFF ANALYSIS:

The subject property was developed in 1934 as a two-story two-family dwelling. The applicant will not construct or make any improvements to the land. Allowing for a variance to rectify current nonconformities is the minimum variance needed for the reasonable use of the parcel of land. The subject property was platted in 1913 and the home was constructed in 1934, 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 is for a minimum lot area of 6,000 square feet and 60 feet in with. This property has a total lot area of 3,964 square feet and a width of 38 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 1913 and the home was constructed in 1934, which predated the LDC. The nonconforming lot nor the building are 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 lot is extremely undersized, and similar properties in this area have been granted similar variances due to similar nonconforming characteristics.

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 developed lot will remain nonconforming and hinder future projects.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the existing nonconformities. The proposed variance will allow for a westerly side yard setback of 1.75 feet and for an easterly side yard setback of 4 feet in lieu of 10 feet, for a front yard setback of 0.5 in lieu of 20 feet minimum, for 44.3% lot coverage in lieu of 35% maximum.

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

Staff **does** find that the request is consistent with the comprehensive plan. The applicant 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#24-100147**

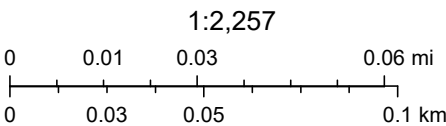
ATTACHMENTS:

1. 24-100147pics
2. 24-100147



March 11, 2024

 Parcels



MAP SHOWING SURVEY OF THE W. 38' OF
LOTS 4 & 5 BLOCK 132 AS SHOWN ON MAP OF
PABLO BEACH NORTH ~ REPLAT.

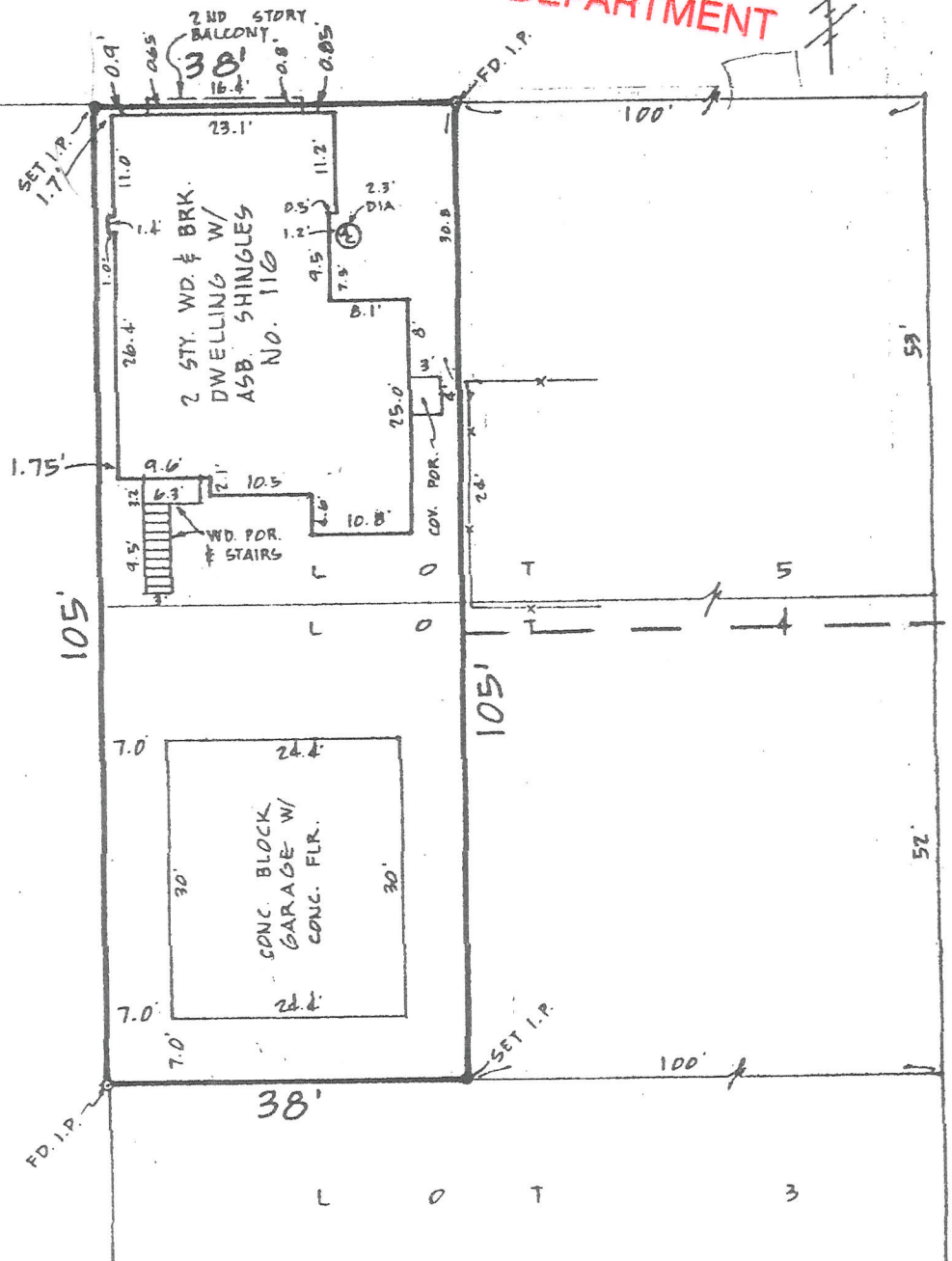
AS RECORDED IN PLAT BOOK 5 PAGE 66 OF PUBLIC RECORDS OF DUVAL CO. FLA.
FOR J. WILLIAM WESLEY

RECEIVED

FEB 14 2024

PLANNING
DEPARTMENT

13TH AVENUE



Jim Harrison & associates, inc.

LAND SURVEYORS P.O. BOX 23161 JACKSONVILLE, FLA 32217 904/731-0722

LEGEND

- CONC MON
- IRON COR (SET)
- x- FENCE
- IRON COR (FD.)
- CROSS CUT
- F.B. 163:55

I HEREBY CERTIFY THAT THE ABOVE PARCEL WAS SURVEYED BY
ME AND THAT THE DWELLING IS LOCATED UPON SAME
AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS UPON SAID
PARCEL

JAMES D HARRISON JR PLS

SCALE 1" = 20'

DATE OCT. 9, 1979

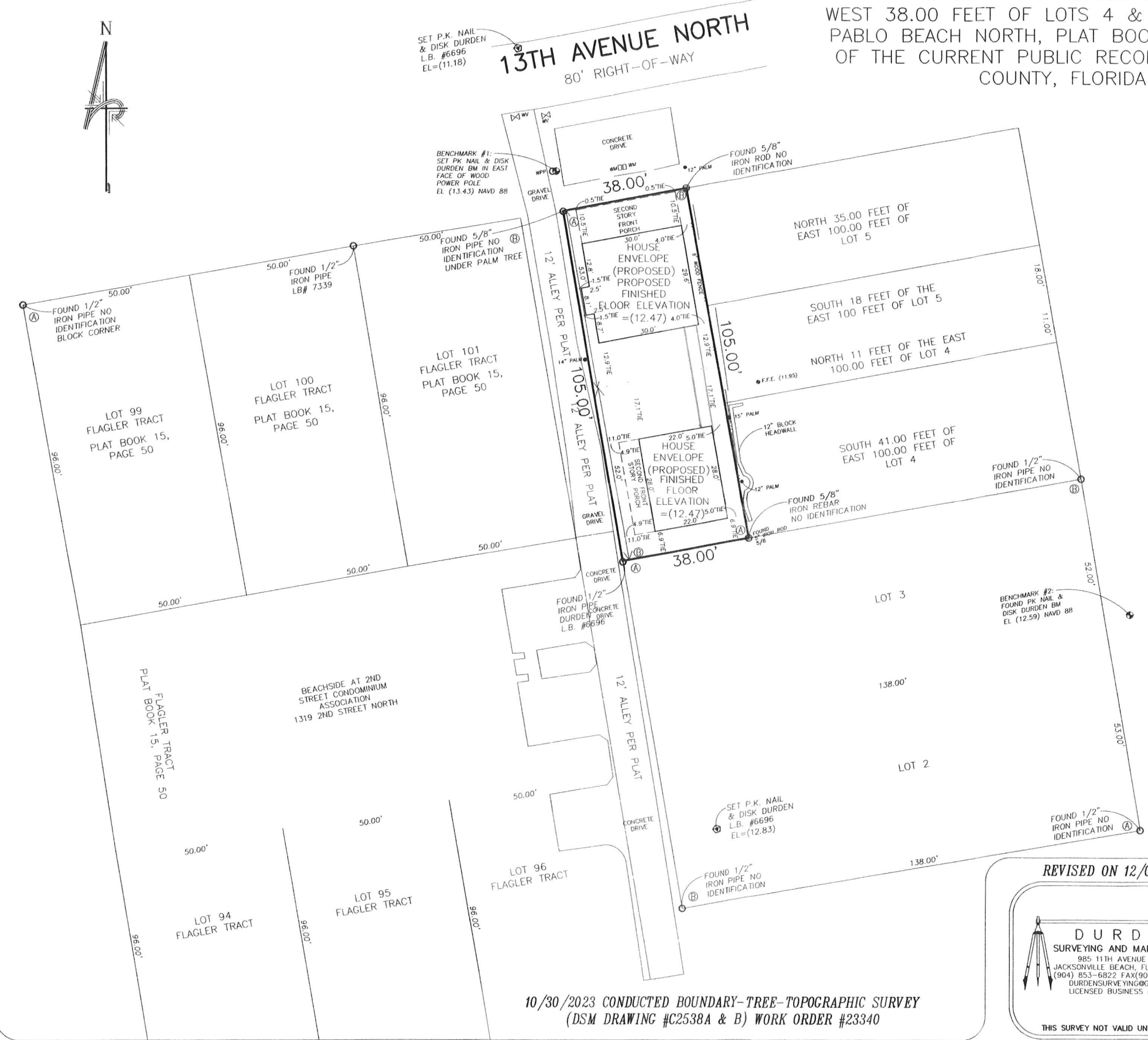
James D. Harrison Jr.
REGISTERED SURVEYOR, NO 2847, FLORIDA





MAP SHOWING SITE PLAN OF:
WEST 38.00 FEET OF LOTS 4 & 5, BLOCK 132,
PABLO BEACH NORTH, PLAT BOOK 5, PAGE 66,
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA

RECEIVED
FEB 14 2024
PLANNING
DEPARTMENT



IMPERVIOUS CALCULATIONS
LOT AREA = 3,964± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,521±
WOOD DECK 50%	235±

TOTAL IMPERVIOUS AREA = 1,756±
TOTAL DENSITY = 44.3%

NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE
RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY No. 12007B,
MAP/PANEL No. 12031C-0417-J, REVISED NOVEMBER 2, 2018
ELEVATIONS SHOWN AS THUS (13.43) AND ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988
F.F.E. DENOTES FINISH FLOOR ELEVATION
OHE DENOTES OVERHEAD ELECTRIC
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 132 EXCEPT AS NOTED
--- DENOTES 6" WOOD FENCE EXCEPT AS NOTED
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA

SYMBOL LEGEND:
O WPP DENOTES WOOD POWER POLE
D WM DENOTES WATER METER
WV DENOTES WATER VALVE

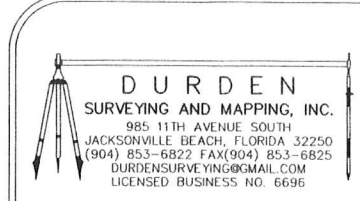
ANGLE TABLE

A	= 90°06'00"
B	= 89°54'00"

CERTIFIED TO:
JAMES WILLIAM WESLEY & KRISTIN WESLEY

10/30/2023 CONDUCTED BOUNDARY-TREE-TOPOGRAPHIC SURVEY
(DSM DRAWING #C2538A & B) WORK ORDER #23340

REVISED ON 12/07/2023 TO SHOW SITE PLAN & IMPROVEMENTS

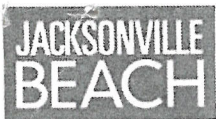


I HEREBY CERTIFY THAT THIS SURVEY MEETS THE
STANDARDS OF PRACTICE AS SET FORTH BY
THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT
SECTION 472.027 FLORIDA STATUTES AND CHAPTER
5J17 FLORIDA ADMINISTRATIVE CODE.

Bruce Durden Jr.
FLORIDA REGISTERED SURVEYOR NO. 4707
H. BRUCE DURDEN JR.

FIELD: OCTOBER 30, 2023
SCALE: 1" = 20'
CAD FILE NO. L-4&5_B-132(116_13TH AVE_N).DWG
WORK ORDER NUMBER: 23340 FILE NUMBER C-2140

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.



APPLICATION FOR VARIANCE

BOA No. 24-100147
HEARING DATE

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

REQUIRED DOCUMENTATION

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

RECEIVED

FEB 14 2024

PLANNING DEPARTMENT

APPLICANT INFORMATION

Applicant Name: James W. Wesley Jr. Telephone: 904 472 3698
Mailing Address: 116 13th Ave. North E-Mail: honspace909@gmail.com
Jacksonville Bch FL 32250
Agent Name: Telephone:
Mailing Address: E-Mail:
Landowner Name: Telephone:
Mailing Address: E-Mail:

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

VARIANCE DATA

Street address of property and Real Estate Number: 116 13th Ave N. 174649 -0000
Legal description of property (Attach copy of deed): W 38 ft. of lots 4+5, Block 132
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).
Setbacks due to legal non conforming lot & record

AFFIDAVIT

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

APPLICANT SIGNATURE James W Wesley Jr. DATE 2/15/2024

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of physical presence or online notarization, this 15 day of february, 2024, by James Wesley Jr., who is personally known to me or produced drivers license as identification.

NOTARY PUBLIC SIGNATURE C. Rayeski-Bowling
PRINT NOTARY NAME
CALLIE L RAYESKI
Notary Public-State of Florida
Commission # HH 104376
My Commission Expires March 15, 2025
(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: X
CODE SECTION (S):

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.

FEB 14 2024

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	unusual setback of structure
Special circumstances and conditions do not result from the actions of the applicant.	no	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	no	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	
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	

Prepared by and return to:
Law Office of Courtney Walters, Esq.
302 3rd St. Suite 2
Neptune Beach, FL 32266

Doc # 2018262623, OR BK 18588 Page 306,
Number Pages: 2
Recorded 11/06/2018 09:34 AM.
RONNIE FUSSELL CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$0.70

RECEIVED

FEB 14 2024

PLANNING
DEPARTMENT

QUITCLAIM DEED

Made this 10th day of October 2018 between, **James W. Wesley Jr.**, a married man, whose address is 113 13th Avenue North, Jacksonville Beach, FL 32250 (hereinafter referred to as "Grantors") and **James W. Wesley Jr. and Kristin N. Wesley**, as Trustees of the Wesley Family Revocable Living Trust, dated October 10th, 2018 (hereinafter referred to as "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 Grantors, for and in consideration of the sum of ten dollars (\$10), the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the Grantee, the right, title, interest, claim, and demand which the Grantors has in, including the powers under Florida Statute 689.073 (or as later amended), the following described land situated, lying, and being In the County of Duval, State of Florida, commonly known as 113 13th Avenue North, Jacksonville Beach, FL 32250 legally described as follows, to-wit:

The West 38 feet of Lots 4 and 5, Block 132, Pablo Beach Improvement Company's Replat of Pablo Beach North, according to the map or plat thereof, as recorded in Plat Book 5, Pages(s) 66, of the Public Records of Duval County, Florida.

Real Estate Parcel Identification Number: 174649-0000

(hereinafter referred to as the "Property") together with all tenements, hereditaments, easements and appurtenances belonging to or benefitting such Property to have and hold in fee simple forever.

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

For the consideration described herein above, the Grantors conveys, remises, and quitclaims to the Grantee any Interest the Grantor may have in and to the Property. Grantors hereby expressly retains all present possessory rights with respect to the property.

No opinion as to the title of this property has been given by Law Office of Courtney Walters, Esq.

RECEIVED

FEB 14 2024

IN WITNESS WHEREOF, the Grantors has caused this Instrument to be the day and year first above written.

Signed and sealed in our presence:

Irina Pavlenko

Irina Pavlenko

Cloe Angilello

Cloe Angilello

Irina Pavlenko

Irina Pavlenko

Cloe Angilello

Cloe Angilello

Irina Pavlenko

Irina Pavlenko

Cloe Angilello

Cloe Angilello

James W. Wesley Jr.

James W. Wesley Jr., Grantor

James W. Wesley Jr.

James W. Wesley Jr., Grantee,
as Trustee of the Wesley Family
Revocable Living Trust

Kristin N. Wesley

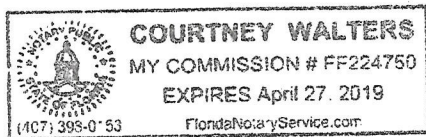
Kristin N. Wesley, Grantee,
as Trustee of the Wesley Family
Revocable Living Trust

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing Quitclaim Deed was acknowledged and executed before me this 10th day of October 2018 by James W. Wesley Jr. as Grantor, and James W. Wesley Jr. and Kristin N. Wesley, as Trustees of the Wesley Family Revocable Living Trust, as Grantee who is personally known to me or who produced a valid driver's license as identification.

Courtney Walters

Notary Public, State of Florida
Print or Stamped name:



MAP SHOWING SURVEY OF THE W. 38' OF
LOTS 4 & 5 BLOCK 132 AS SHOWN ON MAP OF
PABLO BEACH NORTH ~ REPLAT.

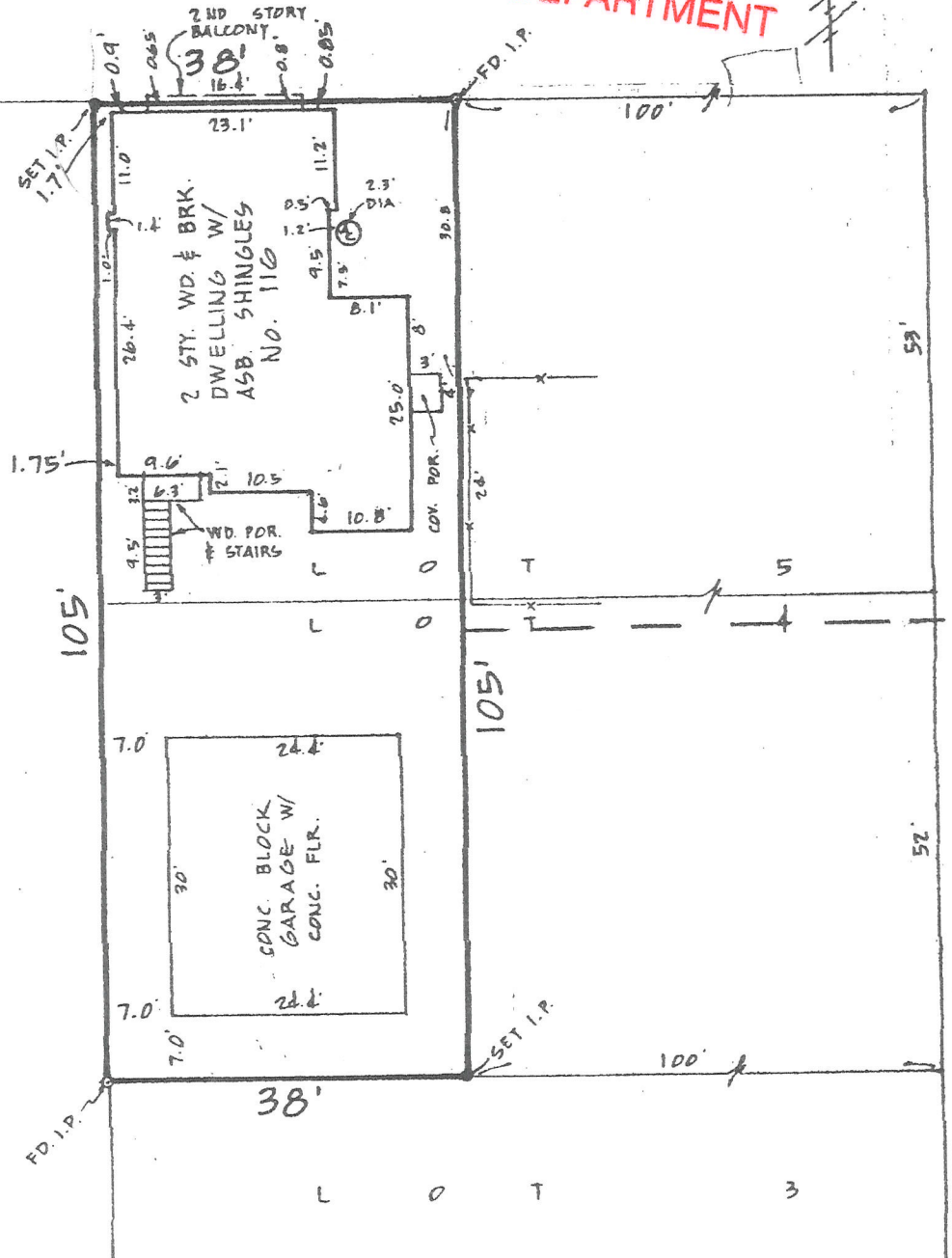
AS RECORDED IN PLAT BOOK 5 PAGE 66 OF PUBLIC RECORDS OF DUVAL CO. FLA.
FOR J. WILLIAM WESLEY

RECEIVED

FEB 14 2024

PLANNING
DEPARTMENT

13TH AVENUE



Jim Harrison & associates, inc.

LAND SURVEYORS P.O. BOX 23161 JACKSONVILLE, FLA 32217 904/731-0722

LEGEND

- CONC MON
- IRON COR (SET)
- x- FENCE
- IRON COR (FD.)
- CROSS CUT
- F.B. 163:55

I HEREBY CERTIFY THAT THE ABOVE PARCEL WAS SURVEYED BY
ME AND THAT THE DWELLING IS LOCATED UPON SAME
AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS UPON SAID
PARCEL

JAMES D HARRISON JR PLS

SCALE 1" = 20'

DATE OCT. 9, 1979

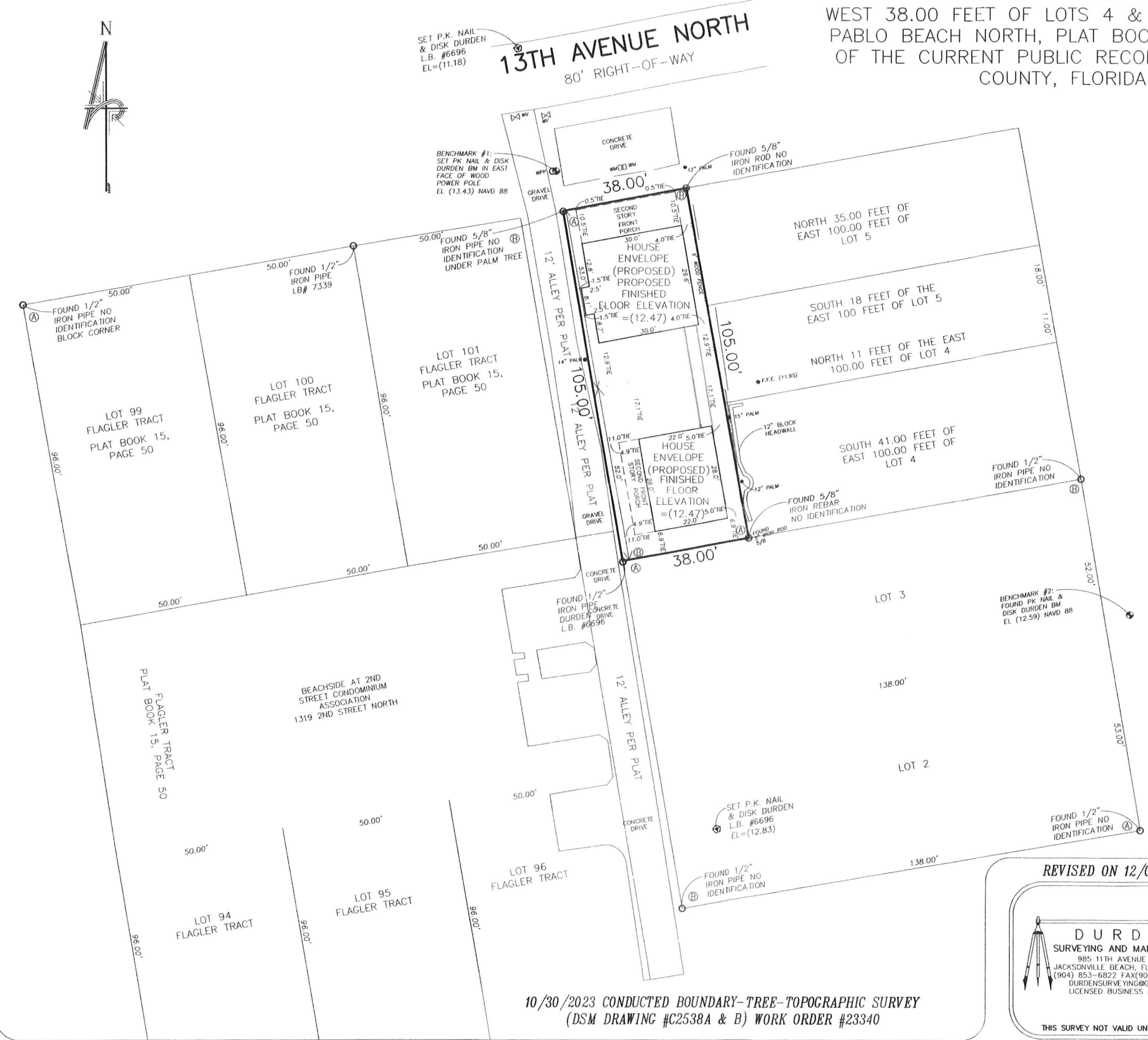
James D. Harrison Jr.
REGISTERED SURVEYOR, NO 2847, FLORIDA





MAP SHOWING SITE PLAN OF:
WEST 38.00 FEET OF LOTS 4 & 5, BLOCK 132,
PABLO BEACH NORTH, PLAT BOOK 5, PAGE 66,
OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA

RECEIVED
FEB 14 2024
PLANNING
DEPARTMENT



IMPERVIOUS CALCULATIONS
LOT AREA = 3,964± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,521±
WOOD DECK 50%	235±

TOTAL IMPERVIOUS AREA = 1,756±
TOTAL DENSITY = 44.3%

NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE
RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY No. 12007B,
MAP/PANEL No. 12031C-0417-J, REVISED NOVEMBER 2, 2018
ELEVATIONS SHOWN AS THUS (13.43) AND ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988
F.F.E. DENOTES FINISH FLOOR ELEVATION
OHE DENOTES OVERHEAD ELECTRIC
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 132 EXCEPT AS NOTED
--- DENOTES 6" WOOD FENCE EXCEPT AS NOTED
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA

SYMBOL LEGEND:
O WPP DENOTES WOOD POWER POLE
D WM DENOTES WATER METER
WV DENOTES WATER VALVE

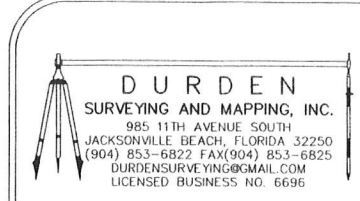
ANGLE TABLE

A	= 90°06'00"
B	= 89°54'00"

CERTIFIED TO:
JAMES WILLIAM WESLEY & KRISTIN WESLEY

10/30/2023 CONDUCTED BOUNDARY-TREE-TOPOGRAPHIC SURVEY
(DSM DRAWING #C2538A & B) WORK ORDER #23340

REVISED ON 12/07/2023 TO SHOW SITE PLAN & IMPROVEMENTS



I HEREBY CERTIFY THAT THIS SURVEY MEETS THE
STANDARDS OF PRACTICE AS SET FORTH BY
THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT
SECTION 472.027 FLORIDA STATUTES AND CHAPTER
5J17 FLORIDA ADMINISTRATIVE CODE.

Bruce Durden Jr.
FLORIDA REGISTERED SURVEYOR NO. 4707
H. BRUCE DURDEN JR.

FIELD: OCTOBER 30, 2023
SCALE: 1" = 20'
CAD FILE NO. L-4&5_B-132(116_13TH AVE_N).DWG
WORK ORDER NUMBER: 23340 FILE NUMBER C-2140

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.