



City of Jacksonville Beach

Regular Meeting Agenda

11 North Third Street
Jacksonville Beach, Florida

Board of Adjustment

Tuesday, December 16, 2025

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), Matt Metz, John Moreland
Alternates: Douglas Dell, Laura Tierney

APPROVAL OF MINUTES

A. Board of Adjustment Meeting held on October 21st, 2025

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s):** **BOA#25-100090**
Applicant: Antonio Aguilera
Agent: Robert Grey
Owner: Antonio Aguilera, Life Estate
Property Address: 31 S 26th Ave
Parcel ID: 181610-0020
Legal Description: Lot 7, Block 2, Perry & Perry's replat of Atlantic Shores
Current Zoning: RS-1
Motion to Consider: **Section(s):** 34-611(e)(1)(c)(1), for a front yard setback of 13 feet in lieu of 20 feet, to extend front second and third story deck, 34-611(e)(1)(e), for maximum lot coverage for primary structure and required driveway of 49% in lieu of 35% to address existing nonconformities and to accommodate new additions at an existing single-family home, located at **property addressed** 31 S 26th Ave **RE#** 181610-0020, **legally described as** Lot 7, Block 2, Perry & Perry's replat of Atlantic Shores

PLANNING DEPARTMENT REPORT

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the

[IGNORE_INDENT]

meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.

In accordance with Section 286.0114, Florida Statutes, any member of the public may 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 made part of the record. All comments received are public record.

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

cc: City Manager; City Attorney

**Minutes of Board of Adjustment Meeting
held Tuesday, October 21, 2025, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

Chairperson: Owen Curley
Vice-Chairperson: Matt Metz
Board Members: John Moreland Jeff Truhlar (absent)
Alternates: Laura Tierney (absent) Douglas Dell

Planner Danevsky Joseph and Operations Support Specialist Michaela O'Banion were also present.

APPROVAL OF MINUTES:

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

- Minutes for October 7, 2025 Meeting

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#25-100080
Applicant/Owner: Laurie Dugan
Agent: N/A
Property Address: 608 15th Ave S
Parcel ID: 176934-0100

City of Jacksonville Beach Land Development Code Section(s): 34-612(e)(1)(c)(3), for a rear yard setback of 20 feet in lieu of 30 feet, to extend the rear of the dwelling in order to construct a master bedroom at an existing single-family home, located at **property addressed** 608 15th Ave S **RE#** 176934-0100, **legally described as** Lot 1, Block 157 Oceanside Park.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Applicant: Laurie Dugan, 608 15th Avenue South, Jacksonville Beach, stated the hardship was a nonconforming lot.

Discussion: A brief discussion ensued about communication with neighbors and rear easement.

Public Hearing:

The following spoke in opposition of the variance:

- Bunny Hoyle, 531 16th Avenue South, Jacksonville Beach

Ms. Dugan briefly addressed the concerns expressed during the public hearing.

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Metz, seconded by Mr. Moreland, to approve BOA#25-100080 based on the standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A brief discussion ensued about the lot, setback, and drainage/flooding.

Roll Call Vote: Ayes – John Moreland, Matt Metz, Douglas Dell, and Owen Curley.

The motion to approve passed unanimously.

B.	Case Number:	BOA#25-100081
	Applicant:	Trevor Moody
	Agent:	N/A
	Owner:	2974 Shelby Dr LLC
	Property Address:	620 S Lower 8th Ave
	Parcel ID:	176499-0010

City of Jacksonville Beach Land Development Code Section(s): 34-612(e)(1)(c)(3), for a rear yard setback of 28.9 feet in lieu of 30 feet minimum, 34-612(e)(1)(c)(3), for rear yard covered lanai setback of 19.6 feet in lieu of 20 feet minimum, 34-612(e)(1)(e), for 40.4% primary structure and required driveway lot coverage in lieu of 35% maximum, to demolish current garage and construct a new single-family dwelling at **property addressed** 620 S Lower 8th Ave, **RE#** 176499-0010, **legally described as** Lot 7, Block 9, Oceanside Park.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Applicant: Trevor Moody, 1634 Benton Drive South, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

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

Motion: It was moved by Mr. Metz, seconded by Mr. Moreland, to approve BOA#25-100081 based on the standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A brief discussion ensued about the lot size and setbacks.

Roll Call Vote: Ayes – Matt Metz, John Moreland, Douglas Dell, and Owen Curley.

The motion to approve passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting will tentatively be held on Tuesday, November 18, 2025 at 6:00 P.M.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:20 P.M.

Submitted by: Michaela O'Banion
Operations Support Specialist I

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:	12/02/2025
SUBJECT:	BOA #25-100090 Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Tuesday, December 16, 2025 Board of Adjustment Meeting.

BOA #25-100090

ZONING: RS-1
 RE NO.: 181610-0020
 LEGAL: Lot 7, Block 2, *Perry & Perry's replat of Atlantic Shores*
 ADDRESS: 31 S 26th Ave

REQUEST:

34-611(e)(1)(c)(1), for a front yard setback of 13 feet in lieu of 20 feet, to extend front second and third story decks, **34-611(e)(1)(e)**, for maximum lot coverage for primary structure and required driveway of 49% in lieu of 35% to address existing nonconformities and to accommodate new additions at an existing single-family home.

EXISTING CONDITIONS:

The subject property is located in the Low Density Residential future land use category, and is in the Residential, single-family: RS-1 zoning district. The subject site consists of a single-family lot of record, circa 1933. The property measures 50 feet in width and 70 feet in depth, with an overall lot area of 3,435 square feet. The property is currently occupied by a single-family home, built in 2017. The parcel is nonconforming in total lot area and width. In the Residential, single-family: RS-1 zoning district, the minimum lot area is 9,000 square feet, this parcel's area measures 3,435 square feet. Prior to construction, a variance was granted for a front yard setback of 20 feet in lieu of 25 feet required, for side yards of 7.5 in lieu of 10 feet required, for a rear yard setback of 12 feet in lieu of 35 feet required, and for 44.2% lot coverage in lieu of 35% maximum.

The applicant is now seeking relief for a front yard setback of 13 feet in lieu of 20 feet, to extend the front second and third story decks and for a maximum lot coverage for the primary structure and required driveway of 49% in lieu of 35%, to address existing nonconformities and to accommodate the new additions. Prior to March 2025, the RS-1 zoning district was permitted 35% maximum lot coverage. After updating the land development code, residents must provide 35% for the primary structure and required driveway and 15% for remaining structures totaling to 50%. The applicant is expanding the new concrete drive/walkway by 256 square feet and expanding the existing primary dwelling by 168 square feet. Additionally, the lot was platted prior to the current Land Development Code and the nonconforming conditions were inherited by the applicant upon purchase. The applicant cannot make any improvements to the existing structure in a logical fashion, based on the layout of the current structure.

AGENDA ITEM:	A.
MEETING DATE:	December 16, 2025



Staff finds this request consistent with the criteria for approval of a variance, and specifically finds this will not create a nuisance, as the applicant is trying to address nonconformities and will only exceed front setback by 7 feet. The proposed additions to the single-family home are the most compatible use of the property. These proposed additions will be consistent with the neighboring homes, thus bringing the home more into compliance with neighboring homes. The proposed additions will not increase the intensity of the encroachment into other setbacks, but rather expand the homes' 2nd and 3rd floor decks. Continued investment in the existing single-family home will ensure the preservation of the character of the existing neighborhood. This is a critical consideration, as continued investment and maintenance of the existing home will ensure continued compatibility among neighboring properties, which is essential for preserving the character of the community. The new additions will enhance, rather than detract from, the neighborhood's aesthetic appeal.

BOA#16-100112 — Approved for a front yard setback of 20 feet in lieu of 25 feet required, for side yards of 7.5 in lieu of 10 feet required, for a rear yard setback of 12 feet in lieu of 30 feet required, and for 44.2% lot coverage in lieu of 35% maximum, to allow for a new single-family dwelling on Lot 7.

There are no recorded code enforcement actions on file.

STAFF ANALYSIS:

As noted previously, the subject site is an existing lot of record platted prior to the current Land Development Code (1933). The house was built in 2017 with the approved variances mentioned above. Under the current code, residents are limited to 35% for the primary structure and required driveway and 15% for remaining structures totaling 50%. The applicant is expanding the new concrete drive/walkway by 256 square feet and expanding the existing primary dwelling by 168 square feet, which will increase the primary structure and required driveway lot coverage calculations to 49%. The current dwelling is currently nonconforming for the primary structure and required driveway and will only extend the 2nd and 3rd story decks by 7 feet. The current nonconforming dwelling is not the fault of the applicant. The variances approved for the dwelling were prior to the current Land Development Code where there were no separate primary structure and required driveway lot coverage requirements. The variance requested is the variance necessary to allow the applicant to utilize the property to its full potential.

The applicant is requesting to expand the current home and driveway/walkway. Additionally, the application will extend the 2nd and 3rd floor decks. The fact that the parcel was platted in 1933, and considering the dwelling was built under the limitations of a previous LDC, the applicant would be limited in their ability to add any additions, mostly due to the design, and how the builder chose to maximize the homes' dimensions.

Granting the variance does not confer special privileges, but instead allows the property owner to make reasonable improvements consistent with other residential properties. The requested variances are necessary to enable the reasonable use of the property for residential purposes. Without relief, the additions would be reduced in size, and given the size of the current parcel, the request is a minimal amount of increase in the nonconforming setback and lot coverage, and is a reasonable request. The applicant worked with licensed architects to configure a site plan that maintains consistency among neighboring properties that is essential in preserving the character of the community.

MINIMUM DIMENSIONAL STANDARDS:

Residential, single-family: RS-1

- Minimum lot area: 9,000 square feet.
- Minimum lot width: 90 feet at the building line and a minimum of 35 feet at the street.
- Minimum yards:
 - Front yard: 25 feet.
 - Side yard: 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 20 percent of the lot width or 10 feet, whichever is greater, except the side yard is never required to exceed 20 feet.
 - Rear yard: 30 feet for primary structure and 20 feet for unenclosed covered patios and enclosed screen rooms.
- Minimum floor area: A single-family dwelling unit shall contain a minimum of 1,400 square feet of conditioned living area and a 1-car garage. The garage shall not be included as part of the single-family dwelling unit's minimum square footage.
- Maximum lot coverage for primary structure and required driveway: 35 percent.
- Maximum Impervious Surface: 50 percent.
- Maximum height: 35 feet.
- Accessory structures: All accessory structures shall only be located in a side or rear yard (not forward of the dwelling along any street frontage) and set back a minimum of five (5) feet from any property line or principal or accessory structures.

REVIEW OF CRITERIA:

1. There are conditions or circumstances that exist which prevent compliance with site design and development standards, or which are unique to the parcel of land, building or structure.

Staff finds there are conditions that prevent compliance with site design and development standards or are unique to the parcel of land, building or structure. There are conditions unique to the subject property which prevent compliance with current setback and lot coverage standards. The existing single-family dwelling was constructed under earlier development regulations that predate the updated 2025 Land development Code, and is situated in a manner that constrains expansion options. The parcel dimensions and current placement of the house limit where additions and cannot reasonably be located without setback and lot coverage relief. These factors create circumstances not generally applicable to other parcels in the zoning district.

2. The conditions or circumstances do not result from actions of the application and would not be considered a self-imposed hardship.

Staff finds that circumstances are not a result of actions of the applicant. The conditions are not the result of the applicant's actions. The configuration of the existing parcel and the applicable code requirements predate the current proposal. The hardship arises from the physical configuration of the lot, not from any subdivision, modification, or other voluntary act of the applicant.

3. There would be no special privileges afforded to the applicant by granting a variance that is not available to other parcels of land, building or structures with similar conditions or circumstances.

Staff finds that special privileges will not be afforded to the applicant by granting a variance. Granting the requested variances will not confer special privileges to the applicant. The relief

requested is the minimum necessary to allow the expansion of the current driveway/walkway and upper story decks, which are common amenities for single-family homes. Other similarly constrained properties may seek comparable relief, and approval here does not create an advantage unavailable to others in like circumstances.

4. Strict interpretation and enforcement of the code would deprive the applicant of rights commonly enjoyed by other parcels of land and would provide an unnecessary and undue hardship.

Staff finds that interpretation and enforcement of the code **would/would not** deprive the applicant of rights enjoyed by other parcels of land. Strict enforcement of the 35% primary structure and required driveway lot coverage and the 20-foot front setback would prohibit the applicant from making reasonable improvements to their home. This would deprive the applicant of opportunities commonly enjoyed by other residential property owners, creating an unnecessary and undue hardship.

5. The variance(s) requested, if granted, will make possible a reasonable use of the parcel of land, building, or structure.

Staff finds that the variance(s) requested **are/are not** necessary to make possible a reasonable use of the parcel of land, building, or structure. The requested variances are necessary to allow the applicant to make a reasonable residential use of the property. Without relief, the ability to improve the home with additions would be severely limited, which is inconsistent with the intended use and enjoyment of single-family residential properties in the district.

6. The variance(s) request, if granted, will not result in the creation of a public nuisance.

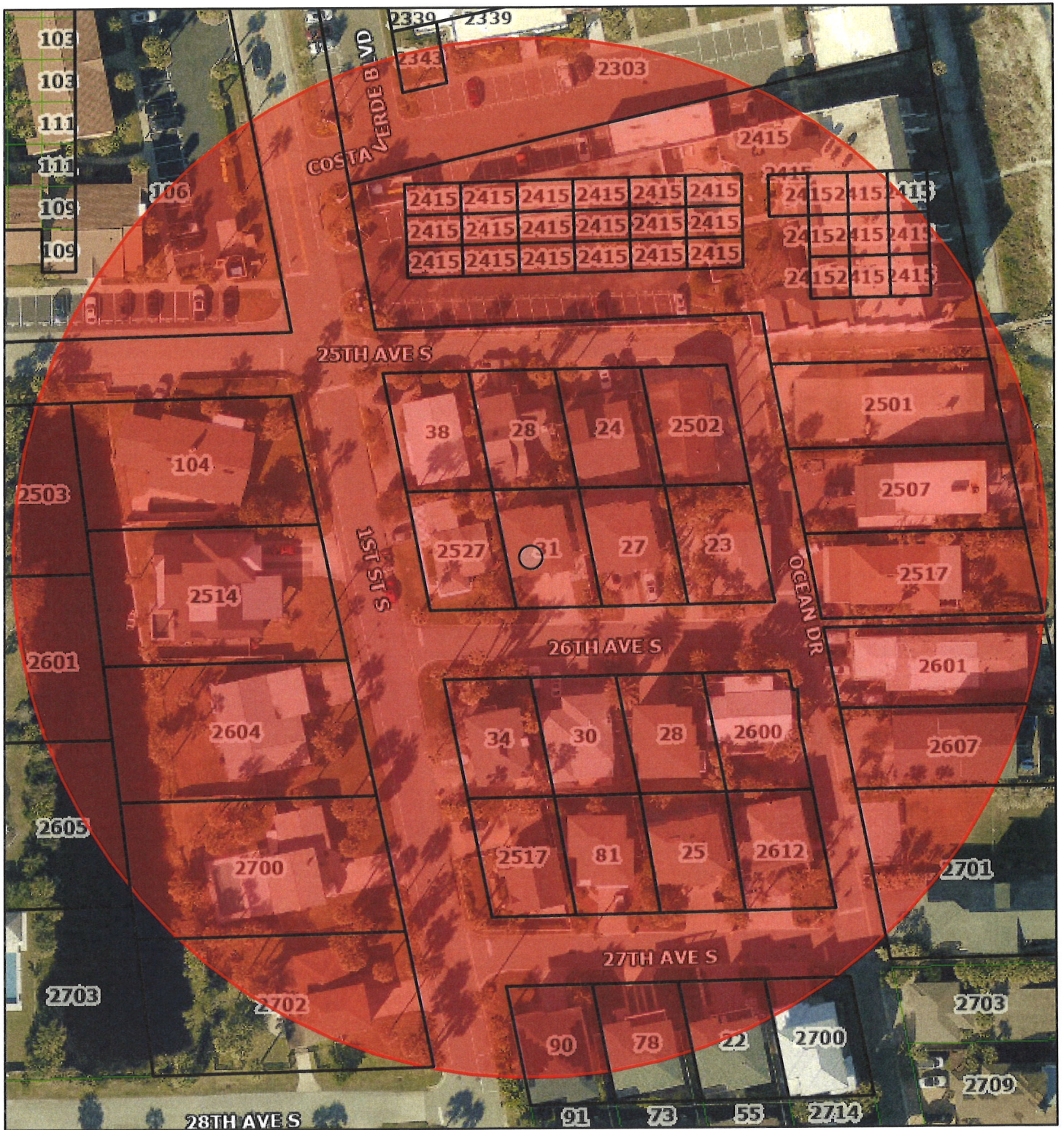
Staff finds that the variance(s) **will not** result in the creation of a public nuisance. The requested variances will not create a public nuisance. The proposed encroachments are minimal in scale, will remain compatible with the surrounding neighborhood, and do not create issues of safety, visibility, traffic, or noise. The proposed improvements will continue to comply with applicable building and safety codes.

STAFF RECOMMENDATION:

Per Section 34-572 of the Land Development Code, and based on the provided application and analysis stated in this report, the Planning and Development Department recommends **Approval** of **BOA#25-100090**.

ATTACHMENTS:

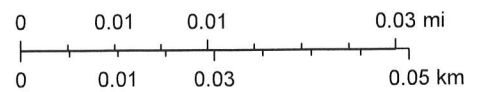
1. 25-100090pics
2. BOA#25-100090 Application



December 2, 2025

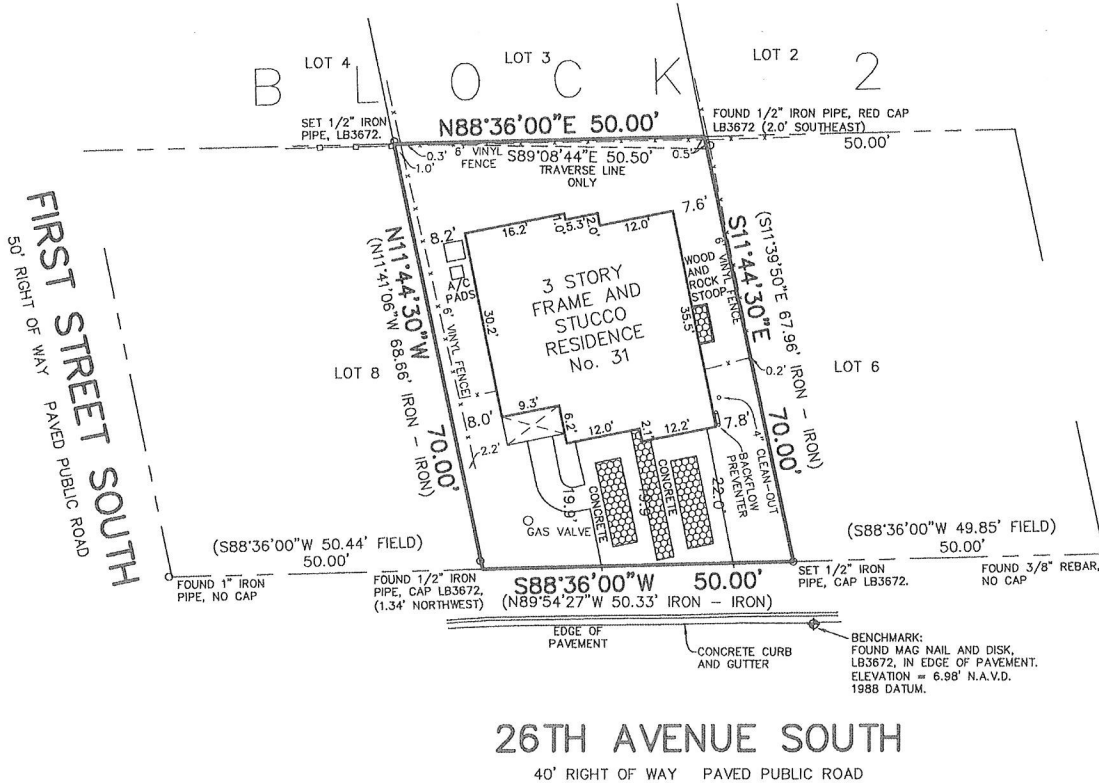
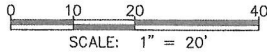
 Parcels

1:1,128



MAP SHOWING SURVEY OF

LOT 7, BLOCK 2, PERRY & PERRY'S REPLAT OF ATLANTIC SHORES OCEAN FRONT SECTION DIVISION C AS RECORDED IN PLAT BOOK 15, PAGE 1, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
 2. BEARINGS BASED ON SOUTH RIGHT OF WAY LINE OF 26TH AVENUE SOUTH BEING S88°36'00"W AS PER PLAT.
 3. NO BUILDING RESTRICTION LINES AS PER PLAT.
 4. ~~XXXXXX~~ DENOTES GRAVEL AREA.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF CHRISTINE LEE VON WEDEL; and BEACHES TITLE SERVICES.

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

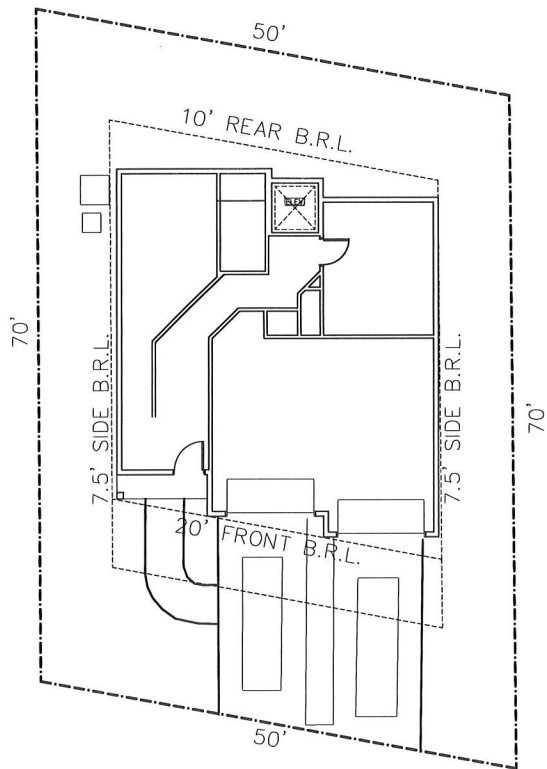
Stephen W. Crews
STEPHEN W. CREWS, P.S.M.
 FLORIDA LIC. SURVEYOR and MAPPER No. LS5996
 FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: _____
 DRAWN BY: SWC
 FILE: 2017-1610

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

DATE: NOVEMBER 27, 2017
 SHEET 1 OF 1

B2017-1610



EXISTING CONDITIONS

LOT COVERAGE CALCULATION

LOT AREA = 3,435 S.F.
 EXST. BUILDING AREA = 1,150 S.F.
 EXST. FRONT PORCH = 23 S.F.
 EXST. CONCRETE DRIVE = 277 S.F.
 EXST. CONCRETE WALK = 60 S.F.
 EXST. EQUIP. PADS = 13 S.F.

TOTAL IMPERVIOUS AREA = 1,523 S.F.

EXISTING LOT COVERAGE = 44.34%

PROPOSED CONDITIONS

LOT COVERAGE CALCULATION

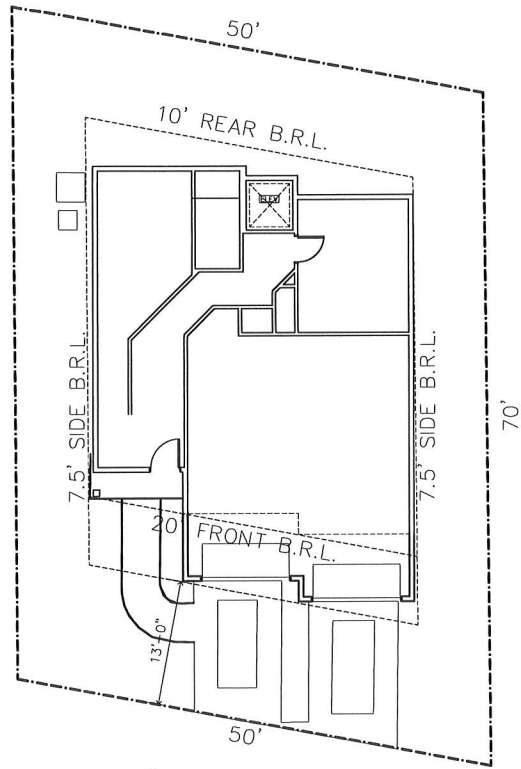
LOT AREA = 3,435 S.F.
 EXST. BUILDING AREA = 1,150 S.F.
 NEW BUILDING AREA = 168 S.F.
 EXST. FRONT PORCH = 23 S.F.
 NEW CONCRETE DRIVE = 188 S.F.
 NEW CONCRETE WALK = 68 S.F.
 EXST. EQUIP. PADS = 13 S.F.

TOTAL IMPERVIOUS AREA = 1,610 S.F.

PROPOSED LOT COVERAGE = 49.77%

26TH AVE. SOUTH

EXISTING CONDITIONS
 ARCHITECTURAL SITE PLAN
 1" = 10'

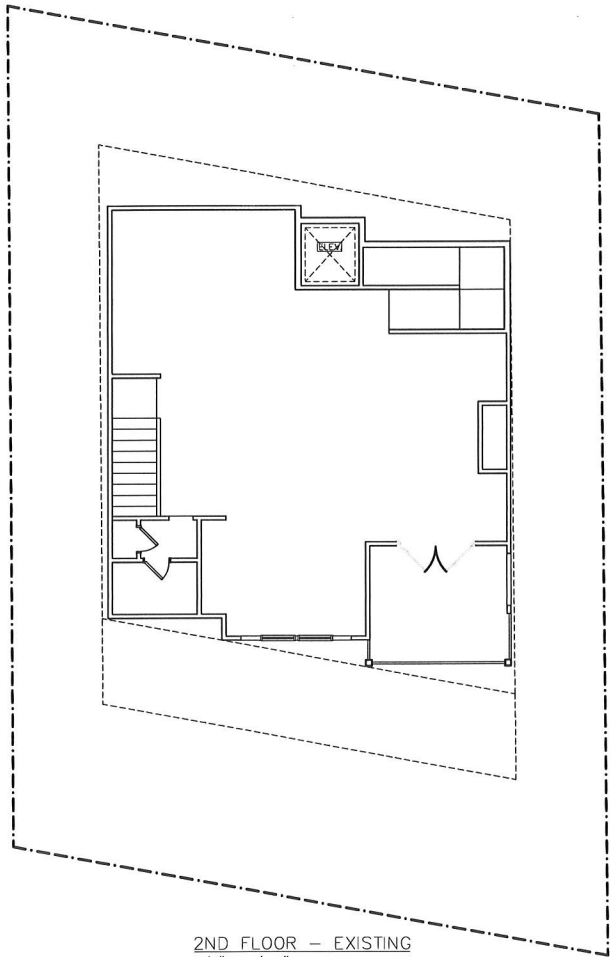


26TH AVE. SOUTH

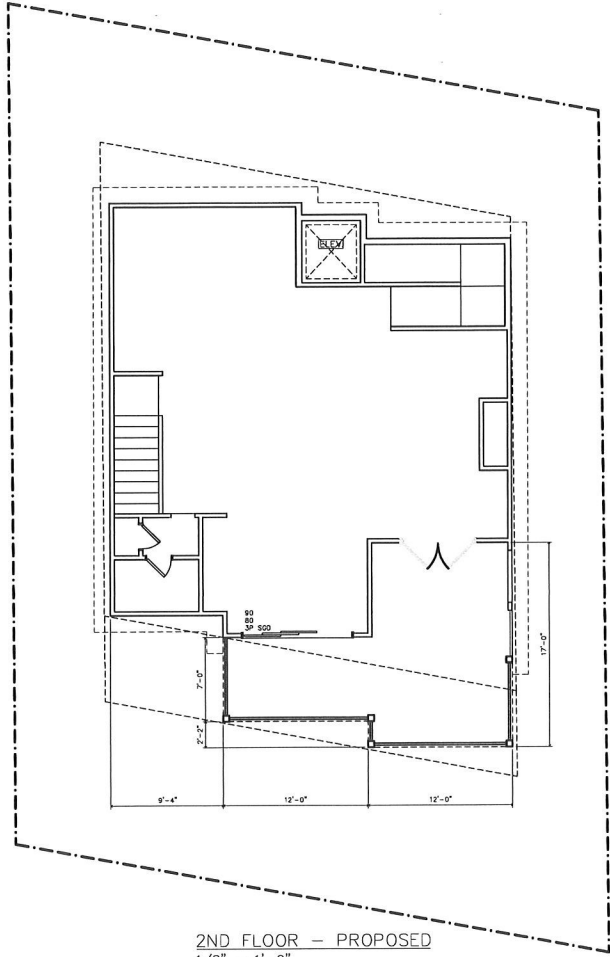
PROPOSED
 ARCHITECTURAL SITE PLAN
 1" = 10'



	<p>ROBERT GRAY A PROFESSIONAL ENGINEER LICENSE NO. 111 STATE OF FLORIDA</p>
<p>5011 PINE INDIAN AVENUE LITHIA, FLORIDA 34946 888.282.1178 rgray@rgray.com</p>	<p>ACUILERA RESIDENCE VARIANCE APPLICATION 31 26TH AVENUE SOUTH JACKSONVILLE BEACH, FL 32250</p>
<p>THIS ITEM HAS BEEN SEALED BY ROBERT W. GRAY, P.E., LICENSE NO. 111, IN ACCORDANCE WITH THE FLORIDA STATUTES AND THE BOARD OF PROFESSIONAL ENGINEERING. ANY SIGNATURES MUST BE OBTAINED FROM THE SUBMITTING PARTY.</p>	<p>PLAN 25-14 SHEET 1</p>



2ND FLOOR - EXISTING
1/8" = 1'-0"



2ND FLOOR - PROPOSED
1/8" = 1'-0"

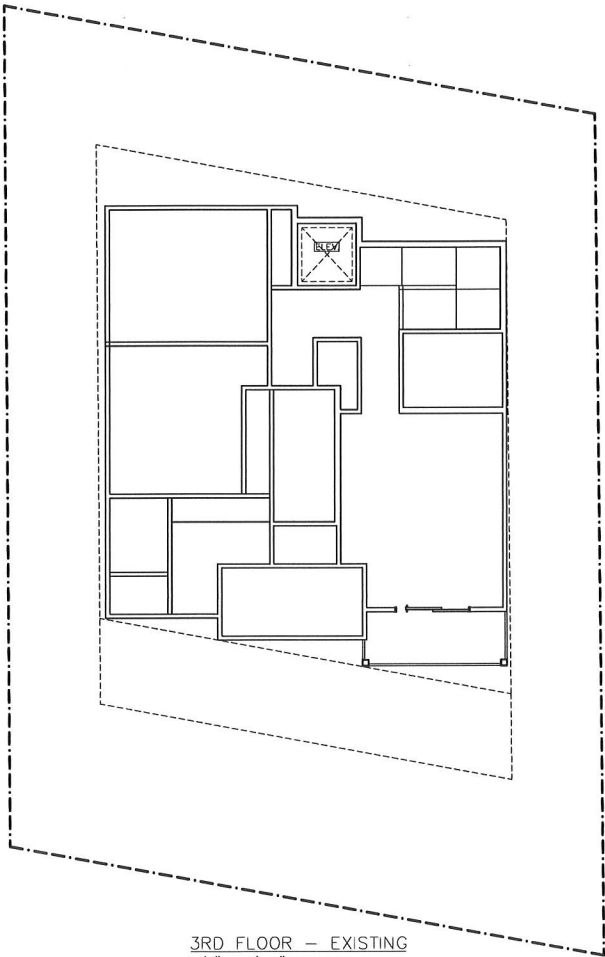
REV	DESCRIPTION
1	-
2	-
3	-
4	-

ROBERT GRAY ARCHITECT & INTERIOR CONSULTANTS
 2611 FIVE DOCKLAND AVE. LITTLETON, FLORIDA 32047
 904.882.1178 rgray@rgray.com

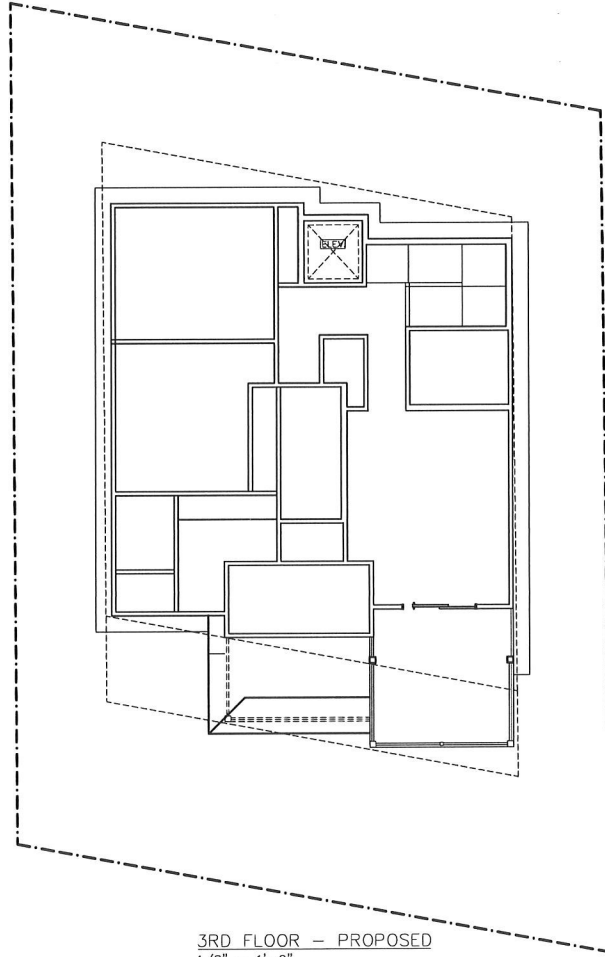
ACUILERA RESIDENCE
 VARIANCE APPLICATION
 31. 26TH AVENUE SOUTH
 JACKSONVILLE BEACH, FL 32250

STATE OF FLORIDA
 ROBERT W. GRAY
 11
 ARCHITECT
 1/7/75

PLAN 25-14
 SHEET 2



3RD FLOOR - EXISTING
1/8" = 1'-0"



3RD FLOOR - PROPOSED
1/8" = 1'-0"

REV	DESCRIPTION
1	-
2	-
3	-
4	-

THE PROFESSIONAL ENGINEER
HAS REVIEWED THIS DOCUMENT
AND HAS FOUND IT TO BE IN
ACCORDANCE WITH THE
REQUIREMENTS OF THE
FLORIDA BOARD OF PROFESSIONAL
ENGINEERS.

**ROBERT
GRAY
ARCHITECT
A FLORIDA CORPORATION**

1111 FIVE ROCKLAND AVE
LATELIA, FLORIDA
32047
904.888.1178
rgray@rgray.com

ACUILERA RESIDENCE
VARIANCE APPLICATION
31 26TH AVENUE SOUTH
JACKSONVILLE BEACH, FL 32250



THE PROFESSIONAL ENGINEER
HAS REVIEWED THIS DOCUMENT
AND HAS FOUND IT TO BE IN
ACCORDANCE WITH THE
REQUIREMENTS OF THE
FLORIDA BOARD OF PROFESSIONAL
ENGINEERS.

PLAN 25-14
SHEET 3



VARIANCE APPLICATION

BOA No. 23-100090
HEARING DATE 12/16

This form is intended to be submitted along with all required documents for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code. Planning and Development Department staff will evaluate an application for a variance for sufficiency within ten (10) days of receipt. If the application is found to be complete and sufficient, 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

NOV 12 2025

PLANNING DEPARTMENT

APPLICANT INFORMATION

Applicant Name: ANTONIO AGUILERA Telephone: 305 448 9877
 Mailing Address: 31 26th AVE, S. E-Mail: AAGUILE23@GMAIL.COM
JAX, BCH, FL 32250
 Agent Name: ROBERT GRAY Telephone: 904 222 1176
 Mailing Address: 5211 PINE ROCKLANDS AVE. E-Mail: RWGRAY3@GMAIL.COM
LITHIA, FL 33547
 Landowner Name: AGUILERA ANTONIO LIFE ESTATE Telephone: 305 448 9877
 Mailing Address: _____ E-Mail: AAGUILE23@GMAIL.COM

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

VARIANCE DATA

Street address of property and Real Estate Number: 31 26th AVE, S. - JAX, BCH, FL 32250
 Legal description of property (Attach copy of deed): LOT 7, BLOCK 2, PERRY + PERRY'S REPLAT
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

FRONT YARD SETBACK OF 13' IN LIEU OF 20 FT.
*to extend front Deck 2nd & 3rd

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: R2-1 FLOOD ZONE: _____
 CODE SECTION (s): _____



VARIANCE APPLICATION AFFIDAVIT

BOA No. _____

AFFIDAVIT

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

[Signature]

ANTONIO AGUILERA

11/12/25

APPLICANT SIGNATURE

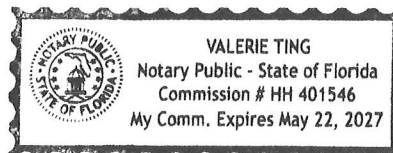
PRINT APPLICANT NAME

DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of November 12, 2025, by Antonio Aguilera, who is personally known to me or produced Florida Driver License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE



Valerie Ting
PRINT NOTARY NAME

(Affix Notary Seal Above)

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. _____

Section 34-566 **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. Variances shall not be inconsistent with the Comprehensive Plan. It is understood that the granting of a variance shall not create a precedence for future requests.

Section 34-572. **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 standards have been met. To assist the Board in making a finding, please complete the form below.

Standard	Applies? Yes/No	Circumstances/ Explanation
(a) There are conditions or circumstances that exist which prevent compliance with site design and development standards, or which are unique to the parcel of land, building or structure.	Y	1. Subject property lot area is 3435 SF and below the min. lot area is 9000 sf. 2. The shape of the lot is a Parallelogram and the Min. lot width of 90'. This lot shape and the existing 50' lot width is a hardship.
(b) The conditions or circumstances do not result from actions of the application and would not be considered a self-imposed hardship.	Y	The lot was platted prior to the current Land Development Code and the non-conforming conditions were inherited by the applicant upon purchase.
(c) There would be no special privileges afforded to the applicant by granting a variance that is not available to other parcels of land, building or structures with similar conditions or circumstances.	Y	The request for a front yard variance will be consistent with other variances that have been approved with similar non-conforming hardships.
(d) Strict interpretation and enforcement of the code would deprive the applicant of rights commonly enjoyed by other parcels of land and would provide an unnecessary and undue hardship.	Y	Literal interpretation of the code would deprive the applicants of rights and privileges due to the size and shape of the property. The situation is not the fault of the applicants and will deprive the applicant of rights commonly enjoyed by other applicants.
(e) The variance(s) requested, if granted, will make possible a reasonable use of the parcel of land, building, or structure.	Y	Applicant is requesting the least amount of setback needed to achieve a modestly sized addition in conjunction with the existing garage and porches of the existing building.
(f) The variance(s) request, if granted, will not result in the creation of a public nuisance.	Y	The request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established land use designation policies and will not create a burden on adjacent properties.

Prepared By and Return COPY To:
Adam O. Kirwan, Esquire
The Kirwan Law Firm
301 North Fern Creek Ave., Suite C
Orlando, Florida 32803
Our File No. AGU1001-001

Property Appraisers Parcel I.D. #: 181610-0020

THIS WARRANTY DEED Made this 5th day of September, 2024, by ANTONIO AGUILERA and ANDREA AGUILERA, husband and wife, whose post office address is: 31 26th Ave S, Jacksonville Beach, FL 32250 (hereinafter collectively referred to as "Grantor"), to ANTONIO AGUILERA and ANDREA AGUILERA, husband and wife, whose post office address is: 31 26th Ave S, Jacksonville Beach, FL 32250, (hereinafter collectively referred to as "Grantee"), for a life estate, without any liability for waste, and with full power and authority in said life tenant to sell, convey, mortgage, lease or otherwise manage and dispose of the property described herein, in fee simple, with or without consideration, without joinder of the remaindermen, and with full power and authority to retain any and all proceeds generated thereby without liability for claims or debts of the remaindermen, with a remainder to ANTONIO AGUILERA and ANDREA AGUILERA, Trustees of THE ANTONIO AGUILERA IRREVOCABLE TRUST under Agreement dated January 31, 2024, upon the death of the last life tenant. The Grantee shall further possess the right to (i) divest any or all of the remaindermen completely and/or change any and all named remaindermen, and (ii) cancel this conveyance and reconvey the below described property to the Grantor at any time ((i) and (ii) collectively referred to as the "Divestment, Change, and Cancellation Powers"). The Divestment, Change, and Cancellation Powers shall be exercisable by the Grantee in the Grantee's complete and absolute discretion for any reason, with or without consideration, without joinder of the remaindermen, and without liability for claims or debts of the remaindermen. A cancellation of this conveyance and reconveyance of the below described property to the Grantor shall imply a complete divestment of the interest of every remaindermen.

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

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in **Duval County**, Florida, viz:

Lot 7, Block 2, Perry & Perry's Replat of Atlantic Shores Ocean Front Section Division C, a subdivision according to the plat thereof recorded in Plat Book 15, Page 1, of the Public Records of Duval County, Florida, being that same property described in that certain deed recorded in Official Record Book 20697, Page 804-805, Public Records of Duval County, Florida (the "Property").

Property address: 31 26th Ave S, Jacksonville Beach, FL 32250

SUBJECT TO Covenants, restrictions, easements of record and taxes for the current year.

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

TO HAVE AND TO HOLD, the same in fee simple forever, AND

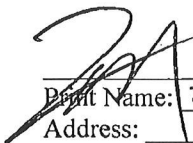
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to the day prior to January 1, 2024, and easements, zoning regulations and restrictions of record, if any, however this reference to easements and restrictions shall not operate to reimpose the same; AND

CONTINUATION OF HOMESTEAD TAX EXEMPTION PROVIDED IN FLORIDA STATUTES §196.03 / RESERVATION OF "EQUITABLE TITLE TO REAL ESTATE". Prior to the execution of this deed, the Grantor qualified for and was granted the homestead tax exemption provided in Florida Statutes §196.03 due to the Grantor possessing an "equitable title to real estate" (as such term is employed in § 6, Article VII of Florida's State Constitution) in the Property as the Property constituted the Grantor's homestead. By executing this deed, the Grantor (i) continues to reserve unto the Grantor an "equitable title to real estate" (as such term is employed in § 6, Article VII of Florida's State Constitution) in the Property as the Property continues to constitute the Grantor's homestead without interruption, and (ii) intends to continue the homestead tax exemption provided in Florida Statutes §196.03 without interruption with respect to the Property.

NOTE: THE ATTORNEY PREPARING THIS INSTRUMENT HAS NOT EXAMINED THE TITLE TO THE REAL PROPERTY DESCRIBED HEREIN, AND HAS EXPRESSED NO OPINION REGARDING THE TITLE TO SAID REAL PROPERTY. SAID ATTORNEY WAS RETAINED SOLELY TO PREPARE THIS INSTRUMENT, AND NOT FOR ANY OTHER PURPOSE. GRANTOR HEREIN EXPRESSLY WAIVED THE REQUEST BY ATTORNEY FOR A TITLE EXAMINATION OR THE ISSUANCE OF A TITLE INSURANCE POLICY.


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:


Print Name: John Musser
Address: _____


ANTONIO AGUILERA

The UPS Store, #1707
3948 3rd Street South
Jacksonville Beach, FL 32250
(904) 249-7556


Print Name: Andrew Corey
Address: _____

The UPS Store, #1707
3948 3rd Street South
Jacksonville Beach, FL 32250
(904) 249-7556

[Signature]

Print Name: John Musser
Address: The UPS Store, #1707
3948 3rd Street South
Jacksonville Beach, FL 32250
(904) 249-7556

[Signature]

ANDREA AGUILERA

[Signature]

Print Name: Andrew Corey
Address: The UPS Store, #1707
3948 3rd Street South
Jacksonville Beach, FL 32250
(904) 249-7556

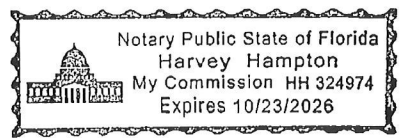
STATE OF FLORIDA
COUNTY OF Duval

ON THIS DAY before me, the undersigned authority, personally appeared ANTONIO AGUILERA and ANDREA AGUILERA, who acknowledged the forgoing Warranty Deed before me by means of physical presence, or online notarization, this 5th day of ~~August~~ September, 2024. ANTONIO AGUILERA and ANDREA AGUILERA:

[] is personally known to me OR
[] has produced Florida Driver's License as identification.

Sworn to (or affirmed) and subscribed before me this 5th day of September, 2024.

(Notary Seal)



[Signature]

Signature of Notary Public

Harvey Hampton

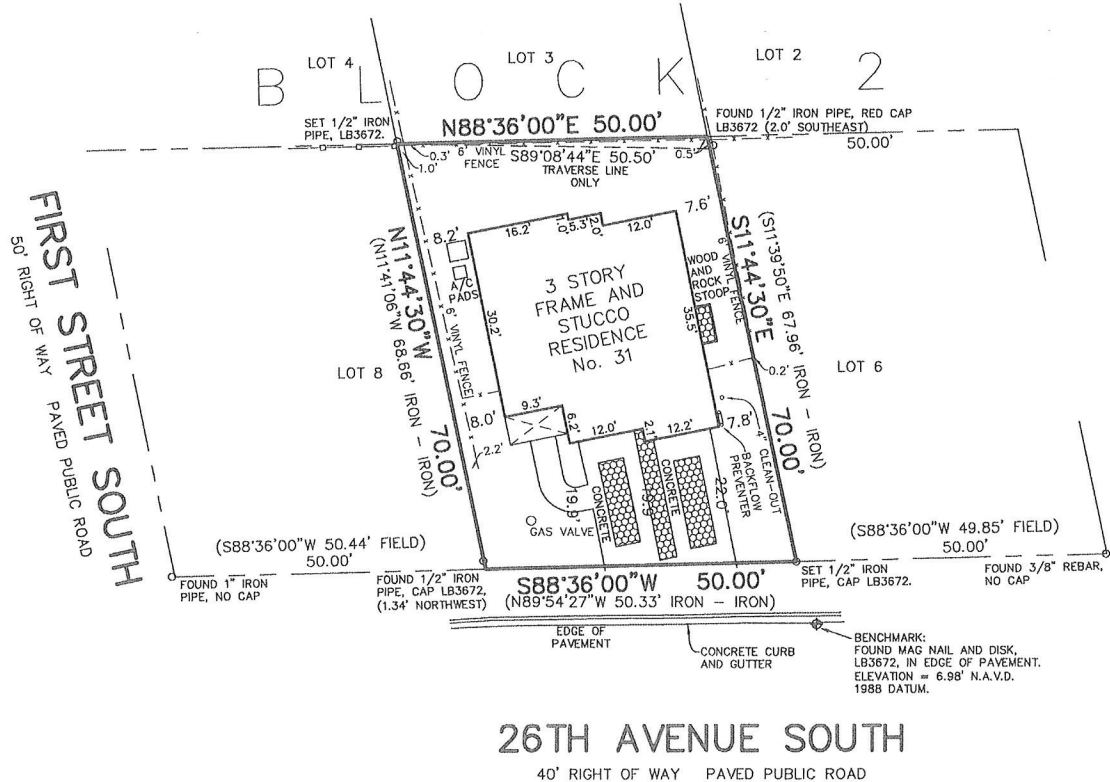
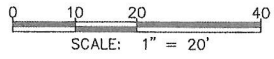
Name of Notary Printed

My Commission Expires: 10/23/2026

My Commission Number: 44324974

MAP SHOWING SURVEY OF

LOT 7, BLOCK 2, PERRY & PERRY'S REPLAT OF ATLANTIC SHORES OCEAN FRONT SECTION DIVISION C AS RECORDED IN PLAT BOOK 15, PAGE 1, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
 2. BEARINGS BASED ON SOUTH RIGHT OF WAY LINE OF 26TH AVENUE SOUTH BEING S88°36'00"W AS PER PLAT.
 3. NO BUILDING RESTRICTION LINES AS PER PLAT.
 4. ~~XXXXXX~~ DENOTES GRAVEL AREA.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

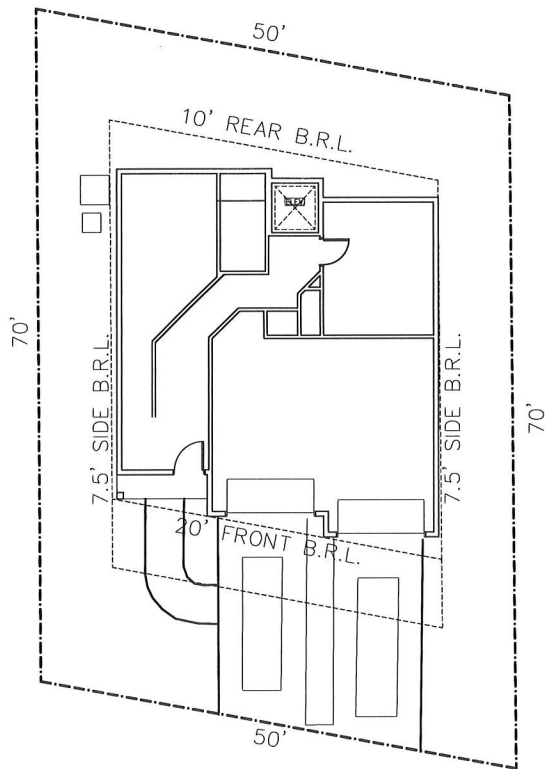
THIS SURVEY WAS MADE FOR THE BENEFIT OF CHRISTINE LEE VON WEDEL; and BEACHES TITLE SERVICES.

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

Stephen W. Crews
STEPHEN W. CREWS, P.S.M.
 FLORIDA LIC. SURVEYOR and MAPPER No. LS5996
 FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: _____ DRAWN BY: SWC FILE: 2017-1610	BOATWRIGHT LAND SURVEYORS, INC. 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550	DATE: NOVEMBER 27, 2017 SHEET 1 OF 1
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B2017-1610



EXISTING CONDITIONS

LOT COVERAGE CALCULATION

LOT AREA = 3,435 S.F.
 EXST. BUILDING AREA = 1,150 S.F.
 EXST. FRONT PORCH = 23 S.F.
 EXST. CONCRETE DRIVE = 277 S.F.
 EXST. CONCRETE WALK = 60 S.F.
 EXST. EQUIP. PADS = 13 S.F.

TOTAL IMPERVIOUS AREA = 1,523 S.F.

EXISTING LOT COVERAGE = 44.34%

PROPOSED CONDITIONS

LOT COVERAGE CALCULATION

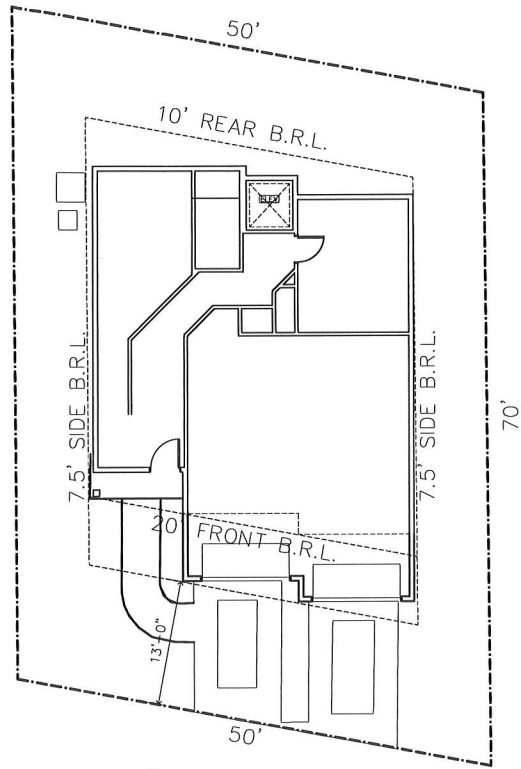
LOT AREA = 3,435 S.F.
 EXST. BUILDING AREA = 1,150 S.F.
 NEW BUILDING AREA = 168 S.F.
 EXST. FRONT PORCH = 23 S.F.
 NEW CONCRETE DRIVE = 188 S.F.
 NEW CONCRETE WALK = 68 S.F.
 EXST. EQUIP. PADS = 13 S.F.

TOTAL IMPERVIOUS AREA = 1,610 S.F.

PROPOSED LOT COVERAGE = 49.77%

26TH AVE. SOUTH

EXISTING CONDITIONS
 ARCHITECTURAL SITE PLAN
 1" = 10'

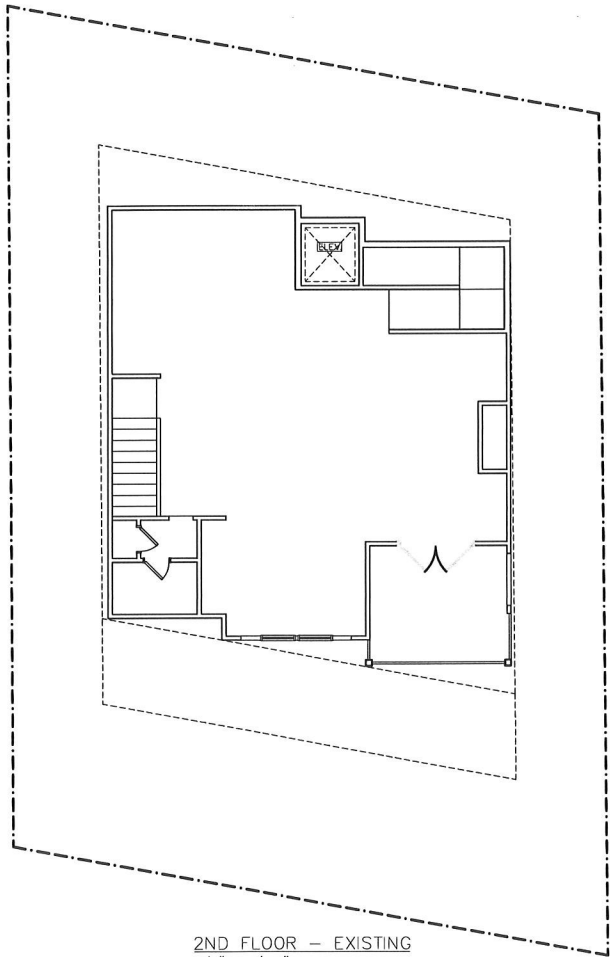


26TH AVE. SOUTH

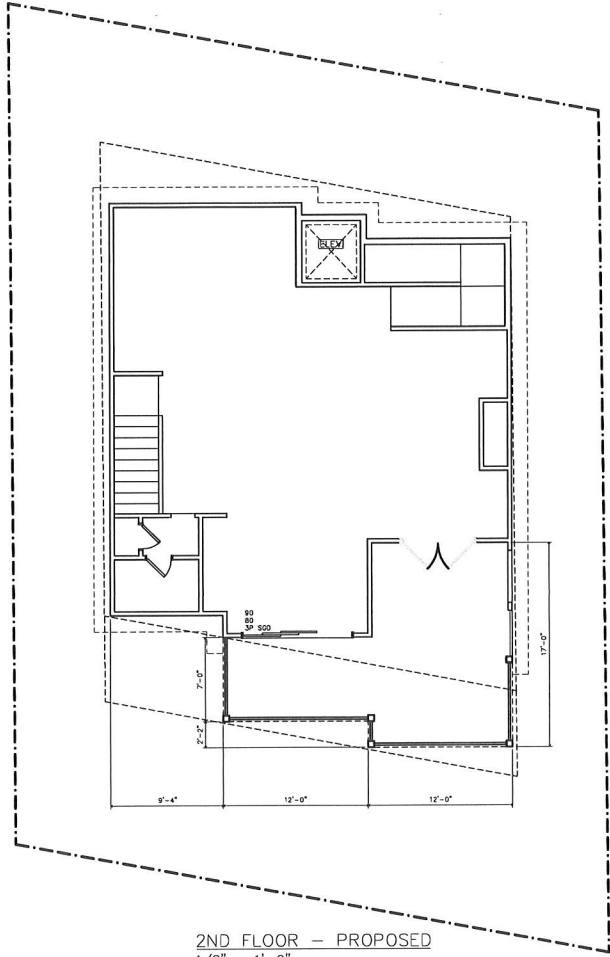
PROPOSED
 ARCHITECTURAL SITE PLAN
 1" = 10'



<p>ROBERT GRAY A PROFESSIONAL ENGINEER</p>
<p>5011 PINE INDIAN AVENUE LITHIA, FLORIDA 34648 888.282.1178 rgray@rgray.com</p>
<p>ACUILERA RESIDENCE VARIANCE APPLICATION 31 26TH AVENUE SOUTH JACKSONVILLE BEACH, FL 32250</p>
<p>THIS ITEM HAS BEEN SEALED BY ROBERT W. GRAY, P.E., LICENSE NO. 11111, IN ACCORDANCE WITH THE FLORIDA STATUTES AND THE BOARD OF PROFESSIONAL ENGINEERS. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE SEALING ENGINEER.</p>
<p>PLAN 25-14 SHEET 1</p>



2ND FLOOR - EXISTING
1/8" = 1'-0"



2ND FLOOR - PROPOSED
1/8" = 1'-0"

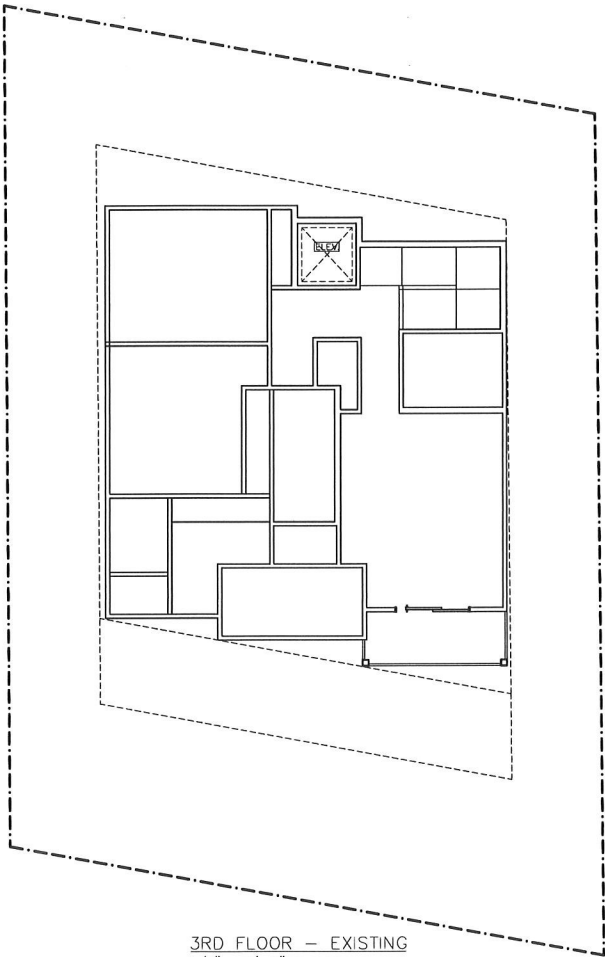
REV	DESCRIPTION
1	-
2	-
3	-
4	-

ROBERT GRAY ARCHITECT & INTERIOR CONSULTANTS
 2611 FIVE DOCKLAND AVE. LITTLE, FLORIDA 33647
 854.888.1178
 rgray9@gmail.com

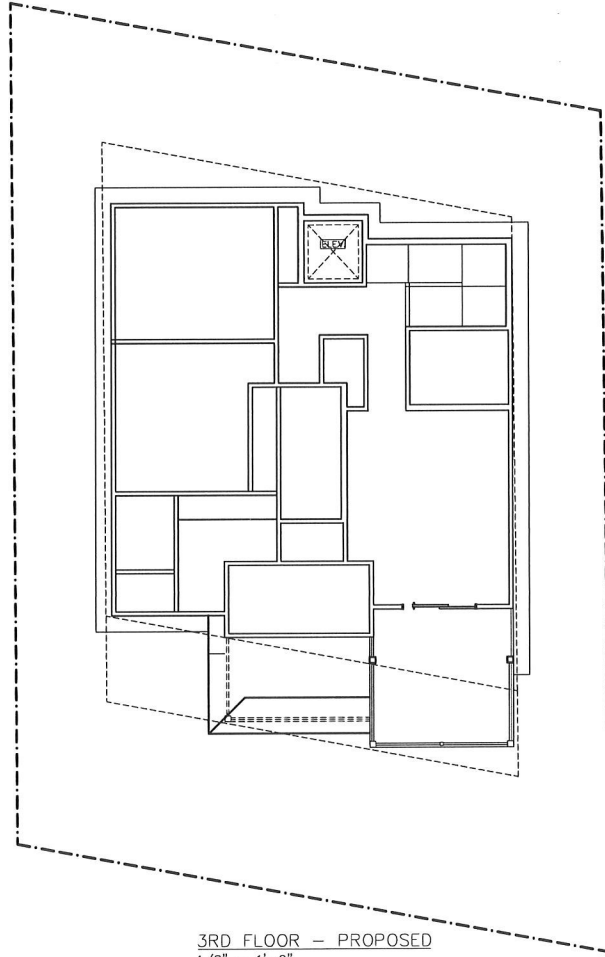
ACUILERA RESIDENCE
 VARIANCE APPLICATION
 31. 26TH AVENUE SOUTH
 JACKSONVILLE BEACH, FL 32250

STATE OF FLORIDA
 ROBERT W. GRAY
 11
 ARCHITECT
 1/7/75

PLAN 25-14
 SHEET 2



3RD FLOOR - EXISTING
1/8" = 1'-0"



3RD FLOOR - PROPOSED
1/8" = 1'-0"

REV	DESCRIPTION
1	-
2	-
3	-
4	-

THE PROFESSIONAL ENGINEER
OR ARCHITECT HAS REVIEWED THIS
DRAWING AND HAS FOUND IT TO BE
IN ACCORDANCE WITH THE
REQUIREMENTS OF THE
FLORIDA BUILDING CODE, AS
APPLICABLE TO THIS PROJECT.

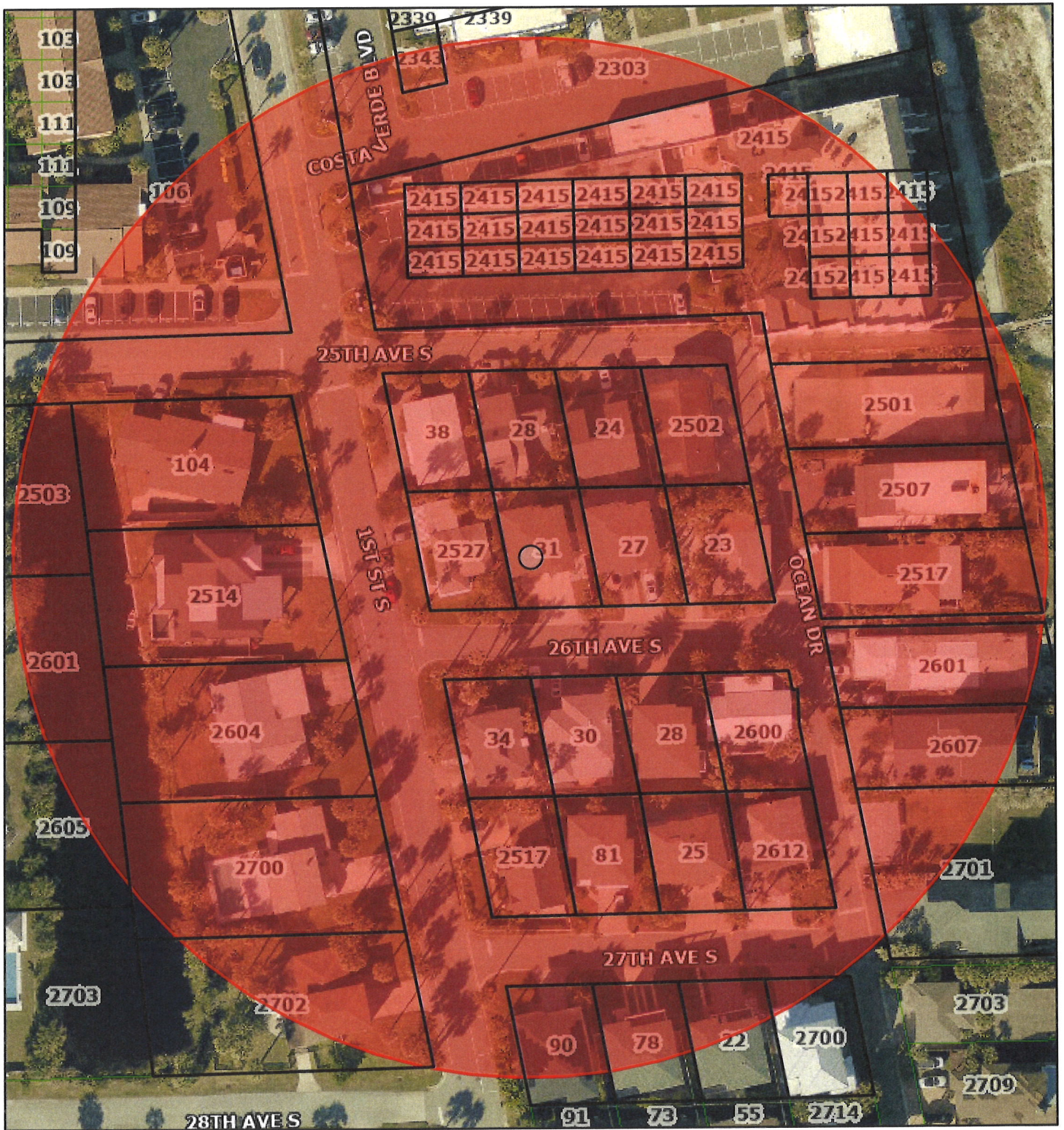
**ROBERT
GRAY
ARCHITECT
A FLORIDA CORPORATION**
1111 FINE ROCKLAND AVE
LATELIA, FLORIDA
32047
904.888.1178
rgray@rgray.com

ACUILERA RESIDENCE
VARIANCE APPLICATION
31 26TH AVENUE SOUTH
JACKSONVILLE BEACH, FL 32250



THE PROFESSIONAL ENGINEER
OR ARCHITECT HAS REVIEWED THIS
DRAWING AND HAS FOUND IT TO BE
IN ACCORDANCE WITH THE
REQUIREMENTS OF THE
FLORIDA BUILDING CODE, AS
APPLICABLE TO THIS PROJECT.

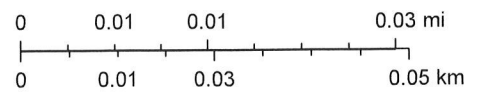
PLAN 25-14
SHEET 3



December 2, 2025

 Parcels

1:1,128



STATE OF FLORIDA,

S.S.

COUNTY OF DUVAL,

Before the undersigned authority personally appeared Nichol Stringer, who on oath says that she is the Publisher's Representative of the JACKSONVILLE DAILY RECORD, a weekly newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a Public Notice

in the matter of BOA#25-100090

in the Court, was published in said newspaper by print in the issues of 12/4/25.

Affiant further says that the JACKSONVILLE DAILY RECORD complies with all legal requirements for publication in Chapter 50, Florida Statutes.

*This notice was published on both jaxdailyrecord.com and floridapublicnotices.com.



Nichol Stringer

Sworn to and subscribed before me this 4th day of December, 2025 by Nichol Stringer who is personally known to me.

RHONDA L FISHER
NOTARY PUBLIC
STATE OF FLORIDA
NO. HH 599731
MY COMMISSION EXPIRES OCT. 03, 2028



Seal

Notary Public, State of Florida

PUBLIC NOTICE

The Board of Adjustment for the City of Jacksonville Beach, Florida will meet and hold a public hearing on **Tuesday, December 16, 2025, at 6:00 p.m.** in the **City Council Chambers**, located at **11 North 3rd Street**, Jacksonville Beach, Florida to consider the following development permit applications for a variance from the requirements of the Land Development Code

BOA#25-100090 Section(s): 34-611(e)(1)(c)(1), for a front yard setback of 13 feet in lieu of 20 feet, to extend front second and third story deck, 34-611(e)(1)(e), for maximum lot coverage for primary structure and required driveway of 49% in lieu of 35% to address existing non conformities and to accommodate new additions at an existing single-family home, located at **property addressed 31 S 26th Ave RE# 181610-0020, legally described as Lot 7, Block 2, Perry & Perry's replat of Atlantic Shores**

These applications are on file with the Planning and Development Department, City Hall, 11 North 3rd Street, and are open to public review during regular business hours.

Board of Adjustment
City of Jacksonville Beach
NOTICE

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an Accommodation Request to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance. In accordance with Section

286.0114, Florida Statutes, any member of the public may 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 made part of the record. 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.

Dec. 4

00 (25-07175D)