



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Amended Regular Meeting Agenda

Board of Adjustment

Tuesday, October 5, 2021

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

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

CALL TO ORDER

ROLL CALL

John Moreland (Chairperson), Alexi Gonzalez (Vice-Chairperson), Francis Reddington, Jeff Truhlar, Owen Curley
Alternate: Dan Elmaleh

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

- A. Regular Board of Adjustment Meeting September 21, 2021.
- B. Regular Board of Adjustment Meeting June 7, 2016

CORRESPONDENCE

OLD BUSINESS

- A. Request for reconsideration of BOA#21-100092, previously denied.

NEW BUSINESS

- A. **Case Number(s): BOA#21-100080**

Applicant: Brandon Stallings

Owner: James B Stallings & Brandon A Stallings

Property Address: 116 10th Avenue North

Parcel ID: 174528-0060

Legal Description: *Portion of Lots 4 & 5 as shown on Plat of Pablo Beach Improvement Company's Plat of part of Northern Portion of Pablo Beach*

Current Zoning: RM-2

Motion to Consider: 34-340(e)(1)f, for lot coverage of 57% in lieu of 35% maximum (50% previously approved); and 34-340(e)(1)h, for a side yard setback of zero (0) feet in lieu of 2 feet minimum for construction of a walkway; and 34-373(d) for a parking area setback of 3.16 feet in lieu of 5 feet minimum to allow for an additional parking area for an existing two-family dwelling

B. Case Number(s): BOA#21-100137

Applicant: Robert G. Bruce

Owner: Peter F. Gloersen, MD

Property Address: 3306 Ocean Drive

Parcel ID: 181752-0005

Legal Description: All of Lot 4, and Part of Lots 3 and 5, *Harris Place*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.2, for north and south side yard setbacks of 7 feet each in lieu
Consider: of 10 feet minimum to allow for construction of a new single family dwelling

C. Case Number(s): BOA#21-100138

Applicant: Eric & Amanda Littles

Owner: Eric & Amanda Littles

Property Address: 729 12th Avenue South

Parcel ID: 176753-0100

Legal Description: Lot 9, Except the West 25', Block 118, *Oceanside Park*

Current Zoning: RS-3

Motion to 34-338(e)(2)c.3, for a rear yard setback of 15 feet in lieu of 30 feet
Consider: minimum; and 34-338(e)(2)f, for 46% lot coverage in lieu of 35% maximum
to allow for the addition of a rear paver patio, pergola and two paver pads
to an existing single-family dwelling

D. Case Number(s): BOA#21-100140

Applicant: David & Barbara Venier

Owner: David & Barbara Venier

Property Address: 1674 Lower 4th Avenue North

Parcel ID: 178019-0000

Legal Description: Lot 5, Block 9, *Pine Grove Unit Number 4*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.2, for an easterly side yard setback of 7.6 feet and a westerly
Consider: side yard setback of 1 foot, each in lieu of 10 feet minimum; 34-
336(e)(1)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum;
and 34-336(e)(1)e, for lot coverage of 50.7% in lieu of 35% maximum all to
rectify existing non-conformities, allow for reconfiguration of the driveway,
and for construction of a new swimming pool with decking to an existing
single-family dwelling

E. Case Number(s): BOA#21-100141

Applicant: Tides Edge Recovery - Patricia Yost

Owner: GTLA Properties, LLC - John H. Hanan

Property Address: 597 The Greens Way

Parcel ID: 181779-0900

Legal Description: *Part of William Hart Grant, Section 55, Township 3 South, Range 29 East*

Current Zoning: PUD (Ord. 95-7640)

Motion to 34-337 for 26 parking spaces in lieu of 34 spaces required, to allow for the
Consider: expansion of the existing hospital facility by three beds in an existing
commercial building

PLANNING DEPARTMENT REPORT

- A. The next scheduled meeting is Tuesday, October 19, 2021. There are four scheduled cases.

ADJOURNMENT

NOTICE

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

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the 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 can 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 and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three (3) minutes of reading time. All comments received are public record.

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

cc: Mike Staffopoulos, City Manager
City Attorney's Office
City Clerk's Office

**Minutes of Board of Adjustment Meeting
held Tuesday, September 21, 2021, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson John Moreland called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: John Moreland
Vice-Chairperson: Alexi Gonzalez
Board Members: Owen Curley Francis Reddington Jeff Truhlar
Alternates: Dan Elmaleh

Senior Planner Christian Popoli and Office Assistant Sheila Boman were also present.

EX PARTE COMMUNICATION: Mr. Moreland advised he spoke to the Applicant for BOA Case# 21-100130. No other ex-parte was reported.

APPROVAL OF MINUTES:

It was moved by Ms. Gonzalez, seconded by Mr. Curley, and passed unanimously to approve the following minutes:

- September 8, 2021

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#21-100126
Applicant/Owner: Adam Gregory Kirk & Jennifer A. Heese
Property Address: 516 6th Avenue North
Parcel ID: 174205-0020

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify an existing non-conforming paver patio and to allow for the construction of a new screened enclosure to an existing single-family dwelling.

Applicant: Adam Gregory Kirk & Jennifer A. Heese, 516 6th Avenue North, Jacksonville Beach, advised they were unaware when they purchased their home, the patio was constructed without a permit. They want to correct that oversight and build a screened enclosure using the footprint of the patio.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board noted the lot was substandard in size.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100126, as it meets the standards of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

B. Case Number: BOA#21-100127

Applicant/Owner: Edward Carlton
Agent: Scott James, James & Son Builders
Property Address: 4030 Duval Drive
Parcel ID: 181714-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a southern side yard setback of 7.7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family home and detached accessory structure.

Applicant: Edward Carlton, 4030 Duval Drive, Jacksonville Beach, advised the hardship was due to the substandard lot size and width. Mr. Carlton stated he also wanted to memorialize setbacks previously granted for the property. He advised the new construction would drop lot coverage from 51% to the requested 48% and provided a survey [on file] to show the current lot coverage.

Public Hearing:

The following spoke in opposition to the variance and provided photos [on file] showing flooding of the street:

- Tom Alter, 3915 Ponte Vedra Boulevard, Jacksonville Beach.

Ms. Gonzales read into the record emails [on file] from the following who are in opposition to the variance:

- Alison Stratford, 4103 Duval Drive, Jacksonville Beach
- Hugh and Meta Magevney, 4029 Duval Drive, Jacksonville Beach

Ms. Gonzales read into the record correspondence [on file] from the following who are in support of the variance:

- Hobie & Georgenna Walker, 3938 Duval Drive, Jacksonville Beach
- Steve Lear, 3922 Duval Drive, Jacksonville Beach
- James Howard, 4035 Duval Drive, Jacksonville Beach
- Beth Tresca, 4021 Ponte Vedra Drive, Jacksonville Beach
- Natalie Healy, 3705 Duval Drive, Jacksonville Beach
- Andrus Healy, 3705 Duval Drive, Jacksonville Beach

- Danny Miles, 3705 Duval Drive, Jacksonville Beach
- Suzanne Miles, 3705 Duval Drive, Jacksonville Beach
- MG Orender, 3909 Duval Drive, Jacksonville Beach

The Applicant addressed the concerns brought up by those who opposed the variance request.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: A discussion ensued regarding memorialization of previous approvals, plans for adequate parking, and that the lot is indeed undersized.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100127, as written with the condition that the memorialization of existing characteristics applies only to previously approved variances as conditioned upon approval.

Roll Call Vote: Ayes – Alexi Gonzalez, Owen Curley, and John Moreland
Nays – Francis Reddington and Jeff Truhlar
The motion was approved 3-2.

C. **Case Number:** **BOA#21-100128**
Applicant: Michael Didelot, Call the Screen Guys
Owner: Eusebio Eduardo Perez
Property Address: 2540 St. Johns Boulevard
Parcel ID: 180864-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 62% lot coverage in lieu of 35% maximum and 34- 337(e)(1)g, for a side yard setback of 1 foot in lieu of 5 feet minimum to rectify an existing non-conforming pool deck and add footers for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, stated the hardship is an undersized lot at 6,000 square feet versus the 7500 square foot minimum. Mr. Carter also advised the existing pool was built too close to the fenceline. A conversation ensued regarding a previously granted variance for 45% lot coverage and the fact the final construction of the pool and decking exceeded that amount.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: Discussion ensued in regards to avoiding setting precedence for lot coverage over 60%.

Motion: It was moved by Mr. Curley, seconded by Ms. Gonzalez, to deny BOA#21-100128 based on its failure to meet the standards for special circumstances, conditions that do not result from the actions of the Applicant and specifically that the design and current construction of the lot are a direct result of the Applicant.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Alexi Gonzalez, and John Moreland
The motion to deny was unanimously approved.

D. Case Number: BOA#21-100129

Applicant: Michael Didelot, Call the Screen Guys
Owner: Patricia S. & Gary A. Jerrim
Property Address: 602 13th Avenue South
Parcel ID: 176825-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for footer installation for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, advised they were seeking an additional 4x4 foot perimeter to install a screened enclosure.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board agreed the request was reasonable.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100129 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Owen Curley, Alexi Gonzalez, Francis Reddington, and John Moreland
The motion was unanimously approved.

E. Case Number: BOA#21-100130

Applicant/Owner: Michael Evan & Brittany Long Powers
Property Address: 1160 20th Street North
Parcel ID: 179109-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 44% lot coverage in lieu of 35% maximum to allow for the construction of a new swimming pool and patio deck to an existing single-family dwelling.

Applicant: Michael Evan & Brittany Long Powers, 1160 20th Street North, Jacksonville Beach, stated the property was an RS-2 lot size hardship (lot is 5,100 sq ft vs. 7,500 required minimum).

Public Hearing:

The following spoke in was in favor of the variance but did not wish to address the Board:

- Gary Carlee, 1160 20th Street North, Jacksonville Beach

Discussion: The Board agreed the request was not out of the ordinary.

Motion: It was moved by Ms. Gonzalez and seconded by Mr. Truhlar, to approve BOA#21-100130 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, October 5, 2021. There are five scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:04 P.M.

Submitted by: Sheila Boman
Office Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

CALL TO ORDER

The meeting was called to order by Chairman Cummings.

ROLL CALL

Chairperson: Scott Cummings
Vice-Chairman: John Moreland
Board Members: Sylvia Osewalt, Tom Buck, Joseph Loretta (*absent*)
Alternates: Jeff Truhlar (*absent*) Francis Reddington

Ex-parte Communications:

Mr. Moreland had a voicemail message from Mr. Chad Jewell stating he and his wife were in opposition to BOA #16-100061.

Mr. Buck spoke with Chad Jewell and that Mr. Jewell was in opposition to BOA#16-100061.

Ms. Osewalt had a voicemail message from Chad Jewell. However, she did not speak with him.

Approval of Minutes:

It was moved by Ms. Osewalt, seconded by Mr. Moreland, and passed unanimously, to approve the minutes of the April 19, 2016 Board of Adjustment Meeting

CORRESPONDENCE:

Mr. Mann stated they had a letter from Chad and Dianne Jewell in opposition to BOA#16-100061.

OLD BUSINESS: None

NEW BUSINESS:

(A) Case Number: BOA 16-100061

[Case was postponed to the end of the meeting to allow for owners to appear before the Board, as no authorization to act on behalf of the homeowners was received by the Board.]

Name of Applicant: William Robert and Kelly D. Baxley

Property Address: 139 37th Avenue South

Applicant: Mr. John Dineen, 1254 Neck Road, Ponte Vedra Beach, FL

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)c.2, for an easterly side yard of 7.5 feet in lieu of 10 feet required and a westerly corner side yard of 12.33 feet in lieu of 13.6 feet required; 34-336(e)(1)c.3, for a rear yard of 5 feet in lieu of 30 feet required; and 34-336(e)(1)e, for 45% lot coverage in lieu of 35% maximum to allow for a new single family dwelling **for property legally described as Lots 13 and 14, Block 3, Atlantic Shores Ocean Front Section Division A.**

[Case#1 was postponed to the end of the meeting to allow for owners to appear before the Board, as no authorization to act on behalf of the homeowners was received by the Board.]

Public Hearing:

The applicant, Mr. John Dineen, was present on behalf of the homeowners.

The following individuals spoke in favor of the request:

The following individuals spoke in in opposition to the request:

The following individuals were opposed to the request but did not wish to address the board:

Mr. Cummings closed the public hearing.

Discussion: *Mr. Moreland and Mr. Thrular agreed that while the reasoning is weak, it is still a hardship as there is an inadequate width at the midpoint of the buildings and considered the improvement value to the area given the current condition of the property.*

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a side yard of 5 feet in lieu of 10 feet required; for a rear yard of 14.5 feet in lieu of 30 feet required; and for 42% lot coverage in lieu of 35% maximum to allow for a new single family dwelling as shown and discussed at tonight's meeting.

Roll Call Vote: Ayes – John Moreland, Scott Cummings, Joe Loretta, Sylvia Osewalt, and Tom Buck.
The motion was approved unanimously.

(B) Case Number: BOA 16-100062

Name of Applicant: Joel M. and Jennifer B. Carignan

Property Address: 831 11th Avenue South

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)e, for 51% lot coverage in lieu of 35% maximum to allow for a swimming pool and decking addition **for property legally described as Lot 9, Block 109, Oceanside Park.**

Mr. Cummings stated 17 applications were submitted to the Board in favor of Mr. Carignan's request.

Public Hearing:

The applicant, Joel Carignan, 831 11th Avenue South, stated that they would like to build a swimming pool and decking. He stated that the lot was substandard in size.

The following individuals spoke in favor of the request:

- Ms. Alice Penner, 1021 9th Street South, Jacksonville Beach
- Mr. Frank Matkovic, 862 11th Avenue South, Jacksonville Beach

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.

The motion was approved unanimously.

(C) Case Number: BOA 16-100063

Name of Applicant: Sharon Stewart

Property Address: 808 8th Street North

City of Jacksonville Beach Land Development Code Section(s):

34-337(e)(1)c.1, for a front yard of 16.7 feet in lieu of 20 feet required and 34-337(e)(1)e, for 47% lot coverage in lieu of 35% maximum to allow for an addition to a single family dwelling **for property legally described as Lot 7, Block 89, Pablo Beach Improvement Company's Plat of Part of Northern Portion of Pablo Beach.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(D) Case Number: BOA 16-100064

Applicant/Owner: Helena Helms

Property Address: 40 Millie Drive

City of Jacksonville Beach Land Development Code Section(s):

34-337(e)(1)e, for 39% lot coverage in lieu of 35% maximum to allow for improvements to a single family dwelling **for property legally described as Lot 17, Block 3, Hannah Terrace.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(E) Case Number: BOA 16-100068

Name of Applicant: JWB Construction Group, LLC.

Agent: Alex Sifakis

Owner: BECL 5, LLC.

Property Address: 435 5th Avenue South

City of Jacksonville Beach Land Development Code Section(s):

34-340(e)(1)c.2, for side yards of 7.5 feet in lieu of 10 feet required and 34-340(e)(1)f, for 45% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling **for property legally described as Lot 7, Block 45, Pablo Beach South.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(F) Case Number: BOA 16-100069

Name of Applicant: Maxine S. Richmond

Agent: Herbert Sands

Property Address: 3410 1st Street South

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum; 34-373(d), for parking/vehicle use area 2.67 feet to a property line in lieu of 5 feet minimum; and 34-373(f), for turf block in lieu of paving for driveway, all to allow for improvements to a single family dwelling **for property legally described as Lot 4, together with that portion of the 20 foot wide strip of right of way of South 1st Street, as vacated by Ord No. 7530 lying easterly of, contiguous and adjacent thereto, Block 7, Atlantic Shores Ocean Front Section Division 'A'.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(G) Case Number: BOA 16-100071

Name of Applicant: Chris Sorensen

Owner: 3321 Ocean Drive South, LLC.

Property Address: 3321 Ocean Drive South

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)c.2, for a northerly side yard of 8.25 feet and a southerly side yard of 7.5 feet in lieu of 10 feet required and 34-336(e)(1)e, for 52% lot coverage in lieu of 35% maximum to allow for a new single family dwelling **for property legally described as part of Government Lot 1.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(H) Case Number: BOA 16-100072

Name of Applicant: Kevin and Cathy Determan

Property Address: 134 11th Avenue South

City of Jacksonville Beach Land Development Code Section(s):

34-340(e)(1)f, for 48% lot coverage in lieu of 35% maximum to allow for improvements to the westerly half of a two-family dwelling **for property legally described as Lot 5, Block 112, Pablo Beach South.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday June 21, 2016. There are eight scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 9:15 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:

Chairman

Date: _____

Draft

MEMORANDUM



TO: Board of Adjustment

FROM: Christian Popoli, Senior Planner

DATE: September 29, 2021

RE: October 5, 2021 – Board of Adjustment Staff Report

The following information is provided for your consideration regarding the following agenda item(s) for the upcoming **Tuesday, October 5, 2021** Board of Adjustment Meeting.

OLD BUSINESS:

BOA#21-1000092 Variance Application request for rehearing:

Owner: Christian Allen
1611 Atlantic Boulevard,
Jacksonville FL, 32207

Applicant: Alex Harden
1431 River Place Boulevard, #901
Jacksonville, FL 32207

Agent: Carter McKinnon Jr.
588 Charlton CT NW
Marietta, GA 30064-1451

Location: 0 21st Avenue South
RE# 179379-0040

Request: **Request for rehearing of denied variance Per Sec. 34-158:**

Whenever any application for a development permit is denied for failure to meet the substantive requirements of the LDC, an application for a development permit for all or a part of the same land shall not be considered for a period of one (1) year after the date of denial unless the subsequent application involves an application for development permit that is materially different from the prior proposal, or unless the person or four (4) members of the decision making body that made the final decision on the application determines that the prior denial was based on a material mistake of fact. For the purposes of this section, an application for a development permit shall be considered materially different if it involves a change in land use, a change in intensity of use of twenty-five (25) percent, or the application expressly satisfies the deficiencies that were identified in

the prior denial. The body charged with conducting the initial public hearing under such successive application shall resolve any question concerning the similarity of a second application or other questions which may develop under this section.

Comments: Application BOA#21-1000092 was heard at the July 20, 2021 Board of Adjustment Hearing and was denied. Prior application and minutes are attached. Since that denial, the applicant has prepared a new site plan they feel addresses the issues raised by the Board. The previous request was as follows:

Section(s): 34-338(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for corner side-yard setbacks of 4 feet (cantilevered floor or deck) and 6 feet (principal structure) in lieu of 10 feet minimum and total side yards of 9 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for rear yard setbacks of 7 feet (cantilevered floor or deck) and 10 feet (principal structure) in lieu of 30 feet

Process: Based on Sec. 34-158, the applicant for BOA#21-10092 has requested the Board of Adjustment to review his revised site plan to determine if the changes made to the design meet the qualifications noted above (addresses the deficiencies identified in the prior denial) and vote in favor of allowing a rehearing.

If **four** of the board members vote in favor (approve) of the rehearing the motion passes and the applicant will be allowed to reapply with the revised site plan and new application fee, and will fall into the normal cycle of hearings.

If less than **four** members of the Board vote in favor (deny), the motion fails for lack of **four** affirmative votes and the applicant will have to wait the full year before they can reapply for a variance.

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

Minutes of Board of Adjustment Meeting
held Tuesday, September 21, 2021, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida



CALL TO ORDER

Chairperson John Moreland called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: John Moreland
Vice-Chairperson: Alexi Gonzalez
Board Members: Owen Curley Francis Reddington Jeff Truhlar
Alternates: Dan Elmaleh

Senior Planner Christian Popoli and Office Assistant Sheila Boman were also present.

EX PARTE COMMUNICATION: Mr. Moreland advised he spoke to the Applicant for BOA Case# 21-100130. No other ex-parte was reported.

APPROVAL OF MINUTES:

It was moved by Ms. Gonzalez, seconded by Mr. Curley, and passed unanimously to approve the following minutes:

- September 8, 2021

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. **Case Number:** **BOA#21-100126**
Applicant/Owner: Adam Gregory Kirk & Jennifer A. Heese
Property Address: 516 6th Avenue North
Parcel ID: 174205-0020

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify an existing non-conforming paver patio and to allow for the construction of a new screened enclosure to an existing single-family dwelling.

Applicant: Adam Gregory Kirk & Jennifer A. Heese, 516 6th Avenue North, Jacksonville Beach, advised they were unaware when they purchased their home, the patio was constructed without a permit. They want to correct that oversight and build a screened enclosure using the footprint of the patio.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board noted the lot was substandard in size.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100126, as it meets the standards of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

B. Case Number: BOA#21-100127

Applicant/Owner: Edward Carlton
Agent: Scott James, James & Son Builders
Property Address: 4030 Duval Drive
Parcel ID: 181714-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a southern side yard setback of 7.7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family home and detached accessory structure.

Applicant: Edward Carlton, 4030 Duval Drive, Jacksonville Beach, advised the hardship was due to the substandard lot size and width. Mr. Carlton stated he also wanted to memorialize setbacks previously granted for the property. He advised the new construction would drop lot coverage from 51% to the requested 48% and provided a survey [on file] to show the current lot coverage.

Public Hearing:

The following spoke in opposition to the variance and provided photos [on file] showing flooding of the street:

- Tom Alter, 3915 Ponte Vedra Boulevard, Jacksonville Beach.

Ms. Gonzales read into the record emails [on file] from the following who are in opposition to the variance:

- Alison Stratford, 4103 Duval Drive, Jacksonville Beach
- Hugh and Meta Magevney, 4029 Duval Drive, Jacksonville Beach

Ms. Gonzales read into the record correspondence [on file] from the following who are in support of the variance:

- Hobie & Georgenna Walker, 3938 Duval Drive, Jacksonville Beach
- Steve Lear, 3922 Duval Drive, Jacksonville Beach
- James Howard, 4035 Duval Drive, Jacksonville Beach
- Beth Tresca, 4021 Ponte Vedra Drive, Jacksonville Beach
- Natalie Healy, 3705 Duval Drive, Jacksonville Beach
- Andrus Healy, 3705 Duval Drive, Jacksonville Beach

- Danny Miles, 3705 Duval Drive, Jacksonville Beach
- Suzanne Miles, 3705 Duval Drive, Jacksonville Beach
- MG Orender, 3909 Duval Drive, Jacksonville Beach

The Applicant addressed the concerns brought up by those who opposed the variance request.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: A discussion ensued regarding memorialization of previous approvals, plans for adequate parking, and that the lot is indeed undersized.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100127, as written with the condition that the memorialization of existing characteristics applies only to previously approved variances as conditioned upon approval.

Roll Call Vote: Ayes – Alexi Gonzalez, Owen Curley, and John Moreland
Nays – Francis Reddington and Jeff Truhlar
The motion was approved 3-2.

C. **Case Number:** **BOA#21-100128**
Applicant: Michael Didelot, Call the Screen Guys
Owner: Eusebio Eduardo Perez
Property Address: 2540 St. Johns Boulevard
Parcel ID: 180864-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 62% lot coverage in lieu of 35% maximum and 34- 337(e)(1)g, for a side yard setback of 1 foot in lieu of 5 feet minimum to rectify an existing non-conforming pool deck and add footers for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, stated the hardship is an undersized lot at 6,000 square feet versus the 7500 square foot minimum. Mr. Carter also advised the existing pool was built too close to the fenceline. A conversation ensued regarding a previously granted variance for 45% lot coverage and the fact the final construction of the pool and decking exceeded that amount.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: Discussion ensued in regards to avoiding setting precedence for lot coverage over 60%.

Motion: It was moved by Mr. Curley, seconded by Ms. Gonzalez, to deny BOA#21-100128 based on its failure to meet the standards for special circumstances, conditions that do not result from the actions of the Applicant and specifically that the design and current construction of the lot are a direct result of the Applicant.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Alexi Gonzalez, and John Moreland
The motion to deny was unanimously approved.

D. Case Number: BOA#21-100129
Applicant: Michael Didelot, Call the Screen Guys
Owner: Patricia S. & Gary A. Jerrim
Property Address: 602 13th Avenue South
Parcel ID: 176825-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for footer installation for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, advised they were seeking an additional 4x4 foot perimeter to install a screened enclosure.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board agreed the request was reasonable.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100129 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Owen Curley, Alexi Gonzalez, Francis Reddington, and John Moreland
The motion was unanimously approved.

E. Case Number: BOA#21-100130
Applicant/Owner: Michael Evan & Brittany Long Powers
Property Address: 1160 20th Street North
Parcel ID: 179109-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 44% lot coverage in lieu of 35% maximum to allow for the construction of a new swimming pool and patio deck to an existing single-family dwelling.

Applicant: Michael Evan & Brittany Long Powers, 1160 20th Street North, Jacksonville Beach, stated the property was an RS-2 lot size hardship (lot is 5,100 sq ft vs. 7,500 required minimum).

Public Hearing:

The following spoke in was in favor of the variance but did not wish to address the Board:

- Gary Carlee, 1160 20th Street North, Jacksonville Beach

Discussion: The Board agreed the request was not out of the ordinary.

Motion: It was moved by Ms. Gonzalez and seconded by Mr. Truhlar, to approve BOA#21-100130 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, October 5, 2021. There are five scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:04 P.M.

Submitted by: Sheila Boman
Office Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

CALL TO ORDER

The meeting was called to order by Chairman Cummings.

ROLL CALL

Chairperson: Scott Cummings
Vice-Chairman: John Moreland
Board Members: Sylvia Osewalt, Tom Buck, Joseph Loretta (*absent*)
Alternates: Jeff Truhlar (*absent*) Francis Reddington

Ex-parte Communications:

Mr. Moreland had a voicemail message from Mr. Chad Jewell stating he and his wife were in opposition to BOA #16-100061.

Mr. Buck spoke with Chad Jewell and that Mr. Jewell was in opposition to BOA #16-100061.

Ms. Osewalt had a voicemail message from Chad Jewell. However, she did not speak with him.

Approval of Minutes:

It was moved by Ms. Osewalt, seconded by Mr. Moreland, and passed unanimously, to approve the minutes of the April 19, 2016 Board of Adjustment Meeting

CORRESPONDENCE:

Mr. Mann stated they had a letter from Chad and Dianne Jewell in opposition to BOA#16-100061.

OLD BUSINESS: None

NEW BUSINESS:

(A) Case Number: BOA 16-100061

[Case was postponed to the end of the meeting to allow for owners to appear before the Board, as no authorization to act on behalf of the homeowners was received by the Board.]

Name of Applicant: William Robert and Kelly D. Baxley

Property Address: 139 37th Avenue South

Applicant: Mr. John Dineen, 1254 Neck Road, Ponte Vedra Beach, FL

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)c.2, for an easterly side yard of 7.5 feet in lieu of 10 feet required and a westerly corner side yard of 12.33 feet in lieu of 13.6 feet required; 34-336(e)(1)c.3, for a rear yard of 5 feet in lieu of 30 feet required; and 34-336(e)(1)e, for 45% lot coverage in lieu of 35% maximum to allow for a new single family dwelling for property legally described as Lots 13 and 14, Block 3, Atlantic Shores Ocean Front Section Division A.

[Case#1 was postponed to the end of the meeting to allow for owners to appear before the Board, as no authorization to act on behalf of the homeowners was received by the Board.]

Public Hearing:

The applicant, Mr. John Dineen, was present on behalf of the homeowners.

The following individuals spoke in favor of the request:

The following individuals spoke in in opposition to the request:

The following individuals were opposed to the request but did not wish to address the board:

Mr. Cummings closed the public hearing.

Discussion: *Mr. Moreland and Mr. Thrular agreed that while the reasoning is weak, it is still a hardship as there is an inadequate width at the midpoint of the buildings and considered the improvement value to the area given the current condition of the property.*

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a side yard of 5 feet in lieu of 10 feet required; for a rear yard of 14.5 feet in lieu of 30 feet required; and for 42% lot coverage in lieu of 35% maximum to allow for a new single family dwelling as shown and discussed at tonight's meeting.

Roll Call Vote: Ayes – John Moreland, Scott Cummings, Joe Loretta, Sylvia Osewalt, and Tom Buck.
The motion was approved unanimously.

(B) Case Number: BOA 16-100062

Name of Applicant: Joel M. and Jennifer B. Carignan

Property Address: 831 11th Avenue South

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)e, for 51% lot coverage in lieu of 35% maximum to allow for a swimming pool and decking addition for property legally described as Lot 9, Block 109, Oceanside Park.

Mr. Cummings stated 17 applications were submitted to the Board in favor of Mr. Carignan's request.

Public Hearing:

The applicant, Joel Carignan, 831 11th Avenue South, stated that they would like to build a swimming pool and decking. He stated that the lot was substandard in size.

The following individuals spoke in favor of the request:

- Ms. Alice Pegner, 1021 9th Street South, Jacksonville Beach
- Mr. Frank Matkovic, 862 11th Avenue South, Jacksonville Beach

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.

The motion was approved unanimously.

(C) Case Number: BOA 16-100063

Name of Applicant: Sharon Stewart

Property Address: 808 8th Street North

City of Jacksonville Beach Land Development Code Section(s):

34-337(e)(1)c.1, for a front yard of 16.7 feet in lieu of 20 feet required and 34-337(e)(1)e, for 47% lot coverage in lieu of 35% maximum to allow for an addition to a single family dwelling **for property legally described as Lot 7, Block 89, Pablo Beach Improvement Company's Plat of Part of Northern Portion of Pablo Beach.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(D) Case Number: BOA 16-100064

Applicant/Owner: Helena Helms

Property Address: 40 Millie Drive

City of Jacksonville Beach Land Development Code Section(s):

34-337(e)(1)e, for 39% lot coverage in lieu of 35% maximum to allow for improvements to a single family dwelling **for property legally described as Lot 17, Block 3, Hannah Terrace.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(E) Case Number: BOA 16-100068

Name of Applicant: JWB Construction Group, LLC.

Agent: Alex Sifakis

Owner: BECL 5, LLC.

Property Address: 435 5th Avenue South

City of Jacksonville Beach Land Development Code Section(s):

34-340(e)(1)c.2, for side yards of 7.5 feet in lieu of 10 feet required and 34-340(e)(1)f, for 45% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling **for property legally described as Lot 7, Block 45, Pablo Beach South.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(F) Case Number: BOA 16-100069

Name of Applicant: Maxine S. Richmond

Agent: Herbert Sands

Property Address: 3410 1st Street South

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)e, for 49% lot coverage in lieu of 35% maximum; 34-373(d), for parking/vehicle use area 2.67 feet to a property line in lieu of 5 feet minimum; and 34-373(f), for turf block in lieu of paving for driveway, all to allow for improvements to a single family dwelling **for property legally described as Lot 4, together with that portion of the 20 foot wide strip of right of way of South 1st Street, as vacated by Ord No. 7530 lying easterly of, contiguous and adjacent thereto, Block 7, Atlantic Shores Ocean Front Section Division 'A'.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(G) Case Number: BOA 16-100071

Name of Applicant: Chris Sorensen

Owner: 3321 Ocean Drive South, LLC.

Property Address: 3321 Ocean Drive South

City of Jacksonville Beach Land Development Code Section(s):

34-336(e)(1)c.2, for a northerly side yard of 8.25 feet and a southerly side yard of 7.5 feet in lieu of 10 feet required and 34-336(e)(1)e, for 52% lot coverage in lieu of 35% maximum to allow for a new single family dwelling **for property legally described as part of Government Lot 1.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

(H) Case Number: BOA 16-100072

Name of Applicant: Kevin and Cathy Determan

Property Address: 134 11th Avenue South

City of Jacksonville Beach Land Development Code Section(s):

34-340(e)(1)f, for 48% lot coverage in lieu of 35% maximum to allow for improvements to the westerly half of a two-family dwelling **for property legally described as Lot 5, Block 112, Pablo Beach South.**

Public Hearing:

Discussion:

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for the following: 34-338(e)(1)e, for 49% lot coverage in lieu of 35% maximum as described and discussed at this meeting.

Roll Call Vote: Ayes – Tom Buck, Scott Cummings, John Moreland, Sylvia Osewalt, and Francis Reddington.
The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday June 21, 2016. There are eight scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 9:15 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:

Chairman

Date: _____

Draft

BOA#21-100092 Staff Report

0 21st Ave. South

Parcel ID: 179379-0040

Lot 4 (excepting the westerly 5 feet) block L,
Permenters Replat of Atlantic Campgrounds

Zoning: Residential, multi-family: RM-2 (RS-3 Standards)

Variances Requested: Section(s): 34-338(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for corner side-yard setbacks of 4 feet (cantilevered floor or deck) and 6 feet (principal structure) in lieu of 10 feet minimum and total side yards of 9 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for rear yard setbacks of 7 feet (cantilevered floor or deck) and 10 feet (principal structure) in lieu of 30 feet minimum; 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum

Project: The applicant is requesting relief from dimensional standards to construct a new single family home on a substandard lot in the RM-2 Zoning District

Existing Conditions: The subject property is a substandard lot of records (circa 1925) located in the medium density land use category. It is sixty-five (65) feet deep and forty (40) feet in width, measuring twenty-six hundred (2,600) square feet in area. The lot is a corner lot, located on the corner of south 21st Avenue and south 1st street. Minimum dimensional standards within this zoning district include six thousand (6,000) square feet of area and a minimum width of sixty (60) feet. Minimum front yard setback of twenty (20) feet, minimum side yard setback no less than five (5) feet, minimum rear yard of thirty (30) feet and a maximum lot coverage for this zoning district is 35%.

Analysis: The current lot dimensions are 5 feet shallower than the originally platted lot due to right of way acquisition, leaving an already dimensionally substandard lot even less compliant with regards to lot size and area. Additionally the lot's size limitations make meeting the required setbacks more difficult, especially while meeting the minimum single family home square footage requirements. The approval of this variance would not have an adverse impact on the surrounding properties. Adjacent uses are also single-family in nature.

Active Permits or Code Violations: N/A

Previous Development Orders: BOA# 89-100026, withdrawn.

Board of Adjustment July 20, 2021 – Staff Report

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 finds that this parcel is similar to other parcels in the RS-3 zoning district as well as the immediate area

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

Staff does not find the conditions result from the actions of the applicant.

3. **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.**

Staff finds the applicant will not receive special privileges

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 work an unnecessary hardship.**

Staff does find that there is currently a hardship based on the substandard lot size and dimensions

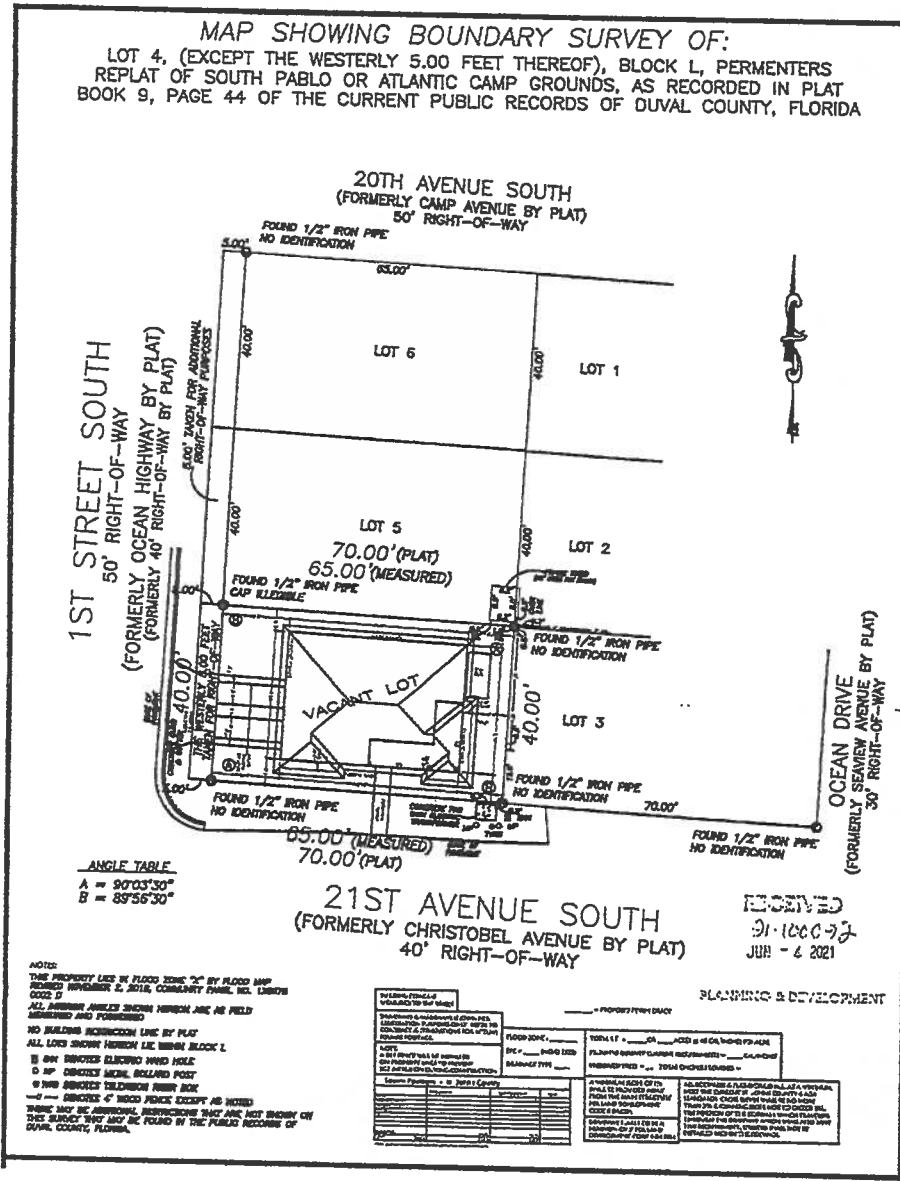
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary

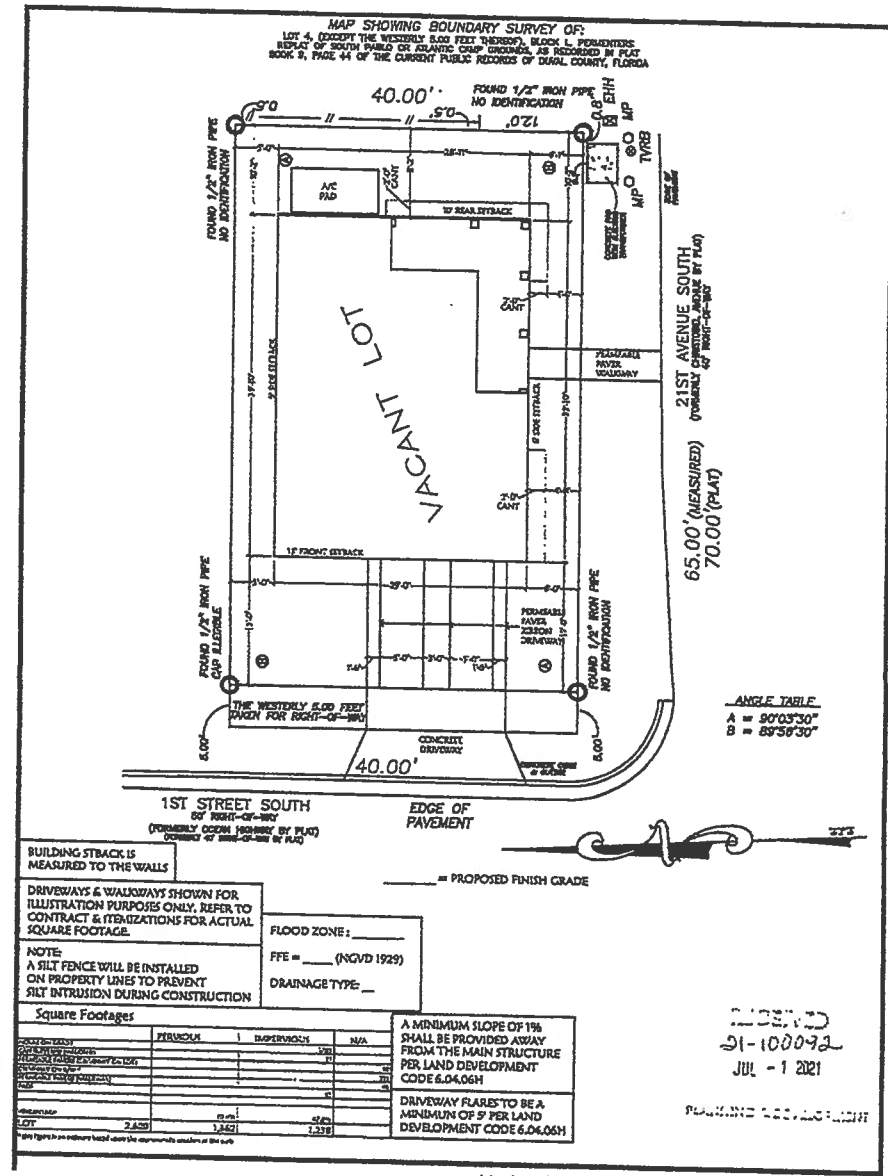
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan

Existing property survey



Proposed Site Plan





APPLICATION FOR VARIANCE

#2

BOA No.

21-100098

HEARING DATE

7-20-21

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

REQUIRED DOCUMENTATION

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

APPLICANT INFORMATION

Applicant Name: Alex Harden

Telephone: (904) 859-2257

Mailing Address: 1431 Riverplace Blvd #901
Jacksonville, FL 32207

E-Mail: alexanderhdb@gmail.com

Agent Name:

Telephone:

Mailing Address:

E-Mail:

Landowner Name: Christian Allen

Telephone: (904) 551-2540

Mailing Address: 1611 Atlantic Blvd, Jacksonville, FL 32207

E-Mail: aallen@cornerlotdevelopment.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: 179379-0040, 0 21st Ave. s., Jacksonville Beach, Florida

Legal description of property (Attach copy of deed): See Attached

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

Front yard of 15 ft in lieu of 20 ft. Southerly side yard of 6 ft in lieu of 10 ft. (Total side yard of 11 in lieu of 15). Rear yard of 7 ft in lieu of 30 ft. Maximum lot coverage of 50.6% in lieu of 35%.

AFFIDAVIT

I, Alex Harden, 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.

Alex Harden
APPLICANT SIGNATURE

Alex Harden

PRINT APPLICANT NAME

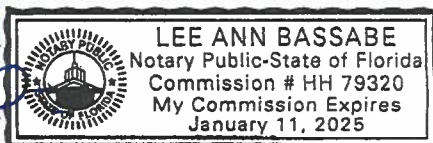
6/15/21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of June, 2021, by Alexander B. Harden, who is personally known to me or produced Florida Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



JUN 15 2021

PLANNING & DEVELOPMENT
(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):

34-338(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for corner side-yard setbacks of 4 feet (cantilevered floor or deck) and 6 feet (principal structure) in lieu of 10 feet minimum and total side yards of 9 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for rear yard setbacks of 7 feet (cantilevered floor or deck) and 10 feet (principal structure) in lieu of 30 feet minimum; 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; all to allow for construction of a new single-family dwelling on a vacant lot located in an RM-2 zoning district

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100092

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.

JUN - 4 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	This parcel of land is sub-standard. The minimum lot area for a single-family home in RM-2 (RS-3) is 6,000 sqft, with a min. lot width of 60 ft. The lot at issue is 2,600 sqft and has a width of 40 feet. This lot was platted in 1925. The same development on a lot meeting the requirements would have a lot coverage of 19%.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The lot is a plotted lot of record (Plat book 9, page 44) and does not meet the minimum lot area of any permitted use in the district.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Other developments in the vicinity, also RM-2, required variances to be build due to similar platted lot sizes.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal application of the required setbacks for a single-family home would restrict the building footprint to 300 sqft. Literal application of the required lot coverage would limit the site to 840 sqft. The surrounding homes in this area have the same size parcels but are built with smaller setbacks and greater lot coverages.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Granting the requested variances will allow the site to be developed compatibly with other single family homes in the areas and permits the reasonable use of the parcel.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting the requested variances will allow the site to be developed consistently with other houses in the area and with further the purposes, goals, objectives, and policies of the comprehensive plan. (E.g. 1.4.1, 1.4.3)

Requested Variances – 0 21st Ave. S. – 179379-0040

- Front yard setback of 15 feet in lieu of 20 feet required.
- Southerly (corner) Side yard setback of 6 feet in lieu of 10 feet required. Total side yard setback of 11 feet in lieu of 15 feet required.
- Rear yard setback of 7 feet in Lieu of 30 feet required.
- Maximum lot coverage of 49.4% in lieu of 35% required.

RECEIVED

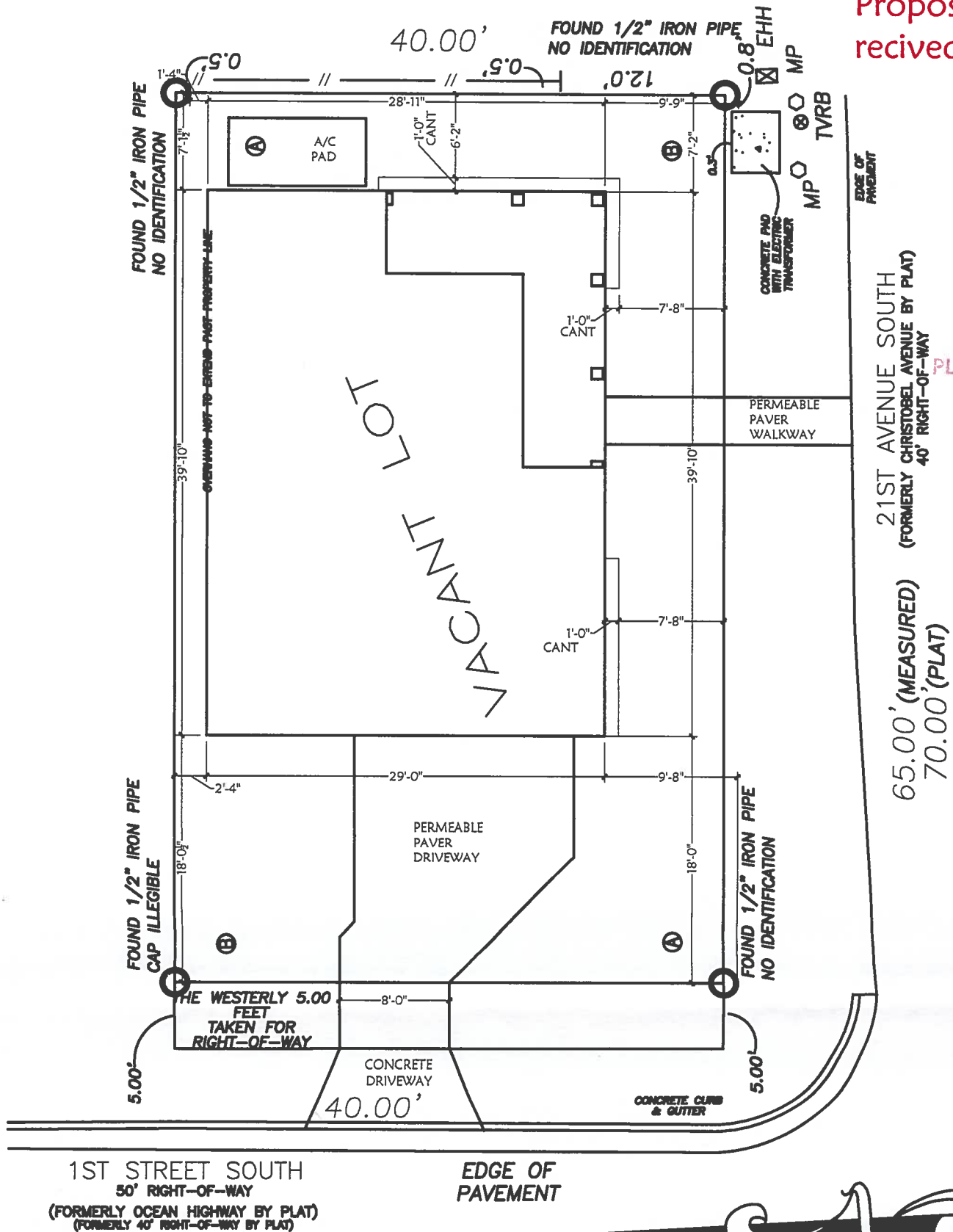
21-100092

JUN - 4 2021

PLANNING & DEVELOPMENT

MAP SHOWING BOUNDARY SURVEY OF:
LOT 4, (EXCEPT THE WESTERLY 5.00 FEET THEREOF), BLOCK L, PERMENTERS
REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, AS RECORDED IN PLAT
BOOK 9, PAGE 44 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

Proposed new site plan
recived 9/1/21



RECEIVED
21.100092
SEP 21 2021

PLANNING & DEVELOPMENT

ANGLE TABLE
A = 90°03'30"
B = 89°56'30"

BUILDING STBACK IS
MEASURED TO THE WALLS

DRIVEWAYS & WALKWAYS SHOWN FOR
ILLUSTRATION PURPOSES ONLY. REFER TO
CONTRACT & ITEMIZATIONS FOR ACTUAL
SQUARE FOOTAGE.

NOTE:
A SILT FENCE WILL BE INSTALLED
ON PROPERTY LINES TO PREVENT
SILT INTRUSION DURING CONSTRUCTION

FLOOD ZONE : _____

FFE = _____ (NGVD 1929)

DRAINAGE TYPE: _____

Square Footages

	PERVIOUS	IMPERVIOUS	N/A
HOUSE ON GRADE			1,155
CANTILEVERED BALCONIES			51
PERMEABLE PAVERS (DRIVEWAY ON LOT)			251
DRIVEWAY ON R/W *			102
PERMEABLE PAVERS (WALKWAY ON LOT)			30
DRIVEWAY ON R/W *			32
PADS			32
PERCENTAGE	52.4%	47.6%	
LOT	2,600	1,362	1,238

A MINIMUM SLOPE OF 1%
SHALL BE PROVIDED AWAY
FROM THE MAIN STRUCTURE
PER LAND DEVELOPMENT
CODE 6.04.06H

DRIVEWAY FLARES TO BE A
MINIMUM OF 5' PER LAND
DEVELOPMENT CODE 6.04.06H

* this figure is an estimate based upon the approximate location of the curb

NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" BY FLOOD MAP
REVISED NOVEMBER 2, 2018, COMMUNITY PANEL NO. 120078
0002 D

ALL INTERIOR ANGLES SHOWN HEREON ARE AS FIELD
MEASURED AND POSSESSED

NO BUILDING RESTRICTION LINE BY PLAT

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK L

EHH DENOTES ELECTRIC HAND HOLE

MP DENOTES METAL BOLLARD POST

TWRB DENOTES TELEVISION RISER BOX

---//--- DENOTES 4' 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.

I hereby certify that this survey meets the
minimum technical standards as set forth by
the Florida Board of Land Surveyors, pursuant to
Section 472.027 Florida Statutes and Chapter
61g17 Florida Administration Code

FLORIDA REGISTERED SURVEYOR No. 4707
H. BRUCE DURDEN, Jr.

SIGNED MAY 9, 2019

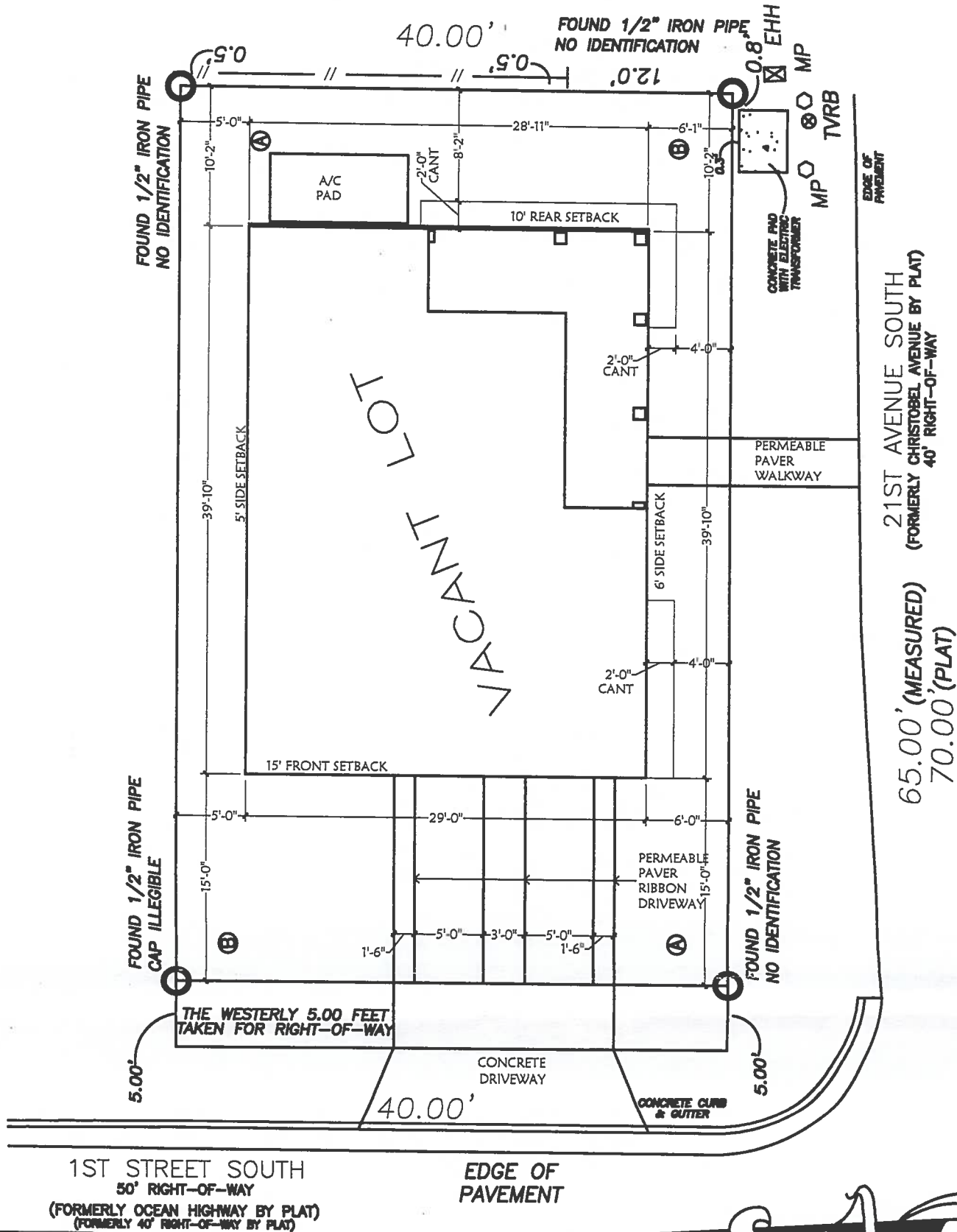
SCALE: 1" = 10'

WORK ORDER NUMBER: 19279

B-9482

EXISTING

MAP SHOWING BOUNDARY SURVEY OF:
LOT 4, (EXCEPT THE WESTERLY 5.00 FEET THEREOF), BLOCK L, PERMENTERS
REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, AS RECORDED IN PLAT
BOOK 9, PAGE 44 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



ANGLE TABLE

A	= 90°03'30"
B	= 89°56'30"

BUILDING STBACK IS
MEASURED TO THE WALLS

DRIVEWAYS & WALKWAYS SHOWN FOR
ILLUSTRATION PURPOSES ONLY. REFER TO
CONTRACT & ITEMIZATIONS FOR ACTUAL
SQUARE FOOTAGE.

NOTE:
A SILT FENCE WILL BE INSTALLED
ON PROPERTY LINES TO PREVENT
SILT INTRUSION DURING CONSTRUCTION

FLOOD ZONE : _____
FFE = _____ (NGVD 1929)
DRAINAGE TYPE: _____

Square Footages			
	PERVIOUS	IMPERVIOUS	N/A
HOUSE ON GRADE		1,155	
CANTILEVERED BALCONIES		51	
PERMEABLE PAVERS (DRIVEWAY ON LOT)			90
DRIVEWAY ON R/W *			213
PERMEABLE PAVERS (WALKWAY)			46
PADS		32	
PERCENTAGE	52.4%	47.6%	
LOT	2,600	1,362	1,238

A MINIMUM SLOPE OF 1%
SHALL BE PROVIDED AWAY
FROM THE MAIN STRUCTURE
PER LAND DEVELOPMENT
CODE 6.04.06H

DRIVEWAY FLARES TO BE A
MINIMUM OF 5' PER LAND
DEVELOPMENT CODE 6.04.06H

* this figure is an estimate based upon the approximate location of the curb

RECEIVED
21-100092
JUL - 1 2021

PLANNING & DEVELOPMENT

NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X" BY FLOOD MAP
REVISED NOVEMBER 2, 2018, COMMUNITY PANEL NO. 120078
0002 D

ALL INTERIOR ANGLES SHOWN HEREON ARE AS FIELD
MEASURED AND POSSESSED

NO BUILDING RESTRICTION LINE BY PLAT
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK L

- EHH DENOTES ELECTRIC HAND HOLE
- MP DENOTES METAL BOLLARD POST
- TVRB DENOTES TELEVISION RISER BOX
- //— DENOTES 4' 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
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I hereby certify that this survey meets the
minimum technical standards as set forth by
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FLORIDA REGISTERED SURVEYOR No. 4707
H. BRUCE DURDEN, Jr.

SIGNED MAY 9, 2019
SCALE: 1" = 10'
WORK ORDER NUMBER: 19279

B-9482

Ref BOA 21-100092

LeeAnn Bassabe

From: Pete Komaroski <komar1@bellsouth.net>
Sent: Sunday, July 18, 2021 7:58 PM
To: Planning Division
Subject: Fwd: Board of Adjustment Case BOA#21-100092

Begin forwarded message:

From: Pete Komaroski <komar1@bellsouth.net>
Date: July 18, 2021 at 7:43:31 PM EDT
To: planning@jaxbchfl.org
Subject: Board of Adjustment Case BOA#21-100092

To; Board of Adjustment Members

RE; BOA#21-100092

Thanks for your time and consideration in this matter. I writing this in reference to the variance being considered on this property. As you know I'm hoping the Board votes this down and doesn't approve this. This is a small lot, as the purchaser knew when they purchased it. My problem is the lot coverage and then the cantilevered portions of the house. This would but their windows and porches almost within reaching distance of our residence. Zero property lines are not how we want the neighborhood or the beaches to look. Also the variance for this residence on 21st Ave S. is excessive. 21st Ave S is a very busy road from 1st Street to Ocean Dr S and Oceanfront. Allowing this variance will limit visibility and affect traffic, especially if they park cars there. There is also a flooding issue at this intersection which we're all aware about, so you'd now be doing away with much needed pervius ground by allowing so much lot coverage. Members as you can tell my vote for this is no, please consider my opinion as I've lived in this residence for 23 years. Thanks

Pete Komaroski
2008 Ocean Dr S.
Jax Beach

Ref BOA# 21-100092

LeeAnn Bassabe

From: Jeanell Wilson <jeanell@allsouthrealty.com>
Sent: Monday, July 19, 2021 1:40 PM
To: Planning Division
Subject: Fwd: RE: Board of Adjustment Case BOA#21-100092

I think this one was sent to the wrong email also!

Thanks!

Jeanell Wilson
All South Realty, Inc.
3090 S. 3rd St.
Jacksonville Beach, FL 32250
(904)241-4141 (904)241-4144 fax
allsouthrealty.com

----- Original Message -----

Subject: RE: Board of Adjustment Case BOA#21-100092
Date: 2021-07-19 13:02
From: <bbragg@comcast.net>
To: "Jeanell Wilson" <jeanell@allsouthrealty.com>, <planning@jaxbchfl.org>

I agree. There are too many variances being approved.

From: Jeanell Wilson <jeanell@allsouthrealty.com>
Sent: Thursday, July 15, 2021 6:26 PM
To: planning@jaxbchfl.org
Subject: Board of Adjustment Case BOA#21-100092

TO: Board of Adjustment Members

RE: BOA#21-100092

As a neighbor of the subject property, this Application is excessive in the variances requested. This is a corner lot with a lot of traffic. Reducing the required setbacks would impede the line of sight at that intersection and create more dangerous driving conditions.

Also, parking is very limited in that area & allowing these variances would cause more problems with parking for the owners of the property.

As the Owners just purchased the property recently, they should have been aware of the required setbacks & planned to build accordingly. Being in the real estate business, I always advise prospective Buyers to make sure they can get variances they want before purchasing the property, not after the purchase! This is not a hardship.

Please vote NO on this application!

Thanks for your consideration!

Jeanell Wilson
All South Realty, Inc.
3090 S. 3rd St.
Jacksonville Beach, FL 32250
(904)241-4141 (904)241-4144 fax
allsouthrealty.com

BOA# 21-100080 Staff Report

116 N 10th Avenue

Parcel ID: 174528-0060

Portions of Lots 4 & 5, East ½ Block 102, Pablo Beach North

Zoning: Residential, multi-family: RM-2

Variances Requested: Section(s): 34-340(e)(1)f, for lot coverage of 57% in lieu of 35% maximum (50% previously approved); and 34-340(e)(1)h, for a accessory structure yard setback of zero (0) feet in lieu of 2 feet minimum for construction of a walkway; and 34-373(d) for a parking area setback of 3.16 feet in lieu of 5 feet minimum

Project: To allow for an existing unpermitted additional parking and walkway adjacent to an existing two-family dwelling

Existing Conditions: The subject property is half of a two-family dwelling and is located in the high density future land use category. The existing parcel was created with a dimension of thirty-two (32) feet in width and eighty-nine (89) feet in depth. Overall area is two-thousand eight-hundred and forty-eight (2,848) square feet. The original lot prior to the split was five-thousand six-hundred and ninety-six (5,696) square feet. Minimum dimensional standards within this zoning district include six-thousand (6,000) square feet of lot area, and a minimum of sixty (60) feet in lot width. Maximum lot coverage of 35%.

Analysis: The existing two family dwelling was constructed in 2015 with an approved variance. Sometime after completion, the property was subdivided allowing the creation two new lots. At the time of construction, both halves of the two family dwelling occupied 50% of the original lot. Once split, each half occupied 50% of each newly created lot. In 2021, the owner began installing a new walkway and additional parking area which created issues with lot coverage and setbacks, above those previously granted by the Board. The owner has been to the Special Magistrate and was ordered to obtain an approved variance, or reverse the work. The Magistrate has postponed enforcement pending the outcome of this hearing.

Active Permits or Code Violations: Violation for construction of a paver parking area and walkways without approved permits

Previous Development Orders: BOA#14-100072 for lot coverage and setbacks for construction of a new two-family dwelling.

Board of Adjustment October 5, 2021 - Staff Report

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 the adjacent and surrounding properties have similar constraints and attributes with regards to lot width and area.

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

Staff does find that the conditions are the result of the applicant. The paver areas were never permitted, and exceed the previous 50% approved lot coverage per BOA#14-10072

3. **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.**

Staff finds the applicant will receive special privilege not granted to the rest of the homes adjacent.

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 work an unnecessary hardship.**

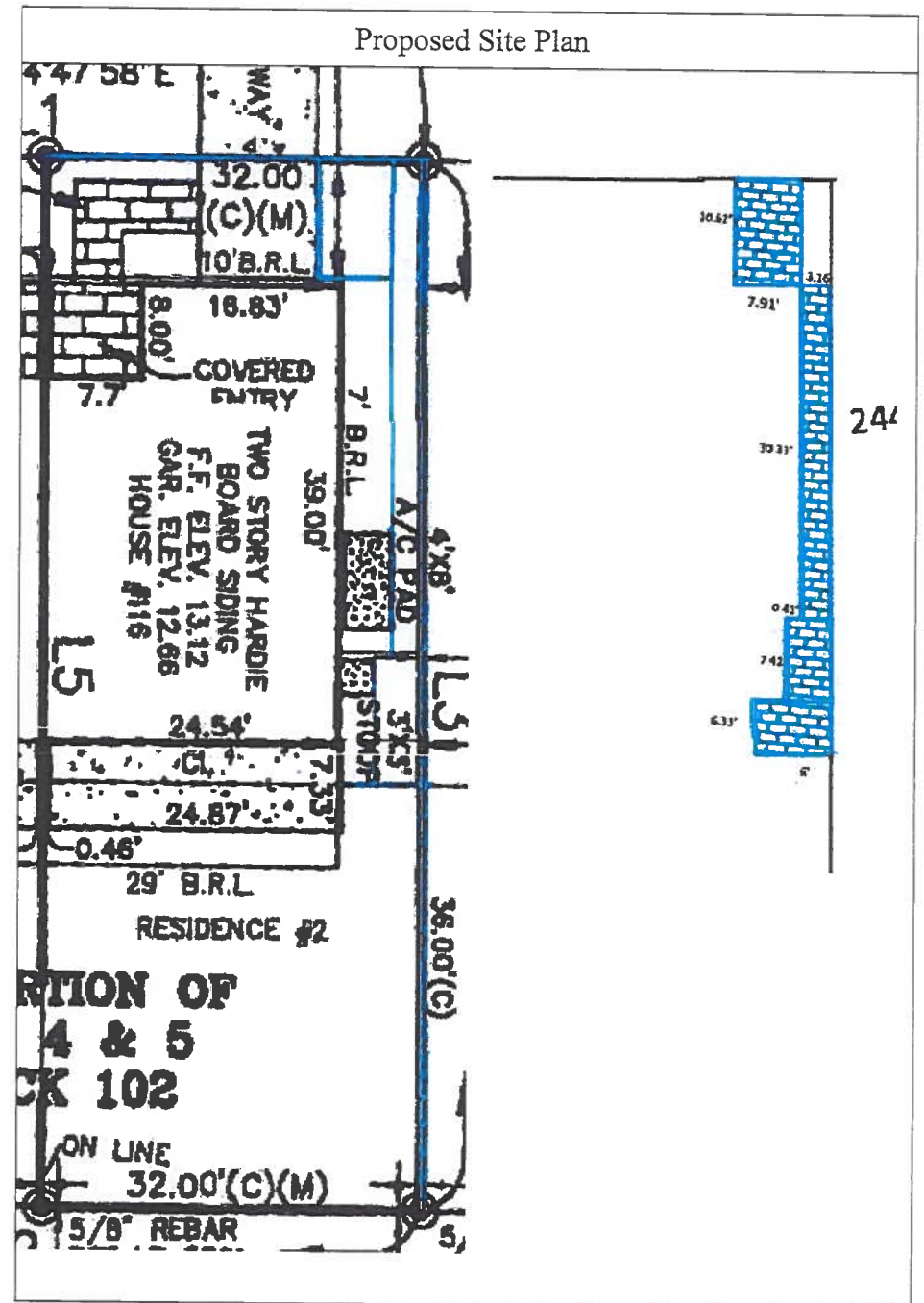
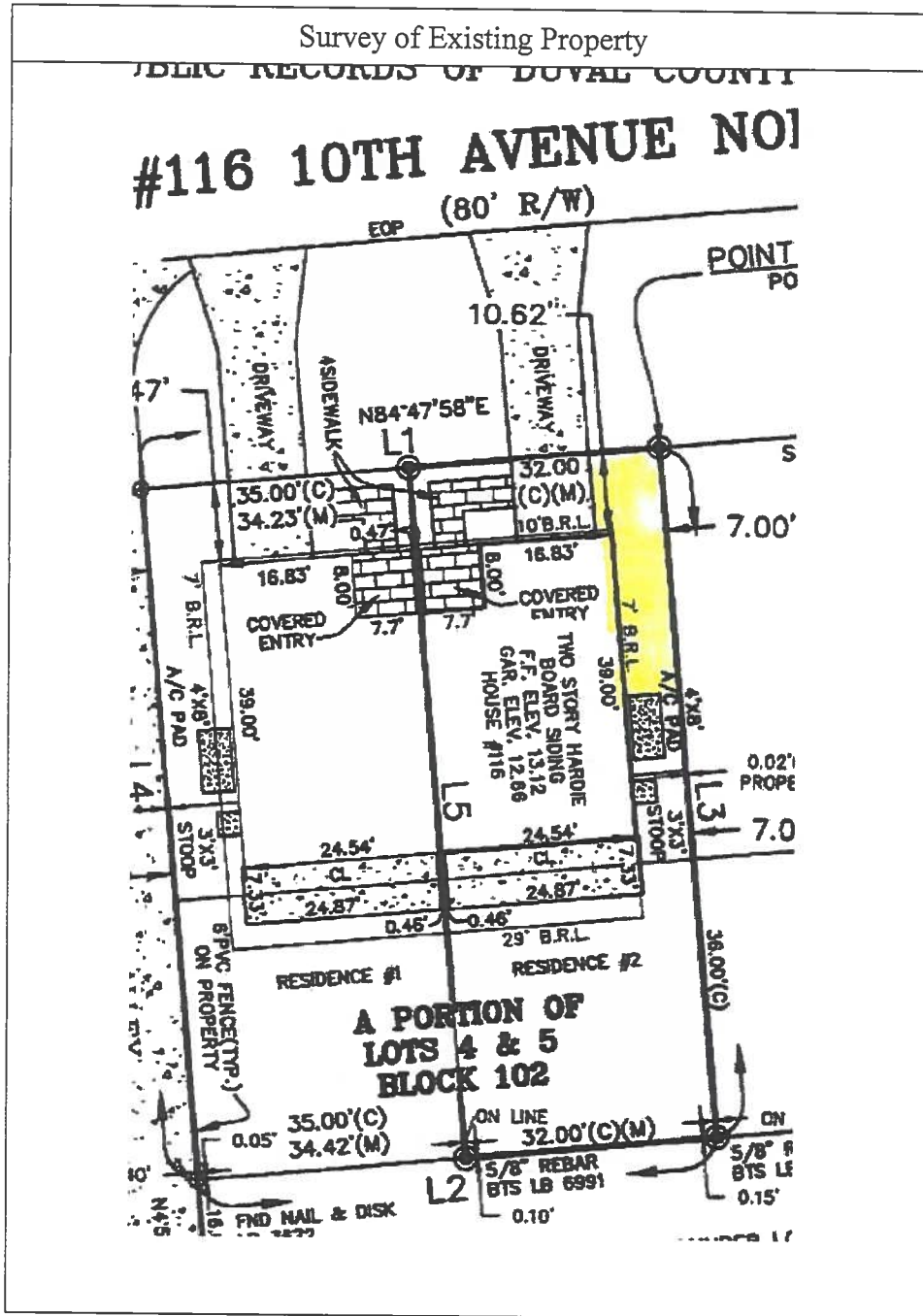
Staff does not find that there is a hardship. The current home was built with granted relief from the code to address the hardships on the property.

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 this will be the minimum variance necessary to address the existing non-conformities, though it is unclear if there are additional paved areas in the rear of the property.

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 this will be consistent with the Comprehensive Plan.





APPLICATION FOR VARIANCE

BOA No. 21-100080
HEARING DATE 10.5.21

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

REQUIRED DOCUMENTATION

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

RECEIVED

AUG 24 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Brandon Stallings **Telephone:** (904) 563-1575
Mailing Address: 116 10th Avenue N., Jacksonville Beach, FL 32250 **E-Mail:** brandon@nlops.com

Agent Name: Lyudmyla Kolyesnik, Esq. **Telephone:** (904) 355-0355
Mailing Address: 1548 Lancaster Terr., Jacksonville, Florida 32204 **E-Mail:** LKolyesnik@pfhglaw.com

Landowner Name: Brandon Stallings **Telephone:** (904) 563-1575
Mailing Address: 116 10th Avenue N., Jacksonville Beach, FL 32250 **E-Mail:** brandon@nlops.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: RE # 174528-0060; 116 10th Avenue N., Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): Portion of lots 4+5, Pablo Beach Improvement
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).
Lot coverage of 56.5% in lieu of 50% maximum

AFFIDAVIT

I, Brandon A. Stallings, 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.

Brandon Stallings
APPLICANT SIGNATURE

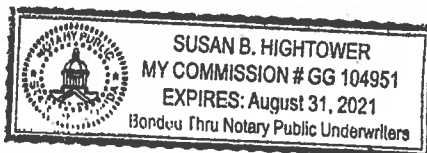
Brandon Stallings
PRINT APPLICANT NAME

8/24/2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24 day of August, 2021, by Brandon Stallings, who is personally known to me or produced _____ as identification.

Susan B. Hightower
NOTARY PUBLIC SIGNATURE
Susan B. Hightower
PRINT NOTARY NAME



(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):

34-340(e)(1)f, for lot coverage of 57% in lieu of 35% maximum (50% previously approved); and 34-340 (e)(1)h, for a side yard setback of zero (0) feet in lieu of 2 feet minimum for construction of a walkway; and 34-373(d) for a parking area setback of 3.16 feet in lieu of 5 feet minimum to allow for an additional parking area for an existing two-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100080

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The variance is necessary to accommodate parking space and access to side and rear of the building.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The position of the building and the size of the lot are not the result of the applicant's actions.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The granting of the variance will not confer upon the applicant any special privileges. The variance will merely allow the applicant adequate access and parking space on his private property. In fact, the subject property is similar to townhouses and multi-family dwellings which are permitted a maximum lot coverage of 65%.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of the ability to have adequate parking and access to the side and rear of his property, as is already enjoyed by the majority of his neighbors.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is the minimum variance that is required to make possible the reasonable use of the parcel.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The requested variance is only <u>244³⁵</u> square feet and will in no way or form affect adjacent land.

Hello,

RECEIVED

21-100080

MAY 21 2021

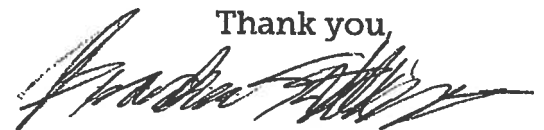
PLANNING & DEVELOPMENT

I am writing this letter to elaborate on my description of the impervious coverage on the privately owned (by me) area in question. My contractor followed all laws and code necessary, including a layer of gravel, of which above is a stone path to the right, and then a higher end set of gravel on the left half. The area in question is a small sliver of land around the side of my house. This piece of land was never meant to be accessible to the public and the public has no use for it (i.e. shortcuts, etc).

We contacted and received the expert services and approval of every utility necessary, most of which have only to do with my own house. This includes cable/internet, of which we have buried a high-grade, professionally installed piping for AT&T and Comcast, of which both companies helped me expert install. The only utility that runs underneath this area that belongs to the City is sewage, for which a representative from the City of Jacksonville Beach himself inspected on site, gave us a recommendation, and we followed that recommendation to the letter. There is a cutout available at both sewage access points that have always been there, the accessibility has not been hampered.

Lastly, this area only brings my total lot coverage to approximately 10% over the threshold. By having this in place, we are saving the City of Jacksonville Beach 50% of the water usually expended on this property. Without this improvement, this is a treacherous and useless strip of grassland with almost nothing the City needs under it, that I would be forced to maintain and it is my own private property. I would truly appreciate a sound, reasonable consideration during your deliberations, as there is nothing about this arrangement that makes it unfair to others, nor does it cause any hardship for the City or its residents.

Thank you,

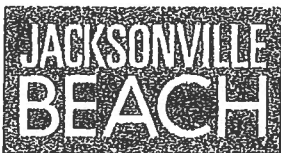


Brandon Stallings

Owner of

116 10th Ave N

Jacksonville, FL, 32250



CERTIFIED MAIL#7011 2000 0002 0791 9982

Ref BOA 21-100080

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net

www.jacksonvillebeach.org

June 4, 2014

Jax Beach Cottages, LLC.
Jason Sessions
4385 Tradewinds Drive
Jacksonville Beach FL 32250

RE: BOA#14-100072
1034 North 1st Street (aka 102, 110, 116 North 10th Avenue)
(Lot 5 and part of Lot 4, Block 102, *Pablo Beach Improvement Company's
Plat of Part of the Northern Portion of Pablo Beach*)

Dear Mr. Sessions,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, June 3, 2014, to consider your application for a variance from the requirements of the Land Development Code.

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

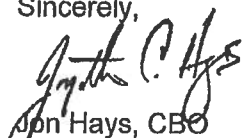
- 34-340(e)(1)c.1: For front yards of 10 feet in lieu of 20 feet required;
- 34-340(e)(1)c.2, for side yards of 7 feet in lieu of 10 feet required;
- 34-340(e)(1)c.3, for a rear yard of 29 feet in lieu of 30 feet required;
- 34-340(e)(1)f, for 50% lot coverage in lieu of 35% maximum; and
- 34-373(a)(1), for an off-street parking space of 10 in lieu of 17 feet in depth minimum

To allow for two new two-family dwellings on Lot 5 and part of Lot 4.

The Board **Approved** the request as written.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6235.

Sincerely,

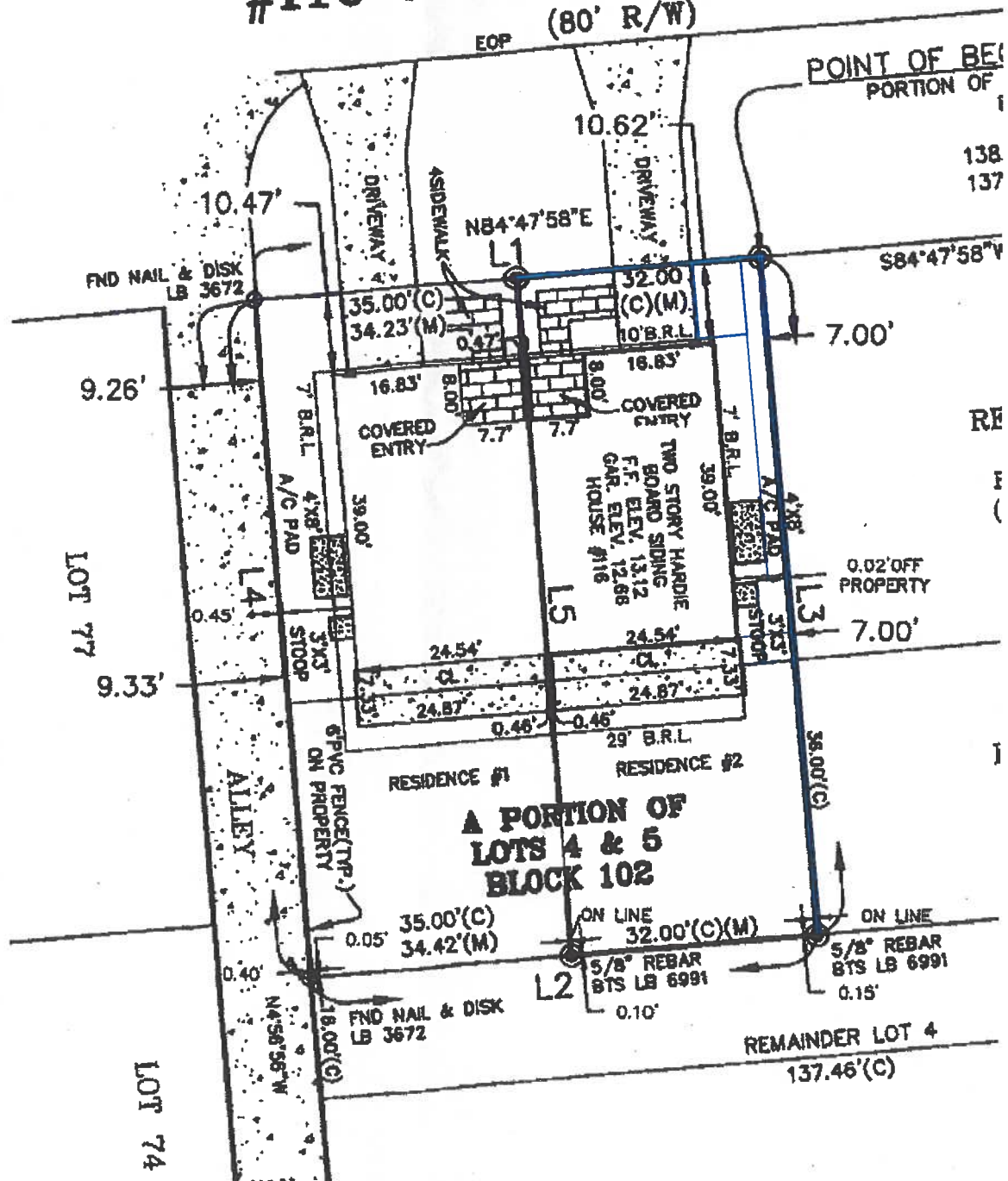

Jon Hays, CEO

Building Department

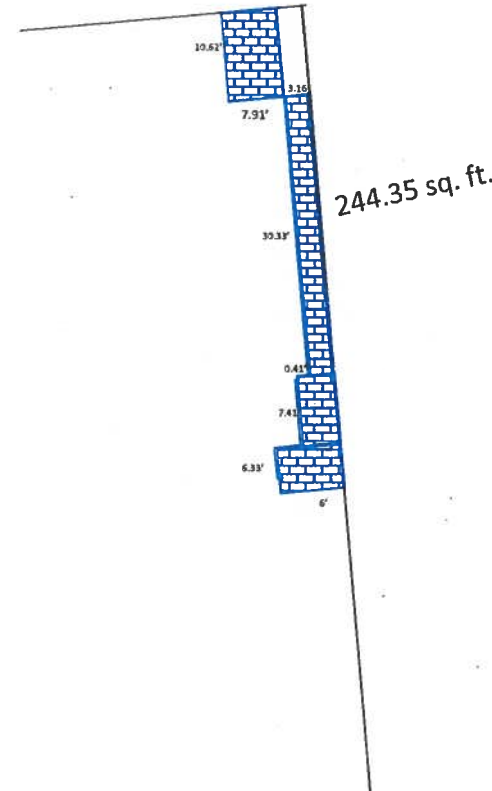


#116 10TH AVENUE NORTH

PROPOSED

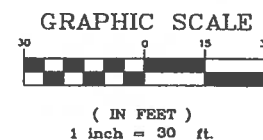


IMPERVIOUS COVERAGE		
Impervious Sq. Ft.	Total Lot Sq. Ft.	%
1611.50	2848	56.5%



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21-100080
AUG 24 2021

PLANNING & DEVELOPMENT



EXISTING
BOUNDARY SURVEY

DRAFT

LINE TABLE		
LINE	DIRECTION	LENGTH
L1(C)	N84°47'58"E	67.00
L1(M)	N84°47'58"E	66.23
L2(C)	S84°48'00"W	67.00
L2(M)	S84°48'00"W	66.42
L3(C)(M)	S4°56'56"E	89.00
L4(C)(M)	S5°04'22"E	89.00
L5(C)(M)	N5°04'22"W	89.00

■ DENOTES CONCRETE
■ DENOTES BRICK

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

DESCRIPTION BY SURVEYOR

A PORTION OF LOTS 4 AND 5 BLOCK 102, AS RECORDED IN PLAT BOOK 5, PAGE 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 5 BLOCK 102, AS RECORDED IN PLAT BOOK 5, PAGE 66; RUN THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 102 SOUTH 84°47'58" WEST, A DISTANCE OF 71.00 FEET TO POINT OF BEGINNING.

FROM POINT OF BEGINNING, THENCE SOUTH 05°04'22" EAST, A DISTANCE OF 89.00 FEET; THENCE SOUTH 84°48'00" WEST, A DISTANCE OF 32.00 FEET; THENCE NORTH 04°56'56" WEST, A DISTANCE OF 89.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID BLOCK 102; THENCE NORTH 84°47'58" EAST ALONG SAID NORTHERLY LINE, A DISTANCE OF 32.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRES, MORE OR LESS.

SAID LANDS SITUATED, LING AND BEING IN DUVAL COUNTY, FLORIDA.

GENERAL NOTES:

1. BEARINGS ARE BASED ON THE WESTERLY R/W OF 1ST STREET NORTH AS BEING S5°04'22"E.
2. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1988.
3. THE LANDS SHOWN HEREON LIE WITHIN FLOOD ZONE "X" AS DEPICTED ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY NUMBER 120078, PANEL NUMBER 0417H, DATED, JUNE 3, 2013, THE FLOOD ZONES SHOWN ON THIS SURVEY ARE SCALED OFF OF THE F.E.M.A. F.I.R.M. MAPS AND ARE FOR REFERENCE ONLY. THE F.I.R.M. INFORMATION AND DELINEATIONS ON THIS SURVEY ARE VALID ONLY FOR DATES UP TO AND INCLUDING THE DATE OF THIS SURVEY. THERE MAY HAVE BEEN SUBSEQUENT REVISIONS AFTER THIS DATE THAT WILL SUPERSEDE SAID INFORMATION. INQUIRIES SHOULD BE MADE TO THE COMMUNITY'S FLOOD PLANE MANAGEMENT REPOSITORY, DEPARTMENT OF PUBLIC WORKS, DUVAL COUNTY.
4. NO UNDERGROUND FOUNDATIONS OR UTILITIES & NO IMPROVEMENTS, OTHER THAN THOSE SHOWN WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
5. ADDITIONS, DELETIONS AND/OR ANY WRITTEN INFORMATION ADDED TO THIS MAP AND/OR REPORT IS PROHIBITED AND IS NOT AUTHORIZED BY THE SIGNING SURVEYOR.
6. THIS MAP IS INTENDED TO BE VIEWED AT A SCALE OF 1"=30' OR SMALLER.
7. ENTRIES & PATIOS DEPICTED AS EXTENDING INTO THE BUILDING RESTRICTION LIMITS MUST REMAIN UNCOVERED & NOT ENCLOSED.
8. UPLAND BUFFERS ADJACENT TO WETLANDS ARE TO REMAIN NATURAL, VEGETATIVE, AND UNDISTURBED.
9. THIS BOUNDARY SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND NO CERTIFICATION HAS BEEN CREATED, EXPRESSED, OR IMPLIED, TO COPY THIS BOUNDARY SURVEY AND IS NOT TRANSFERABLE. ANY COPIES OF THIS BOUNDARY SURVEY THAT ARE USED IN ANY SUBSEQUENT TRANSACTIONS SHALL BE NULL AND VOID IF THEY DO NOT BEAR THE EMBOSSED RAISED SEAL OF THE SIGNING SURVEYOR. THE USE OF SUCH DOCUMENTS RELEASES THE SIGNING SURVEYOR OF ANY FURTHER CLAIMS OF LIABILITY OF ANY SUBSEQUENT TRANSACTIONS AND IS ONLY VALID UP TO 60 DAYS AFTER THE LAST REVISION DATE.
10. DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
11. THIS SURVEY IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.
12. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, AND COMMISSION OR OTHER ENTITY AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.
13. UNLESS A COMPARISON IS MADE, MEASURED BEARINGS AND DISTANCES ARE IDENTICAL WITH PLAT VALUES.
14. THIS SURVEY IS BASED ON INFORMATION AS PROVIDED BY THE CLIENT.
15. BUILDING AND IMPROVEMENT TIES AS DEPICTED HEREON ARE PERPENDICULAR TO THE PARCEL PROPERTY LINES. ALL BUILDING TIES ARE SHOWN TO THE FOUNDATION.
16. THE PURPOSE OF THIS BOUNDARY SURVEY IS TO RECERTIFY THE FINAL SITE IMPROVEMENTS FOR RESIDENCE #2.

SETBACKS AMENDED AND APPROVED BY CITY OF JACKSONVILLE BEACH
RE: BOA#14-100072
1034 NORTH 1ST STREET (AKA 102, 110, 116 NORTH 10TH AVENUE)
(LOT 5 AND PART OF LOT 4, BLOCK 102, PABLO BEACH
IMPROVEMENT COMPANY'S PLAT OF PART OF THE NORTHERN PORTION OF PABLO BEACH

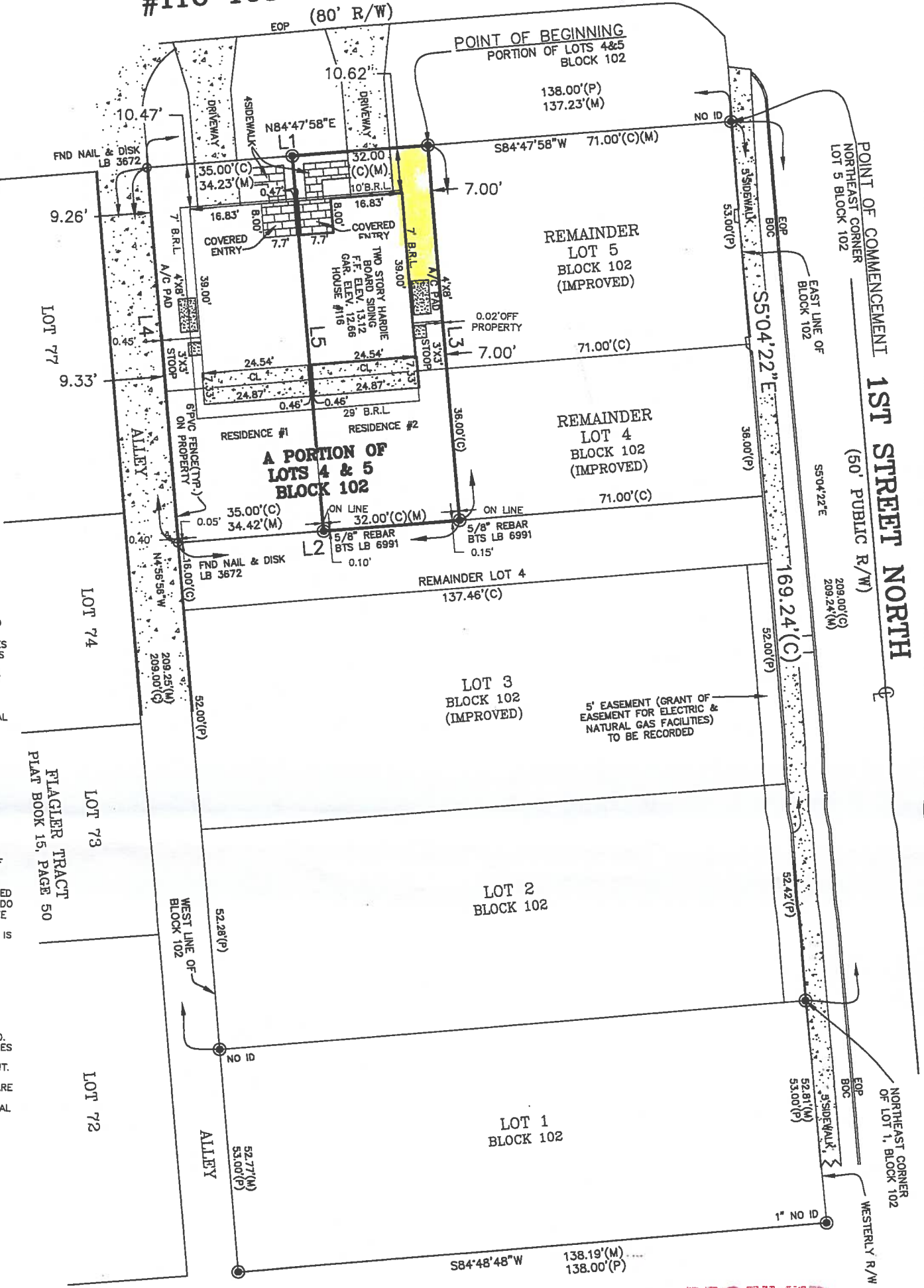
- 34-340(e)(1)c.1: FOR FRONT YARDS OF 10 FEET IN LIEU OF 20 FEET REQUIRED;
34-340(e)(1)c.2: FOR SIDE YARDS OF 7 FEET IN LIEU OF 10 FEET REQUIRED;
34-340(e)(1)c.3: FOR REAR YARD OF 29 FEET IN LIEU OF 30 FEET REQUIRED;
34-340(e)(1)f: FOR 50% LOT COVERAGE IN LIEU OF 35% MAXIMUM; AND
34-373(o)(1), FOR AN OFF-STREET PARKING SPACE OF 10 IN LIEU OF 17 FEET IN DEPTH MINIMUM

ALL TO ALLOW FOR TWO-FAMILY DWELLINGS ON LOT 5 AND PART OF LOT 4.

REVISION F: RECERTIFY FINAL SITE IMPROVEMENTS (4/2/15) (LAH/RPS) DRAFT
REVISION E: CORRECT DESCRIPTION (3/30/15) (SLL/RPS)
REVISION D: ADDED FINAL SITE IMPROVEMENTS FOR RESIDENCE #2 (1/29/15) (SLL/RPS)
REVISION C: ADDED FINAL SITE IMPROVEMENTS (1/28/15) (SLL/RPS)
REVISION B: ADDED CERTIFICATIONS TO FOUNDATION LOCATION (10/21/14) (SLL/RPS)
REVISION A: ADDED FOUNDATION LOCATION (9/6/14) (LAS/RPS)
PREPARED FOR: DREAM FINDERS HOMES, LLC

PORTION OF LOTS 4 & 5 AS SHOWN ON PLAT OF
PABLO BEACH IMPROVEMENT COMPANY'S - PLAT - OF
PART OF NORTHERN PORTION OF PABLO BEACH, FLA.
AS RECORDED IN PLAT BOOK 5, PAGE 66 OF THE
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FL.

#116 10TH AVENUE NORTH
(80' R/W)



- DENOTES FND 1/2" I.P.
LB 3672
UNLESS OTHERWISE NOTED
BOC - DENOTES BACK OF CURB
EOP - DENOTES EDGE OF PAVEMENT
○ - DENOTES SANITARY CLEAN OUT
CL - DENOTES COVERED LANAI

9TH AVENUE NORTH

JAMES B. STALLINGS, Jr.
BRANDON A. STALLINGS
NAVY FEDERAL CREDIT UNION
D.R. REPASS, P.A.

CERTIFIED TO: FIRST AMERICAN TITLE INSURANCE COMPANY

RECEIVED
21-100080
MAY 21 2021

PLANNING & DEVELOPMENT

BARTRAM TRAIL SURVEYING, INC.

LAND SURVEYORS - PLANNERS - LAND DEVELOPMENT CONSULTANTS
1501 COUNTY ROAD 315 SUITE NO. 106 (904) 284-2224
GREEN COVE SPRINGS, FL 32043 FAX (904) 284-2258
CERTIFICATE OF AUTHORIZATION LB #6991
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"I HEREBY CERTIFY, that this survey graphically represents the results of a field survey made under my responsible direction and complies with the latest Standards of Practice for Surveys as promulgated by the Florida State Board of Professional Surveyors and Mappers, Chapter 5J-17 F.A.C.; Pursuant to section 472.027, Florida statutes, subject to all notes and notations shown hereon.

AUGUST 20, 2014 AUGUST 25, 2014
FIELD WORK COMPLETED MAP ORIGINALLY SIGNED

DRAFT

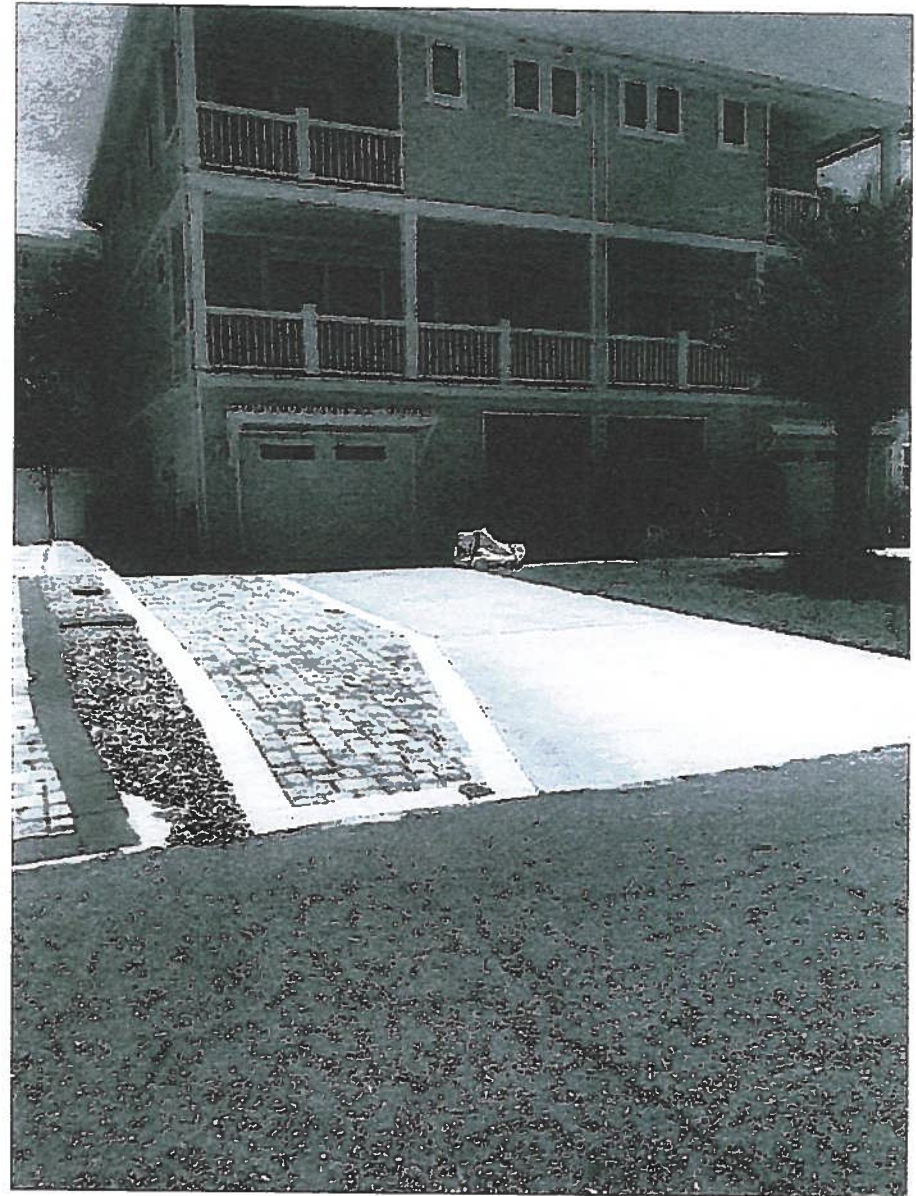
NOTATION:
The survey hereon was made without benefit of abstract or search of title, and therefore the undersigned and Bartram Trail Surveying make no Certifications regarding information shown or not shown hereon pertaining to easements, claims of easements, Rights-of-way, setback lines, overlaps, Boundary Line disputes, agreements, reservations or other similar matters which may appear in the abstract, or search.
This survey is prepared and certified for the exclusive use of the client named hereon and the survey map and report of the copies thereof are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

DRAWN BY: SLL CHECKED BY: RPS

F.I.R.M. FLOOD ZONE	X	ELEVATION: N/A
PANEL NO.:	120078 0417H 6/3/13	
FB/PG:	806/39 867/45 806/52,53	
DATE:	8/20/14	SCALE: 1"=30'
PROJECT NO.:	956-14-116-2	REVISION: F
SHEET 1 OF 1		

21-100080

116



21.100080

116





Gravel area 1

20'9.5" x 4'



Gravel area 2

41" x 44"



Gravel area 3

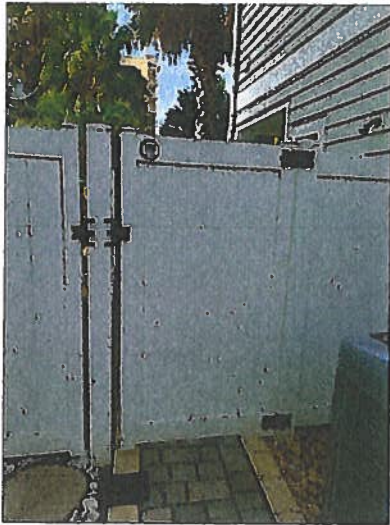
53.5" x 33.5"

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JUL 22 2021

PLANNING & DEVELOPMENT

21.100080



Fence with gate which leads to back yard



Paver path length

30'4" x 38"



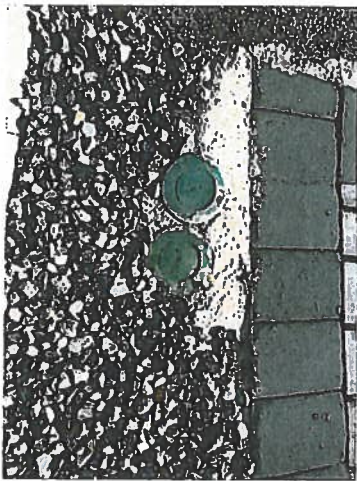
Paver area past fence gate

Narrow portion: 7'5" x 43

End portion: 6' x 76"



Home drainage access



Custom French Drain dedicated just for permeable pavers. Support both properties



City Sewage Access 1



City Sewage Access 2

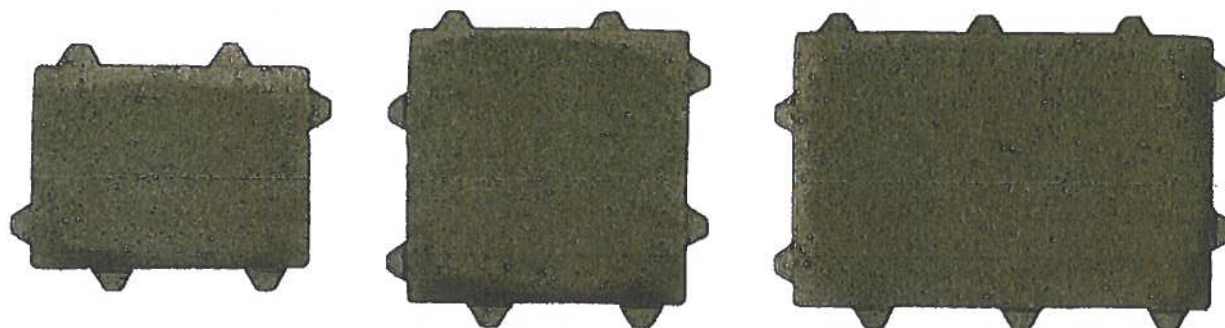
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The oversized joints allow for water to infiltrate into the sub base until it is naturally absorbed by the aquifer, thus dramatically reducing or eliminating flooding. Ideal for residential LEED Certified applications.

PRODUCT SPECS

COLORS

DATA SHEETS

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PLANNING & DEVELOPMENT



21-100080

OLDE TOWNE PERMEABLE PAVERS

PRODUCT CODE: EC01344

THICKNESS: 2-3/4" (60MM)

DIMENSIONS: 6"x4", 6"x6", 6"x9"

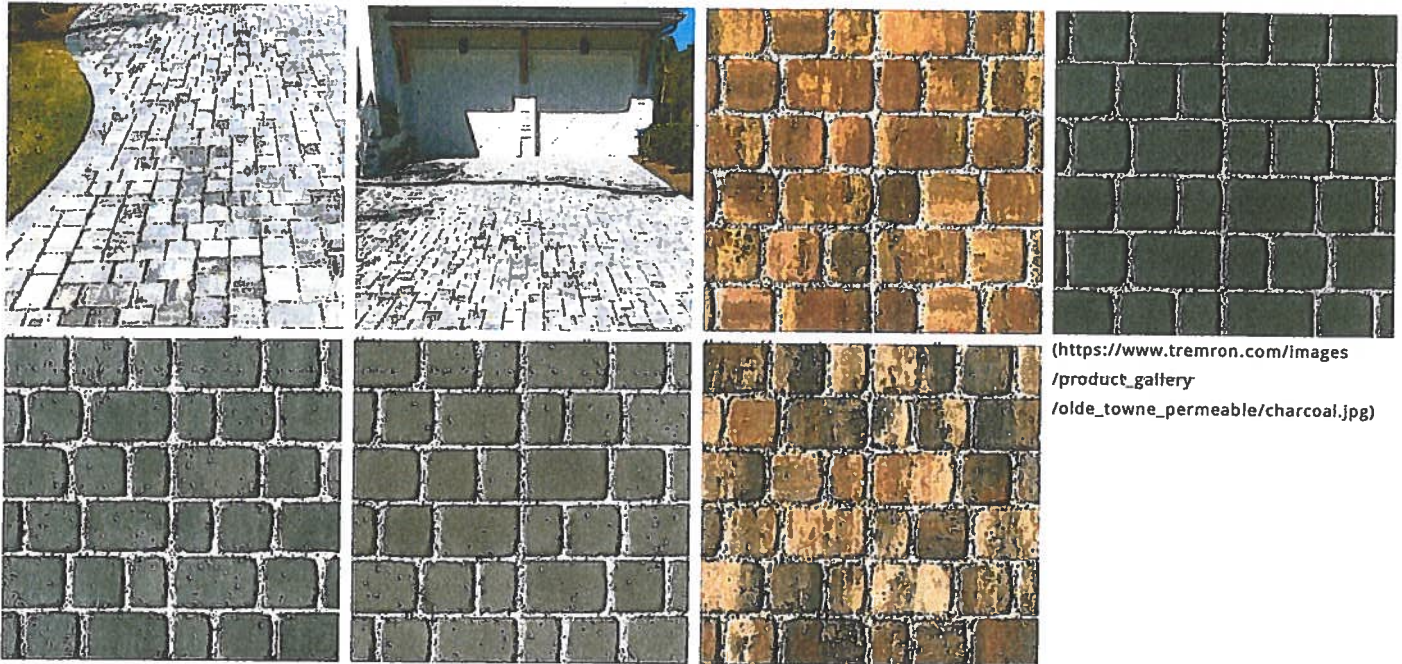
SF PER CUBE: 90

CUBE WEIGHT: 2350 LBS

•FINISH: STANDARD

PERMEABILITY: 10.5%

OLDE TOWNE PERMEABLE PAVERS PHOTOS



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[y](https://www.youtube.com/channel/UCWTz9XV54s14JKbgvKFQM0g) (<https://www.youtube.com/channel/UCWTz9XV54s14JKbgvKFQM0g>)

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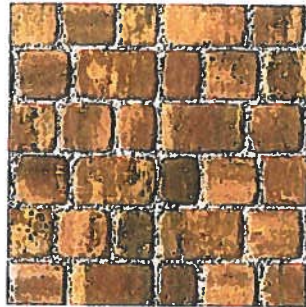
The oversized joints allow for water to infiltrate into the sub base until it is naturally absorbed by the aquifer, thus dramatically reducing or eliminating flooding. Ideal for residential LEED Certified applications.

PRODUCT SPECS

COLORS

DATA SHEETS

OFFERED COLORS



AUTUMN BLEND
Black/ White



CHARCOAL
Black/ White



GRANITE
Black/ White



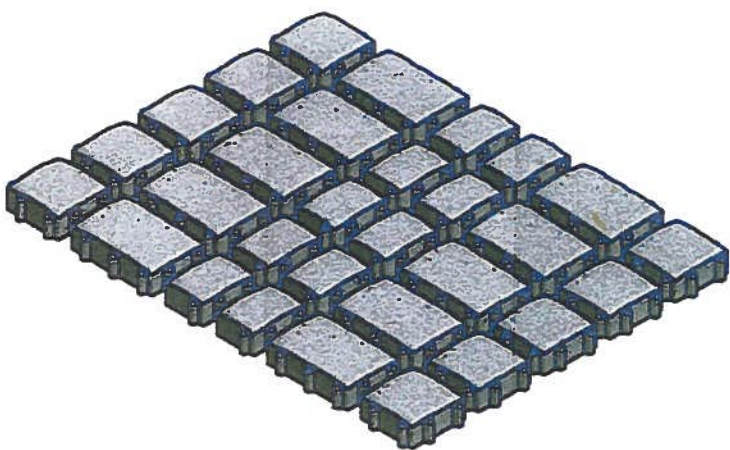
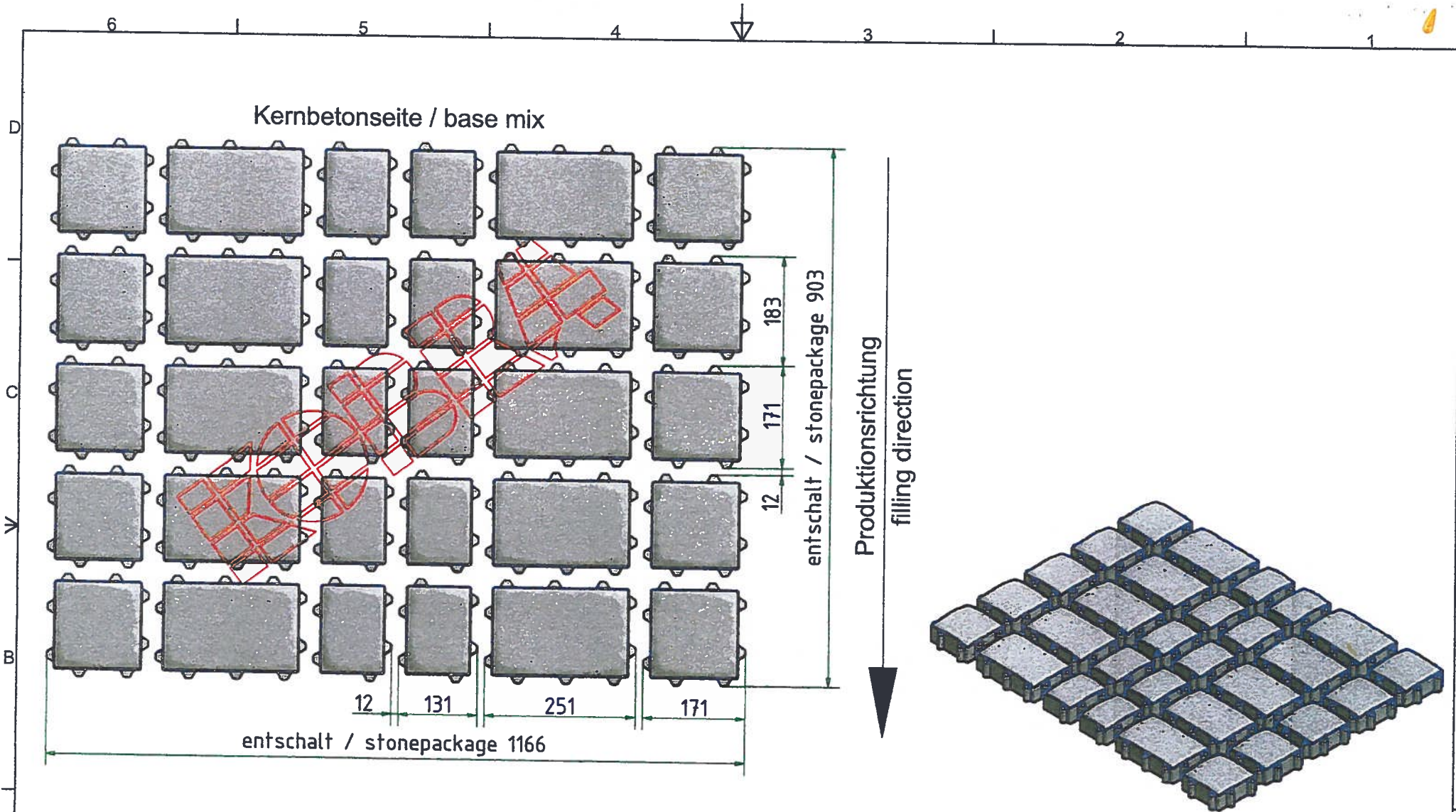
NATURAL GREY
Grey/ White



SIERRA
Brown/ White

* White based colors may be subject to an upcharge

OLDE TOWNE PERMEABLE PAVERS PHOTOS



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double acting tamperhead

10	10.1444096.00007	Rechteckstein Permeable 147x107x60
10	10.1444096.00006	Rechteckstein Permeable 227x147x60
10	10.1444096.00008	Quadratstein Permeable 147x147x60
Men	Artikel-Nr.	Bezeichnung
		Stöckliste

Customer		Medine		Steinsystem	
Part		Pallet Size		GR	DFL
Order No		OG	Date	Verfahren :	
		ALCrank	Platz	30 Permeable 227/147x147/107x60	
		Order No		drainspaces 12mmnd / doubleacting tamperhead	
				10.1444096.00006-00008	
				30.1444024.00075.IDW1	
				Ver. 2	
KOBRA		og. Abstr. 30.1444024.00075			

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DISCLAIMER: It is always recommended that you use more than two cubes at a time in order to maximize the color blends.

Furthermore, you should proceed with the cubes from top to bottom.

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BOA# 21-100137 Staff Report
3306 Ocean Drive South
Parcel ID: 181752-0005

All of lot 4, parts of lots 3 & 5, Harris Place SD.

Zoning: Residential, single-family: RS-1

Variances Requested: Section(s): 34-336(e)(1)c.2, for north and south side yard setbacks of 7 feet each in lieu of 10 feet minimum

Project: Construction of a new single family dwelling

Existing Conditions: The subject property is not platted lot of record but is comprised of parts of several lots. It appears from the property appraiser that the lot was created sometime in 2011. The current home owner purchased the parcel in its current state in 2011. The current lot is forty-three (43) feet in width and one-hundred and twenty-five (125) feet in depth. The current lot area is five-thousand three-hundred and seventy-five (5,375) square feet in area. Minimum dimensional standards within this zoning district include ten-thousand (10,000) square feet of area and a minimum width of ninety (90) feet overall and thirty-five (35) feet in width at the street. Maximum lot coverage for this zoning district is 35%. Side yard setbacks of ten (10) feet minimum.

Analysis: The current property, though not a single platted lot, was purchased by the current owner as a non-conforming lot. They did not create the non-conformity. The lot is substandard, particularly in width. RS-1 calls for 90 feet in width, and the property is 43 feet wide. The request for side setback reduction is for three feet on either side, leaving 7 feet on both the north and south property lines. The proposed house would meet the front and rear setback and maximum lot coverage. Though the application states a request for turf blocks, the applicant is proposing wheel strips.

Active Permits or Code Violations: None

Previous Development Orders: BOA#07-1000014: a request for side yard setback relief for construction of a new single family home.

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 the adjacent and surrounding properties have similar constraints and attributes with regards to lot width and area.

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

Staff does not find that the conditions are a result of the applicant. The applicant purchased the lot with the existing dimensions and size.

3. **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.**

Staff does not find the applicant will receive special privilege not granted to the rest of the homes adjacent.

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 work an unnecessary hardship.**

Staff does find that there is a hardship. The current lot non-conformities were present at the time of purchase by the current owner.

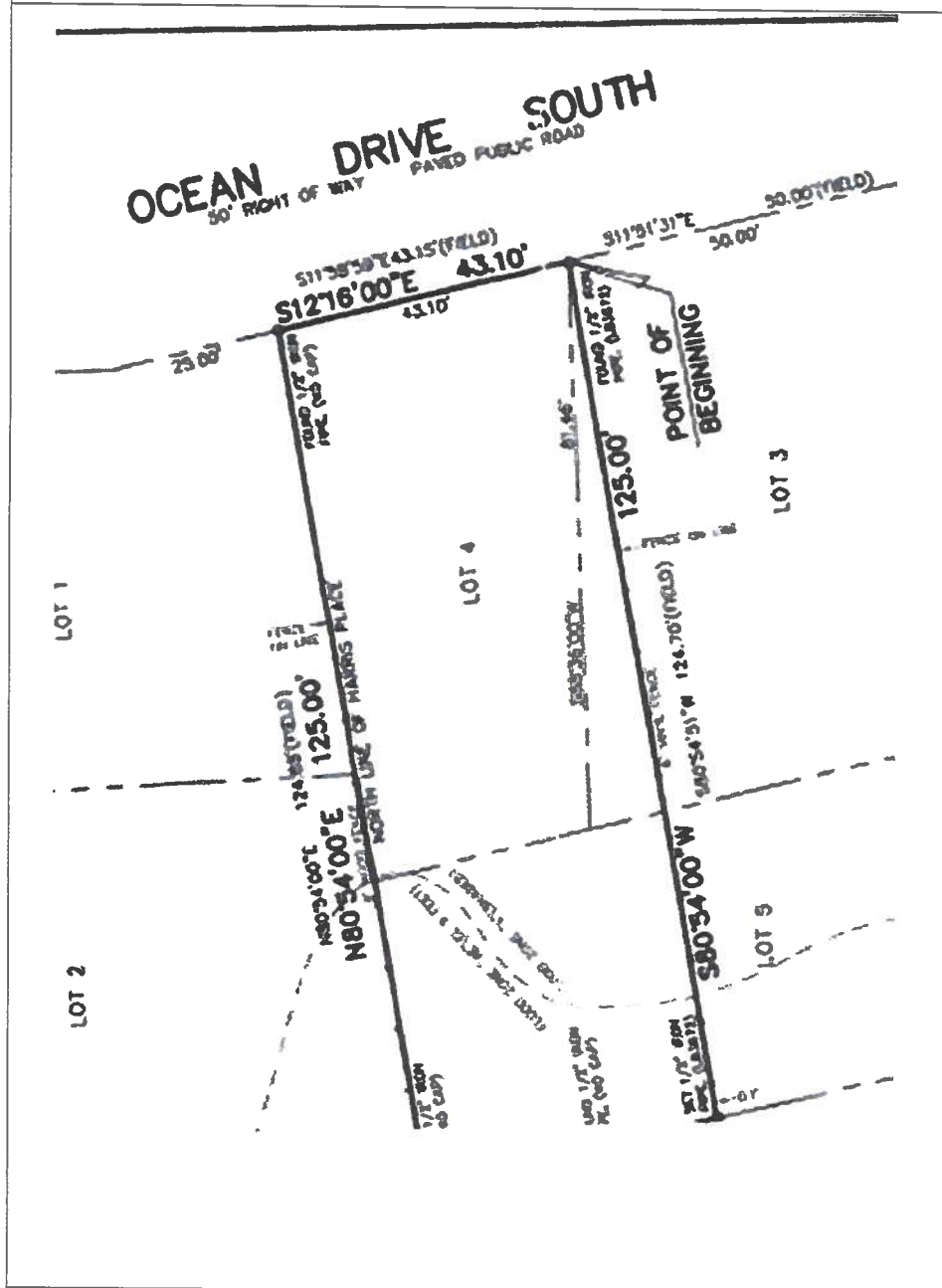
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary to allow for the construction of the proposed home.

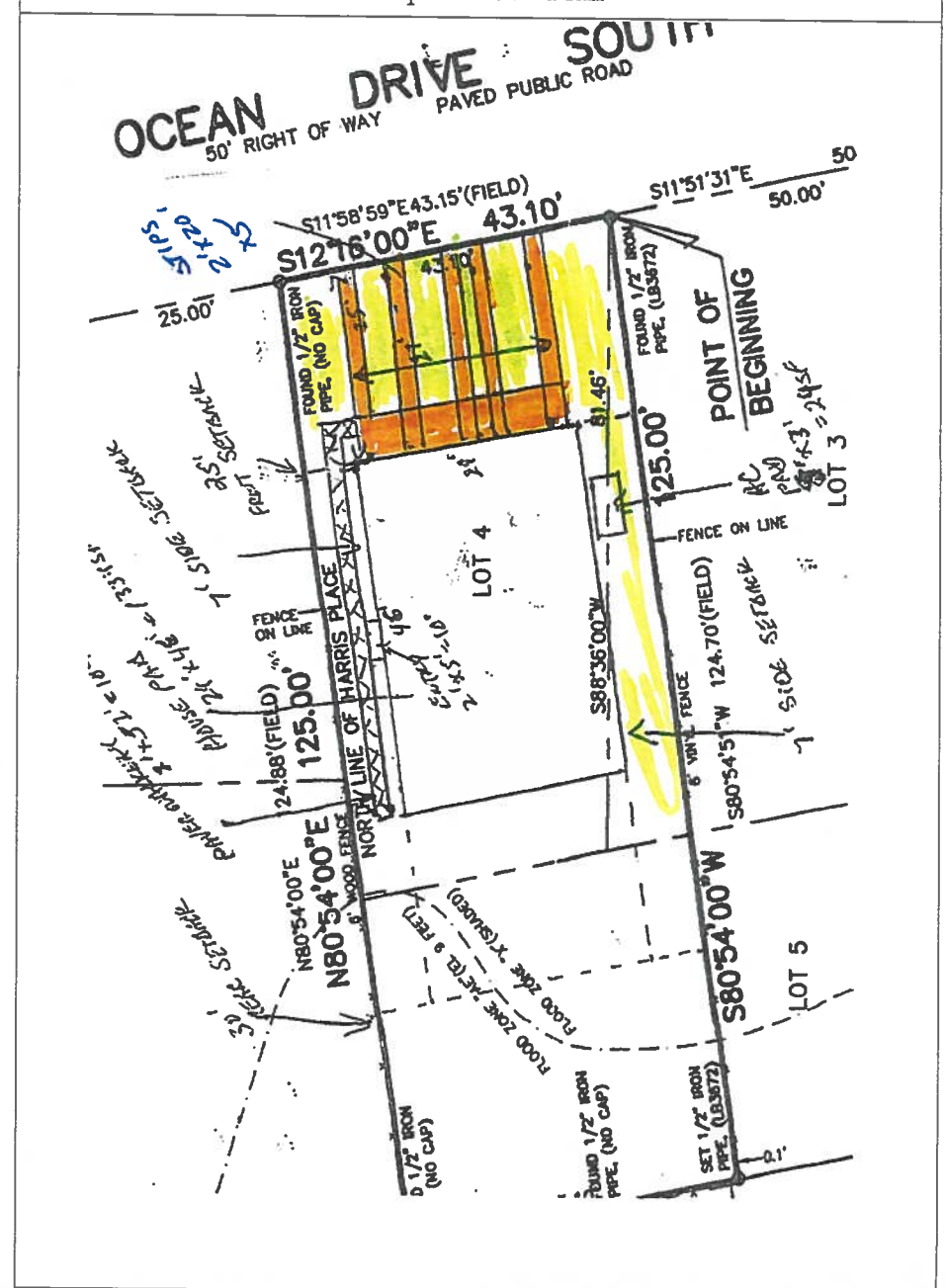
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan.

Survey of Existing Property



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100137
HEARING DATE 10-5-21

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

REQUIRED DOCUMENTATION

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

RECEIVED

AUG 13 2021

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: ROBERT G. BRUCE Telephone: 904-655-1998
Mailing Address: 3330 OCEAN DRIVE SOUTH E-Mail: RBFINANCIALGROUP
JACKSONVILLE BEACH, FL 32250 @GMAIL.COM
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: PETER F. GLOERSEN, M.D. Telephone: 904-534-8100
Mailing Address: 10475 CENTURION PARKWAY NORTH E-Mail: PG@CJAX.COM
JACKSONVILLE, FL 32256

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: 3306 OCEAN DRIVE SOUTH / RE #181752-0005
Legal description of property (Attach copy of deed): DEED ATTACHED
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
NORTH + SOUTH SIDE YARD SETBACK OF 7' IN LIEU OF 10'
TURF BLOCK IN LIEU OF PAVED DRIVEWAY

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

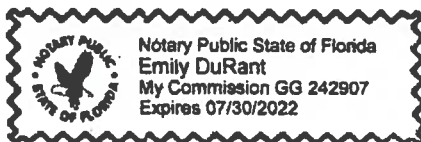
ROBERT G. BRUCE
PRINT APPLICANT NAME

8/12/21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of August, 2021, by Robert G. Bruce, who is personally known to me or produced FLDL as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Emily DuRant
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):
34-336(e)(1)c.2, for north and south side yard setbacks of 7 feet each in lieu of 10 feet minimum to allow for construction of a new single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100137

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

AUG 13 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	PRE-EXISTING NON-CONFORMING LOT 5387SF 43.1' X 125'
Special circumstances and conditions do not result from the actions of the applicant.	YES	THIS LOT PLUS THE ADJACENT LOT TO THE SOUTH USED TO HAVE A HOUSE + GARAGE. THE HOUSE WAS MOSTLY ON THE SOUTH LOT + THE GARAGE ON THE NORTH LOT, NOW KNOWN AS 3306 OCEAN DRIVE. AND A POOL TO THE REAR. ALL WERE TORN DOWN SOME 15 YEARS AGO + TWO LOTS CREATED
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	ALMOST ALL LOTS IN THIS AREA ARE AT LEAST 50' WIDE WHICH ALLOW FOR A "NORMAL" WIDTH HOUSE OF 30' OR MORE TO BE BUILT UNDER 10' SIDE SETBACK GUIDELINES. THIS LOT IS ONLY 43', ALLOWING FOR A HOUSE OF ONLY 23' WIDE. THERE IS A VARIANCE IN PLACE OF 8 1/2' ON THE SOUTH SIDE BUT THAT MEANS A HOUSE ONLY 24.5' WIDE
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	ALMOST EVERY HOUSE IN THE AREA IS AT LEAST 30' WIDE. IF VARIANCE IS GRANTED THE HOUSE CAN BE 29' WIDE AND IN KEEPING WITH THE LOOK OF OTHERS IN THE NEIGHBORHOOD
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	THIS 7' SIDE YARD VARIANCE IS THE ONLY ONE NEEDED FOR A "NORMAL LOOK" TO THE HOUSE. ALL OTHER REQUIREMENTS CAN BE COMPLIED WITH: FRONT YARD SETBACK 25', REAR YARD SETBACK 30', AND COVERAGE OF 35%.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	THIS VARIANCE WILL ALLOW THE CONSTRUCTION OF A "NORMAL LOOKING" HOUSE THAT WILL BE IN KEEPING AND ENHANCE THE NEIGHBORHOOD

Reference



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

March 8, 2007

Mr. Samuel A. Christian
3848 Duval Drive
Jacksonville Beach, FL 32250

RECEIVED
21-100137
AUG 13 2021

RE: BOA 07-100014
~~3310~~ South Ocean Drive, Lot 4

PLANNING & DEVELOPMENT

3306
Dear Mr. Christian:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, March 6, 2007 to consider your variance application.

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

- 34-336 (e) (1) c.2, for a southerly side yard of 8.5 feet in lieu of 10 feet required

To allow for a new single family dwelling.

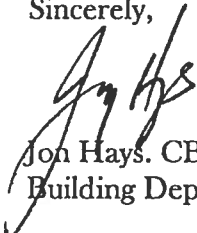
The results of the meeting were:

- *Approved.*

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

If you have any questions regarding this variance, please feel free to call me at (904) 247-6235.

Sincerely,


Jon Hays, CBO
Building Department

OCEAN DRIVE SOUTH
50' RIGHT OF WAY
PAVED PUBLIC ROAD

[illegible]

3306 OCEAN DRIVE SOUTH

COVERAGE SUMMARY

RECEIVED
21-100137
AUG 31 2021

PROPERTY: $43.1' \times 125' = 5387 \text{ SF}$

35% COVERAGE = 1885 SF

PLANNING & DEVELOPMENT

HOUSE TO BE BUILT

HOUSE PAD $46' \times 29' = 1334 \text{ SF}$

DRIVEWAY $25' \times 27' = 675 \text{ SF}$

40% PERVIOUS PAVEMENT 160% = 4105 SF

PAVER WALKWAY $2' \times 52' = 104 \text{ SF}$

ENTRYWAY $2' \times 5' = 10 \text{ SF}$

AC PAD $3' \times 8' = 24 \text{ SF}$

TOTAL COVERAGE 1877 SF

8/31/21

ALTERNATIVE
1. APRON IN FRONT OF
GARAGES $5' \times 27' = 135 \text{ SF}$
TIRE STRIPS
 $2' \times 20' = 200 \text{ SF}$
 $\times 5$ 335 SF

1807 SF

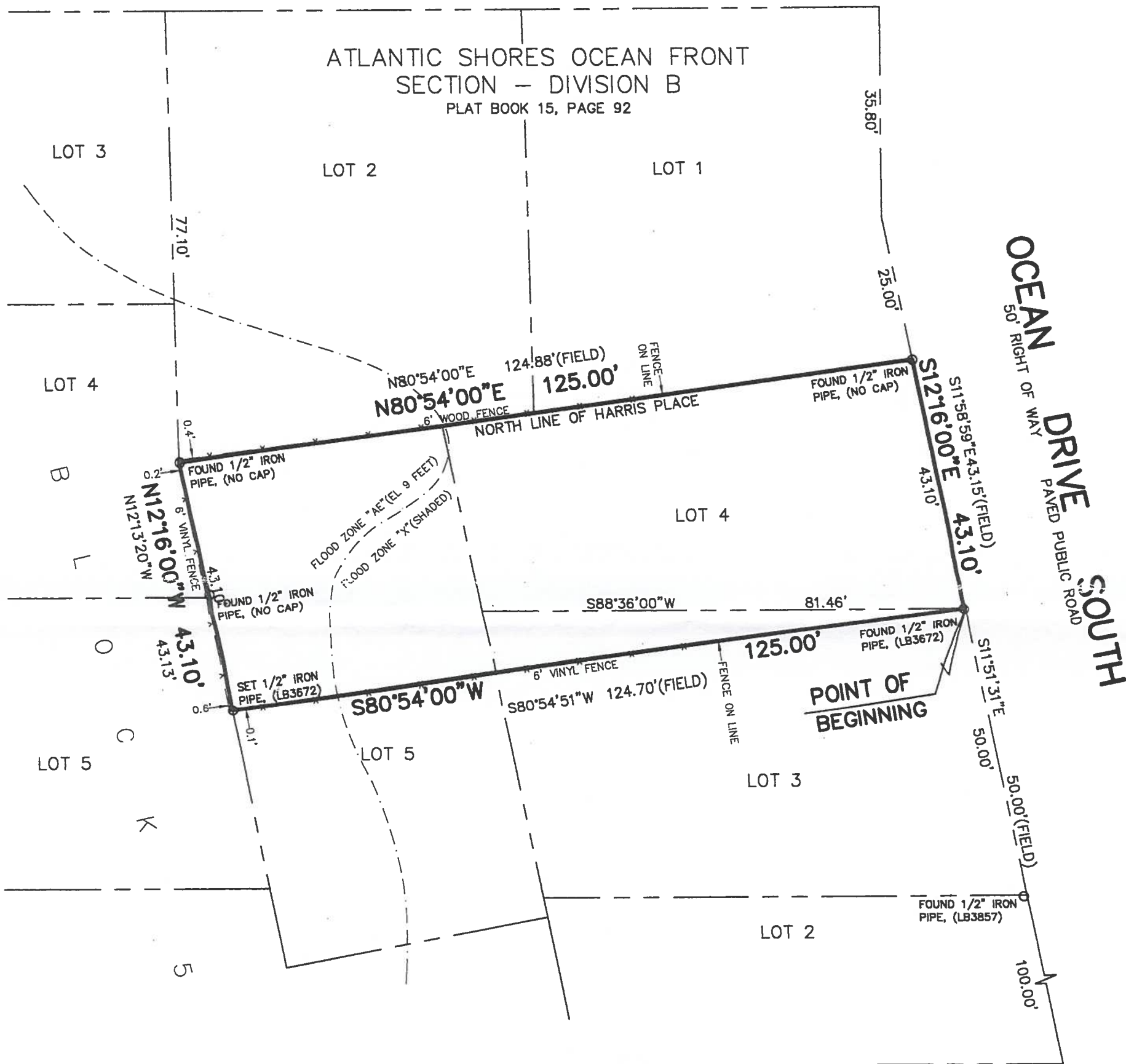
EXISTING

MAP SHOWING SURVEY OF

ALL OF LOT 4, AND PART OF LOTS 3 AND 5, HARRIS PLACE, AS RECORDED IN PLAT BOOK 15, PAGE 95 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALL OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 80°54'00" WEST, A DISTANCE OF 125.00 FEET TO THE WEST LINE OF LOT 5, THE PUBLIC RECORDS; THENCE NORTH 12°16'00" WEST, ALONG LAST SAID LINE, A DISTANCE OF 43.10 FEET TO THE NORTH LINE OF SAID HARRIS PLACE; THENCE NORTH 80°54'00" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 125.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF OCEAN DRIVE SOUTH (OCEAN AVENUE PROPOSED EXTENSION BY PLAT); THENCE SOUTH 12°16'00" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF OCEAN DRIVE SOUTH, A DISTANCE OF 43.10 FEET TO THE POINT OF BEGINNING.

33rd AVENUE SOUTH

50' RIGHT OF WAY PAVED PUBLIC ROAD



NOTES:

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE NORTH LINE OF HARRIS PLACE AS BEING N80°54'00"E AS PER PLAT.
3. NO BUILDING RESTRICTION LINES AS PER PLAT.

THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN FLOOD ZONE "X"(SHADED)(AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD IN COASTAL FLOODPLAIN ZONE), AND COASTAL FLOODPLAIN ZONE "AE" (EL 9 FEET), AS WELL AS CAN BE DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" COMMUNITY-PANEL NUMBER 12031C0419J EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

0 10 20 40
SCALE: 1" = 20'

34th AVENUE SOUTH

50' RIGHT OF WAY PAVED PUBLIC ROAD
(FORMERLY ALHAMBRA STREET)

THIS BOUNDARY SURVEY IS CERTIFIED TO:
ROBERT G. BRUCE AND LINDA P. BRUCE

RECEIVED
21-100137
AUG 13 2021

PLANNING & DEVELOPMENT

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY:
DRAWN BY: ADT
FILE: 2021-0838

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

DATE: JUNE 11, 2021
SHEET 1 OF 1



CITY OF JACKSONVILLE BEACH, FLORIDA APPLICATION FOR VARIANCE

BOA No. 07-100014

This form is intended for submittal, along with the required attachments, 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.

AUG 13 2021

21.100137

REQUIRED DOCUMENTATION

1. A boundary survey or plat of the land, prepared by a registered land surveyor that shows the location of all existing improvements. The survey or plat must also show all proposed additions or improvements added to the drawing, **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 **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

JAN 16 2007

APPLICATION INFORMATION

PLANNING & DEVELOPMENT

Applicant's name: SAMUEL A. CHRISTIAN Phone: 904 2856787
 Mailing address: 3848 DUVAL DRIVE JACKSONVILLE BEACH, FL. 32250
 Agent's name: EREWATER Companies INC. STEPHEN B. Williams Phone: 904-241-8687
 Mailing address: 1003 N. 3rd STREET JAX. BEACH, FL. 32250
 Landowner's name: SAMUEL A. CHRISTIAN Phone: 904-285-6787
 Mailing address: 3848 DUVAL DRIVE JACKSONVILLE BEACH, FL. 32250
 Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

3306

Street address of property: 3306 OCEAN DR. South JACKSONVILLE BEACH, FL. 32250
 Legal description of property (attach copy of deed): #181752-0000 LOT 4, PART OF LOT'S 3 & 5 HARRIS PLACE
 Reason for the Variance request: (applicant must state the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). LOT 1 (RENAMED)
SIDE YARD SET BACK OF 8.52' in lieu of 10' Required

Applicant's Signature: [Signature] Date of Application: 1/15/07

THIS BOX FOR OFFICE USE, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X
 CODE SECTION (S): 34-336 (e) (1) C. 2. For a southerly side yard of 8.5 feet
in lieu of 10 feet required to allow for a new single family dwelling

Ket 19 204 3

RECEIVED

VARIANCE APPLICATION STANDARDS AND CONDITIONS

AUG 13 2021

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

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

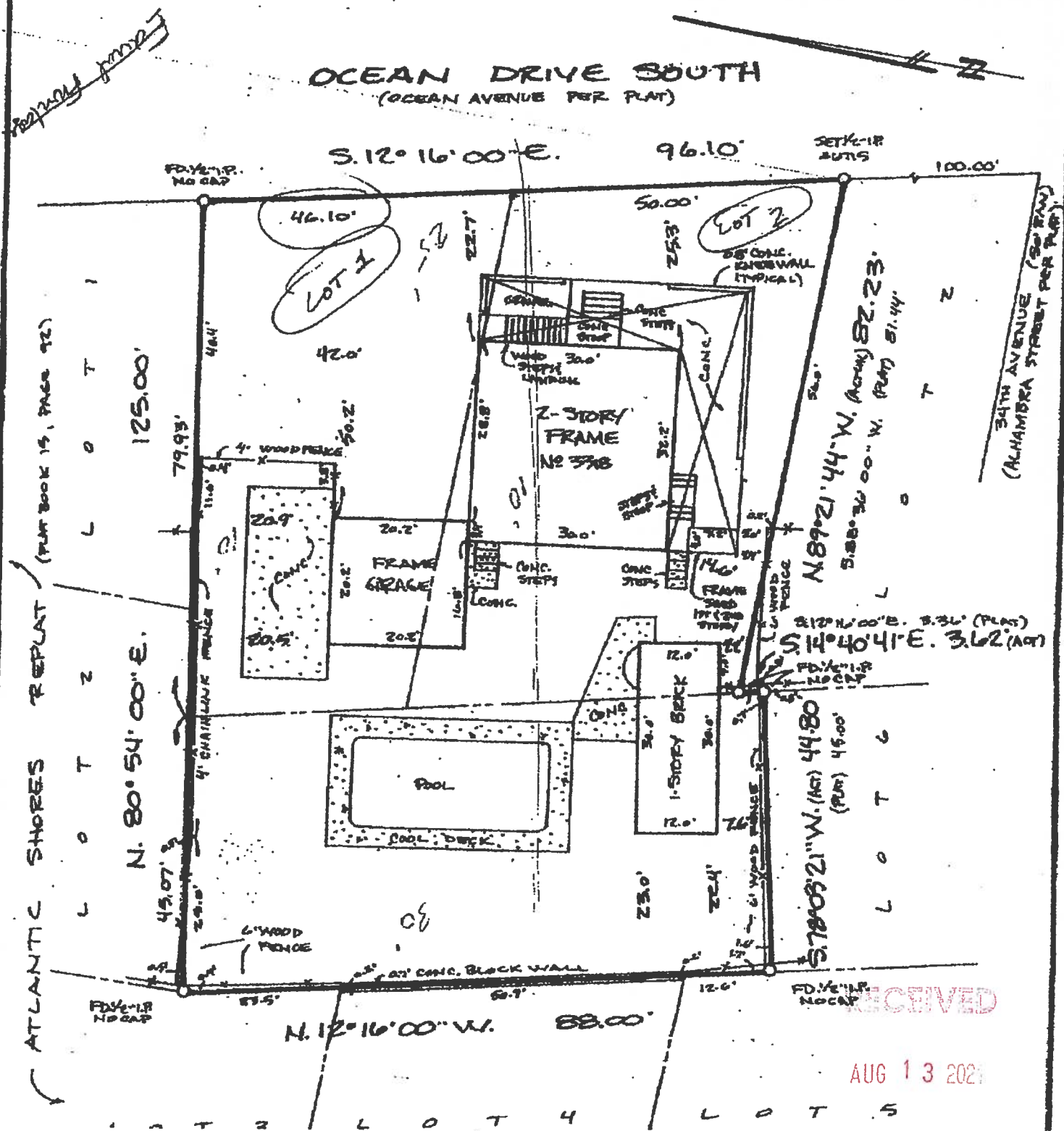
Standard	Meets? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	
Special circumstances and conditions do not result from the actions of the applicant.	Yes	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	
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	

Ket 19 Sat 3

CONFIGURATION

MAP SHOWING BOUNDARY SURVEY OF
LOT 3, 4 & 5 BLOCK — AS SHOWN ON MAP OF
HARRIS PLACE

AS RECORDED IN RAT BOOK 15 PAGES 95 OF THE CURRENT PUBLIC RECORDS OF DUNALCO, FLA
 CERTIFIED TO: SAMUEL A. CHRISTIAN, SUNTRUST MORTGAGE, INC.,
STEWART TITLE OF JACKSONVILLE, INC., CRAFT STREET FALLAR, FLA.



AUG 13 2021

PLANNING & DEVELOPMENT

Ref BOA 21.100137

September 26, 2021

Department of Planning and Development
City of Jacksonville beach
Via email to: planning@jaxbchfl.net

Re: Public hearing on October 5, 2021 concerning BOA#21-100137

Dear Board of Adjustment Members:

We are the owners of the property at 22 33rd Avenue South, which adjoins 3306 Ocean Drive on the north side. We are aware of Bob Bruce's request for a variance of 7 feet in lieu of 10 feet for his side yard setback. We have discussed this with Mr. Bruce, whom we have known for a long time, and he has described to us his plans for the house he intends to build. Because he has made assurances to us about his plans, we have no objection to his request for the variance.

He has assured us that he will have a front yard setback of 30 feet instead of 25 feet, which, because of the irregular shape of our lot, will effectively increase the distance between his house and ours and keep our view more open on the southeastern side of our house. He has also assured us that he will not seek a coverage variance and will take measures to improve the flooding problem that exists in the low area at the back of his property, which also affects our property and the properties of neighbors to the west and south. Finally, we have discussed with him his plans for the windows and fence on our side of his property, and we are satisfied with the way he plans to handle those things.

With these understandings, we hope you will approve his request for the side yard setback variance.

Sincerely,



Alan and Terry Chipperfield
22 33rd Avenue South
Jacksonville Beach, FL 32250
904-629-8628

BOA# 21-100138 Staff Report

729 12th Avenue South

Parcel ID: 176753-0100

Lot 9, Less west 26', Block 118 Oceanside Park

Zoning: Residential, single-family: RS-3

Variances Requested: Section(s): 34-338(e)(2)c.3, for a rear yard setback of 19 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 46% lot coverage in lieu of 35% maximum

Project: Addition of a rear paver patio, pergola and two paver pads to an existing two-family dwelling

Existing Conditions: The existing lot is half of a platted lot of record (circa 1922). The lot is currently occupied by half of a two family dwelling. The property was purchased by the current owner in 2020. The lot is twenty five feet (25) feet in width and one-hundred and eighteen feet in length with an overall area of two-thousand nine-hundred and fifty (2950) feet in area. The dimensional standards for a two family dwelling require a minimum lot width of sixty (60) feet, a minimum lot area of six-thousand (6,000) square feet, a minimum rear yard setback of thirty (30) feet and a minimum.

Analysis: The current lot was purchased as it is today in 2020 by the current owner. The existing two family dwelling was constructed with a with a variance granting 37% lot coverage in lieu of 35% and a front setback of 16 feet in lieu of 20 feet. The new request is for a covered rear patio and two side yard paver pads. The paver patio and pads bring the lot coverage to 46% and the rear setback for the rear patio would be 19 feet. There are several examples of similar designs in the immediate area and the zoning district at large.

Active Permits or Code Violations: None

Previous Development Orders: BOA#20-1000068: for a front yard setback of 16 feet in lieu of 20 feet minimum for front balconies and a lot coverage of 37%

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 the adjacent and surrounding properties have similar constraints and attributes with regards to lot width and area.

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

Staff does not find that the conditions are a result of the applicant. The applicant purchased the lot with the existing dimensions and size.

3. **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.**

Staff does not find the applicant will receive special privilege not granted to homes in the immediate area.

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 work an unnecessary hardship.**

Staff does find that there is a hardship. The current lot non-conformities were present at the time of purchase by the current owner.

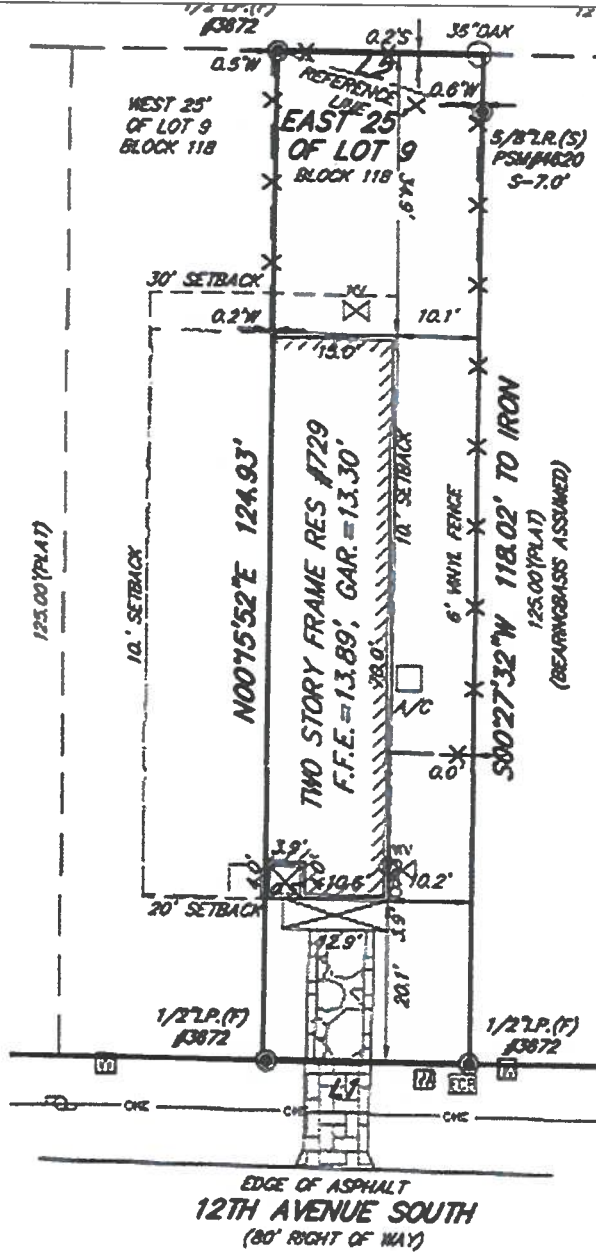
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary to allow for the construction of the proposed home.

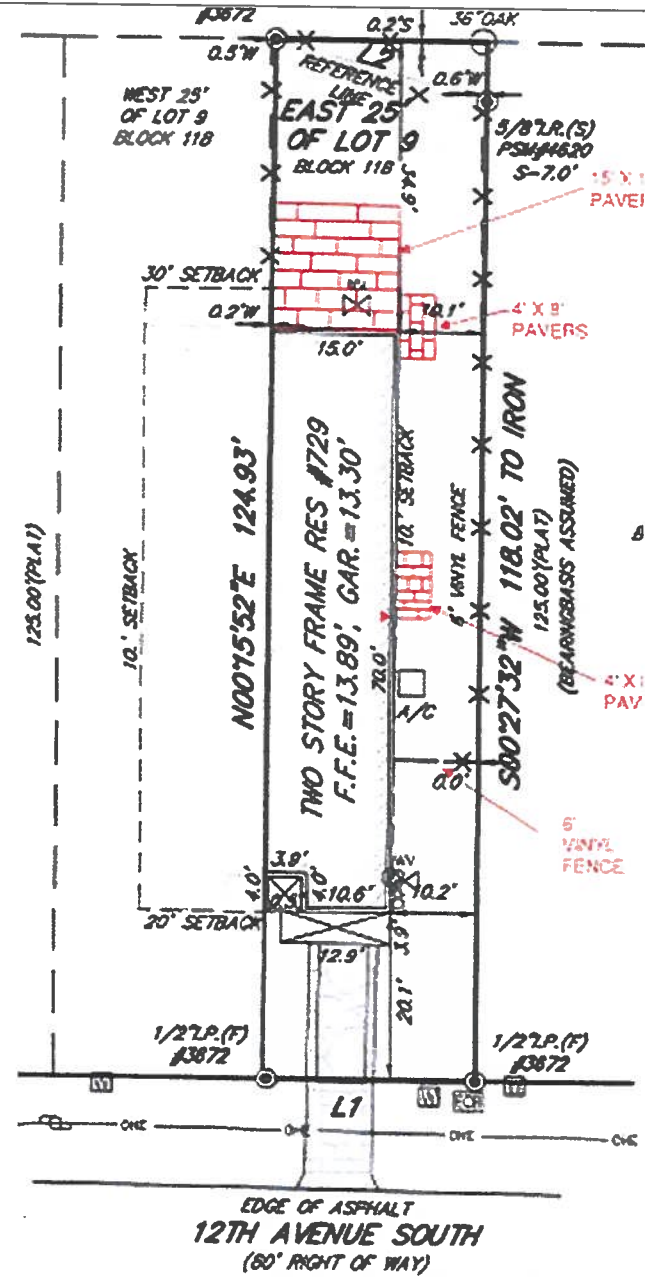
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan.

Survey of Existing Property



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100138
HEARING DATE 10-5-21

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

REQUIRED DOCUMENTATION

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

AUG 13 2021
1:50

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Eric & Amanda Littles Telephone: 904-613-1583
Mailing Address: 729 12th avenue south Jacksonville Beach, FL 32250 E-Mail: eric.littles@gmail.com

Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____

Landowner Name: Eric & Amanda Littles Telephone: 904-613-1583
Mailing Address: 729 12th avenue south Jacksonville Beach, FL 32250 E-Mail: eric.littles@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: 729 12th Ave South / 176753-0100
Legal description of property (Attach copy of deed): Lot 9, Except the West 26', Block 118, Oceanide Park
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).
34-338(e)(2)c.2, for an interior side yard setback of 0ft in lieu of 10ft min.
34-338(e)(2)c.3, for a rear yard setback of 19ft in lieu of 30ft min.
34-338(e)(2)f, for 46% lot coverage in lieu of 35% max for paver patio addition, shower and storage slab, pergola

AFFIDAVIT

I, Eric Littles, 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

Eric Littles
PRINT APPLICANT NAME

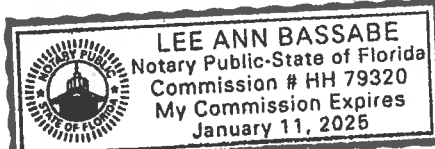
7/5/2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13 day of August, 2021, by Eric A. Littles, who is personally known to me or produced FL Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3

FLOOD ZONE: X

CODE SECTION (s):

34-338(e)(2)c.3, for a rear yard setback of 19 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 46% lot coverage in lieu of 35% maximum to allow for the addition of a rear paver patio, pergola and two paver pads to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. **21.100138**

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	lot is undersized per zoning standards
Special circumstances and conditions do not result from the actions of the applicant.	No	This is how we purchased the home
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 parcels of land have been approved for similar paver additions nearby
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	lot size is below the standard lot size; if this were a standard lot, variance would not be needed
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	improves rear yard usability and support the longevity of the property. Also prevents unnecessary parking on road and unused lots
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	makes no noticable difference of comprehensive plan. Will not affect adjacent land

JACKSONVILLE BEACH

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

Reference

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7017 0660 0000 0986 1306

21-100138

AUG 13 2021

July 22, 2020

Robert E Barnes Sr
3317 Royal Palm Drive
Jacksonville Beach, FL 32250



FILE COPY

RE: BOA#20-100068 BOA#20-100069
729 12th Avenue South 731 12th Avenue South

Dear Mr. Barnes,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, July 21, 2020, to consider the above application for a variance from the requirements of the Land Development Code.

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

- 34-338(e)(1)c.1, for a front yard setback of 16 feet in lieu of 20 feet minimum for second floor balconies; and
- 34-338(e)(1)e, for 37% lot coverage in lieu of 35% maximum

To rectify existing non-conformities resulting from the construction of a two-family dwelling on Lot 9, Block 118, *Oceanside Park*.

The Board **Approved** the request.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6231.

Sincerely,

George D. Knight, CBO
Building Official



MAXIMUM IMPERVIOUS COVERAGE SURFACE CALCULATION SHEET

ALL PERMIT APPLICATIONS FOR BUILDING ADDITIONS, ACCESSORY STRUCTURES, POOLS, POOL DECKS, DECKS, DWELLINGS, WALKWAYS, DRIVEWAYS, PAVERS OR ANYTHING ELSE COVERING THE LAND MUST BE ACCOMPANIED BY A PLOT PLAN INDICATING ALL STRUCTURES AND IMPERVIOUS SURFACES THAT EXIST ON THE PROPERTY.

RECEIVED
21.100138
AUG 13 2021

PLEASE COMPLETE THE FOLLOWING

PLANNING & DEVELOPMENT

A. SQUARE FOOTAGE OF EXISTING HOUSE (FOOTPRINT ONLY)

1053 ϕ

B. SQUARE FOOTAGE OF CARPORT/GARAGE

C. SQUARE FOOTAGE OF SHED OR DETACHED STRUCTURE

D. SQUARE FOOTAGE OF DECK OR COVERED PORCH

48 ϕ

E. SQUARE FOOTAGE OF DRIVEWAY

44 ϕ

F. SQUARE FOOTAGE OF ALL CONCRETE AREAS
(EXCLUDING THE PEDESTRIAN SIDEWALK)

G. SQUARE FOOTAGE OF POOL AND POOL DECKING

H. SQUARE FOOTAGE OF PROPOSED IMPERVIOUS AREA
(500 sq. ft. of new or replacement impervious requires a
Storm water management plan and 1000 sq. ft. or over
Requires an engineered storm water management plan.)

289 ϕ

I. TOTAL SQUARE FOOTAGE OF IMPERVIOUS COVERAGE
(A+B+C+D+E+F+G+H)

1434 ϕ

J. TOTAL SQUARE FOOTAGE OF LOT

3131 ϕ

TO COMPLETE THE MAXIMUM SQUARE FOOTAGE OF IMPERVIOUS COVERAGE ALLOWED ON A LOT,
MULTIPLY THE PERCENTAGE ALLOWED IN YOUR ZONING DISTRICT BY THE TOTAL SQUARE FOOTAGE
OF THE LOT (EXAMPLE: A LOT MEASURING 7,500 SQ.FT. WITH A 40% ALLOWABLE COVERAGE
WOULD HAVE AN ALLOWABLE MAXIMUM IMPERVIOUS COVERAGE OF 3,000 SQ. FT.)

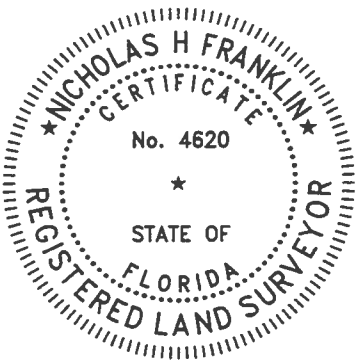
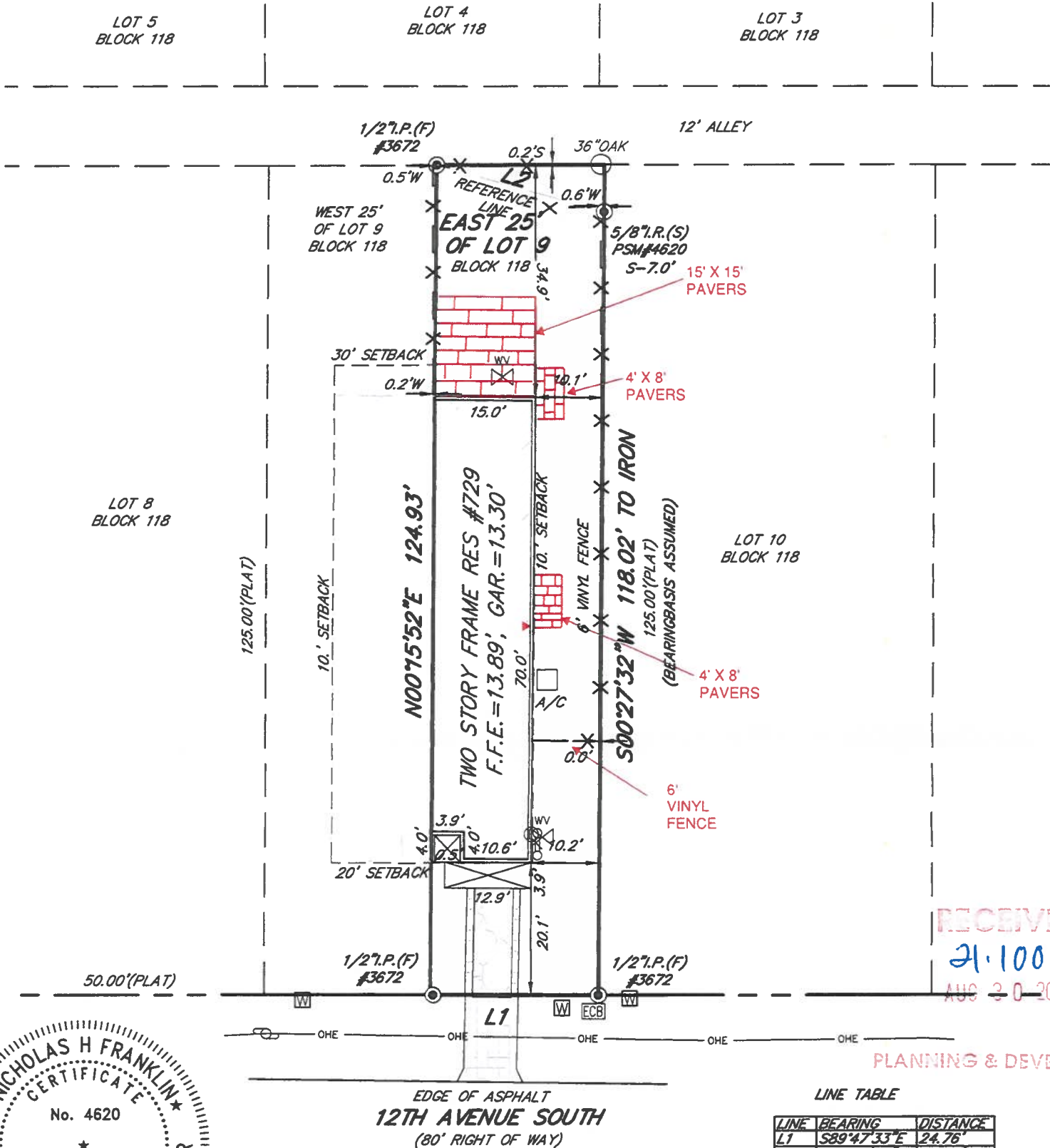
1565 ϕ
ALLOWABLE

PROPOSED

MAP SHOWING SURVEY OF

LOT 9, EXCEPT THE WEST 25'; BLOCK 118, OCEANSIDE PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
BARNES CONSTRUCTION, LLC
FIDELITY NATIONAL TITLE INSURANCE COMPANY
ST. JOHNS LAW GROUP



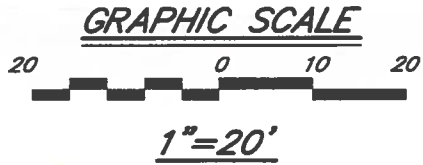
LEGEND

- | | |
|--|---------------------------|
| A/C - AIR CONDITIONER PAD | RES. - RESIDENCE |
| ID. - IDENTIFICATION | CL - CENTERLINE |
| N.A.V.D. - NORTH AMERICAN VERTICAL DATUM | DN - DENOTES NOT TO SCALE |
| sq. ft. - SQUARE FEET | WM - WATER METER |
| I.P.(F) - IRON PIPE FOUND | ECB - EXPOSED CONCRETE |
| I.R.(F) - IRON ROD FOUND | CA - COVERED AREA |
| I.R.(S) - 5/8" IRON ROD SET (PSM #4620) | W - WELL |
| WP - WOOD POWER POLE | OHE - OVERHEAD ELECTRIC |
| TR - TELEPHONE RISER | WV - WATER VALVE |
| ECB - ELECTRIC CONTROL BOX | EM - ELECTRIC METER |
| | BFP - BACK FLOW PREVENTOR |

IMPERVIOUS CALCULATIONS:
LOT AREA=3,131 sq. ft.
HOUSE AREA=1,053 sq. ft.
CONCRETE AREA=44 sq. ft.
TOTAL IMPERVIOUS=35%
REVISED IMPERVIOUS
CALCULATIONS 08/12/2021:

PAVERS = 289 SQ. FT
SECOND FLOOR BALCONY =
48 SQ. FT. (ROBERT BARNES)
TOTAL IMPERVIOUS = 46%

AREA = 0.07 ± ACRES
OR 3,131 ± sq. ft.



GENERAL NOTES:

- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. nothing hereon shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.
- This survey is certified to the last field date.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

NOTE:
THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

According to the Federal Emergency Management Agency FIRM Map No: 12031C0419J effective date: 11/02/2018, the property described hereon appears to lie in Zone X

- Basis of bearing structure: BEARING BASIS ASSUMED

- Basis of elevations: N.A.V.D.88

JOB NO.	LAST FIELD DATE	SCALE	F.B./PAGE	CHK. BY	DWG. BY
20-0434	04/20/20	1" = 20'	766/41	N.H.F.	R.J.B.

TYPE: BOUNDARY

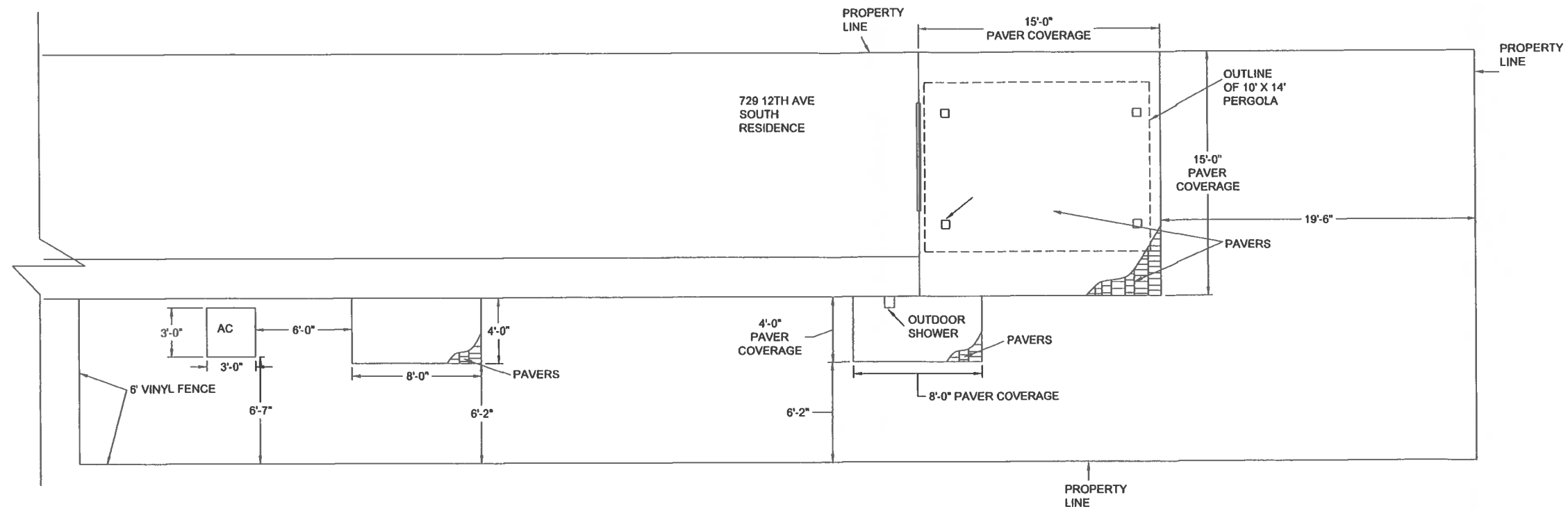
COPYRIGHT 2020, ALL RIGHTS RESERVED.

NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-6877 FAX (904) 471-6878

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions or deletions to survey maps or reports by other than the signing party is prohibited without the written consent of the signing party.

NICHOLAS H. FRANKLIN, P.L.S. 4620
FOR LANDTECH AND ASSOCIATES

PROPOSED



Thomas F. Rice
725 12th Avenue South
Jacksonville Beach, FL 32250
904-885-2269
06/03/2021

[Handwritten Signature]

1 EXTERIOR IMPROVEMENTS - PLAN VIEW
SCALE: 1/4" = 1'

RECEIVED
21-100138
AUG 30 2021

PLANNING & DEVELOPMENT

Revision log: BY: Date:

General notes:

LITTLE'S
RESIDENCE

PERGOLA

Drawn by:
TR

Issue date: 08/29/2021

PROPOSED



Berkley Jensen 14' x 10' Pergola

3 PERGOLA PERSPECTIVE VIEW

SCALE: N.T.S.

★★★★★ (30)

Item: 254271 Model: A106007420

PLANNING & DEVELOPMENT

RECEIVED
AUG 13 2021
21100138

Thomas F. Rice
725 12th Avenue South
Jacksonville Beach, FL 32250
904-885-2269
06/03/2021

Revision log: _____
BY: _____
Date: _____

General notes:

LITTLE'S
RESIDENCE

PERGOLA

Drawn by:
TR

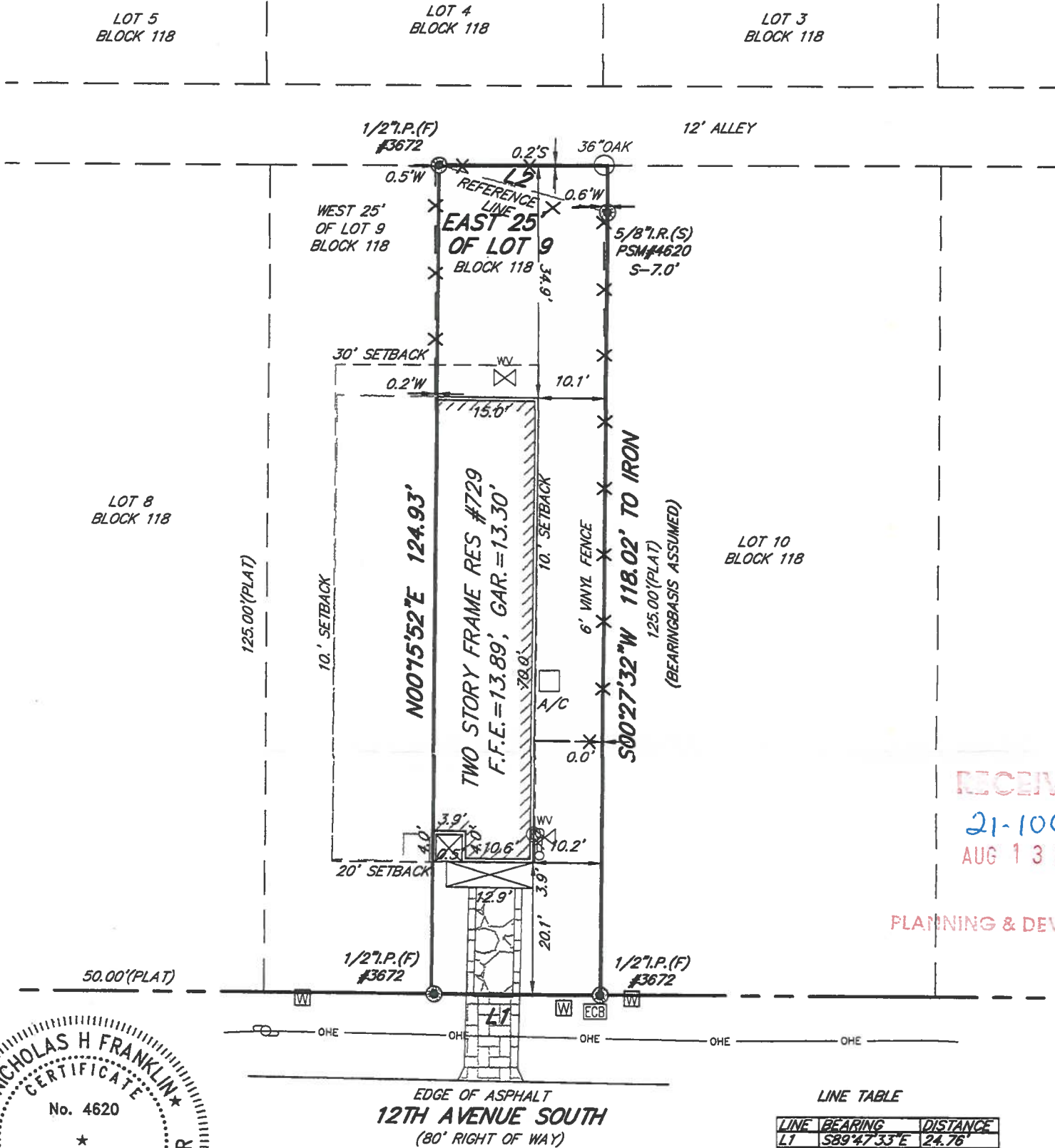
Issue date: 08/12/2021

EXISTING

MAP SHOWING SURVEY OF

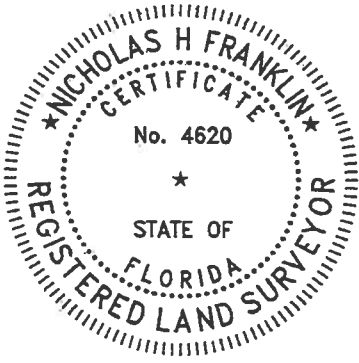
LOT 9, EXCEPT THE WEST 25', BLOCK 118, OCEANSIDE PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
BARNES CONSTRUCTION, LLC
FIDELITY NATIONAL TITLE INSURANCE COMPANY
ST. JOHNS LAW GROUP



RECEIVED
21-100138
AUG 13 2021

PLANNING & DEVELOPMENT



LEGEND

A/C - AIR CONDITIONER PAD
ID. - IDENTIFICATION
N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
sq. ft. - SQUARE FEET
I.P.(F) - IRON PIPE FOUND
I.R.(F) - IRON ROD FOUND
I.R.(S) - 5/8\"/>

RES. - RESIDENCE
C - CENTERLINE
+ - DENOTES NOT TO SCALE
W - WATER METER
X - EXPOSED CONCRETE
- - COVERED AREA
W - WELL
-OHE- - OVERHEAD ELECTRIC
W - WATER VALVE
E - ELECTRIC METER
O - BACK FLOW PREVENTOR

IMPERVIOUS CALCULATIONS:
LOT AREA=3,131 sq. ft.
HOUSE AREA=1,053 sq. ft.
CONCRETE AREA=44 sq. ft.
TOTAL IMPERVIOUS=35%

AREA = 0.07 ± ACRES
OR 3,131 ± sq. ft.

GRAPHIC SCALE



1\"/>

GENERAL NOTES:

- This survey made without benefit of an abstract of title. No right-of-way or easements of record were furnished to this firm except as shown.
- The certification of this survey is a professional opinion based on the existing field and documentary evidence available at the time this survey was prepared.
- This office has not abstracted this parcel of land for any recorded claims of title, easements or restrictions. This surveyor shall not be held liable for the existence of any such claims.
- Use of this survey for purposes other than that which it was intended, without written verification, will be at the user's sole risk and without liability to this surveyor. nothing hereon shall be intended to give any rights or benefits to anyone other than those the survey was prepared for.
- All disputes here under shall be resolved by binding arbitration in accordance with rules set forth by the American Arbitration Association.
- No underground structures, utilities or foundations were located or determined by this survey.
- For building setbacks call the appropriate county codes enforcement office.
- All distances, bearings or angles are as field measured. Deed or plat measurements are noted if different.
- The measurements for this survey were made in accordance with the United States Standards.
- Encroachments as shown hereon are only those above ground, visible objects observed by the surveyor.

- This survey is certified to the last field date.
- This survey does not reflect or determine ownership.
- The specific rights implied by this survey are not transferable.
- This surveyor's liability shall not exceed the fee as stated by this surveyor.

NOTE:

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS CERTIFIED ONLY TO THE PARTIES LISTED ABOVE AND ONLY FOR THIS PARTICULAR TRANSACTION. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE EXPRESS PERMISSION OF THE SURVEYOR IS PROHIBITED. USE OF THIS SURVEY IN ANY SUBSEQUENT TRANSACTION IS NOT AUTHORIZED. THE SURVEYOR EXPRESSLY DISCLAIMS ANY CERTIFICATION TO ANY PARTIES IN FUTURE TRANSACTIONS. NO PERSON OTHER THAN THOSE LISTED SHOULD RELY UPON THIS SURVEY.

- According to the Federal Emergency Management Agency FIRM Map No: 12031C0419J effective date: 1/02/2018, the property described hereon appears to lie in Zone X
- Basis of bearing structure: BEARING BASIS ASSUMED

JOB NO.	LAST FIELD DATE	SCALE	F.B./PAGE	CHK. BY	DWG. BY
20-0434	04/20/20	1\"/>	766/41	N.H.F.	R.J.B.

TYPE: BOUNDARY

© COPYRIGHT 2020, ALL RIGHTS RESERVED.

NICHOLAS H. FRANKLIN
6170 A1A SOUTH #316
ST. AUGUSTINE, FLORIDA 32086
(904) 471-6877 FAX (904) 471-6876

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NICHOLAS H. FRANKLIN, P.L.S. 4620
FOR LANDTECH AND ASSOCIATES

BOA# 21-100140 Staff Report
1674 Lower 4th Avenue North
Parcel ID: 178019-0000

Lot 5, Block 9, Pine Grove Unit 4.

Zoning: Residential, single-family: RS-1

Variances Requested: Section(s): 34-336(e)(1)c.2, for an easterly side yard setback of 7.6 feet and a westerly side yard setback of 1 foot, each in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 50.7% in lieu of 35% maximum

Project: Rectify existing non-conformities, allow for reconfiguration of the driveway, and construction of a new swimming pool with decking to an existing single-family dwelling

Existing Conditions: The subject property is an existing non-conforming platted lot of record (circa 1944). The lot is uniquely shaped, being narrower in the front. Current dimensions are sixty-five (65) feet in width at the street, seventy five (75) feet in width at the rear property line, one-hundred and twenty-four feet (124) in depth along the eastern property line and one-hundred and thirteen (113) feet deep along the western property line. Overall lot area is eight-thousand two-hundred and ninety-five (8,295) square feet. Minimum dimensional standards within this zoning district include ten-thousand (10,000) square feet of area and a minimum width of ninety (90) feet overall and thirty-five (35) feet in width at the street. Maximum lot coverage for this zoning district is 35%.

Analysis: The current home was built in 1978, and has had at least one addition historically. The current owners purchased the home in 2021 with the non-conformities. The current lot coverage is 52.2%. The applicant has provided two site plan options, one that requires 51% lot coverage and one that requires 49.4% lot coverage. The overall net lot coverage will be reduced by either proposal.

Active Permits or Code Violations: None

Previous Development Orders: None

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 the adjacent and surrounding properties have similar constraints and attributes with regards to lot width and area.

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

Staff does not find that the conditions are a result of the applicant. The applicant purchased the lot with the existing dimensions and size as well as excessive lot coverage.

3. **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.**

Staff does not find the applicant will receive special privilege not granted to homes in the immediate area.

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 work an unnecessary hardship.**

Staff does find that there is a hardship. The current lot non-conformities were present at the time of purchase by the current owner.

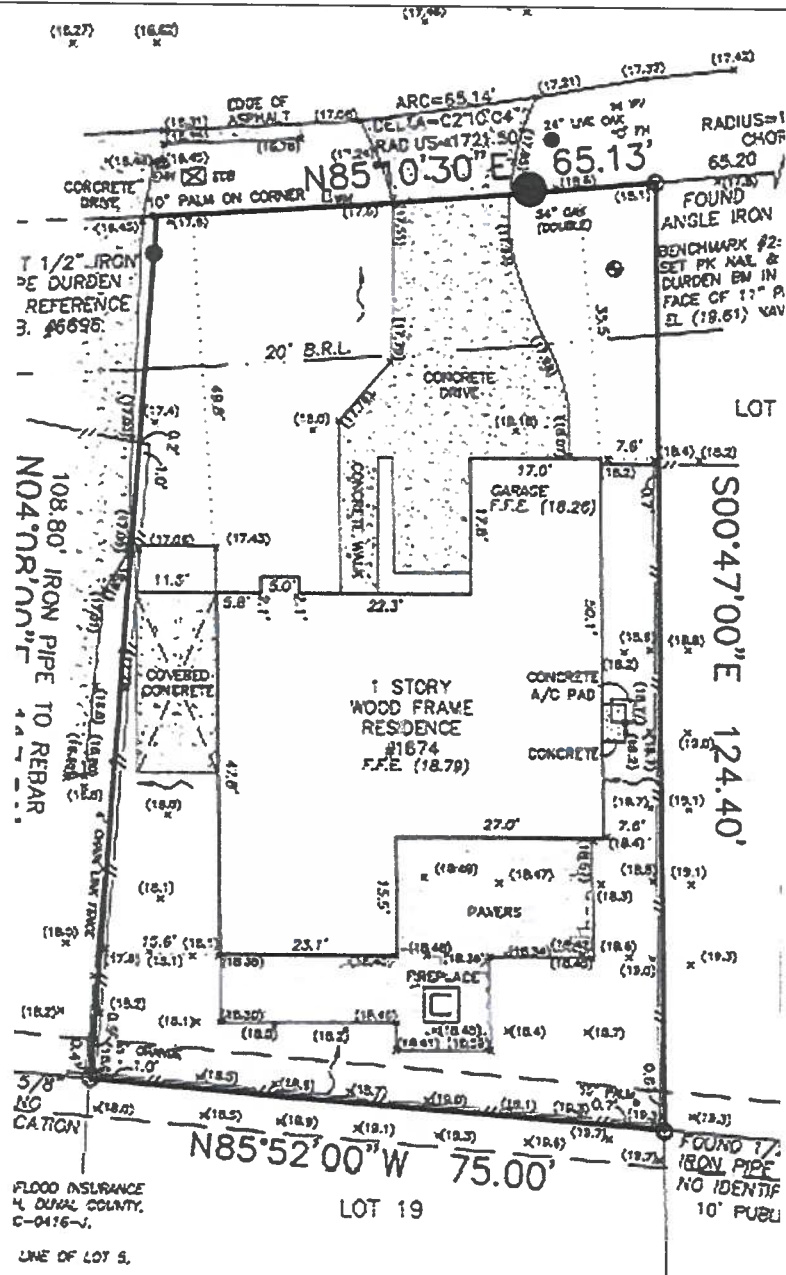
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary to allow for the construction of the proposed home.

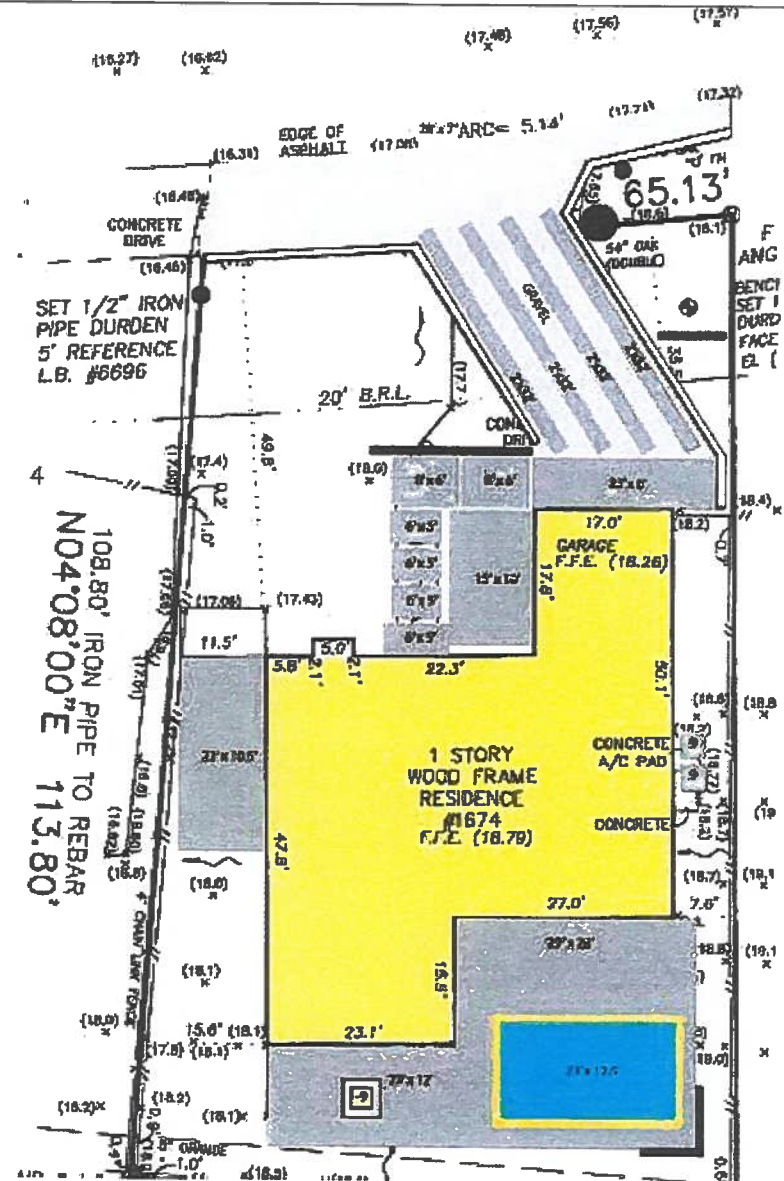
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan.

Survey of Existing Property



Proposed Site Plan



APPLICATION FOR VARIANCE

BOA No. 21-100140HEARING DATE 10-5-21

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

REQUIRED DOCUMENTATION

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

RECEIVED

AUG 20 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: David & Barbara Venier Telephone: (727) 667-6929
Mailing Address: 1674 Lower 4th Ave. N. E-Mail: barb.venier@gmail.com
Jacksonville Beach, FL 32250 davidvenier5@gmail.com
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: (same as applicant above) 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: 1674 Lower 4th Ave. N. / 1780190000R
Legal description of property (Attach copy of deed): Lot 5, Block 9, Pine Grove, Unit No. 4
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).
Bring property into compliance, based on purchased real property
(described above) on April 29th, 2021, to include all existing structures
+ set-backs, and allow current flat work sq. footage of 2,033 or less
(based on current survey, dated 6/7/2021), and allow addition of 23'x12'
fiberglass pool complying with all city setback requirements, etc.

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

DAVID VENIER
PRINT APPLICANT NAME

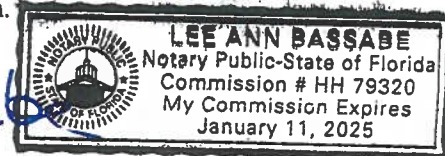
8/20/21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 20 day of August, 2021 by David A. Venier, who
is personally known to me or has produced Fl. Drivers as identification.

[Signature]
NOTARY PUBLIC SIGNATURE

Lee Ann Bassabe
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: X

CODE SECTION (S):

34-336(e)(1)c.2, for an easterly side yard setback of 7.6 feet and a westerly side yard setback of 1 foot, each in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 50.7% in lieu of 35% maximum all to rectify existing non-conformities, allow for reconfiguration of the driveway, and construction of a new swimming pool with decking to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA NO.

21-100146

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

AUG 20 2021

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

PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The house was built + originally set back on the property, further then homes on ea. side. An addition was added in rear
Special circumstances and conditions do not result from the actions of the applicant.	Yes	of house by a previous owner. A carport was added to the house by a previous owner. A paver patio was added to the rear of the house by a previous owner.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This is because the home was out of compliance as purchased.
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	We wish to remove existing pavers in the rear of the property to accommodate a 23'x12' fiberglass pool (within all required setbacks) + re-use same to create patio near house (N + W side of pool).
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	By bringing the property into compliance + granting this variance, said property will be improved for practical use, aesthetically, and eco-friendly, fitting into an established
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	Removal of all existing concrete is planned with use of gravel and/or pervious poured concrete as per attached plan (front + drive). neighborhood

LeeAnn Bassabe

From: Christie <christieperry1126@yahoo.com>
Sent: Friday, September 24, 2021 10:13 AM
To: Planning Division
Subject: BOA #21-100140

To Whom it may Concern,

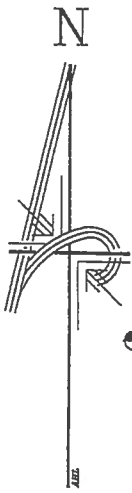
I am writing to you regarding an ordinance issued by our neighbors. We have nothing but wonderful things to say about them and are so excited to see them doing all these wonderful things to their property. In the 25 years we've been in the neighborhood this is the best this little house has ever looked and to be honest, the first time we've ever seen improvements done professionally. So much of what they've had to fix was because improvements weren't done properly or even processes through the city inspector and or permits drawn! This is why they are having such an ordeal getting everything to the way it should be. Please be considerate in their requests for improvements and upgrades. We've seen so many people buy and sell this property quickly and this will be Barb and Dave's forever home! We don't care at all what they are planning to do to the property because we know it will be beautiful and better than it ever was before!

Christina & Chuck Perry
1657 Lower 4th Ave N
Jacksonville Beach
Sent from iPhone

EXISTING

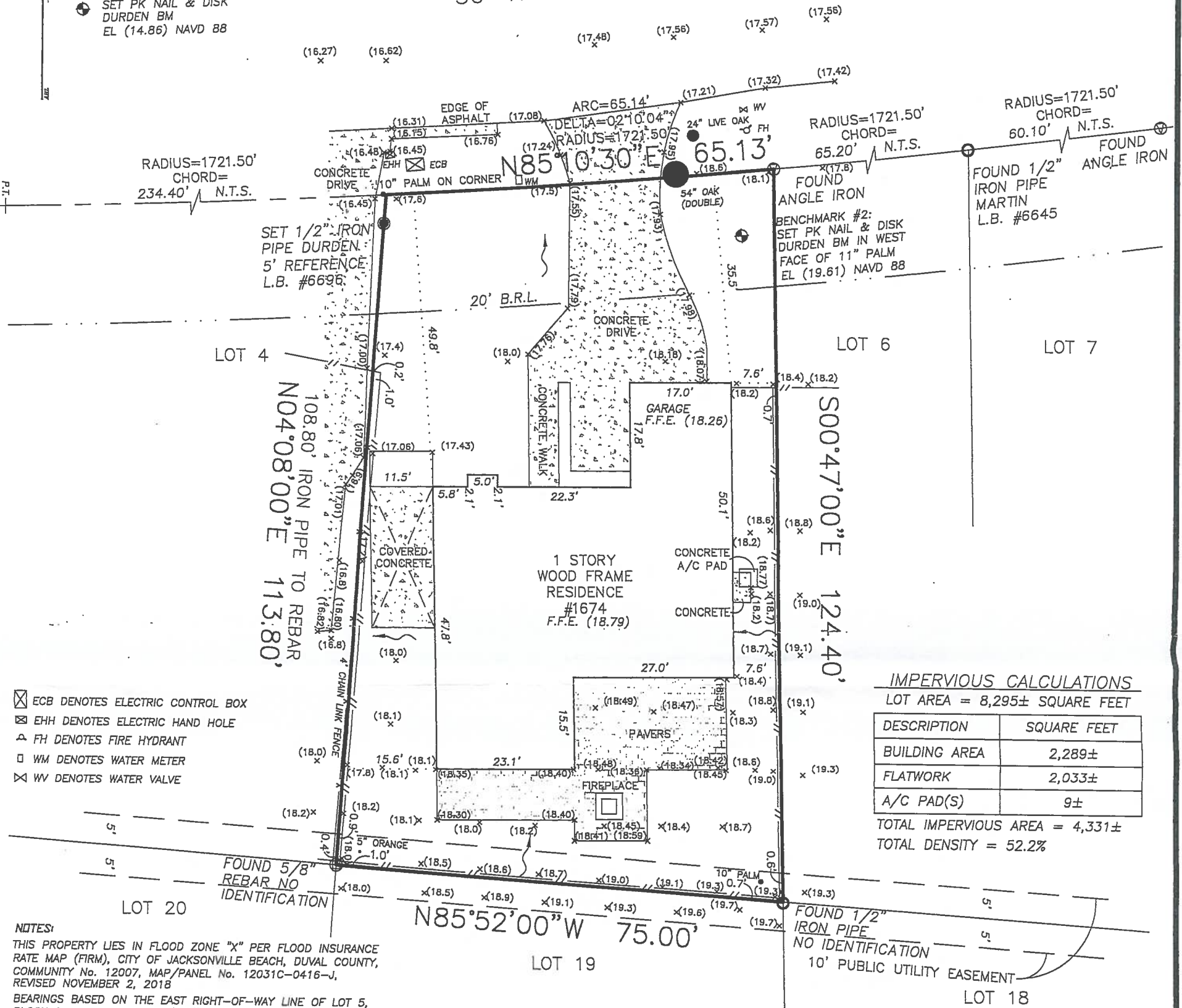
MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF:

LOT 5, BLOCK 9, PINE GROVE UNIT NUMBER FOUR, AS RECORDED IN
PLAT BOOK 19, PAGES 44 AND 44A, OF THE CURRENT PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA



BENCHMARK #1:
SET PK NAIL & DISK
DURDEN BM
EL (14.86) NAVD 88

LOWER 4TH AVENUE NORTH
50' RIGHT-OF-WAY



- ECB DENOTES ELECTRIC CONTROL BOX
- EHH DENOTES ELECTRIC HAND HOLE
- FH DENOTES FIRE HYDRANT
- WM DENOTES WATER METER
- WV DENOTES WATER VALVE

NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE
RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY,
COMMUNITY No. 12007, MAP/PANEL No. 12031C-0416-J,
REVISED NOVEMBER 2, 2018
BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF LOT 5,
BLOCK 9 AS BEING S 00°47'00" E
ELEVATIONS SHOWN AS THUS (17.53) AND ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988
TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER
CURRENT CONDITIONS. TREE SIZE AND LOCATION ARE MEASURED BY DBH
(DIAMETER BREST HEIGHT) APPROXIMATELY 48 INCHES ABOVE GROUND
20' BUILDING RESTRICTION LINE (B.R.L.) BY PLAT
N.T.S. DENOTES NOT TO SCALE
F.F.E. DENOTES FINISH FLOOR ELEVATION
--- DENOTES EXISTING DRAINAGE FLOW
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 9 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.

IMPERVIOUS CALCULATIONS

LOT AREA = 8,295± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	2,289±
FLATWORK	2,033±
A/C PAD(S)	9±

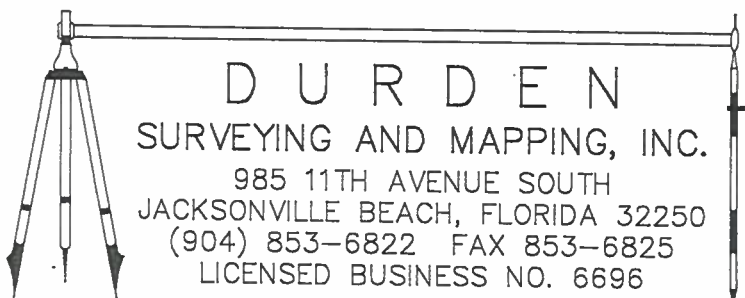
TOTAL IMPERVIOUS AREA = 4,331±
TOTAL DENSITY = 52.2%

RECEIVED
21-100140
AUG 20 2021

CERTIFIED TO:

DAVID VENIER AND BARBARA VENIER

PLANNING & DEVELOPMENT



DURDEN
SURVEYING AND MAPPING, INC.
985 11TH AVENUE SOUTH
JACKSONVILLE BEACH, FLORIDA 32250
(904) 853-6822 FAX 853-6825
LICENSED BUSINESS NO. 6696

SURVEYOR'S NOTE:

THE SURVEY HEREON WAS MADE WITHOUT THE BENEFIT OF ABSTRACT OR SEARCH OF TITLE AND
THEREFORE THE UNDERSIGNED AND DURDEN SURVEYING AND MAPPING, INC., MAKE NO CERTIFICATIONS
REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF
EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS,
RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT OR SEARCH OF TITLE.
THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.

I hereby certify that this survey meets the
standards of practice as set forth by
the Florida Board of Land Surveyors, pursuant to
Section 472.027, Florida Statutes and Chapter
5J17 Florida Administrative Code

David Venier
DAVID VENIER
FLORIDA REGISTERED SURVEYOR No. 14760
H. BRUCE DURDEN, JR.

FIELD: JUNE 07, 2021
CAD FILE NO. L-5(1674) LOWER 4TH AVE N.DWG
SCALE: 1" = 20'
WORK ORDER NUMBER: 21292

B-9952

BOA# 21-100141 Staff Report

1597 The Greens Way

Parcel ID: 181779-0900

Official Record 17816-1729 (William Harts Grant)

Zoning: Residential, single-family: PUD (Ord. 95-7640)

Variances Requested: Section(s): 34-337 for 26 parking spaces in lieu of 34 spaces required for hospital use.

Project: Allow for the expansion of the existing hospital facility by three beds in an existing commercial building

Existing Conditions: The subject property is an existing hospital / recovery facility. The site was built to the hospital parking standards based on the number of beds the facility was licensed to have at the time of construction. The State licensing agency has granted the facility an increase in total beds they can provide. The current site cannot be expanded, and currently has 26 parking spaces. The proposed new number of beds the facility is licensed to have is 23. This would require 34 parking spaces minimum.

Analysis: The current facility was constructed in 2000. At the time, it was licensed for 19 beds. Although the site is located in a PUD zoning district, it would still fall under standard parking requirements per the PUD. The facility is physically limited in space where they can provide parking, and cannot accommodate enough parking to meet the minimum standards. The facility also does not function as a normal hospital, in that the patients do not drive, and therefore they have an excess of parking currently, as only employees and visitors utilize the parking spaces.

Active Permits or Code Violations: None

Previous Development Orders: None

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 the structure and existing site design are particular to the property and a unique circumstance.

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

Staff does not find that the conditions are a result of the applicant. The property was developed with adequate parking, however the state licensing regulations have changed, allowing for an increase in beds

3. **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.**

Staff does not find the applicant will receive special privilege and will continue to operate in the current state with no changes to the exterior.

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 work an unnecessary hardship.**

Staff does find that there is a hardship. The current parking area cannot be expanded and the applicant is prevented from having the number of beds they are licensed to have by the state because of the existing conditions.

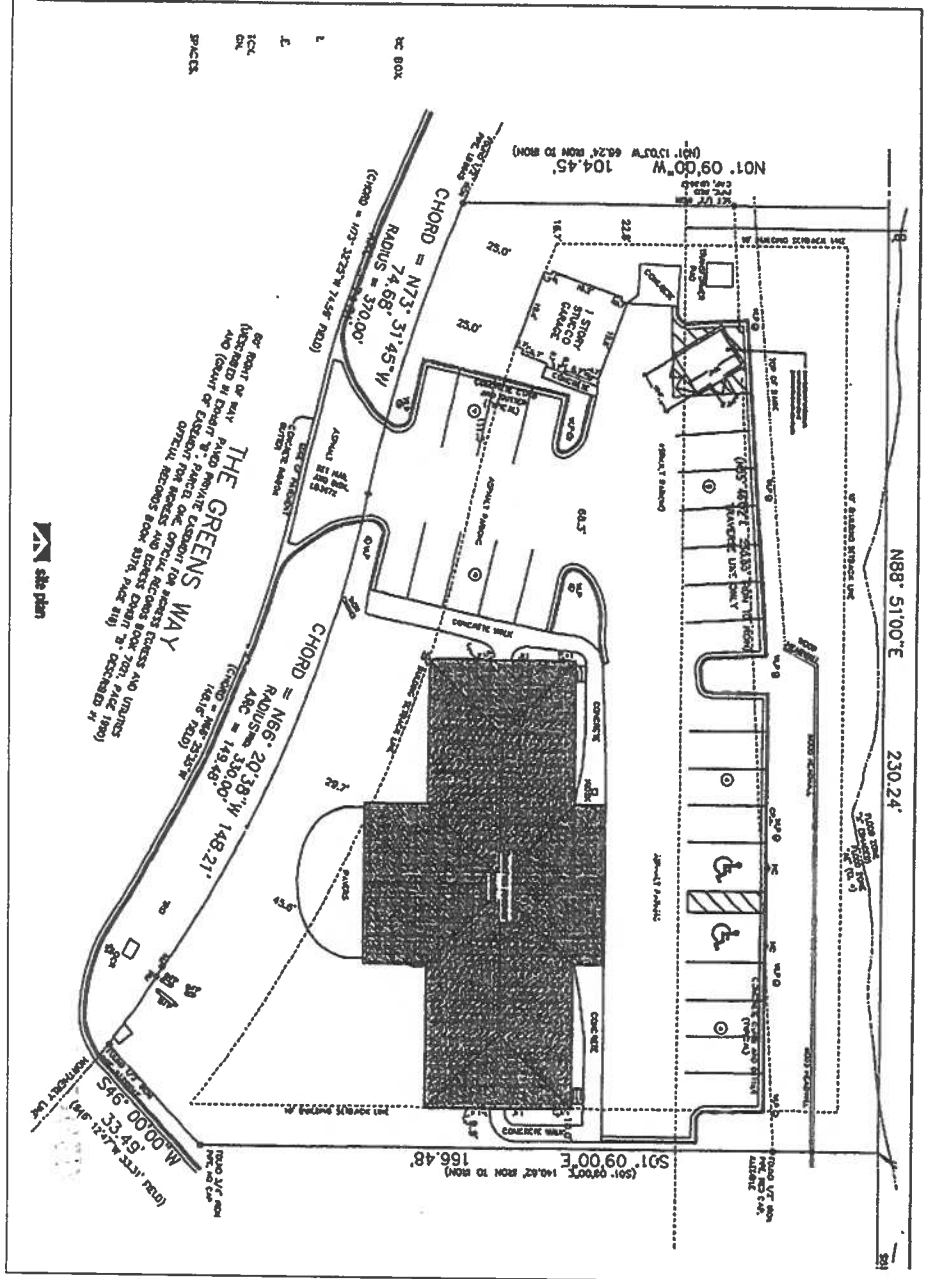
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.**

Staff does find this will be the minimum variance necessary to allow for the addition of three beds.

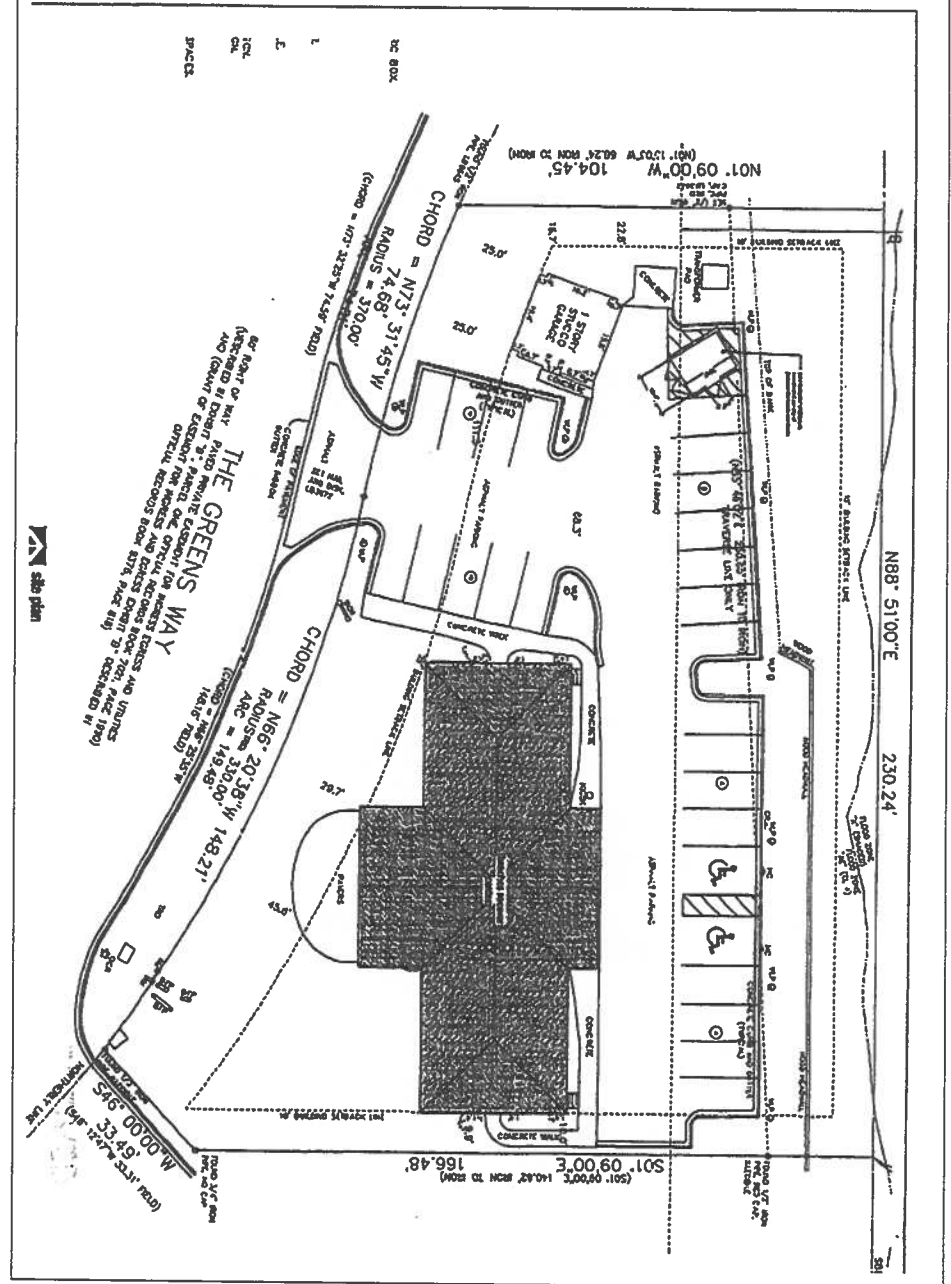
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find this will be consistent with the Comprehensive Plan.

Survey of Existing Property



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 21-160141
HEARING DATE 10.5.21

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

REQUIRED DOCUMENTATION

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

RECEIVED
09:55
AUG 24 2021

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Tides Edge Recovery **Telephone:** (904) 395-3899
Mailing Address: 1597 The Greens Way **E-Mail:** patricia@beachesrecovery.com

Agent Name: GTLA Properties, LLC **Telephone:** 904-613-7636
Mailing Address: 17 La Vista **E-Mail:** _____
Ponte Vedra Beach, FL 32052

Landowner Name: Jay Hanan **Telephone:** 904-613-7636
Mailing Address: 17 La Vista **E-Mail:** _____
Ponte Vedra Beach, FL 32052

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: 1597 The Greens Way Jax Beach, FL 32250 181779-0900
Legal description of property (Attach copy of deed): _____
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
We would like to reduce the number of required parking spaces per the current code by three spaces

AFFIDAVIT

I, Patricia Yost, 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

Patricia Yost
PRINT APPLICANT NAME

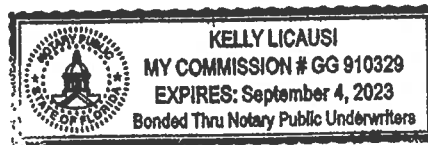
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of August, 2021, by Patricia Yost, who is personally known to me or produced personally known as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: PUD (Ord. 95-7640)

FLOOD ZONE: AE/X-shaded

CODE SECTION (s):
34-337, for 26 parking spaces in lieu of 34 spaces required, to allow for the expansion of the existing hospital facility by three beds in an existing commercial building

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100141

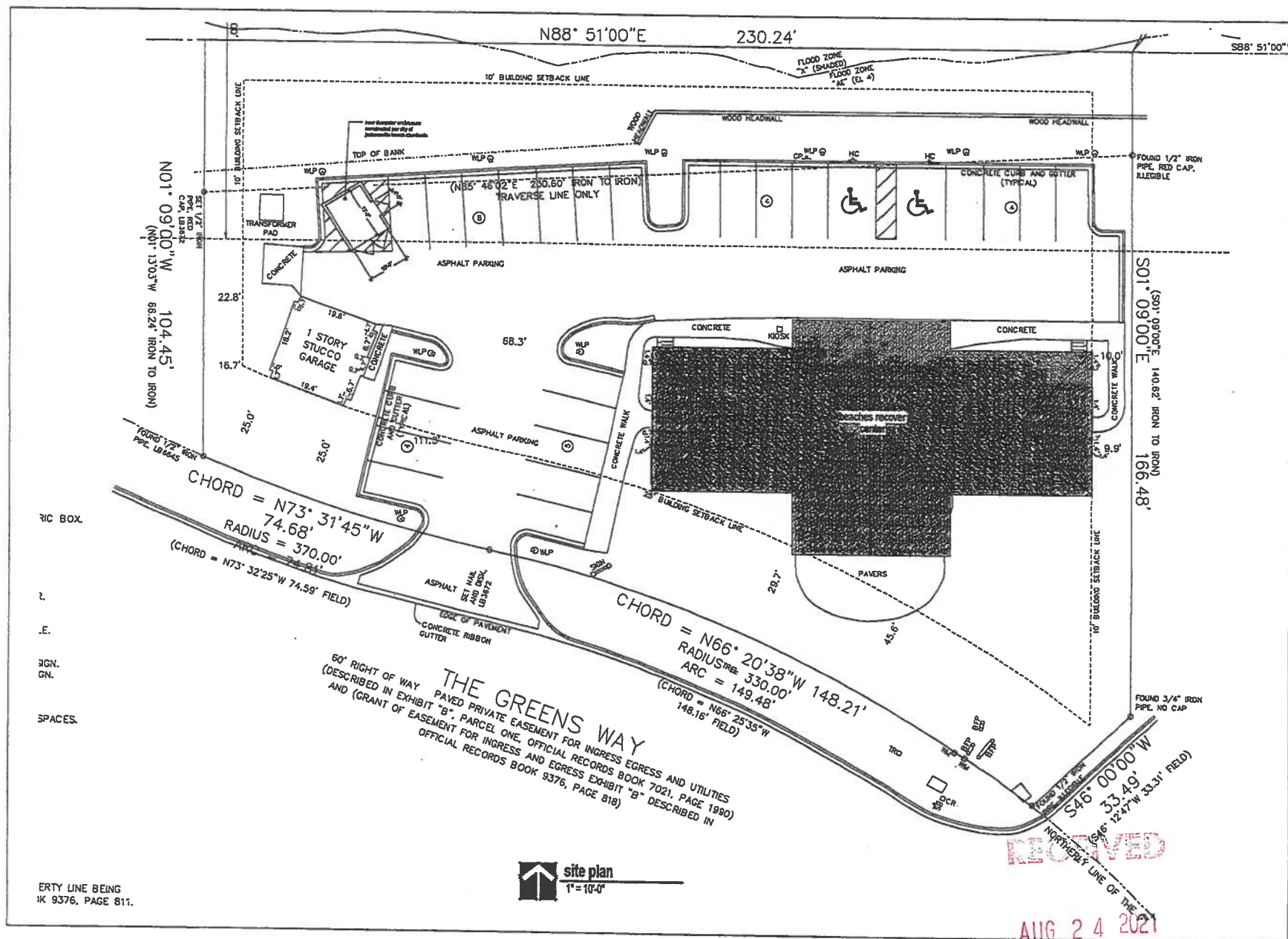
Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

AUG 24 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	Tides Edge Services (TERS) is unable to utilize the number of beds in which it is licensed for and for which the building can accommodate due, to zoning restrictions
Special circumstances and conditions do not result from the actions of the applicant.	NO	TERS currently has 20-beds (with proposed construction to add 3 beds). Due to zoning, we are currently licensed for 19 patient beds.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	The Facility's benefit to the public outweighs the strict application of the Code.
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	The current code does not allow facility to meet full occupancy capacity / licensing capacity
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	TERS currently has 20-beds but using 19 beds due to the ordinance. Patients at the facility do not have cars parked on the property. Patients are transported to facility by staff and therefore do not limit available
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	It is the goal of Tides Edge recovery to house 23 patients.

PROPOSED



christbelyea@aia

9771 Shiloh Road
Jacksonville, Florida 32207

WE 854.686.3467
E 854.346.3467

EE 854.686.3467 FAX 854.673.3467

Shiloh Engineering
7400000 1000

Shiloh Engineering
eng engineering inc.

Shiloh Engineering
eng engineering inc.

Shiloh Engineering
eng engineering inc.

gta properties
beaches recovery center
greens way
1617 the greens way
jacksonville, florida 32216

[illegible]

date: 01.31.2017

site plan

drawn by: _____
checked by: _____

project no.: 10014

{ a100 }

contract documents

AUG 24 2021

21.100141

PLANNING & DEVELOPMENT

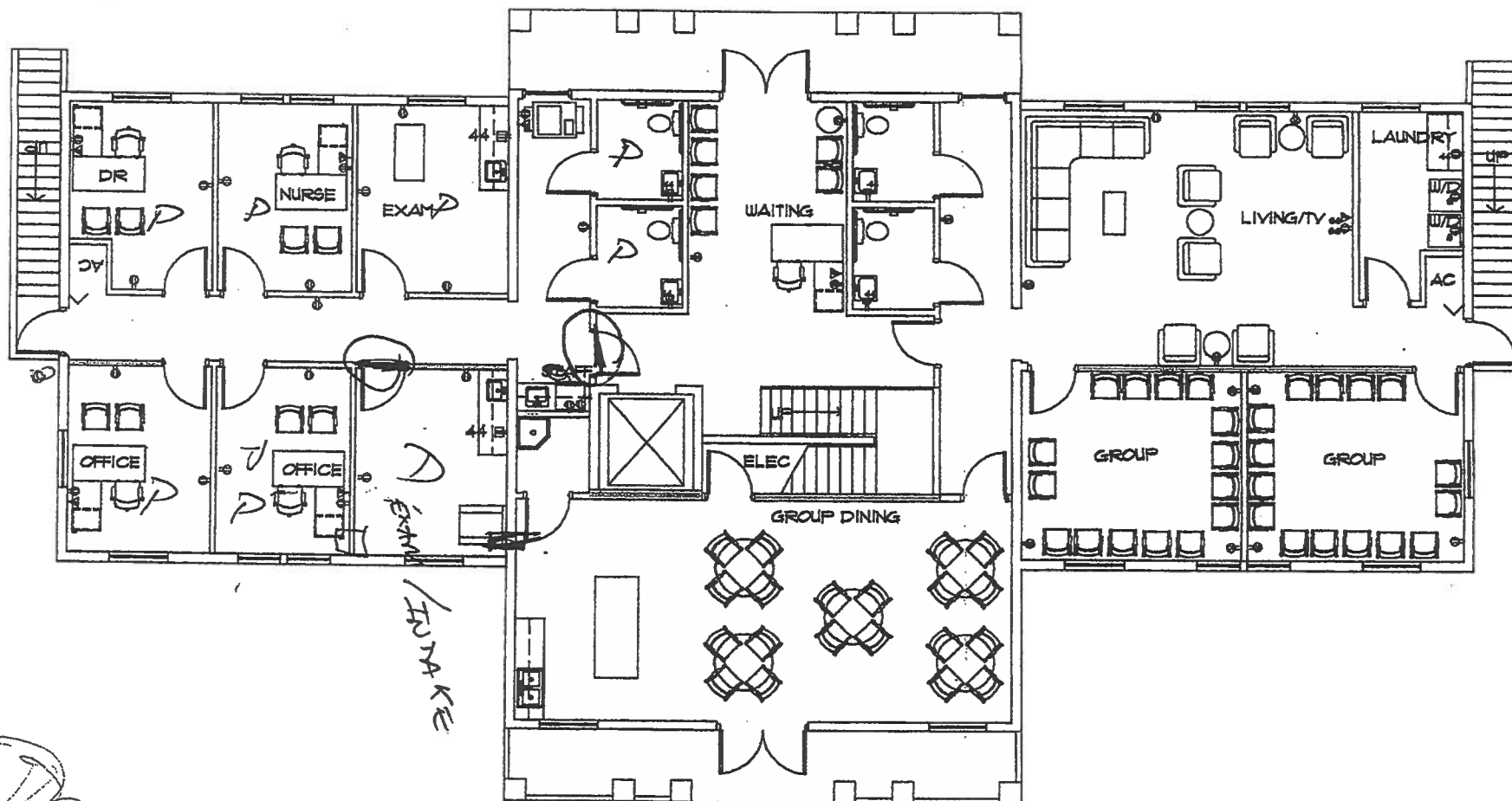
PLANNING & DEVELOPMENT

21-100121

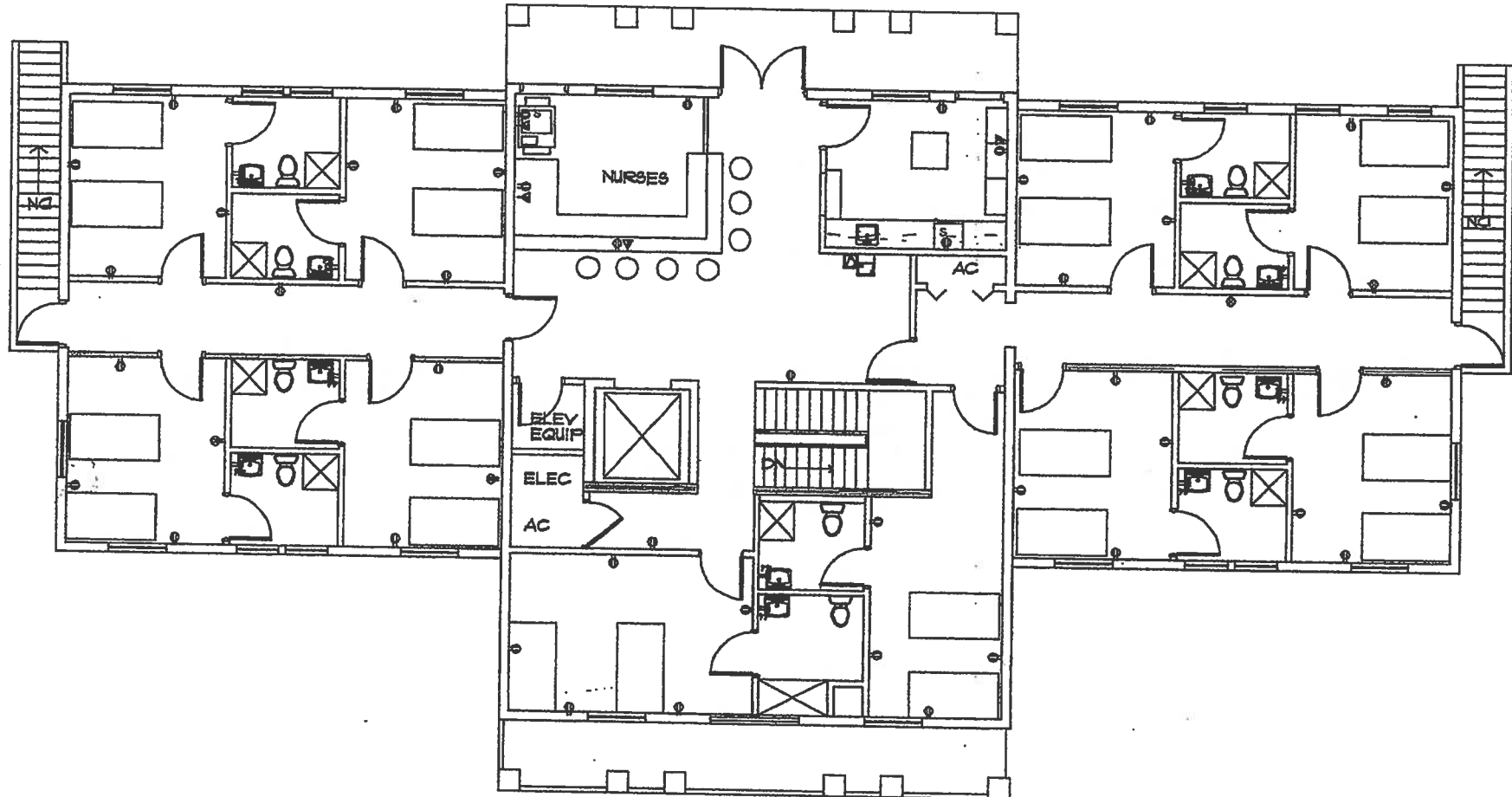
AUG 24 2021

RECEIVED

FIRST FLOOR 1/19/17



SECOND FLOOR 1/19/17





September 27, 2021

Department of Planning and Development
City of Jacksonville Beach-City Hall Building
11 North Third Street
Jacksonville Beach, FL 32250
(Via email: planning@jaxbeachfl.net)

**Re: Objection to Variance from the Requirements of the Land Development Code –
BOA# 21-100141**

Dear Members of the Board of Adjustment:

We received the notice regarding the public hearing scheduled for **October 5, 2021** where a request for a variance from Sections 34-337 for 26 parking spaces in lieu of 34 required parking spaces by the property owners of 1597 The Greens Way is being considered. Our business is located at both 1555 The Greens Way (JCK Holdings, LLC) and 1579 The Greens Way (Greens Way Realty Holdings, LLC) and within 300 feet of 1597 The Greens Way. I am writing to express my concerns and objection to this potential variance.

The business located at 1597 The Greens Way is not a “hospital” as it is described in the Public Notice. Rather, it is a rehabilitation facility seeking to expand its operation *via expansion* by 3 beds, and the business park is neither situated nor designed to accommodate this type of growth. Parking is already extremely sparse in the business park and traffic congestion is growing. Many of our neighbors already often overflow into our parking spots. Growth of the facility while reducing the number of parking spots will cause further parking restraints for adjacent neighbors with increased overflow parking.

I urge the Board of Adjustment to consider the above and deny the application for variance.

Thank you for your time and consideration.

Very truly yours,

Justin Dennis
President, ATP Flight School