



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Wednesday, December 8, 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 held November 16, 2021

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s): BOA#21-100164**

Applicant: Justin & Marian Lee

Agent: N/A

Owner: Justin & Marian Lee

Property Address: 61 Evans Drive

Parcel ID: 179997-1034

Legal Description: Lot 17, *Fairway Oaks*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)c.1, 2 & 3 to designate the corner side yard as the southern portion of the property facing Oaks Drive, the front yard as the portion facing Evans Drive and the rear yard as the eastern portion of the property; 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 4.7 feet in lieu of 5 feet minimum; and 34-336(e)(1)c.3, for a rear yard setback of 23 feet in lieu of 30 feet minimum all to allow for the construction of a new coping only swimming pool, connect a detached garage to the primary structure, change yard designations and rectify non-conformities at an existing single family

dwelling

B. **Case Number(s): BOA#21-100165**

Applicant: John Atkins, Atkins Builders

Agent: N/A

Owner: Carol Blasingame

Property Address: 1701 2nd Avenue North, Lot 26

Parcel ID: 178062-0010

Legal Description: Lot 26, Block 11, *Pine Grove Unit 4*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.2, for a western side-yard setback of 5 feet in lieu of 10 feet

Consider: minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 36% in lieu of 35% maximum to allow for construction of a new single family dwelling

C. **Case Number(s): BOA#21-100166**

Applicant: John Atkins, Atkins Builders

Agent: N/A

Owner: Carol Blasingame

Property Address: 1701 2nd Avenue North, Lot 27

Parcel ID: 178062-0010

Legal Description: Lot 27, Block 11, *Pine Grove Unit No. 4*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.2, for an eastern side-yard setback of 5 feet in lieu of 10 feet

Consider: minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum to allow for construction of a new single family dwelling

D. **Case Number(s): BOA#21-100167**

Applicant: Trent & Paulette Waterman

Agent: N/A

Owner: Trent & Paulette Waterman

Property Address: 4067 America Avenue

Parcel ID: 181185-0135

Legal Description: Lot 7, *Ocean Terrace*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.1, for a front yard setback of 15 feet in lieu of 25 feet

Consider: minimum; 34-336(e)(1)c.2, for a side yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 15 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new rear covered porch to an existing single-family dwelling

E. **Case Number(s): BOA#21-100168**

Applicant: Daniel Brown

Agent: N/A

Owner: Daniel Brown

Property Address: 702 7th Avenue South

Parcel ID: 176574-0000

Legal Description: Lot 3 and Fractional Lot 2, Block 78, *Oceanside Park*

Current Zoning: RS-3

Motion to 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to rectify
Consider: existing non-conformities and allow for construction of a new swimming pool
and pool deck to an existing single family dwelling

F. **Case Number(s): BOA#21-100170**

Applicant: John & Karla Marshall

Agent: N/A

Owner: John & Karla Marshall

Property Address: 1509 3rd Avenue North

Parcel ID: 178039-0000

Legal Description: Lot 3, Block 10, *Pine Grove Unit No. 4*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.2, for a corner side yard setback of 11 feet in lieu of 20 feet

Consider: required, to allow for construction of a new addition to an existing single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, January 4, 2022. There are six 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, if any person decides to appeal any decision made by the board with respect to any matter considered at such meeting, he or she will need a record of the proceedings. For such purpose, he or she 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, November 16, 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 (absent) Jeff Truhlar (absent)
Alternate: Dan Elmaleh

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

EX PARTE COMMUNICATION: No 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:

- November 2, 2021
- June 7, 2016 (Administrative approval)

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

Mr. Moreland noted there were only four board members in attendance and offered the applicants an opportunity to defer their cases to the December 8, 2021 meeting.

A. Case Number: BOA#21-100155
Applicant/Owner: Kevin Lonergan
Property Address: 1000 22nd Street North
Parcel ID: 179208-0460

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 41% in lieu of 35% maximum to allow for construction of a new swimming pool, spa, and pool deck to an existing single-family dwelling.

Applicant: Chantel Lonergan, 1000 22nd Street North, Jacksonville Beach, noted the lot was too small, which caused the hardship.

Public Hearing:

The following submitted a letter (on file) in support of the variance:

- William Smith, 2107 9th Avenue North, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Elmaleh, seconded by Ms. Gonzalez to approve BOA#21-100155 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Dan Elmaleh, John Moreland,

The motion was unanimously approved.

B. Case Number: BOA#21-100157
Applicant: Eric Griggs
Owner: For His Ultimate Glory, LLC
Property Address: 134 1st Street South
Parcel ID: 175603-0000

City of Jacksonville Beach Land Development Code Section(s): 34-345(e)(3)Table 1.0 Multifamily, for a rear yard setback of 5 feet in lieu of 15 feet minimum to allow for the construction of a new two-unit multi-family residential structure.

Applicant: Eric Griggs, 932 1st Street North, Jacksonville Beach, stated the lot was only 31 feet by 75 feet which caused the hardship. Mr. Griggs confirmed he spoke to the next-door neighbor, who had no objection to the multi-family unit.

Mr. Popoli shared the Central Business District requirements for multi-family allowed for up to 90% lot coverage in the downtown area. The Applicant was currently at 80%, and the lot is non-conforming.

Public Hearing:

The following spoke in opposition of the variance:

- Ben Rubin, 126 1st Street South, Jacksonville Beach
- Carolyn Herman, 126 1st Street South, Jacksonville Beach

Mr. Popoli addressed the concerns raised by Mr. Rubin and Ms. Herman regarding the RM 2 standards.

The Applicant addressed the sightline concerns for traffic as it relates to the property.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Curley, seconded by Ms. Gonzalez, to approve BOA#21-100157 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Owen Curley, Dan Elmaleh, John Moreland

The motion was unanimously approved.

C. Case Number: **BOA#21-100159**
Applicant/Owner: BLV, Inc. Timothy Millard
Property Address: 0 17th Street North
Parcel ID: 179118-0500

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

Applicant: Timothy Millard, 3409 Pine Tree Road, Jacksonville Beach, stated the lot was non-conforming which caused the hardship. He noted if the lot were standard-sized, coverage would only be 24%.

Public Hearing:

The following submitted an email (on file) in opposition of the variance:

- Kay White, 1100 16th Street North, Jacksonville Beach

Mr. Millard responded to Ms. White's concerns.

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued, and the Board agreed the lot was very undersized.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100159 as it meets the standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Dan Elmaleh, John Moreland

The motion was unanimously approved.

D. Case Number: **BOA#21-100160**
Applicant/Owner: Peter Sheridan & Rachel Walter
Property Address: 815 15th Avenue South
Parcel ID: 176906-0009

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 50% lot coverage in lieu of 35% maximum and 34- 337(e)(1)g, for an accessory structure side-yard setback of 0 feet in lieu of 5 feet minimum to allow for construction of a new pool deck, walkway and driveway strip infill at an existing single-family dwelling.

Applicant: Peter Sheridan and Rachel Walter, 815 15th Avenue South, Jacksonville Beach, stated the hardship was a sub-standard lot. Mr. Sheridan confirmed they had spoken to the neighbors on both sides, and both had no issues with the proposed changes.

Public Hearing: Ms. Gonzalez read a letter [on file] into the record submitted by the Applicant.

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued regarding a past variance request for lot coverage of 44% in 2017. Mr. Popoli advised the request was for 807 15th Avenue South, which may have been a double lot at the time and has since been subdivided. The Board agreed the lot was sub-standard.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA #21-100160 with the amendment that the variance will be for 48% lot coverage rather than the 50% requested based on the standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Dan Elmaleh, John Moreland

The motion was unanimously approved.

E. **Case Number:** BOA#21-100123
Applicant: Adam Eiseman
Agent: Geoff Levonitis
Owner: BCEL 10B, LLC.
Property Address: 0 6th Avenue South
Parcel ID: 176006-0000

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)c.1, for a front yard setback of 10 feet in lieu of 20 feet required; 34-338(e)(1)c.2, for a combined side yard setback of 10 feet in lieu of 15 feet required and for a corner side yard setback of 5 feet in lieu of 10 feet required; 34-338(e)(1)c.3, for a rear yard setback of 10 feet in lieu of 30 feet required; and 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to allow for the construction of a new single-family dwelling

Agent: Zach Miller, 3203 Old Barn Court, Jacksonville, advised he submitted an Agent Authorization letter, which was not included in the application. He further advised the nature of the hardship was the lot was an odd shape, and there was a 12-foot alleyway in the back of the property. Mr. Miller also stated he spoke to his client, who agreed to accept 49% lot coverage.

Public Hearing: No one came before the Board to speak about this application.

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued, and the Board agreed to modify the motion to 49% lot coverage.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley to approve BOA#21-100123, based on the standards for a variance as outlined in Section 34-286 of the Land Development Code, with the amendment for lot coverage of 49% in lieu of 35%.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Dan Elmaleh, John Moreland,

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Wednesday, December 8, 2021. There are six scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:08 P.M.

Submitted by: Sheila Boman
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100164

Zoning: RS-1
RE: 179997-1034
Legal: Lot 17, Fairway Oaks
Address: 61 Evans Drive

Request

Section(s): 34-336(e)(1)c.1, 2 & 3 to designate the corner side yard as the southern portion of the property facing Oaks Drive, the front yard as the portion facing Evans Drive and the rear yard as the eastern portion of the property; 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a northerly side yard setback of 4.7 feet in lieu of 5 feet minimum; and 34-336(e)(1)c.3, for a rear yard setback of 23 feet in lieu of 30 feet minimum
All to allow for the construction of a new coping only swimming pool in the corner side yard, connect a detached garage to the primary structure to comply with setbacks, change yard designations and rectify non-conformities of a new single family dwelling

Existing Conditions

The current lot is located in the Low Density Residential future land use category. The subject property is a platted lot of record (circa 1982) Platted lots of record are lots that predate the current Land Development Code's date of adoption, which is 1991. The property is currently in the RS-1 zoning district. The property is 12,873 square feet in area, with a unique shape, due to the orientation of the corner lot at the intersection of Evans Drive and Oaks Drive. The property 130 feet deep on the western property line, 98 feet in depth along Oaks Drive and 190 feet long adjacent to Evans Drive. The northern property line is roughly 60 feet in depth. The property is currently oriented so the front yard faces Oaks Drive. The property has a detached garage in the rear yard. The home was constructed in 2020.

There are no previous Variances or active code enforcement cases.

Staff Analysis

The subject property was constructed in 2020 in its current configuration. The home was built with the detached garage and the house in its current location. The home has its front yard setback oriented to Oaks Drive, with the garage in the rear yard. This makes the siting of a pool complicated,



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per 34-392 (4)(a)3:

The pool shall be located no closer than five (5) feet from any property line, provided, however, that it shall not be located in any required front yard nor encroach into any required side yard.

With the house oriented the way it was constructed, the front and side yards are located in such a way as there would be no location for a pool to be constructed that complies with the above section.

Per 34-283:

Variances shall only be granted from 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 shall not be permitted in any zoning district. Variances shall not be granted to permit a use not generally allowed in the zoning district in which it is located. Variances may not be requested for relief from maximum building height, residential density or minimum lot area requirements.

An applicant cannot request relief from section 34-392 of the Land Development Code, and the pool cannot be in the front yard, and cannot encroach into the corner side yard. Therefore without the re-orientation of the front and corner side yard, there is no practical place to site the pool, as the east yard holds most of the utilities for the house and practically a pool cannot be placed there. Once the front and corner side yard are switched along with attaching the garage to the primary structure. The house will have several non-conformities.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
- Front yard: Twenty-five (25) feet.
- Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
- Rear yard: Thirty (30) feet.



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- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The current lot is unique in shape based on its corner orientation and the fact that Evans Drive and Oaks Drive do not meet at right angles, thus creating a triangular shaped parcel that reduces the usable area of land due to the setbacks.

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

Staff does find that circumstances are a result of the applicant. The orientation and location of the house is a result of the way the house was designed and constructed by the applicant who are the first owners of the home. With the house centered in the lot, and the garage in the rear, the availability of land that is not in a front or side yard is limited and creates the condition where the pool is impossible to build without the relief requested in this application.

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

Staff does find that the proposed variance will not confer any special privileges. There are cases where the front and corner side yard have been switched in the past.

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 and undue hardship**

Staff does not find that literal interpretation of the code would deprive the applicant of rights and privileges. The lot is uniquely shaped, but the applicants were aware of the challenges when they purchased the property and built the house and garage. The hardship created is self-imposed and will allow a pool



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to be constructed between the house and the street. Additionally it should be noted that a fence beyond the front plain of the house cannot exceed 4 feet in height.

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

Staff does find that the requested variances are the minimum variance needed to construct the pool based on the proposed plan.

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

Staff does find that the request is consistent with the comprehensive plan.

Location Map (property boundaries are reprehensive only)



LOT 17, FAIRWAY OAKS, AS RECORDED IN PLAT BOOK 38,
PAGES 1 AND 1-A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
MARIAN LEE AND JUSTIN LEE

RECEIVED
21-100164
OCT - 6 2021

MISSION HILLS UNIT 5
PLAT BOOK 38, PAGE 62
LOT 6

N 88°40'00" E 60.47' (PLAT)
N 88°48'10" E 60.37' (MEASURED)

C-1
N 29°54'46" W
44.06' (CHORD)
(MEASURED)
N 29°51'00" W 43.93'
(CHORD)(PLAT)
L=53.65', R=25.00'

LOT AREA = 12873.10 SQUARE FEET
IMPERVIOUS AREA = 4042.17 SQUARE FEET

EVANS DRIVE
(CONCRETE ROAD 6' WIDE)

108.94' (PLAT)
108.99' (MEASURED)

V 31°13'00" E
N 31°43'28" E

TWO STORY FRAME POSTED # 61
FFE = 7.22 (BB)

APPROXIMATE LOCATION OF FLOOD ZONE "SHADE X"

APPROXIMATE LOCATION OF FLOOD ZONE "AC"

S 01°20'00" E 130.00' (PLAT) (MEASURED)

S 88°43'48" W 98.74' (MEASURED)
S 88°40'00" W 98.77' (PLAT)

OAKS DRIVE
(60' RIGHT OF WAY)

LEGEND:

- [Symbol] = FENCE
- [Symbol] = CONCRETE
- [Symbol] = SET 1/2" REBAR STAMPED PERMITS
- [Symbol] = FOUND 1/2" IRON PIPE NO IDENTIFICATION (NEEDS OTHERWISE NOTED)
- [Symbol] = 4"x4" CONCRETE MONUMENT
- [Symbol] = AIR CONDITIONER

BLOCK CORNER

PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
PRC = POINT OF REVERSE CURVATURE
PCC = POINT OF COMPOUND CURVATURE

THE BEARINGS ARE BASED ON THE PLAT BEARING OF S 01°20'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
BY GRAPHIC FLOODING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE SHADE X AE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2015, COMMUNITY NUMBER 120005, PANEL 0418J.
THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVIEWS

DATE	DESCRIPTION
12-1-20	UPDATE SURVEY

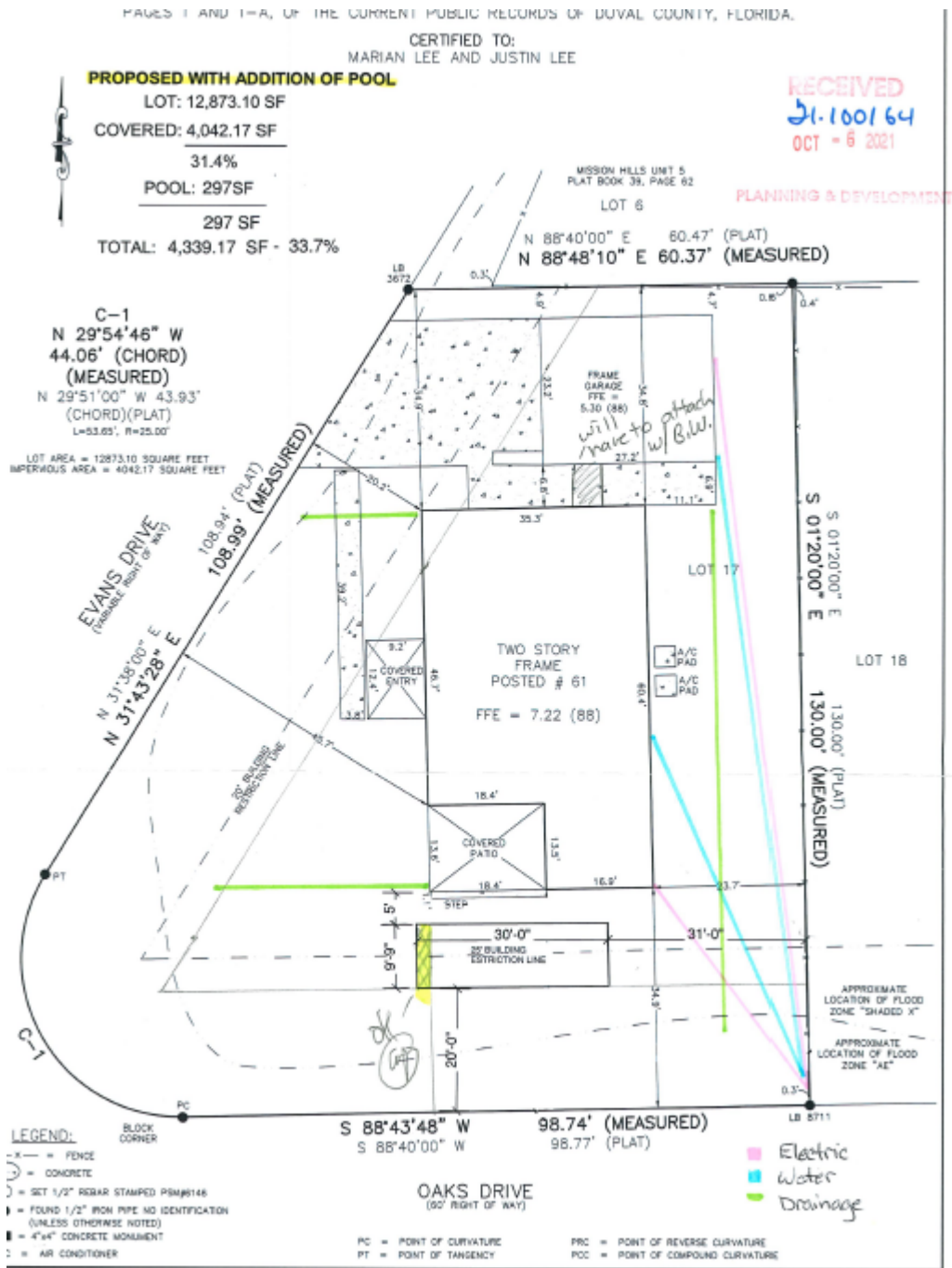
B # 10071-A | DATE OF FIELD SURVEY: 9-29-05

SCALE: 1" = 20'



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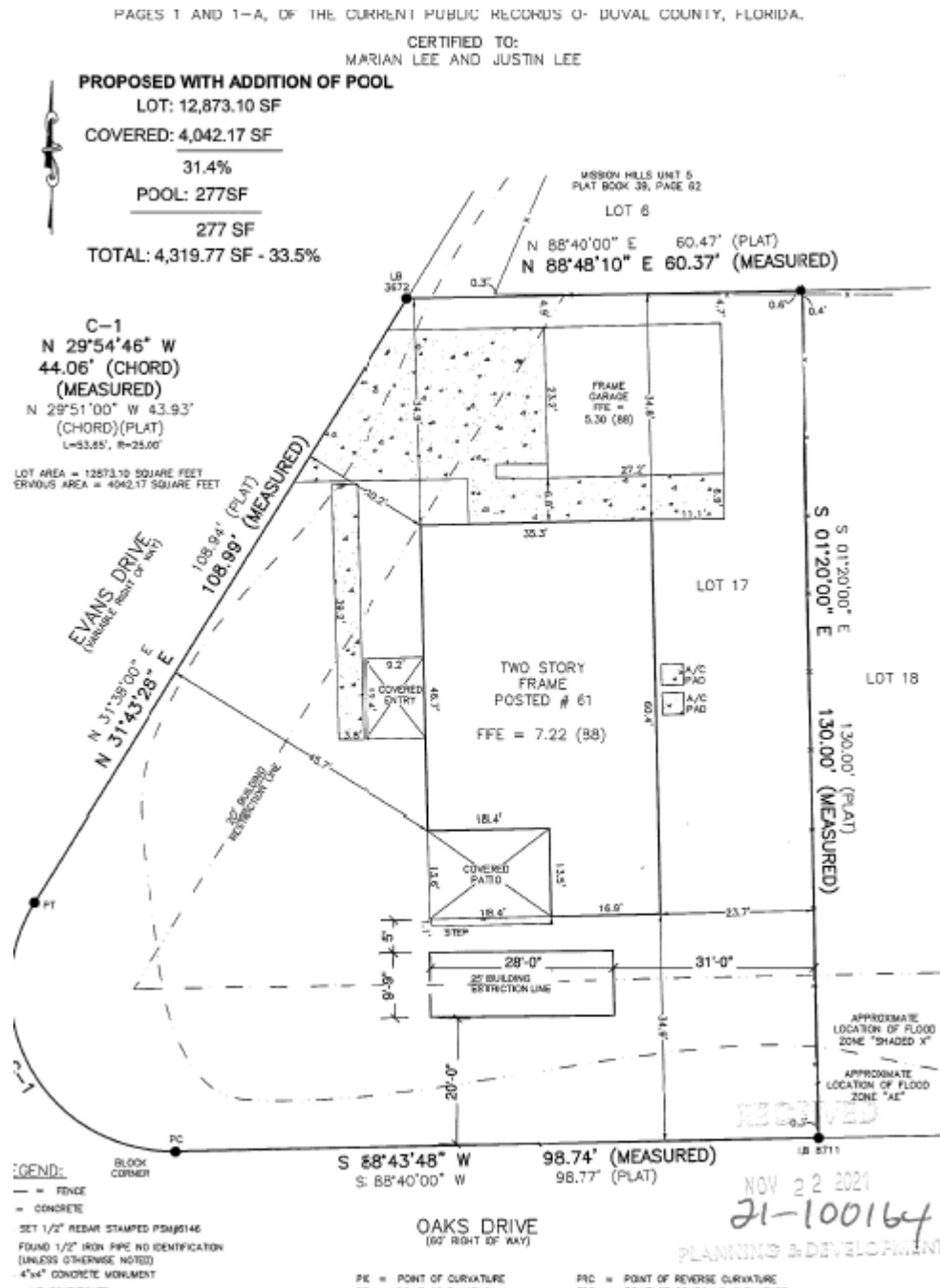
Proposed Site Plan





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Proposed Site Plan (revised)





APPLICATION FOR VARIANCE

BOA NO. 21-100164

HEARING DATE 12-08-21

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.

OCT - 6 2021

APPLICANT INFORMATION

Applicant Name: Justin and Marian Lee **Telephone:** (904) 708-1603
Mailing Address: 61 Evans Drive **E-Mail:** justmar@att.net
Jacksonville Beach, FL 32250
Agent Name: N/A **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Justin and Marian Lee **Telephone:** (904) 708-1603
Mailing Address: 61 Evans Drive **E-Mail:** justmar@att.net
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 61 Evans Drive/RE# 179997-1034
 Legal description of property (Attach copy of deed): 38-1 05-3S-29E Fairway Oaks I lot 17
 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).
Request to flip front and side yards (see proposed boundary survey for details) and request a 23.7' rear yard setback in lieu of the required 30'.
No previous variance/conditional use have been requested.

AFFIDAVIT

I, Justin and Marian Lee, 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.

Justin Lee/Marian Lee
 APPLICANT SIGNATURE

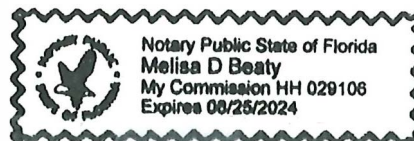
Justin Lee/Marian Lee
 PRINT APPLICANT NAME

10-5-2021
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5th day of October, 2021, by Justin Lee and Marian Lee, who are personally known to me or produced _____ as identification.

Melisa D. Beaty
 NOTARY PUBLIC SIGNATURE
Melisa D. Beaty
 PRINT NOTARY NAME



CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):
34-336(e)(1)c.1, 2 & 3 to designate the corner side yard as the southern portion of the property facing Oaks Drive, the front yard as the portion facing Evans Drive and the rear yard as the eastern portion of the property; 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 4.7 feet in lieu of 5 feet minimum; and 34-336(e)(1)c.3, for a rear yard setback of 23 feet in lieu of 30 feet minimum all to allow for the construction of a new coping only swimming pool, connect a detached garage to the primary structure, change yard designations and rectify non-conformities at an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100164

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.

OCT - 6 2021

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Corner lot, irregular size with corresponding larger setbacks.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Lot purchased as is.
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	Similar corner lots and layouts within the same zoning (RS-1) district have been successful with their variance requests for an additional structure.
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	Similar corner lots and layouts within the same zoning (RS-1) district have been successful with their variance requests for an additional structure.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Proposal for best location of additional structure (pool/spa) with the the equipment located on backside of house on pad.
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	With the requested setbacks, no physical change to the appearance of the lot and we remain less than the lot coverage allowed (35%) and we would not impose on any adjacent land.

September 29, 2021

RECEIVED
21-100164
OCT - 6 2021

City of Jacksonville Beach
Board Adjustment

PLANNING & DEVELOPMENT

Dear Valued Board Of Adjustment Members,

Thank you for the opportunity to present our family's request for a variance to flip the side and front yards to accommodate a new pool/spa. We recently built a new home in 2020 in south Jacksonville Beach. While larger than most lots in the beaches area, it is comparable to many lots in our neighborhood. However, it is an irregular sized corner lot and therefore, we are respectfully asking to flip the south end, Oaks Drive (currently considered the front yard) with the west side, Evans Drive (currently considered the side yard).

We have enclosed a drawing that displays the proposed pool (9.9' x 30'). The proposal to flip the side/front yards shows that the pool fits within the required setback and also leaves plenty of space on the south side of the home on Oaks Drive.

We have reviewed this in detail with many of our surrounding neighbors who are supportive of our request. They reviewed the enclosed drawings and the variance application and were happy to sign a letter of support that has been enclosed. In addition, we have talked with city council members and met twice with Heather Ireland, Director of Planning and Development. The variance request to switch the front and side yards will not physically change the appearance of the lot, nor will it adversely impact any adjacent land.

We have been residents of Jacksonville Beach for 25 years, building and owning 3 separate homes. We love Jax Beach and plan to reside in our home on 61 Evans Drive for many years to come.

Our family appreciates your review and consideration.

Sincerely,

Justin Lee 

Marian Lee 

Mason Lee 

Merrik Lee 

21-100164

This Instrument Prepared by and Return to:
Shirley Scotland Pursuant to the issuance
Of Title Insurance
Shore to Shore Title, LLC
6111 Broken Sound Parkway, NW
Suite 350
Boca Raton, FL 33487
Property Appraisers Parcel ID #: 179997-1034

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS SPECIAL WARRANTY DEED, made and executed the 9 day of December, 2019, by **U.S. Bank, National Association, as Legal Title Trustee for Truman 2016 SC6 Title Trust**, whose post office address is **P.O. Box 830, Armonk, NY 10504**, herein called the Grantor(s), to **Justin Mark Lee and Marian Dimmitt Lee, as husband and wife**, whose address is **61 EVANS DR, Jacksonville Beach, FL 32250**, hereinafter called the Grantee(s):

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

W I T N E S S E T H: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in DUVAL County, State of Florida, viz:

Lot 17, of FAIRWAY OAKS, according to the Plat thereof, as recorded in Plat Book 38, at Page 1 and 1A, of the Public Records of Duval County, Florida.

**Power of Attorney attached hereto and made a part hereof.
Certificate of Approval of Sale attached, if applicable.**

Subject to easements, restrictions and reservations of record and to taxes for the year 2020 and thereafter.

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

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

AND, the grantor hereby covenants with said grantees that except as above noted, at the time of delivery of this Special Warranty Deed the premises were free of all encumbrances made by them, and they will warrant and defend the same against the lawful claims of all persons claiming by, through or under grantor.

21-100164

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Christ M. Lutz
Witness #1 Signature
Christine M. Lutz
Witness #1 Printed Name

Susan Y. Fares
Witness #2 Signature
Susan G Fares
Witness #2 Printed Name

U.S. Bank, National Association, as Legal Title Trustee
for Truman 2016 SC6 Title Trust, by Truman Capital
Advisors, LP, as Attorney-in-Fact

Alejandro J. Lopez
By: Alejandro J. Lopez

STATE OF NEW YORK
COUNTY OF Westchester

The foregoing instrument was acknowledged before me this 9 day of December, 2019, by Alejandro J. Lopez as Senior VP, of Truman Capital Advisors, LP, as Attorney-in-Fact for U.S. Bank, National Association, as Legal Title Trustee for Truman 2016 SC6 Title Trust, on behalf of the Trust. He is personally known to me.

SEAL

Melissa A Chaffee
Notary Signature
Melissa A Chaffee
Printed Notary Signature

My Commission Expires:

MELISSA A. CHAFFEE
Notary Public, State of New York
No. 01CH6185679
Qualified in Dutchess County
Commission Expires April 21, 2020

* Existing

MAP SHOWING BOUNDARY SURVEY OF

LOT 17, FAIRWAY OAKS, AS RECORDED IN PLAT BOOK 38,
PAGES 1 AND 1-A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
MARIAN LEE AND JUSTIN LEE

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21-100164
OCT - 6 2021

PLANNING & DEVELOPMENT

MISSION HILLS UNIT 5
PLAT BOOK 39, PAGE 62

LOT 6

N 88°40'00" E 60.47' (PLAT)
N 88°48'10" E 60.37' (MEASURED)

LB 3672

C-1
N 29°54'46" W
44.06' (CHORD)
(MEASURED)

N 29°51'00" W 43.93'
(CHORD)(PLAT)
L=53.65', R=25.00'

LOT AREA = 12873.10 SQUARE FEET
IMPERVIOUS AREA = 4042.17 SQUARE FEET

EVANS DRIVE
(VARIABLE RIGHT OF WAY)

N 31°38'00" E
N 31°43'28" E

108.94' (PLAT)
108.99' (MEASURED)

20' BUILDING
RESTRICTION LINE

COVERED
ENTRY

TWO STORY
FRAME
POSTED # 61
FFE = 7.22 (88)

A/C
PAD
A/C
PAD

LOT 17

LOT 18

S 01°20'00" E
130.00' (PLAT)
130.00' (MEASURED)

APPROXIMATE
LOCATION OF FLOOD
ZONE "SHADED X"
APPROXIMATE
LOCATION OF FLOOD
ZONE "AE"

LB 8711

S 88°43'48" W 98.74' (MEASURED)
S 88°40'00" W 98.77' (PLAT)

OAKS DRIVE
(60' RIGHT OF WAY)

LEGEND:

- x — = FENCE
- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER

BLOCK
CORNER

PC = POINT OF CURVATURE
PT = POINT OF TANGENCY

PRC = POINT OF REVERSE CURVATURE
PCC = POINT OF COMPOUND CURVATURE

NOTES:

- BEARINGS ARE BASED ON THE PLAT BEARING OF S 01°20'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE SHADED X, AE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2018, COMMUNITY NUMBER 120078, PANEL 0418 J.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

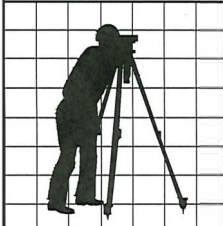
REVISIONS

DATE	DESCRIPTION
12-1-20	UPDATE SURVEY

JOB # 10071-A

DATE OF FIELD SURVEY: 9-29-05

SCALE: 1" = 20'



Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 470.027, FLORIDA STATUTES.

RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146
STATE OF FLORIDA LICENSE BUSINESS No. 7469

LAND SURVEYS

O

CONSTRUCTION SURVEYS

LAND SURVEYS SUBDIVISIONS

*** Proposed**

NTS

MAP SHOWING BOUNDARY SURVEY OF

LOT 17, FAIRWAY OAKS, AS RECORDED IN PLAT BOOK 38,
PAGES 1 AND 1-A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
MARIAN LEE AND JUSTIN LEE

PROPOSED WITH ADDITION OF POOL

LOT: 12,873.10 SF

COVERED: 4,042.17 SF

31.4%

POOL: 297 SF

297 SF

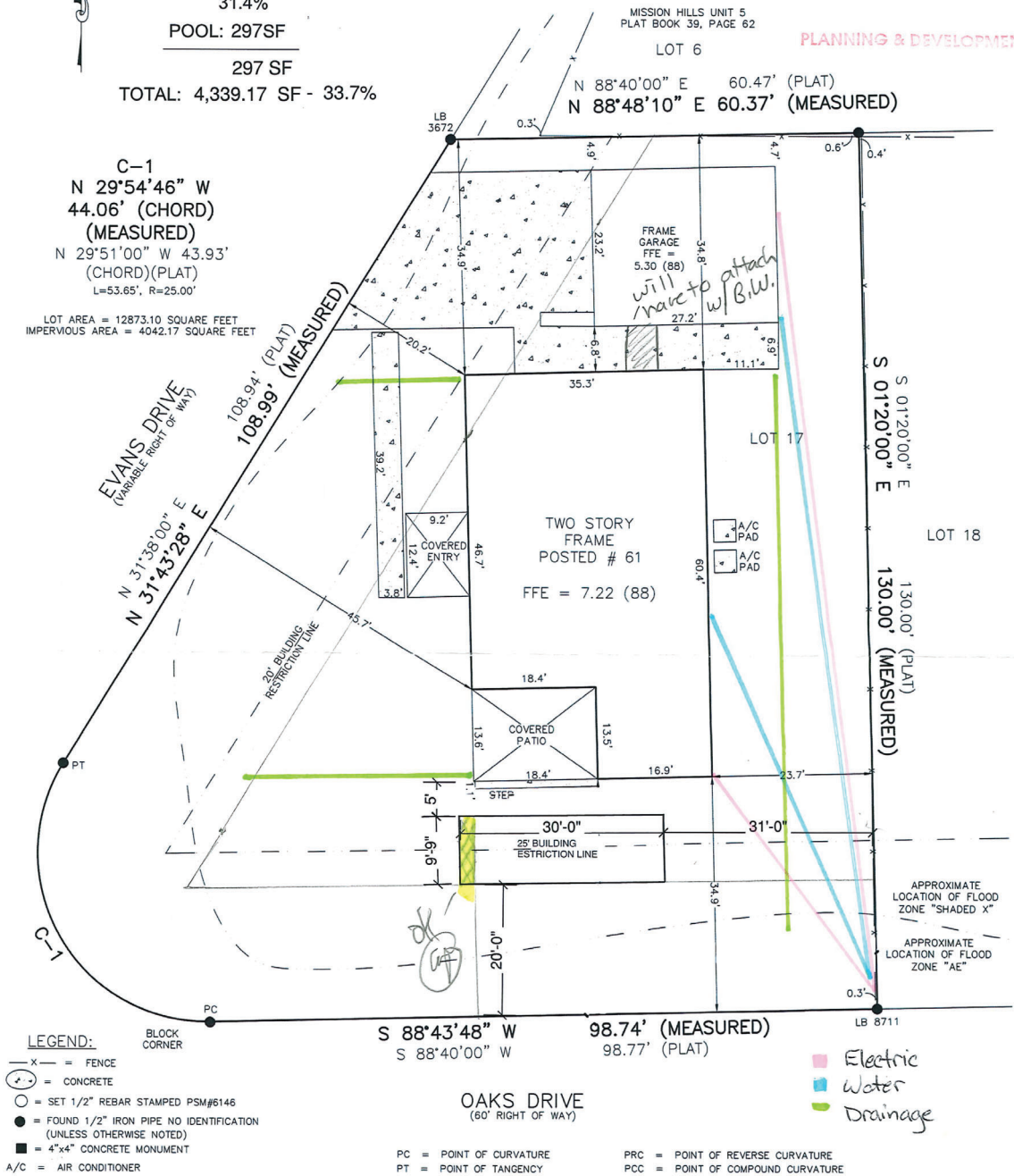
TOTAL: 4,339.17 SF - 33.7%

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21-100164
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PLANNING & DEVELOPMENT

C-1
N 29°54'46" W
44.06' (CHORD)
(MEASURED)
N 29°51'00" W 43.93'
(CHORD)(PLAT)
L=53.65', R=25.00'

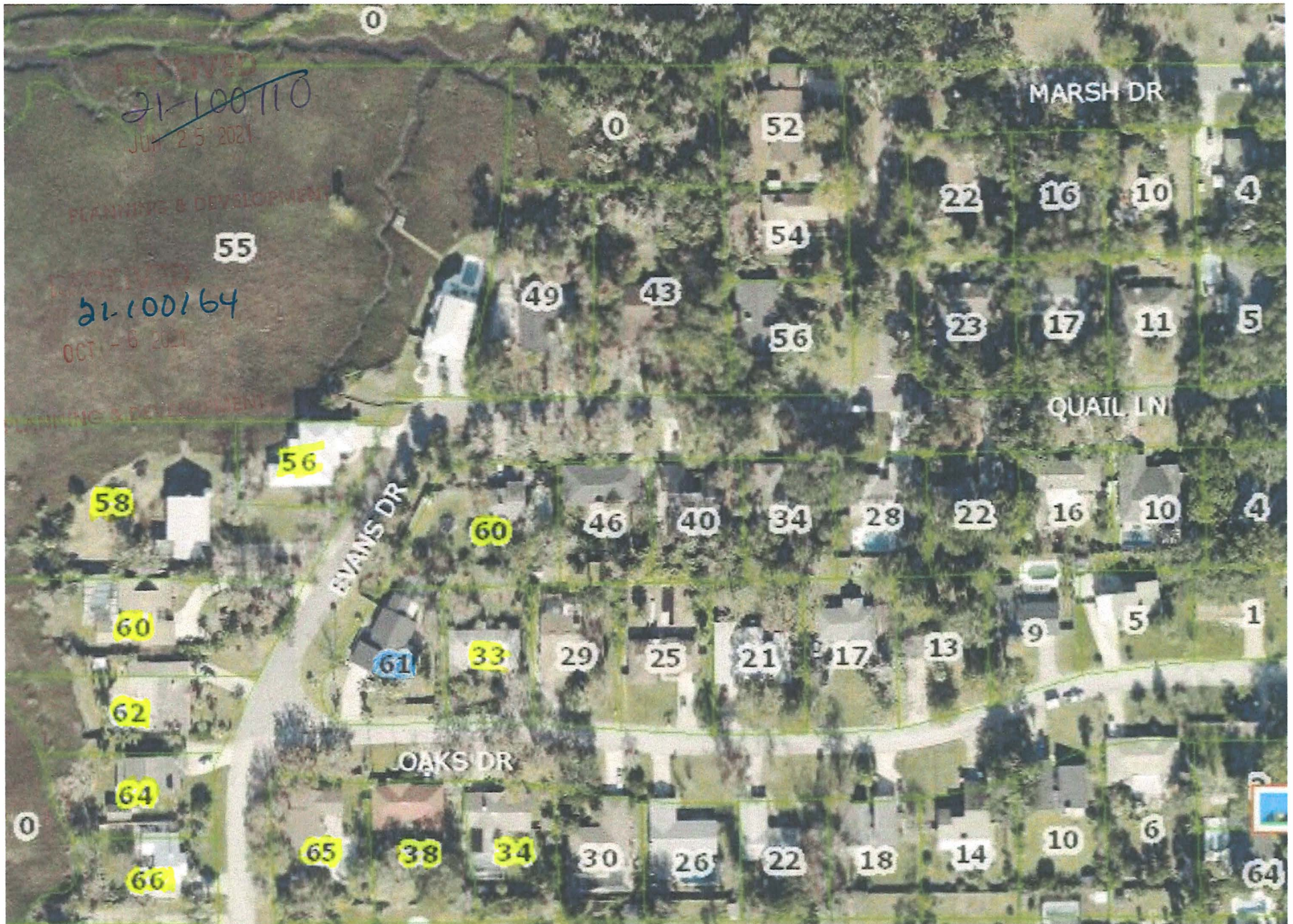
LOT AREA = 12873.10 SQUARE FEET
IMPERVIOUS AREA = 4042.17 SQUARE FEET

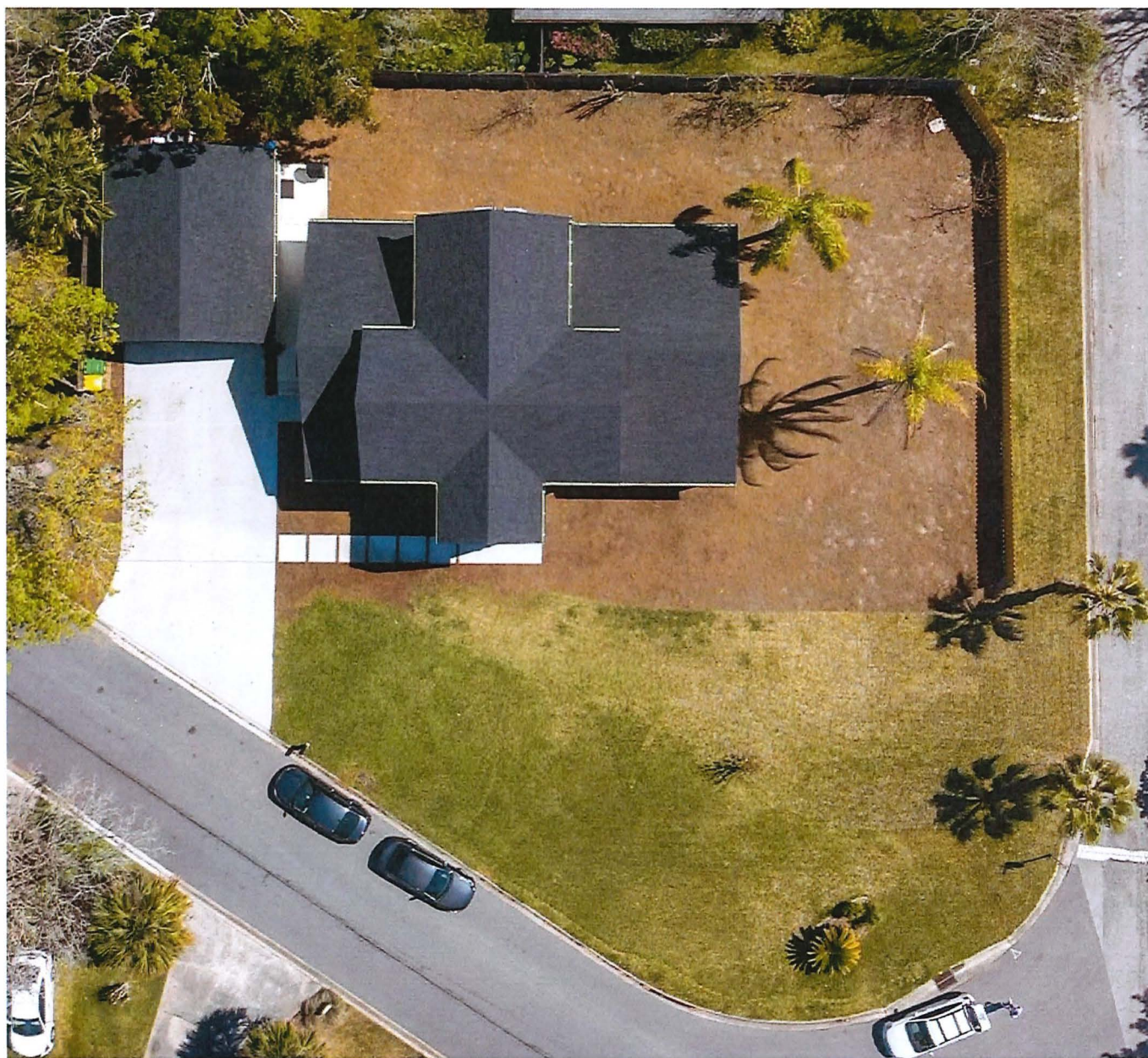


- LEGEND:
- X — = FENCE
 - = CONCRETE
 - = SET 1/2" REBAR STAMPED PSM#6146
 - = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
 - = 4"x4" CONCRETE MONUMENT
 - A/C = AIR CONDITIONER
 - PC = POINT OF CURVATURE
 - PT = POINT OF TANGENCY
 - PRC = POINT OF REVERSE CURVATURE
 - PCC = POINT OF COMPOUND CURVATURE
- NOTES:
- BEARINGS ARE BASED ON THE PLAT BEARING OF S 01°20'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
 - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE SHADED X-AE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2018, COMMUNITY NUMBER 120078, PANEL 0418.
 - THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 - THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

Electric
Water
Drainage

JOB # 10071-A		DATE OF FIELD SURVEY: 9-29-05		SCALE: 1" = 20'	
		Ray Thompson SURVEYING, Inc. Going the DISTANCE for You 1825 University Boulevard West Jacksonville, Florida 32217 (Phone) 904-448-5125 (Fax) 904-448-5178			
		CERTIFICATE I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYING AND MAPPING, CHAPTER 53-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 402.02, FLORIDA STATUTES. RAYMOND THOMPSON REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA LICENSE BUSINESS No. 7469			
LAND SURVEYS		CONSTRUCTION SURVEYS		SUBDIVISIONS	





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OCT - 6 2021

PLANNING & DEVELOPMENT

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21-100164

OCT - 6 2021

RECEIVED

21-100110

JUN 25 2021

Dear City of Jacksonville Beach Board Of Adjustment Members,

As neighbors of Justin, Marian, Mason and Merrik Lee at 61 Evans Drive, we are very supportive of their request for a variance on their south end side of their lot (Oaks Drive) to accommodate a pool/spa.

They have shared the variance application, design plans, proposed rendering of the pool and layout and it is tastefully done. It clearly adds value and curb appeal to our neighborhood, but also completes their new home.

Please consider granting their request.

Thank you.

Clinton Gornall



66 Evans Drive

6/1/21

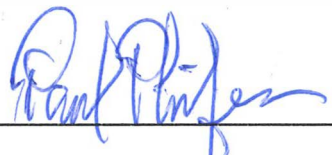
Print Name

Signature

Address

Date

Paul Phifer



65 Evans Drive

May 29/21

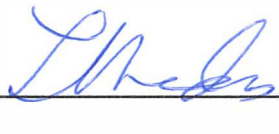
Print Name

Signature

Address

Date

Lynn Medis



64 Evans Drive

6/2/21

Print Name

Signature

Address

Date

RICHARD Melivick

62 Evans Drive

5-31-21

Print Name

Signature

Address

Date

DONNA DREW Donna Drew

Print Name

Signature

60 Evans Drive

Address

5/28/21

Date

JOHN HAYES John Hayes

Print Name

Signature

58 Evans Drive

Address

6/02/21

Date

Mark Cress Conner Mark Cress Conner

Print Name

Signature

56 Evans Drive

Address

6/1/21

Date

David Pratt David Pratt

Print Name

Signature

60 Quail Lane

Address

5.31.21

Date

Larry White Larry White

Print Name

Signature

33 Oaks Drive

Address

6-3-21

Date

MATTHEW ROBINSON Matthew Robinson

Print Name

Signature

34 Oaks Drive

Address

6-1-21

Date

TEODORO IBAY Teodoro Ibay

Print Name

Signature

38 Oaks Drive

Address

6-23-21

Date

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21.100164
OCT - 6 2021

RECEIVED
21.100110
JUN 25 2021



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100165

Zoning: RS-1
RE: 178062-0010
Legal: Lot 26, Block 11, Pine Grove Unit 4
Address: 1701 2nd Avenue North

Request

Section(s): 34-336(e)(1)c.2, for a western side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 36% in lieu of 35% maximum to allow for construction of a new single family dwelling

Existing Conditions

The subject property is currently two lots of record (circa 1946) located in the Low Density Residential future land use category. The property is currently occupied by one single family home that spans both lots. The intent is to subdivide the property into the two lots of records. This variance addresses the eastern lot, Lot 26. The subject lot of record is 75 feet in width and 105 feet in depth, with a total area of 7,875 square feet. The subject lot is currently home to one of three specimen oaks located on the parent parcel. The noted size of the oak on the subject lot 26 is 40 inches in diameter. That applicant is proposing to adjust the side setbacks to accommodate the existing trees.

There are no previous Variances or active code enforcement cases.

Staff Analysis

The subject property is currently two legal lots of record, each of which are considered buildable under section 34-624 of the land development code, which states:

Where a lot or parcel of land has an area or frontage which does not conform to the standards of the LDC, but it was a lot of record on the effective date of the LDC, such lot or parcel of land may be developed, provided the minimum yard standards for the zoning district in which it is located are met.

Although the lot is a lot of record, the proposed house would require variances form lot coverage and setbacks due to both the minimal size of the lot in comparison to the minimum dimensional standards for the RS-1 zoning district, and the desire to



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

preserve the trees. The proposed house would meet the required front yard, but would need relief from the rear yard setback based on the design as well as a minimal increase in lot coverage, and the western side yard to address the preservation of the noted specimen oak tree.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The property is comprised of a lot of record that is substandard in width and area, and additionally has several specimen oaks that complicate the placement of the proposed house.

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

Staff does not find that circumstances are a result of the applicant. The subject property was platted in 1946.

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



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Staff does find that the proposed variance will not confer any special privileges. The majority of the lots on this street were developed as individual lots of record as opposed to combined as the subject site was, and therefore developed under the same constraints as this lot of record.

- 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 and undue hardship**

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. Though staff cannot verify without a survey, it appears that many of the homes along this street have reduced rear setbacks and possibly reduced side setbacks.

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

Staff does find that the requested variances are the minimum variance needed to construct the house based on the proposed plan. Staff has included a proposed condition to address the preservation of the existing trees sited as part of the hardship.

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

Staff does find that the request is consistent with the comprehensive plan.

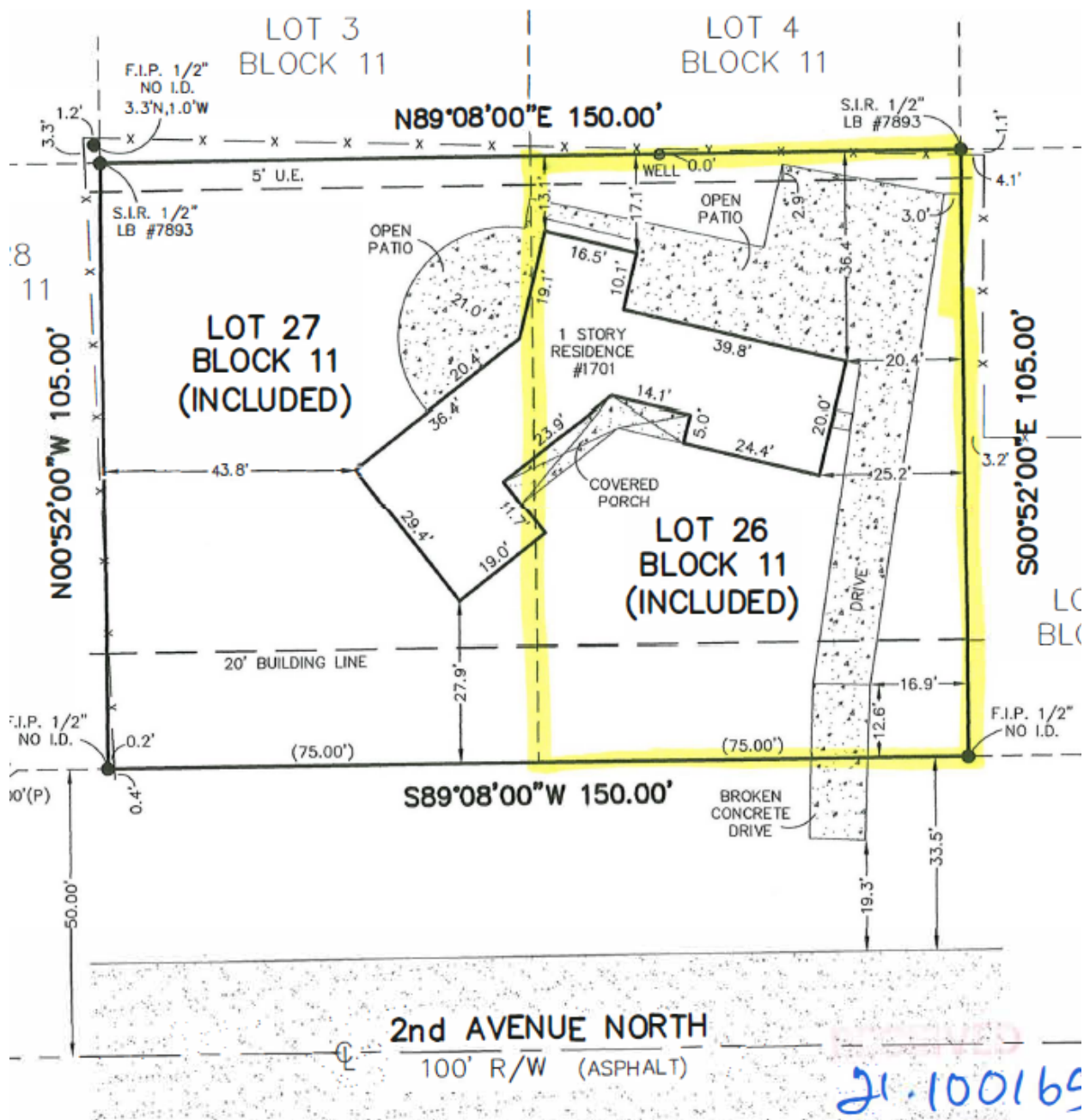
Proposed Condition

Given that part of the hardship of the subject property is noted as the need to preserve the specimen trees, staff proposes the following condition, to ensure the preservation of the tree canopy in the area.

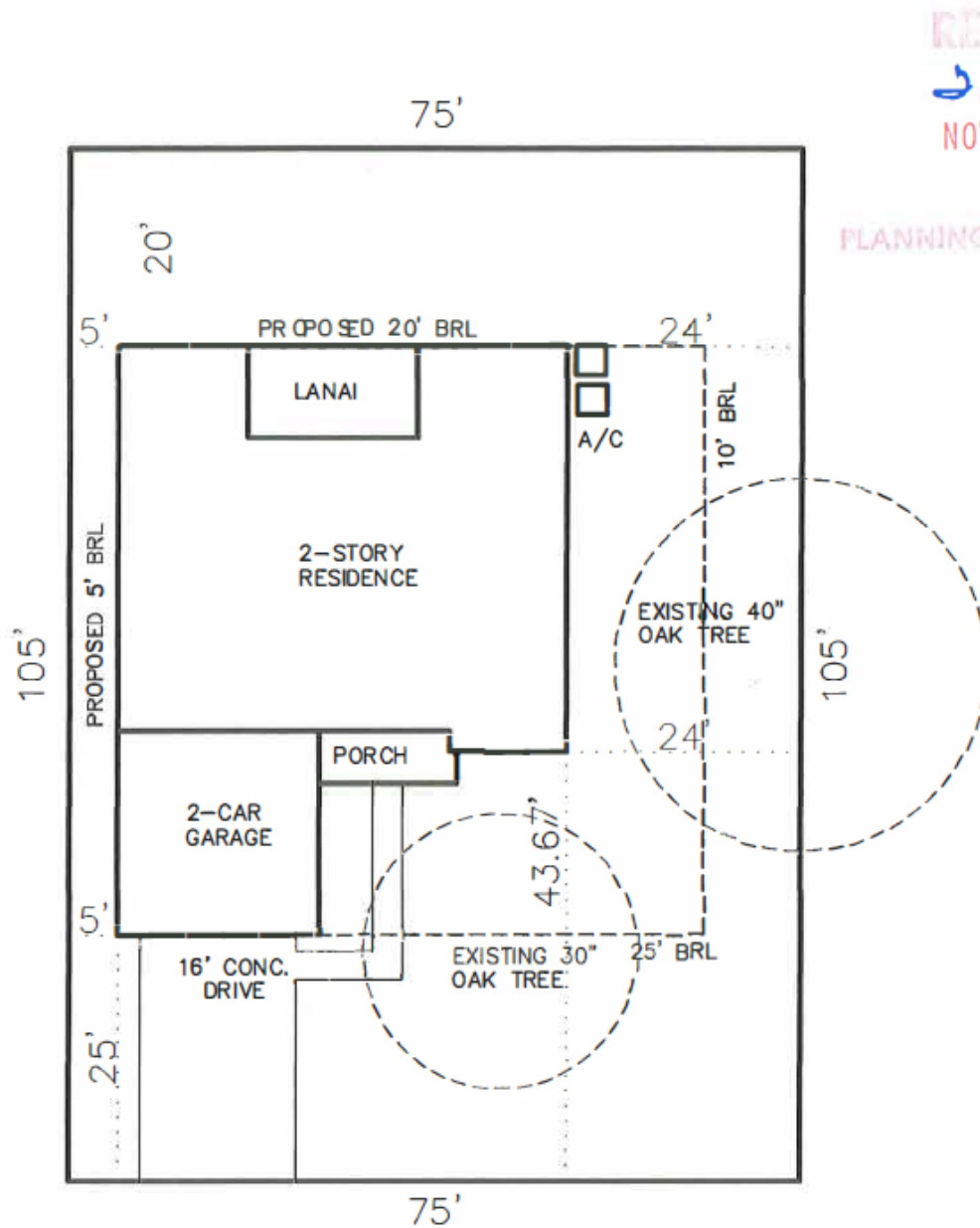
- Should the Specimen Oak noted on the existing survey and proposed site plan of Lot 26, Block 11, Pine Grove Unit 4 be removed or irreparably damaged during construction, the mitigation requirements noted in Section 34-424(f) shall apply in full.

An aerial photograph of a residential neighborhood in Jacksonville, Florida. The map shows several streets: 18th St N running vertically on the left, 3rd Ave N running horizontally in the upper middle, 2nd Ave N running horizontally in the middle, and Beach Blvd running horizontally at the bottom. Numerous property lots are outlined in green, each with a white numerical address label. A specific lot, located between 2nd Ave N and 3rd Ave N, and between 18th St N and an unnamed vertical street to the right, is highlighted with a thick black border and a red address label '1780620010'. Other visible addresses include 319, 412, 315, 406, 405, 1708, 1700, 1686, 1674, 1664, 1658, 1654, 1636, 1535, 1613, 1705, 1701, 1647, 1633, 1629, 1625, 1619, 305, 202, 301, 1704, 1702, 1686, 1646, 1634, 1628, 1624, 1618, 1614, 15, 315, 1703, 1701, 1637, 1635, 1633, 1621, 1619, 1601, 15, 193, 1851, 159, 1797, 1701, 1661, 1639, 1617, 1891, 1855, and 0. The area is characterized by green trees and grass, with some buildings visible.

Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100165
HEARING DATE _____

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

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, 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
2nd Submittal
NOV 16 2021

APPLICANT INFORMATION

Applicant Name: John Atkins **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:** atkinsbuilders@hotmail.com
Jacksonville Beach, Fl. 32240
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Carol Blasingame **Telephone:** _____
Mailing Address: 17012nd Ave. N. **E-Mail:** _____
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 1701 2nd Ave. N RE# 178062-0010
Legal description of property (Attach copy of deed): Lot 26, Block 11, Pine Grove Unit 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).
Western Side yard setback of 5' each in lieu of 10' required. Rear yard setback of 15' in lieu of 30' required. Lot coverage of 35.2% in lieu of 35% required.

AFFIDAVIT

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

John Atkins
APPLICANT SIGNATURE PRINT APPLICANT NAME DATE 11/15/21
STATE OF FLORIDA, COUNTY OF DUVAL:
Sworn to and signed before me this 16 day of November, 2021 by John Atkins, who
is personally known to me or has produced _____ as identification.
Lee Ann Bassabe
NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME
LEE ANN BASSABE
Notary Public-State of Florida
Commission # HH 79320
My Commission Expires
January 11, 2025
(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE
CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X
CODE SECTION (S):
34-336(e)(1)c.2, for a western side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 36% in lieu of 35% maximum to allow for construction of a new single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. **21-100165**

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.

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	Substandard lot for RS-1 zoning district
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This is a platted lot of record prior to the current Land Development Code.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This is consistent with other variances granted to the same size parcel.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation would cause the applicant to remove three specimen oaks.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	To insure the consistent nature of the neighborhood. i.e Large trees.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	New home would be consistent with the neighborhood.

This document prepared by and
return to: Sue Houser
Title & Abstract Agency of America, Inc.
4630 Woodland Corporate Boulevard
Suite 160
Tampa, FL 33614
File # 11-239612
REO # A111Q9K
Parcel ID # 178062-0010

21-100165

STC 101188

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED Made this 30th day of January, 2012 by, **Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America**, whose address is: 14221 Dallas Parkway; Suite 1000, Dallas, Texas 75254 hereinafter called the grantor, to **William G. Blasingame, III, a Married Man**; *whose mailing address is 1701 2nd Avenue North, Jacksonville, FL 32250 hereinafter called the grantee: ** JOINED BY CAROL R. BLASINGAME, HIS WIFE

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land in:

LOTS 26 AND 27, BLOCK 11, PINE GROVE-UNIT NO. 4, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE(S) 44 THROUGH 44A, INCLUSIVE, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Subject to taxes for the current year and all subsequent years; and conditions, restrictions, easements, limitations, reservations and zoning ordinances of record.

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

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

AND the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature: Farida Spratley
Printed Name: FARIDA SPRATLEY

Witness Signature: [Signature]
Printed Name: [Signature]

Federal National Mortgage Association
By: Shapiro, Fishman and Gaché, LLP as
its Attorney-in-Fact

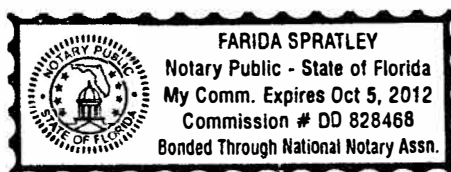
BY: [Signature]
Barbara C. Peddicord, Esq.
as authorized signatory for Shapiro, Fishman
and Gaché, LLP, as Attorney-in-Fact for
FANNIE MAE a/k/a FEDERAL NATIONAL
MORTGAGE ASSOCIATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared **Barbara C. Peddicord, Esq.**, as authorized signatory for Shapiro, Fishman and Gaché, LLP, as Attorney-in-Fact for FANNIE MAE a/k/a FEDERAL NATIONAL MORTGAGE ASSOCIATION to me known and known to be the person described in and who executed the foregoing instrument as Authorized Signatory for the corporation named therein and who acknowledged before me he/she executed the same as such officer in the same and on behalf of said corporation.

WITNESS my hand and official seal in the county and State last aforesaid this 27th day of January, 2012.

Farida Spratley
Notary Public
My Commission Expires:
(SEAL)



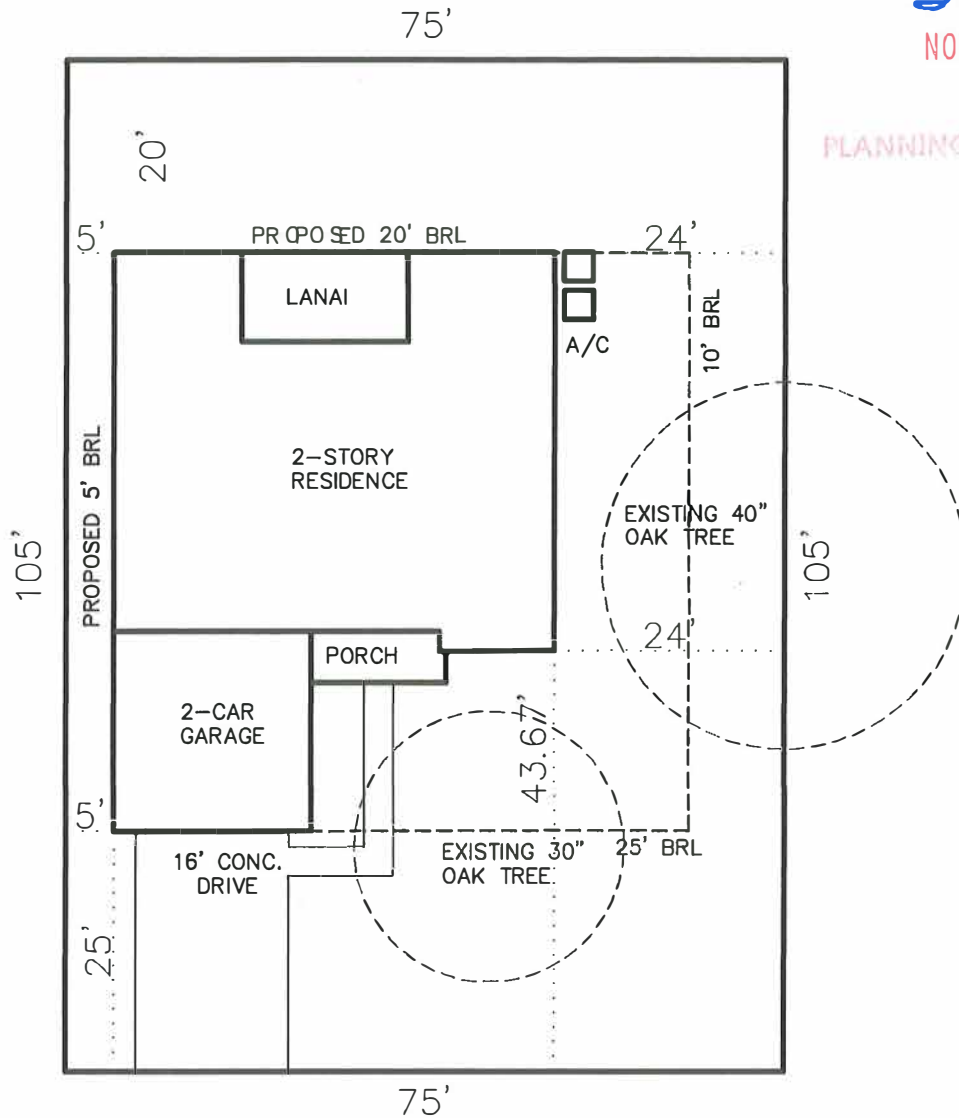
PROPOSED

RECEIVED

21-100165

NOV 16 2021

PLANNING & DEVELOPMENT



LOT COVERAGE:

LOT = 7875 SQUARE FEET

BUILDING FOOTPRINT: 2333 SQUARE FEET

BUILDING COVERAGE: $2333/7875 = 29.6\%$

DRIVEWAY: 483 SQUARE FEET

IMPERVIOUS AREA: $2333 + 483/7875 = 35.7\%$

Lot 26 Block 11 Pine Grove Unit 4

SCALE: 1" = 20'

DATE: 11-12-21

DRAWN BY: LP

REVISED:

REVISED:



PLAT BOOK 19 PAGE 44
OF THE CURRENT PUBLIC RECORDS
OF Duval COUNTY, FL

LOT SQ. FT.

7875

JOB #

2ndAve_east

Community Number: 120078 Panel: 0001 Suffix: D Flood Zone: X Field Work:

Certified To:
WILLIAM G. BLASINGAME, II; SUNSHINE TITLE CORP.; ALLIANT NATIONAL TITLE INSURANCE ; BANK OF ENGLAND DBA ENG LENDING, its successors and/or assigns.

Property Address:
1701 2ND AVE. N.
JACKSONVILLE BEACH, FL 32250

Survey Number: 173720

EXISTING PG 1

RECEIVED

21.100/65

OCT - 6 2021

PLANNING & DEVELOPMENT

LEGEND:

A/C	AIR CONDITIONER	XXX	EXISTING ELEVATION	L.M.E.	LAKE MAINTENANCE EASEMENT	R.O.W.	RIGHT OF WAY
B.R.	BEARING REFERENCE	F.F.	FINISHED FLOOR	O.R.	OFFICIAL RECORDS	S.I.R.	SET IRON ROD & CAP
B.M.	BENCH MARK	F.I.P.	FOUND IRON PIPE	O.R.B.	OFFICIAL RECORDS BOOK	P.P.	POWER POLE
C.	CENTERLINE	F.O.	FOUND	U.E.	UTILITY EASEMENT	T.O.B.	TOP OF BANK
(C)	CALCULATED	W.	WELL	P.C.P.	PERMANENT CONTROL POINT	W.M.	WATER METER
CATV	CABLE RISER	W.C.	WITNESS CORNER	P.R.M.	PERMANENT REFERENCE MONUMENT	P.G.	PAGE
C.B.	CATCH BASIN	F.P.K.	FOUND PARKER-KALON NAIL	T.B.M.	TEMPORARY BENCH MARK	(P)	PLAT
D.H.	DRILL HOLE	F.C.M.	FOUND CONCRETE MONUMENT	TEL.	TELEPHONE FACILITIES	H.B.	PLAT BOOK
D.E.	DRAINAGE EASEMENT	F.I.R.	FOUND IRON ROD	P.O.B.	POINT OF BEGINNING	U.P.	UTILITY POLE
D.W.	DRIVEWAY	L	LENGTH	P.O.C.	POINT OF COMMENCEMENT	(M)	FIELD MEASURED
Δ	CENTRAL ANGLE/DELTA	L.A.E.	LIMITED ACCESS EASEMENT	P.C.C.	POINT OF COMPOUND CURVATURE	A.E.	ANCHOR EASEMENT
C.M.	CONCRETE MONUMENT	M.E.	MAINTENANCE EASEMENT	P.C.	POINT OF CURVATURE	O.H.L.	OVERHEAD UTILITY LINES
D.B.	DEED BOOK	M.H.	MANHOLE	P.R.C.	POINT OF REVERSE CURVATURE	ℙ	PROPERTY LINE
D.	DESCRIPTION OR DEED	F.N.	FOUND NAIL	P.T.	POINT OF TANGENCY	CH	CHORD
E.S.M.	EASEMENT	N&D	NAIL & DISC	●	PROPERTY CORNER		COVERED AREA
E.O.W.	EDGE OF WATER	N.R.	NON RADIAL	R.O.E.	ROOF OVERHANG EASEMENT		CONCRETE
		N.T.S.	NOT TO SCALE	R.	RADIUS (RADIAL)	H-H	WOOD FENCE
						X-X	METAL FENCE

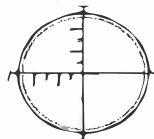
PAGE 1 OF 2 PAGES

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES.
- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

LEGAL DESCRIPTION AND CERTIFICATION

LB #7893

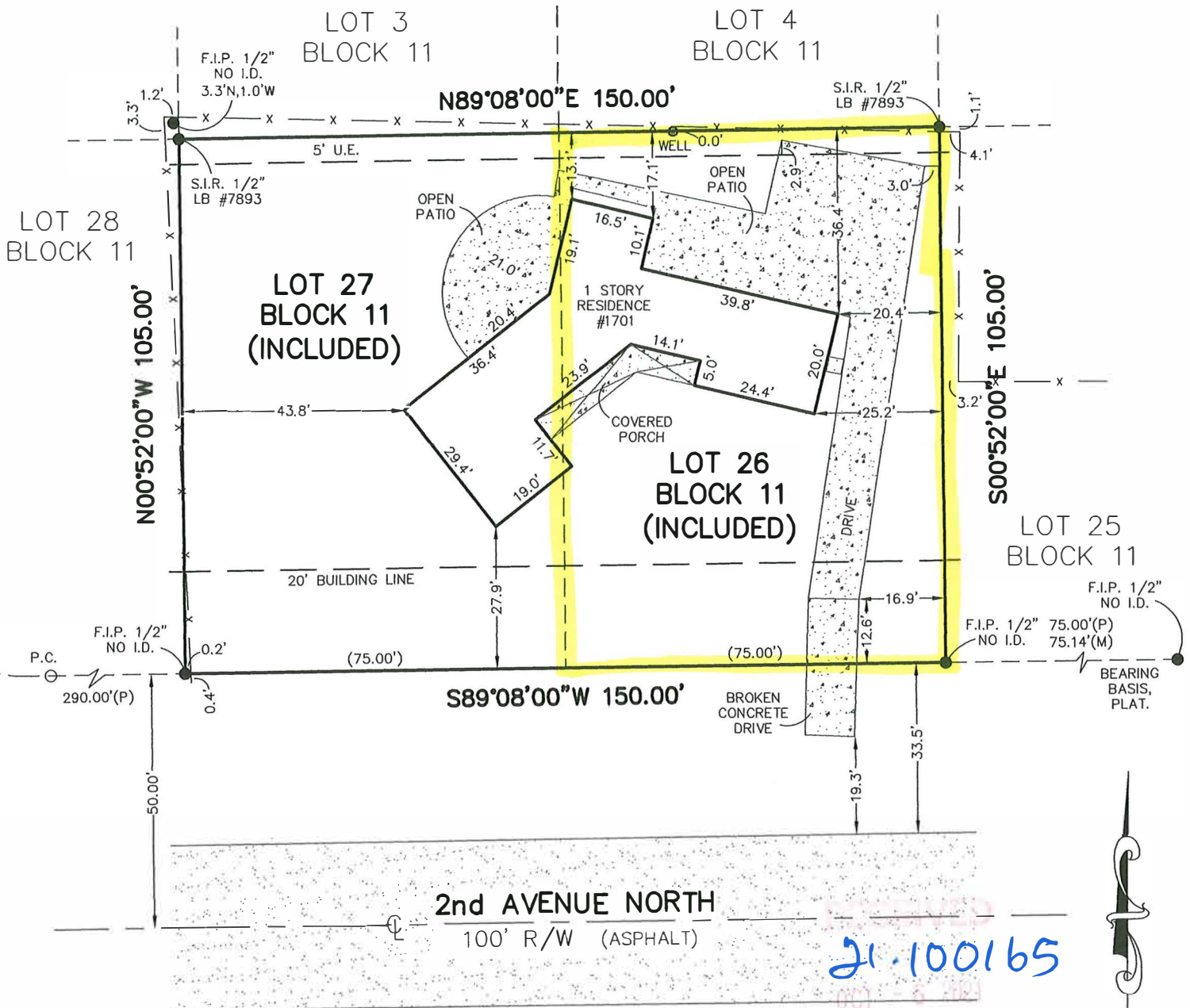


TARGET
SURVEYING, LLC

SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
FACSIMILE (561) 640-0576
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576

EXISTING PG 2



SURVEY NOTES

- CONCRETE DRIVE CROSSING THE SOUTH SIDE OF LOT.
- BROKEN CONCRETE DRIVE CROSSING THE SOUTH LOT LINE.
- FENCE & OPEN PATIO CROSS INTO THE 5' U.E..
- THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY AND CROSS THE WEST AND NORTH LOT LINES.

PAGE 2 OF 2 PAGES

BOUNDARY SURVEY

LB #7893



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

CLYDE O. McNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2883

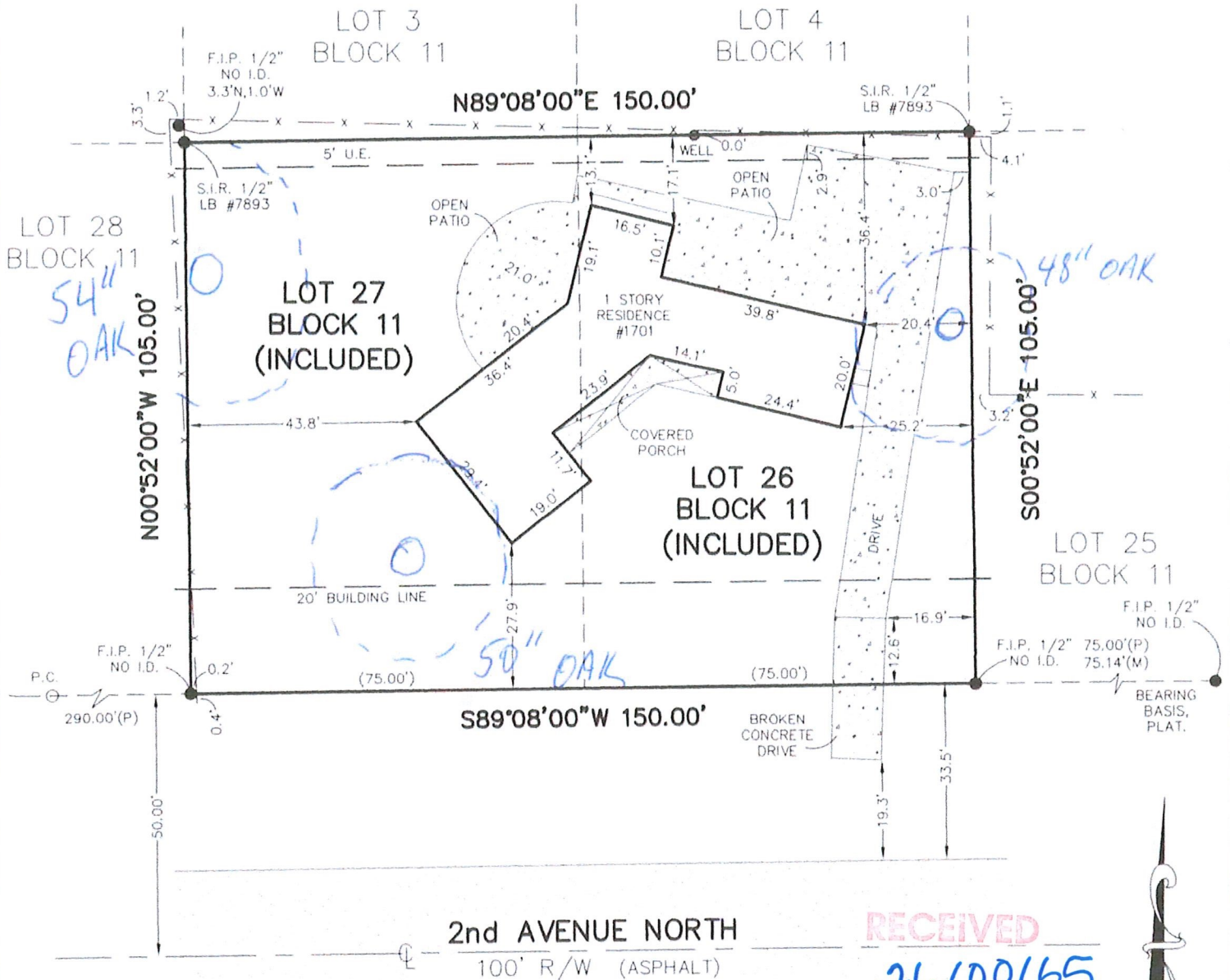


**TARGET
SURVEYING, LLC**

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PHONE (561) 640-4800
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STATEWIDE FACSIMILE (800) 741-0576

--- CANOPY



SURVEY NOTES

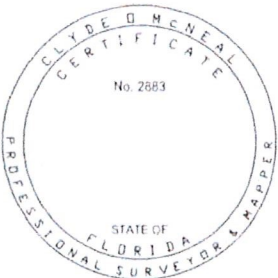
- CONCRETE DRIVE CROSSING THE SOUTH SIDE OF LOT.
- BROKEN CONCRETE DRIVE CROSSING THE SOUTH LOT LINE.
- FENCE & OPEN PATIO CROSS INTO THE 5' U.E..
- THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY AND CROSS THE WEST AND NORTH LOT LINES.

PLANNING & DEVELOPMENT

PAGE 2 OF 2 PAGES

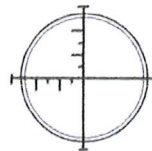
BOUNDARY SURVEY

LB #7893



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TARGET
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SERVING ALL FLORIDA COUNTIES

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(SIGNED)

CLYDE O. McNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2883



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100166

Zoning: RS-1
RE: 178062-0010
Legal: Lot 27, Block 11, Pine Grove Unit 4
Address: 1701 2nd Avenue North

Request

Section(s): 34-336(e)(1)c.2, for an eastern side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum to allow for construction of a new single family dwelling

Existing Conditions

The subject property is currently two lots of record (circa 1946) located in the Low Density Residential future land use category. The property is currently occupied by one single family home that spans both lots. The intent is to subdivide the property into the two lots of records. This variance addresses the eastern lot, Lot 27. The subject lot of record is 75 feet in width and 105 feet in depth, with a total area of 7,875 square feet. The subject lot is currently home to one of three specimen oaks located on the parent parcel. The noted size of the two oak trees on the subject Lot 27 are 50 inches and 54 inches in diameter respectively. The applicant is proposing to adjust the side setbacks to accommodate the existing trees.

There are no previous Variances or active code enforcement cases.

Staff Analysis

The subject property is currently two legal lots of record, each of which are considered buildable under section 34-624 of the land development code, which states:

Where a lot or parcel of land has an area or frontage which does not conform to the standards of the LDC, but it was a lot of record on the effective date of the LDC, such lot or parcel of land may be developed, provided the minimum yard standards for the zoning district in which it is located are met.

Although the lot is a lot of record, the proposed house would require variances for lot coverage and setbacks due to both the minimal size of the lot in comparison to



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

the minimum dimensional standards for the RS-1 zoning district, and the desire to preserve the trees. The proposed house would meet the required front yard, but would need relief from the rear yard setback based on the design as well as a minimal increase in lot coverage, and the eastern side yard to address the preservation of the noted specimen oak tree.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
- Front yard: Twenty-five (25) feet.
- Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
- Rear yard: Thirty (30) feet.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The property is comprised of a lot of record that is substandard in width and area, and additionally has several specimen oaks that complicate the placement of the proposed house.

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

Staff does not find that circumstances are a result of the applicant. The subject property was platted in 1946.



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

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

Staff does find that the proposed variance will not confer any special privileges. The majority of the lots on this street were developed as individual lots of record as opposed to combined as the subject site was, and therefore developed under the same constraints as this lot of record.

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 and undue hardship**

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. Though staff cannot verify without a survey, it appears that many of the homes along this street have reduced rear setbacks and possibly reduced side setbacks.

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

Staff does find that the requested variances are the minimum variance needed to construct the house based on the proposed plan. Staff has included a proposed condition to address the preservation of the existing trees cited as part of the hardship.

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 effect adjacent land.**

Staff does find that the request is consistent with the comprehensive plan.



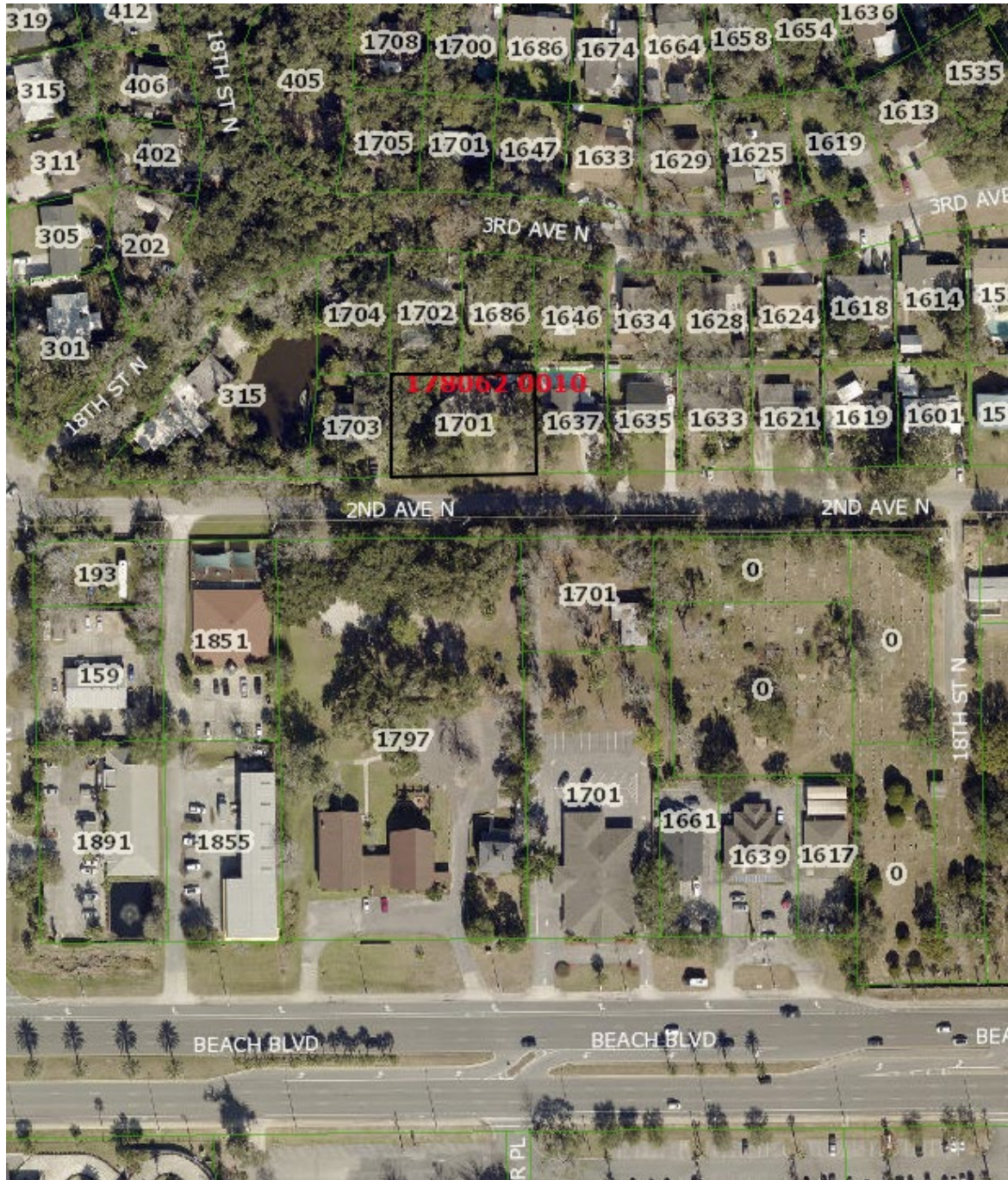
City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Proposed Condition

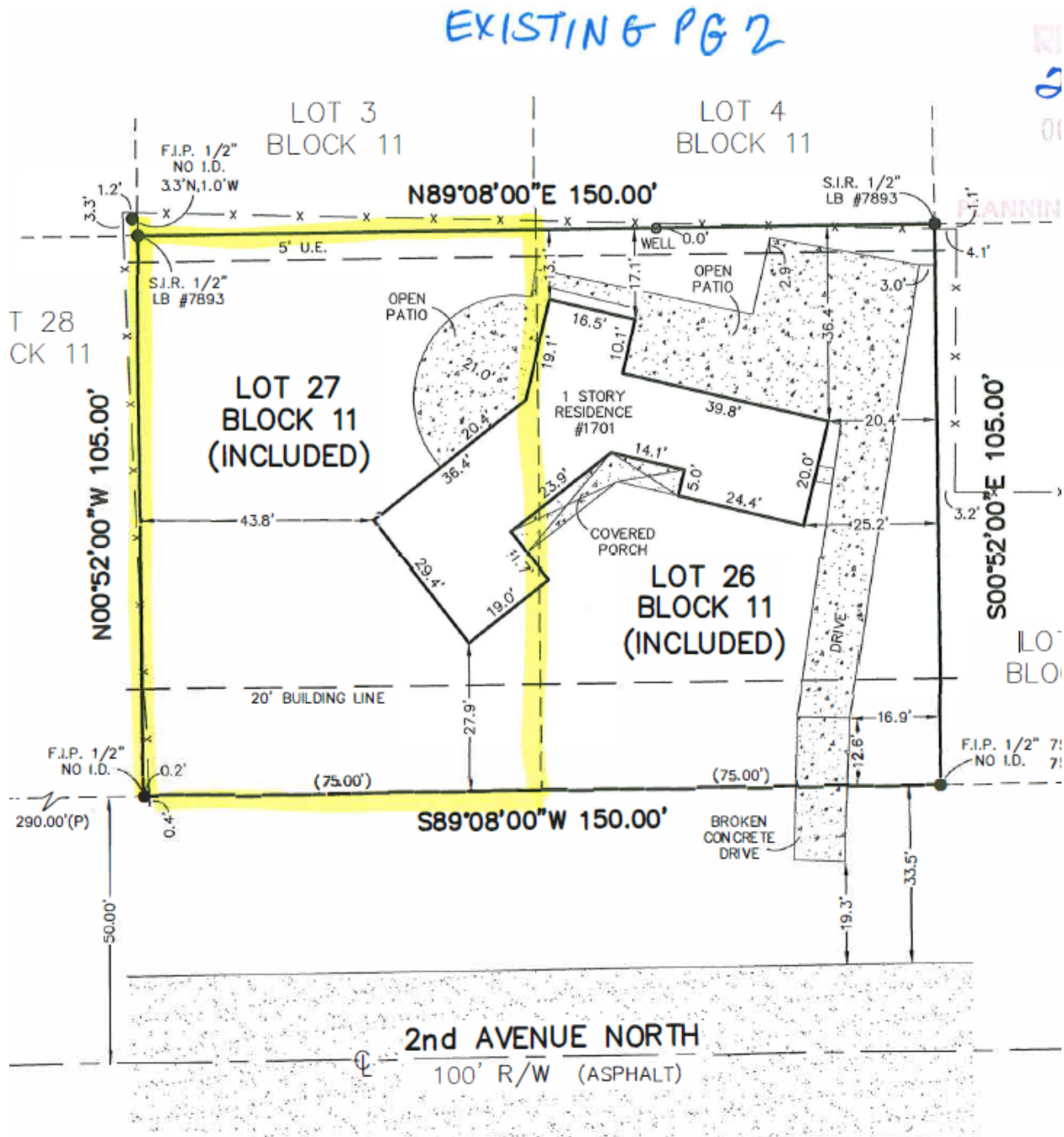
Given that part of the noted hardship of the subject property is noted as the need to persevere the specimen trees, staff proposes the following condition, to ensure the preservation of the tree canopy in the area.

- Should the Specimen Oak noted on the existing survey and proposed site plan of Lot 27, Block 11, Pine Grove Unit 4 be removed or irreparably damaged during construction, the mitigation requirements noted in Section 34-424(f) shall apply in full.

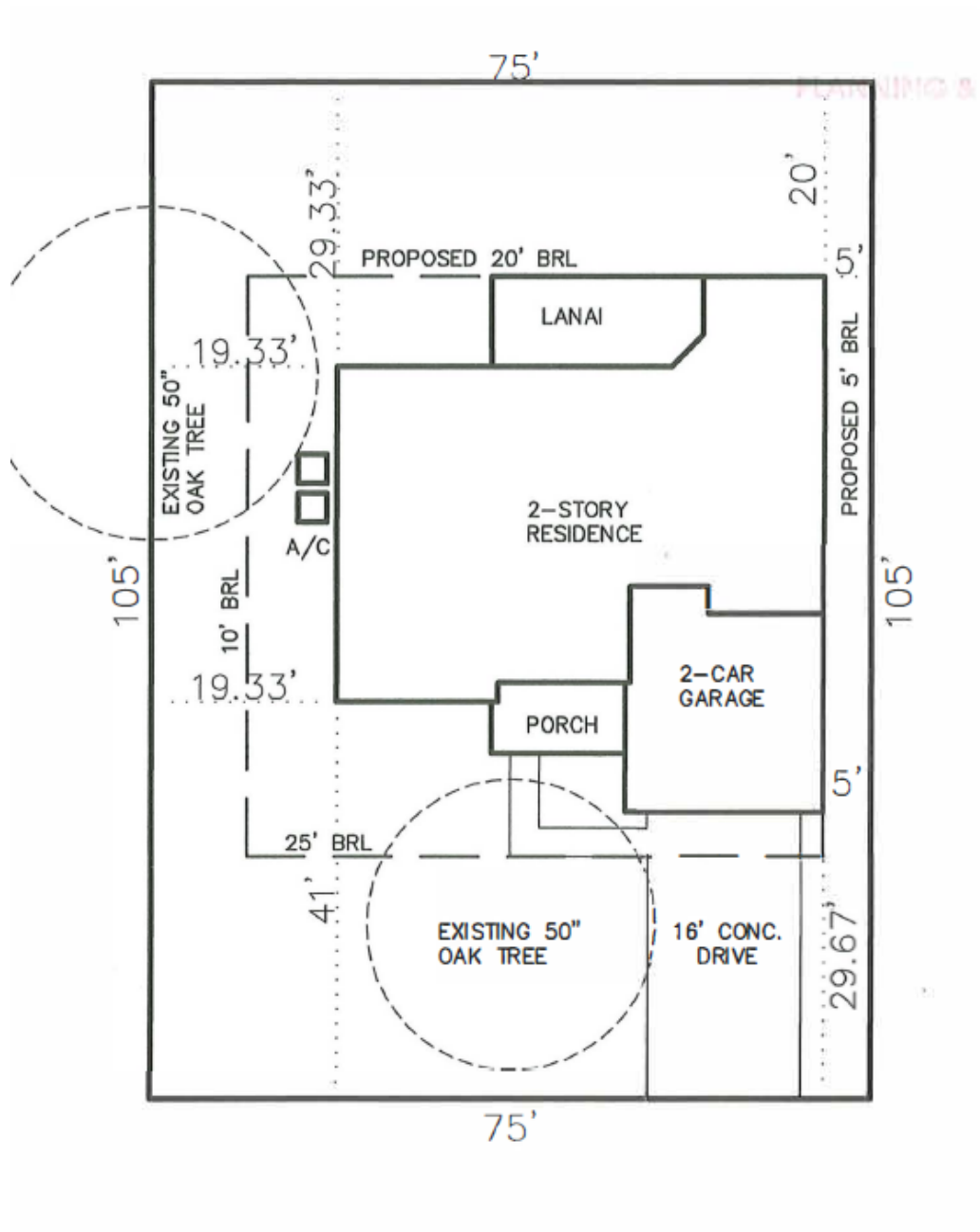
Location Map (property boundaries are reprehensive only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 21-100166

HEARING DATE 12.8.21

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.

NOV 16 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: John Atkins **Telephone:** (904) 465-3749
Mailing Address: PO Box 51262 **E-Mail:** atkinsbuilders@hotmail.com
Jacksonville Beach, FL 32240
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Carl Blasingame **Telephone:** _____
Mailing Address: 17012nd Ave. N. **E-Mail:** _____
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 1701 2nd Ave. N RE# 178062-0010
 Legal description of property (Attach copy of deed): Lot 27, Block 11, Pine Grove Unit 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).
Eastern Side yard setback of 5' each in lieu of 10' required. Rear yard setback of 15' in lieu of 30' required. Lot coverage of 37.2% in lieu of 35% required.

AFFIDAVIT

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

John Atkins **APPLICANT SIGNATURE** 12/8/21 **DATE**
John Atkins **PRINT APPLICANT NAME**

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 16 day of November, 2021 by John Atkins who is personally known to me or has produced _____ as identification

Lee Ann Bassabe **NOTARY PUBLIC SIGNATURE** Lee Ann Bassabe **PRINT NOTARY NAME**
NOTARY PUBLIC **LEE ANN BASSABE**
 Notary Public - State of Florida
 Commission # HH 79320
 My Commission Expires
 January 11, 2025

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 **FLOOD ZONE:** X
CODE SECTION (s):
34-336(e)(1)c.2, for an eastern side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum to allow for construction of a new single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. **21-100166**

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.

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Substandard lot for RS-1 zoning district
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This is a platted lot of record prior to the current Land Development Code.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This is consistent with other variances granted to the same size parcel.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation would cause the applicant to remove three specimen oaks.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	To insure the consistent nature of the neighborhood. i.e Large trees.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	New home would be consistent with the neighborhood.

21-100166

This document prepared by and
return to: Sue Houser
Title & Abstract Agency of America, Inc.
4630 Woodland Corporate Boulevard
Suite 160
Tampa, FL 33614
File # 11-239612
REO # A111Q9K
Parcel ID # 178062-0010

STC 101188

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED Made this 30th day of January, 2012 by, **Fannie Mae A/K/A Federal National Mortgage Association organized and existing under the laws of the United States of America**, whose address is: 14221 Dallas Parkway; Suite 1000, Dallas, Texas 75254 hereinafter called the grantor, to **William G. Blasingame, III, a Married Man**; *whose mailing address is 1701 2nd Avenue North, Jacksonville, FL 32250 hereinafter called the grantee: ** JOINED BY CAROL R. BLASINGAME, HIS WIFE

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land in:

LOTS 26 AND 27, BLOCK 11, PINE GROVE-UNIT NO. 4, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE(S) 44 THROUGH 44A, INCLUSIVE, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Subject to taxes for the current year and all subsequent years; and conditions, restrictions, easements, limitations, reservations and zoning ordinances of record.

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

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

AND the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

IN WITNESS WHEREOF the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature: Farida Spratley
Printed Name: FARIDA SPRATLEY

Witness Signature: [Signature]
Printed Name: [Signature]

Federal National Mortgage Association
By: Shapiro, Fishman and Gaché, LLP as
its Attorney-in-Fact

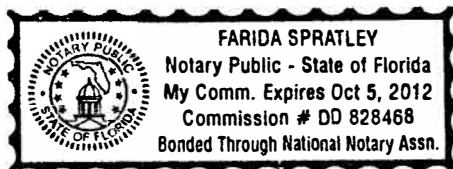
BY: [Signature]
Barbara C. Peddicord, Esq.
as authorized signatory for Shapiro, Fishman
and Gaché, LLP, as Attorney-in-Fact for
FANNIE MAE a/k/a FEDERAL NATIONAL
MORTGAGE ASSOCIATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared **Barbara C. Peddicord, Esq.**, as authorized signatory for Shapiro, Fishman and Gaché, LLP, as Attorney-in-Fact for FANNIE MAE a/k/a FEDERAL NATIONAL MORTGAGE ASSOCIATION to me known and known to be the person described in and who executed the foregoing instrument as Authorized Signatory for the corporation named therein and who acknowledged before me he/she executed the same as such officer in the same and on behalf of said corporation.

WITNESS my hand and official seal in the county and State last aforesaid this 27th day of January, 2012.

Farida Spratley
Notary Public
My Commission Expires:
(SEAL)

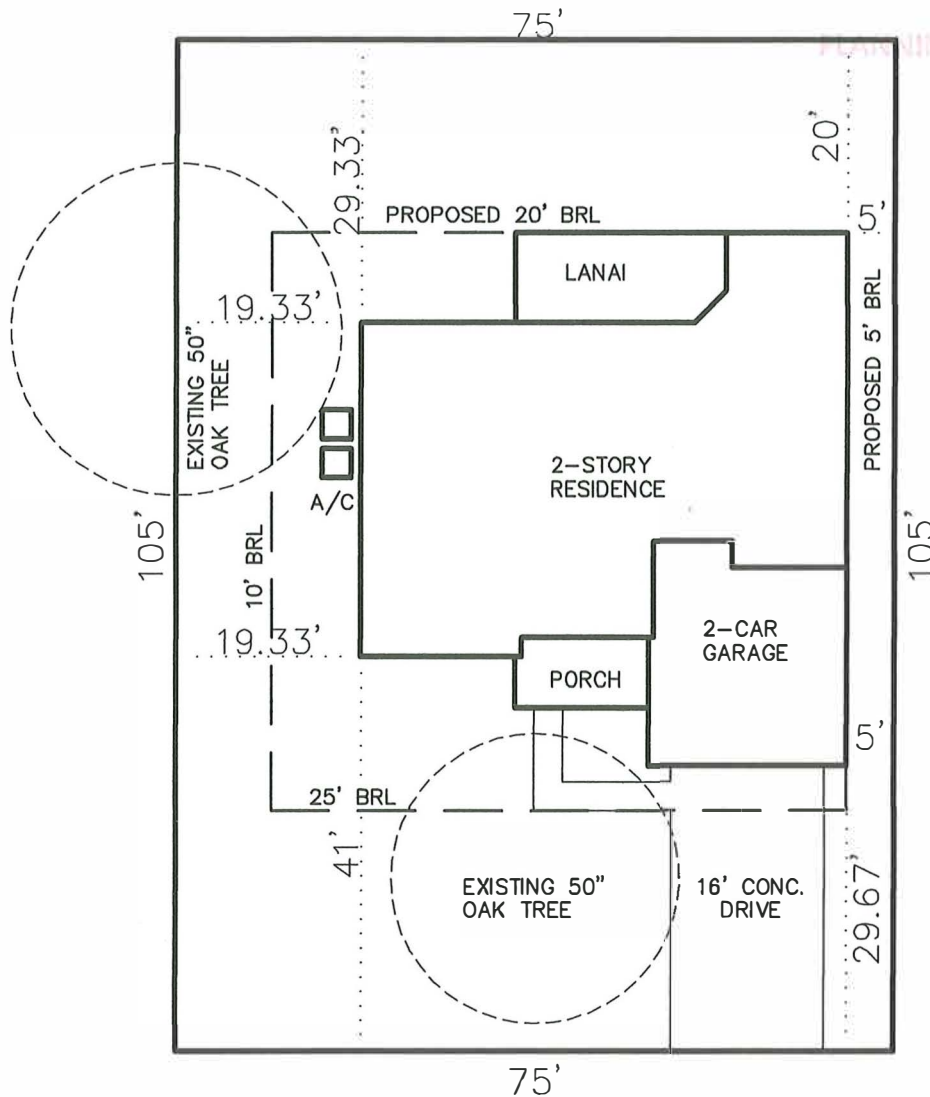


PROPOSED

RECEIVED

21-100166

NOV 16 2021



LOT COVERAGE:

LOT = 7875 SQUARE FEET

BUILDING FOOTPRINT: 2389 SQUARE FEET

BUILDING COVERAGE: $2389/7875 = 30\%$

DRIVEWAY: 541 SQUARE FEET

IMPERVIOUS AREA: $2389 + 541/7875 = 37.2\%$

Lot 27 Block 11 Pine Grove Unit 4

SCALE: 1" = 20'

DATE: 11-12-21

DRAWN BY: LP

REVISED:

REVISED:



PLAT BOOK 19 PAGE 44
OF THE CURRENT PUBLIC RECORDS
OF Duval COUNTY, FL

LOT SQ. FT.

7875

JOB #

2ndAve_west

Lot 26 AND 27, Block 11, PINE GROVE UNIT NO. 4 according to the Plat thereof, as recorded in Plat Book 19, Page 44 AND 44A, of the Public Records of DUVAL County, Florida.

Community Number: 120078 Panel: 0001 Suffix: D Flood Zone: X Field Work:

Certified To:
WILLIAM G. BLASINGAME, II; SUNSHINE TITLE CORP.; ALLIANT NATIONAL TITLE INSURANCE ; BANK OF ENGLAND DBA ENG LENDING, its successors and/or assigns.

Property Address:
1701 2ND AVE. N.
JACKSONVILLE BEACH, FL 32250

EXISTING PG 1

Survey Number: 173720

RECEIVED
21-100166
OCT - 6 2021

PLANNING & DEVELOPMENT

LEGEND:

A/C AIR CONDITIONER
B.R. BEARING REFERENCE
B.M. BENCH MARK
C. CENTERLINE
(C) CALCULATED
CATV CABLE RISER
C.B. CATCH BASIN
D.H. DRILL HOLE
D.E. DRAINAGE EASEMENT
D.W. DRIVEWAY
Δ CENTRAL ANGLE DELTA
C.M. CONCRETE MONUMENT
D.B. DEED BOOK
D. DESCRIPTION OR DEED
E.S.M. EASEMENT
E.O.W. EDGE OF WATER

XX XX EXISTING ELEVATION
F.F. FINISHED FLOOR
F.I.P. FOUND IRON PIPE
FD. FOUND
W. WELL
W.C. WITNESS CORNER
F.P.K. FOUND PARKER-KALON NAIL
F.C.M. FOUND CONCRETE MONUMENT
F.I.R. FOUND IRON ROD
L. LENGTH
L.A.E. LIMITED ACCESS EASEMENT
M.E. MAINTENANCE EASEMENT
M.H. MAINHOLE
F.N. FOUND NAIL
N.S.D. NAIL & DISC
N.R. NON RADIAL
N.T.S. NOT TO SCALE

L.M.E. LAKE MAINTENANCE EASEMENT
O.R. OFFICIAL RECORDS
O.R.B. OFFICIAL RECORDS BOOK
U.E. UTILITY EASEMENT
P.C.P. PERMANENT CONTROL POINT
P.R.M. PERMANENT REFERENCE MONUMENT
T.B.M. TEMPORARY BENCH MARK
T.F. TELEPHONE FACILITIES
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
P.C.C. POINT OF COMPOUND CURVATURE
P.C. POINT OF CURVATURE
P.R.C. POINT OF REVERSE CURVATURE
P.T. POINT OF TANGENCY
● PROPERTY CORNER
R.O.E. ROOF OVERHANG EASEMENT
R. RADIUS (RADIAL)

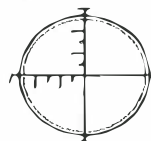
R.O.W. RIGHT OF WAY
S.I.R. SET IRON ROD & CAP
P.P. POWER POLE
T.O.B. TOP OF BANK
WATER METER
PG. PAGE
(P) PLAT
P.B. PLAT BOOK
U.P. UTILITY POLE
(M) FIELD MEASURED
A.E. ANCHOR EASEMENT
O.H.L. OVERHEAD UTILITY LINES
P. PROPERTY LINE
CH. CHORD
COVERED AREA
CONCRETE
WOOD FENCE
METAL FENCE

PAGE 1 OF 2 PAGES

GENERAL NOTES:

LEGAL DESCRIPTION AND CERTIFICATION

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN
- 7) FENCE OWNERSHIP NOT DETERMINED.
- 8) ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- 9) IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



LB #7893

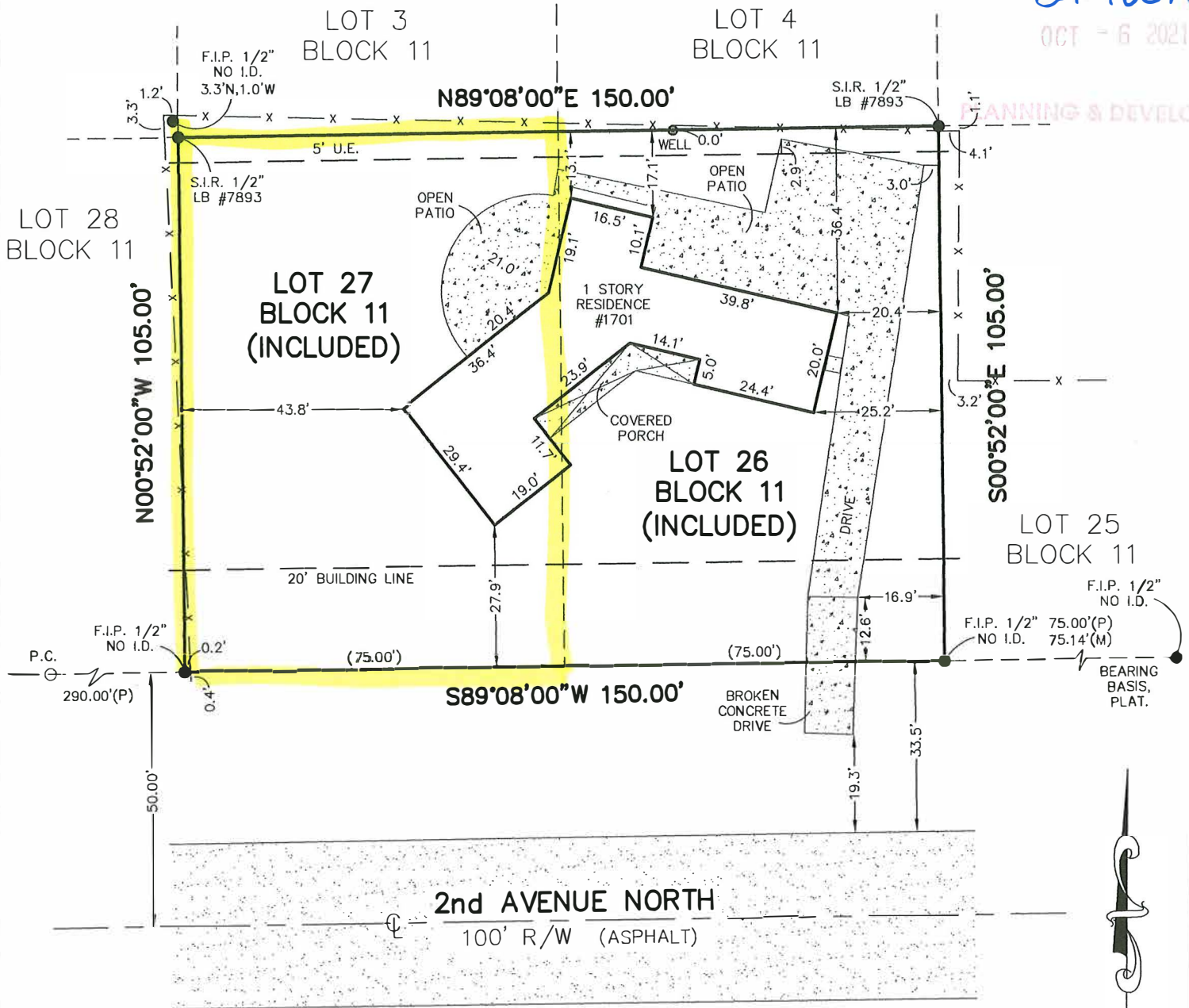
TARGET
SURVEYING, LLC

SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
FACSIMILE (561) 640-0576
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576

EXISTING PG 2

RECEIVED
21-100166
OCT - 6 2021



SURVEY NOTES

- CONCRETE DRIVE CROSSING THE SOUTH SIDE OF LOT.
- BROKEN CONCRETE DRIVE CROSSING THE SOUTH LOT LINE.
- FENCE & OPEN PATIO CROSS INTO THE 5' U.E..
- THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY AND CROSS THE WEST AND NORTH LOT LINES.

PAGE 2 OF 2 PAGES

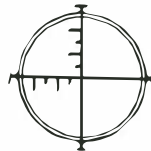
BOUNDARY SURVEY

LB #7893



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.



**TARGET
SURVEYING, LLC**

SERVING ALL FLORIDA COUNTIES

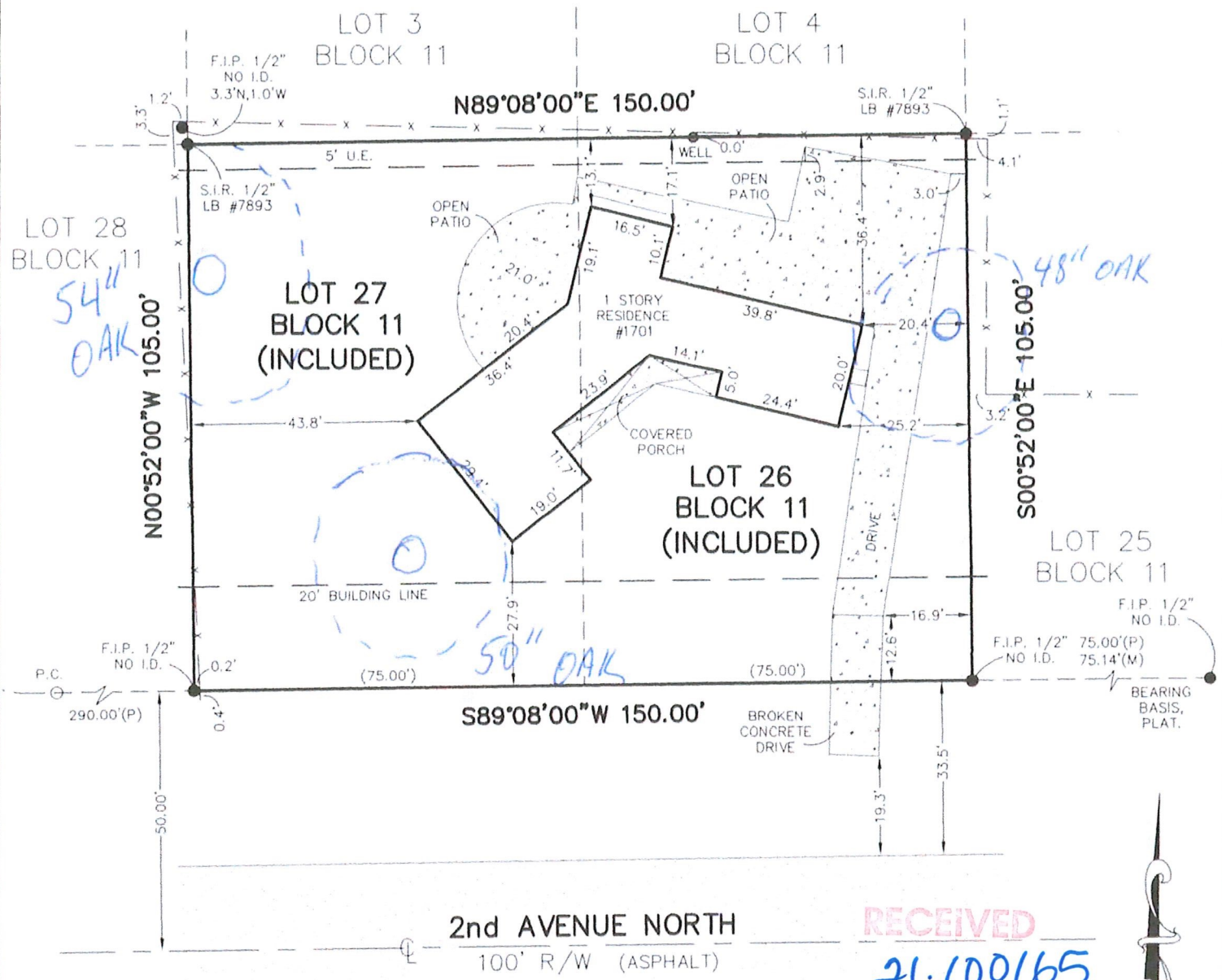
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
FACSIMILE (561) 640-0576
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576

(SIGNED)

CLYDE O. McNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2883

1"=30'

--- CANOPY



SURVEY NOTES
-CONCRETE DRIVE CROSSING THE SOUTH SIDE OF LOT.
-BROKEN CONCRETE DRIVE CROSSING THE SOUTH LOT LINE.
-FENCE & OPEN PATIO CROSS INTO THE 5' U.E..
-THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY AND CROSS THE WEST AND NORTH LOT LINES.

PLANNING & DEVELOPMENT

CLYDE O. McNEAL
CERTIFICATE
No. 2883
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA

(SIGNED) *[Signature]*
CLYDE O. McNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2883

PAGE 2 OF 2 PAGES
BOUNDARY SURVEY
LB #7893

TARGET
SURVEYING, LLC
SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
FACSIMILE (561) 640-0576
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576

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21.100165
OCT - 6 2021

1"=30'



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100167

Zoning: RS-1
RE: 181185-0135
Legal: Lot 7, Ocean Trace
Address: 4067 America Avenue

Request

Section(s): 34-336(e)(1)c.1, for a front yard setback of 15 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 16 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new rear covered porch to an existing single-family dwelling

Existing Conditions

The subject property is currently a lot of record (circa 1994) located in the Low Density Residential future land use category. The subject lot was a replat of an older subdivision, the replat was created in 1994. The current home was built in 1995. The home is currently 23 feet from the rear property line, 15 feet 3 inches from the front property line, and with the home footprint and all other impervious surfaces currently covers 43% of the lot. The property has a large double drive (circular drive) in the front and a small patio in the rear. The lot is at the end of a cul-du-sac subdivision, and is irregular in shape.

Previous variance BOA#38-2003 for a rear yard of 23 in lieu of 30 for improvements to a single family home.

Staff Analysis

The subject property is a platted lot, created as part of a replat in 1994. The current home was constructed in 1995. The current owners purchased the home in 1995. There was a previous variance granted 2003 for a rear addition, that addressed a rear setback of 23 feet in lieu of 30 feet.

On the site plan submitted in 2003, the house appears to have a simple two car driveway, and no rear patio. The current driveway and patio account for almost 22% of lot coverage. No permit is on file for either of these improvements. It's



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

unclear from the documents available if lot coverage was part of the consideration for the 2003 variance, but it was not requested, and not shown on the site plan.

The proposed new request would address the existing non-conformities of the driveway and patio, and would allow for a very small expansion of the rear patio and the addition of a roof over the new patio footprint. The addition of the roof would make the new patio an addition to the house, rather than an accessory use, and would require the additional change in rear and side setbacks to accommodate.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
- Front yard: Twenty-five (25) feet.
- Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
- Rear yard: Thirty (30) feet.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The subject lot is substandard in area, and is of a unique shape. Additionally the house placement on the lot makes rearward expansion impossible without relief for the rear setback.

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

Staff does not find that circumstances are a result of the applicant. Although there are elements of the property that are out of compliance, the overall lot



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size and shape is a hardship the owners did not create, as this was a platted lot at the time of purchase.

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

Staff does find that the proposed variance will not confer any special privileges. The neighborhood consists of lots that are all substandard in nature, and most are placed east west on the lot. Several have built patios and pools in the rear setbacks.

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 and undue hardship**

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. Though staff cannot verify without a survey, it appears that many of the homes along this street have reduced rear setbacks and possibly lot coverage.

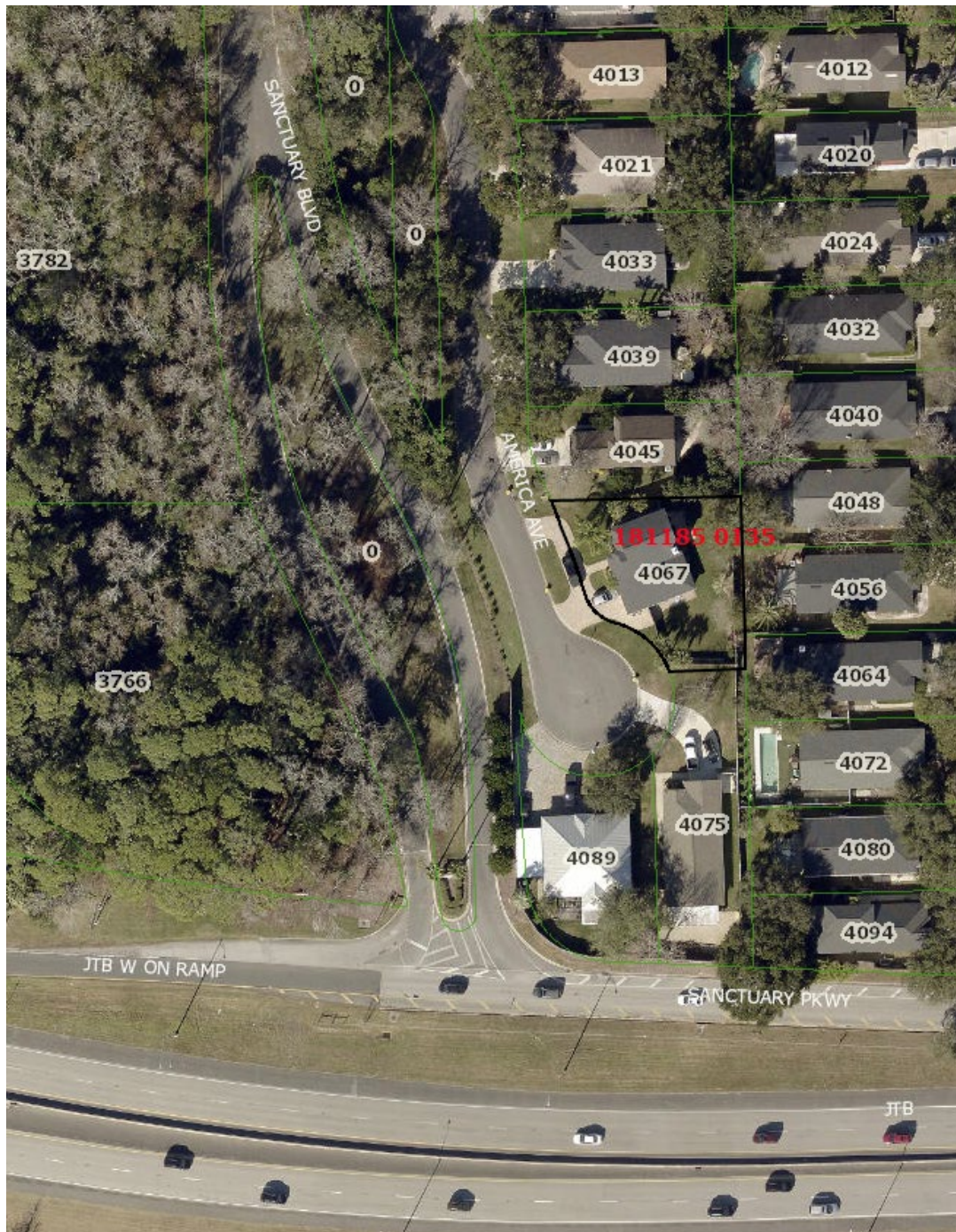
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff does find that the requested variances are the minimum variance needed to construct the pool based on the proposed plan. Based on the proposed site plan, the requested variances are the minimum variance needed to correct the existing nonconformities and allow for the new roofed rear patio.

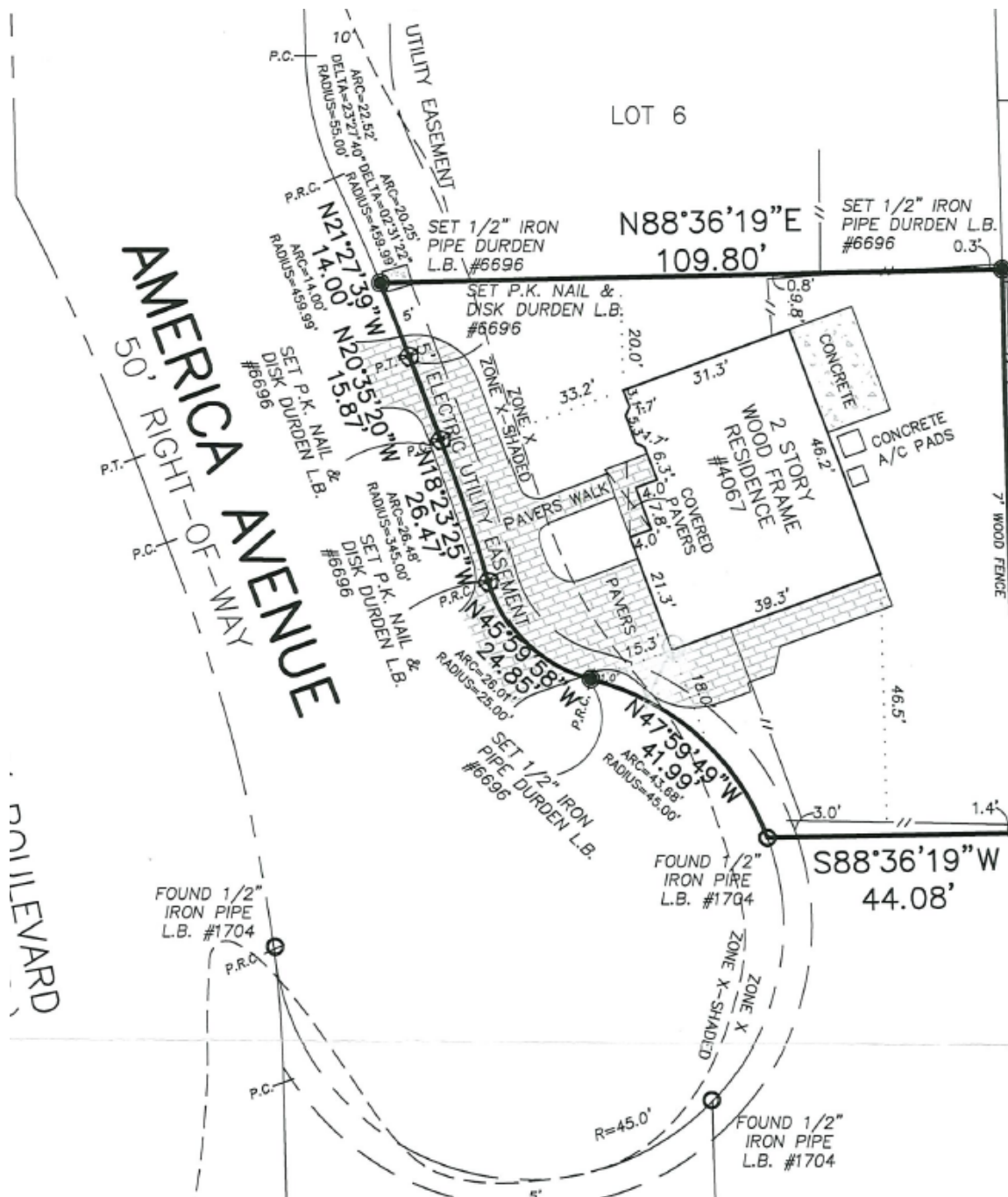
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely effect adjacent land.**

Staff does find that the request is consistent with the comprehensive plan.

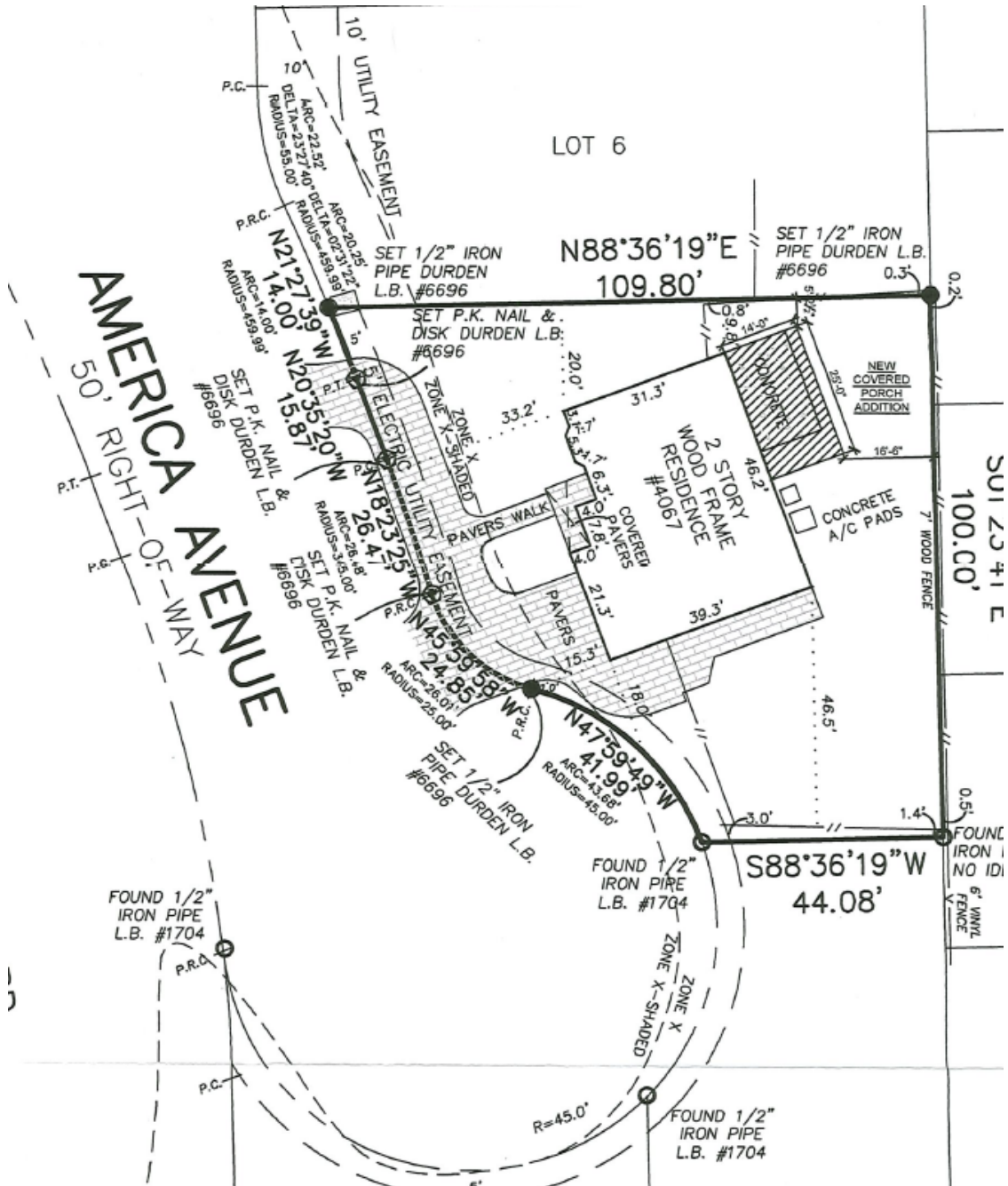
Location Map (property boundaries are reprehensive only)



Existing Survey



Proposed Site Plan



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.

OCT - 8 2021

APPLICANT INFORMATION**PLANNING & DEVELOPMENT**

Applicant Name: Trent + Paulette Waterman Telephone: 904-247-5763
 Mailing Address: 4067 America Avenue E-Mail: pontrent@aol.com
Jacksonville Beach, FL 32250
 Agent Name: Same as applicant Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Same as applicant Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 4067 America Avenue / 181850135
 Legal description of property (Attach copy of deed): LOT-7 Ocean Trace
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

Please see Attached**AFFIDAVIT**

I, Trent Waterman, 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.

Paulette Waterman
Trent Waterman
 APPLICANT SIGNATURE

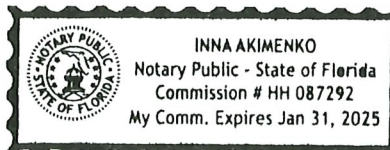
Paulette Waterman
Trent Waterman
 PRINT APPLICANT NAME

20-April-2021
20-April-2021
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20 day of APRIL, 20 21, by _____, who is personally known to me or produced FLDL as identification.

Inna Akimenko
 NOTARY PUBLIC SIGNATURE
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1FLOOD ZONE: X / X-shaded**CODE SECTION (S):**

34-336(e)(1)c.1, for a front yard setback of 15 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 15 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new rear covered porch to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

21-100167

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.

OCT - 8 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	Please See Attached
Special circumstances and conditions do not result from the actions of the applicant.	NO	Not Applicable
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	Please See Attached
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	Please See Attached
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	Please See Attached
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	Please See Attached

WARRANTY DEED
(CORPORATE)

RECEIVED
21.100167
OCT - 8 2021
Bk: 8161
Pg: 991
Doc# 95166257
Filed & Recorded
08/28/95
01:39:23 P.M.
HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. \$ 6.00
DEED \$ 666.40

THIS INDENTURE, Made this 18th day of August, A.D. 19 95 BETWEEN

Shaffer & Sons Enterprises, Inc.
8081 Phillips Highway, Ste. 14, Jacksonville, FL 32256

a corporation organized and existing under the laws of the State of Florida, of the
County of Duval, State of Florida, party of the first part and

Trenton M. Waterman and Paulette A. Waterman, husband and wife
4067 America Avenue, Jacksonville Bch, Florida 32250

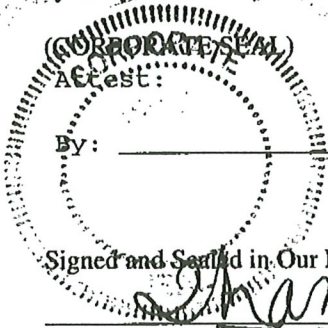
of the County of Duval, State of Florida, party/parties of the second part,

WITNESSETH: that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid by the said party/parties of the second part, the receipt whereof is hereby acknowledged, granted, bargained and sold to the said party/parties of the second part, their heirs and assigns forever, the following described land, situated, lying and being in the County of Duval State of Florida, to wit:

Lot 7, OCEAN TRACE, according to the plat thereof, as recorded in Plat Book 49, Pages 53 and 53A, of the Current Public Records of Duval County, Florida.

SUBJECT TO RESTRICTIVE COVENANTS, CONDITIONS, EASEMENTS AND RESERVATIONS OF RECORD. And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, except for taxes and assessments for the year of 1995 and subsequent years, restrictions and easements of record, if any.

In Witness Whereof, the said party of the first part has caused this instrument to be executed in its name by its Vice President and caused its Corporate Seal attested by its _____ to be hereto affixed the day and year first above written.



Signed and Sealed in Our Presence:

Printed Name: Shaffer

Printed Name: O. Core

Shaffer & Sons Enterprises, Inc., a
Florida corporation

By: Linda A. Schaedel
Linda A. Schaedel, Vice President

6.00
666.40
C

Trent & Paulette Waterman
4067 America Avenue
Jacksonville Beach, FL 32250
904-247-5763
pontrent@aol.com

RECEIVED
21-100167
OCT - 8 2021

To whom it may concern,

PLANNING & DEVELOPMENT

The purpose of this letter is to explain the reasoning for the variance application regarding the property belonging to Trent & Paulette Waterman. The current layout of the Waterman house does not include a covered outdoor living area. Other adjacent houses contain covered outdoor living spaces. This variance application is a request for only what is needed in order to construct an outdoor covered living area. This request will not change the single family home status of the property.

The necessity for the variance requests has occurred because the property, at 4067 America Avenue, Jacksonville Beach, FL 32250, lies on a cul-de sac. The curve in the road causes an irregular curve in the shape of the lot. This has caused a dramatic curve in the building restriction lines, which leaves us with an oddly shaped plot of buildable land. The original structure has already been constructed very caddy-corner so that it would fit in the space allotted. The size of the lot is also smaller than the standard lot size. The lot is 8,464 square feet versus the 10,000 standard lot size. The proposed covered outdoor living area that is attached on the site plan has been located in the most functional space available. The proposed location for the covered outdoor living area will allow for minimal demolition to the exiting structure as well as minimal construction of a new roof. This project will also benefit the community due to the reduction of time spent on the project as well as minimization of construction clutter, waste, and noise pollution.

The first requested variance is for 7 feet past the currently approved rear building restriction line. A prior approved variance for an addition was obtained in 2003 that resulted in a change from a 30 foot restriction line to a 23 foot restriction line. The proposed out door living area, as drawn on the site plan is lying within the 23 foot restriction line on the rear of the property.

The second requested variance is also for 5 feet past the north side of the building restriction line. The proposed outdoor living area, as drawn on the site plan is also lying with the 10 foot restriction line on the north end of the property. Due to the angle of the existing house the area of proposed addition encroaching on the building restriction line is approximately 55 square feet.

The final requested variance is for lot coverage approval which is requested to be 45% versus where it is currently at 43%.

Following successful approval of these variances, a statement of work will be initiated with Dean Russell Construction for execution of the project.

If you have any questions regarding this request or the site plan please don't hesitate to reach out to me.

Thanks in advance for your support.

Best Regards,


Trent Waterman

Ref. BOA #21-100167



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

May 9, 2003

Trent & Paulette Waterman
4067 America Ave.
Jacksonville Bch FL 32250

RE: Case No. BOA 38-2003
4067 America Ave.

Dear Mr. & Mrs. Waterman:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on May 6, 2003 to consider your variance application.

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

- Section 34-336 (e)(1) c.3., for a rear yard of 23 feet in lieu of 30 feet required, to allow for improvements to a single family dwelling.

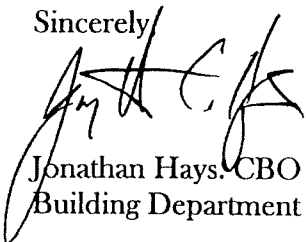
The results of the meeting were:

- Approved and limited to as submitted on site plan presented.

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.

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6231.

Sincerely,


Jonathan Hays, CBO
Building Department

Attachment(s)

JCH/EB

1

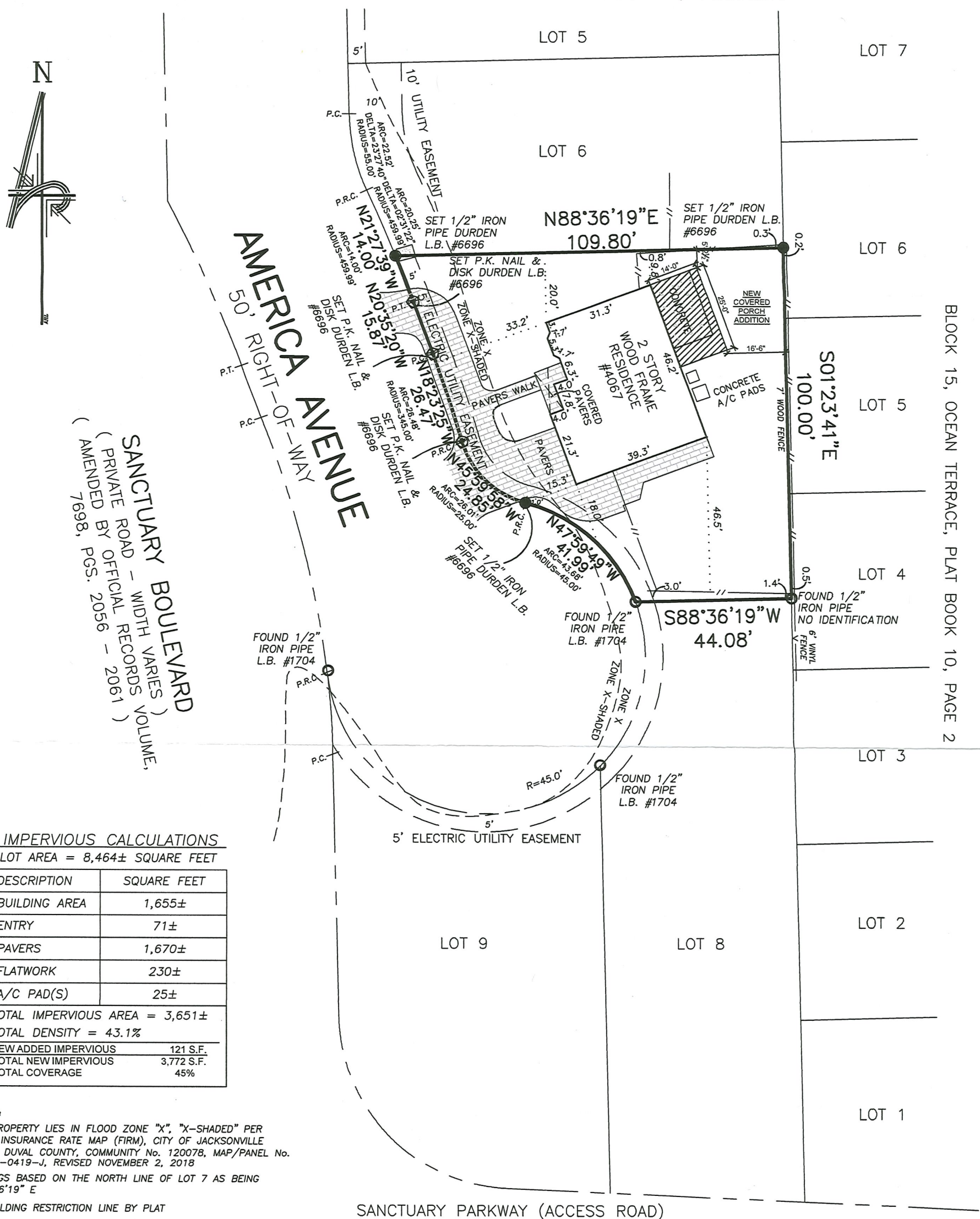
7099 3400 0000 1887 5102

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To <i>Waterman BOA 38-03</i>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Name (Please Print Clearly) (to be completed by mailer)	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	

PROPOSED

MAP SHOWING BOUNDARY SURVEY OF:

LOT 7, OCEAN TRACE, AS RECORDED IN PLAT BOOK 49, PAGES 53 AND 53A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



IMPERVIOUS CALCULATIONS
LOT AREA = 8,464± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,655±
ENTRY	71±
PAVERS	1,670±
FLATWORK	230±
A/C PAD(S)	25±
TOTAL IMPERVIOUS AREA = 3,651±	
TOTAL DENSITY = 43.1%	
NEW ADDED IMPERVIOUS	121 S.F.
TOTAL NEW IMPERVIOUS	3,772 S.F.
TOTAL COVERAGE	45%

NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X", "X-SHADED" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0419-J, REVISED NOVEMBER 2, 2018

BEARINGS BASED ON THE NORTH LINE OF LOT 7 AS BEING N 88°36'19" E

NO BUILDING RESTRICTION LINE BY PLAT

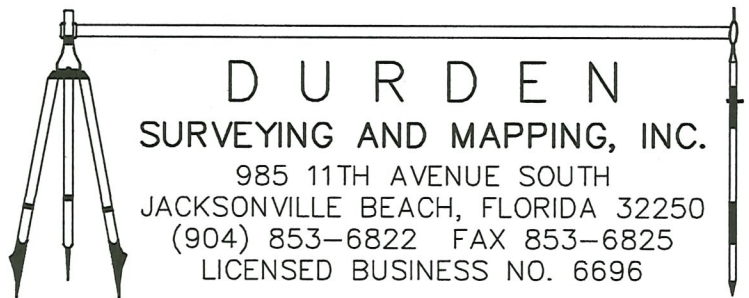
--- DENOTES 6" WOOD FENCE EXCEPT AS NOTED

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

J. TURNER BUTLER BOULEVARD

CERTIFIED TO:

TRENTON M. WATERMAN



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

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

FIELD: MAY 20, 2021
CAD FILE NO. L-7 (4067 AMERICA AVE).DWG
SCALE: 1" = 30'
WORK ORDER NUMBER: 21269

RECEIVED
21.100167
OCT - 8 2021

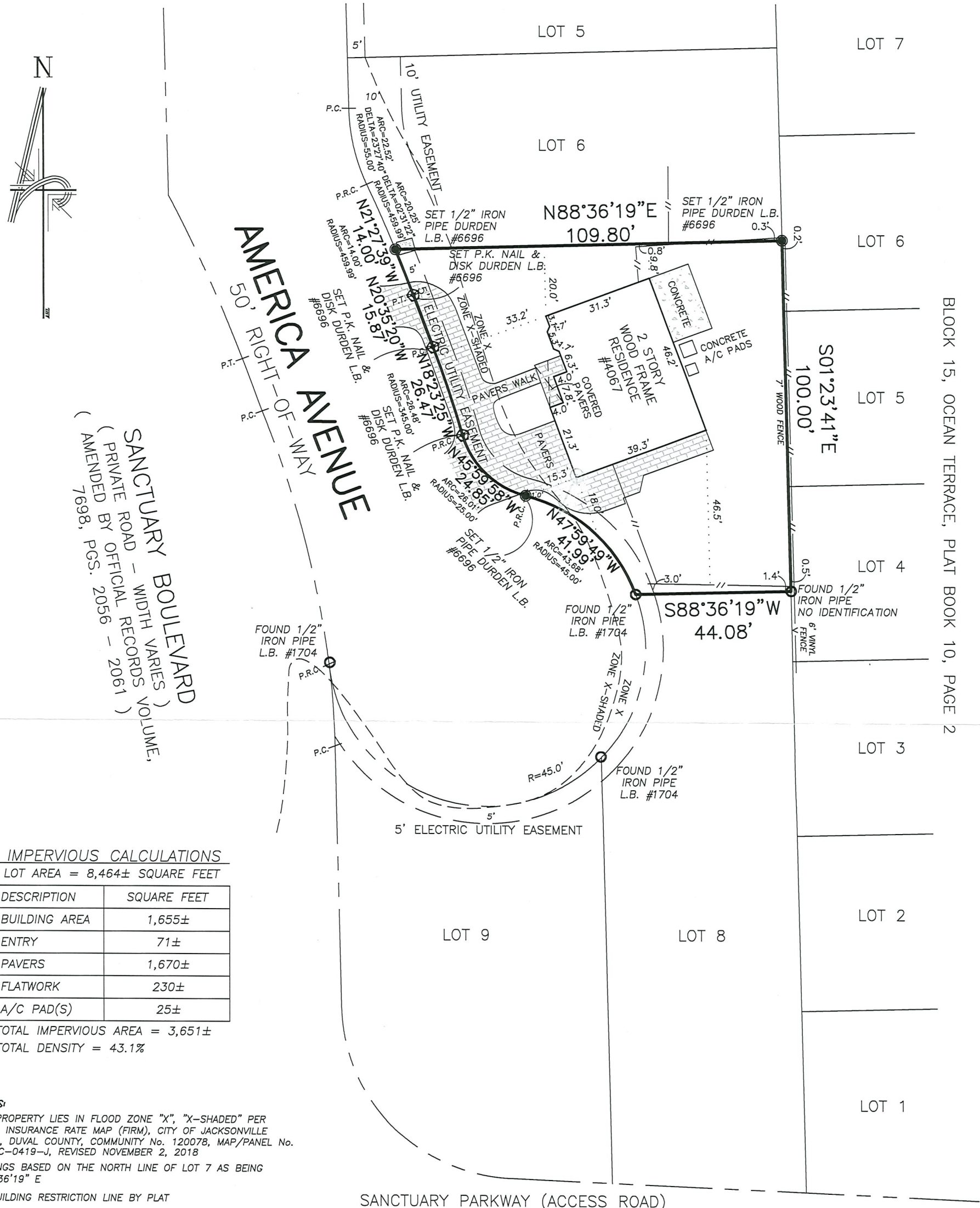
PLANNING & DEVELOPMENT

B-9936

EXISTING

MAP SHOWING BOUNDARY SURVEY OF:

LOT 7, OCEAN TRACE, AS RECORDED IN PLAT BOOK 49, PAGES 53 AND 53A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



BLOCK 15, OCEAN TERRACE, PLAT BOOK 10, PAGE 2

SANCTUARY BOULEVARD
(PRIVATE ROAD - WIDTH VARIES)
(AMENDED BY OFFICIAL RECORDS VOLUME,
7698, PGS. 2056 - 2061)

IMPERVIOUS CALCULATIONS

LOT AREA = 8,464± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,655±
ENTRY	71±
PAVERS	1,670±
FLATWORK	230±
A/C PAD(S)	25±

TOTAL IMPERVIOUS AREA = 3,651±

TOTAL DENSITY = 43.1%

NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X", "X-SHADED" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0419-J, REVISED NOVEMBER 2, 2018

BEARINGS BASED ON THE NORTH LINE OF LOT 7 AS BEING N 88°36'19" E

NO BUILDING RESTRICTION LINE BY PLAT

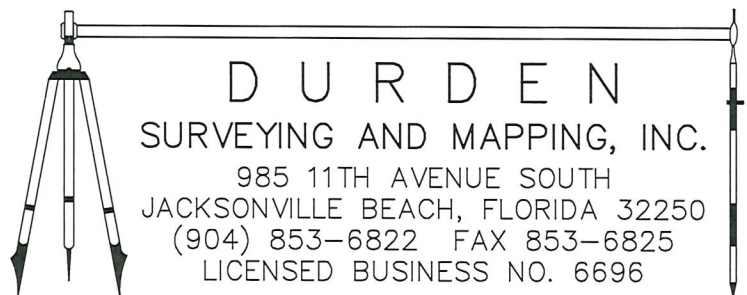
--- DENOTES 6' WOOD FENCE EXCEPT AS NOTED

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

J. TURNER BUTLER BOULEVARD

CERTIFIED TO:

TRENTON M. WATERMAN



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

Bruce Durdan Jr.
FLORIDA REGISTERED SURVEYOR No. 6707
H. BRUCE DURDEN, Jr.

FIELD: MAY 20, 2021
CAD FILE NO. L-7 (4067) AMERICA AVE.DWG
SCALE: 1" = 30'
WORK ORDER NUMBER: 21269

RECEIVED

21-100167

OCT - 8 2021

PLANNING & DEVELOPMENT

B-9936



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100168

Zoning: RS-3
RE: 176574-0000
Legal: Lots 2 & 3, Block 78, Oceanside Park
Address: 702 7th Avenue South.

Request

Section(s): 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new swimming pool and pool deck to an existing single family dwelling

Existing Conditions

The subject property is currently two lots of record (circa 1922) located in the Medium Density Residential future land use category. Although technically two lots, lot 2 is not a full sized lot, because of the intersection with Gonzales Avenue, it's less than half the area of lot 3. Additionally the lot is an irregular shape. Currently, the property has 46% lot coverage. The property received a variance in 2003 for a large addition and attached garage. The variance granted a front yard of 15.7 feet in lieu of 20, a corner side yard of 6.1 in lieu of 14.5 and a lot coverage of 37% in lieu of 35%.

Previous Variances: BOA#68-2003 withdrawn, BOA#95-2003 for front yard setback of 15.7 feet in lieu of 20 feet, corner side yard of 6.1 feet in lieu of 14.5 feet and 37% lot coverage in lieu of 35%.

Staff Analysis

The subject site is in the RS-3 zoning district. The minimum lot size is 7,500 square feet and 75 feet in width. Although the current lot meets these requirements, it's an irregular shape, which restricts the rear yard down to nearly 50 feet in width. Additionally, the home has been expanded over the years, and currently has wood decking and additional walkways that were added, bringing the existing lot coverage up to 46.6%. The current owner purchased the home in 2020, and did not create the existing nonconformities.

The proposed new improvements would be somewhat offset by the removal of the additional walkway and wood deck, creating a net change of 233 square feet.

Previous Applications include:



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA-68-2003 (Withdrawn) & BOA-95-2003

Minimum Dimensional Standards

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 1. Front yard: Twenty (20) feet.
 2. Side yard: Fifteen (15) feet total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 3. Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. Garages or carports shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**
Staff does find that there are circumstances unique to the subject parcel of land. The subject lot is not substandard in size or area, but is an irregular shape and the current home and hardscape occupy 46.6% of the lot coverage.
2. **Special circumstances and conditions do not result from the actions of the applicant**
Staff does not find that circumstances are a result of the applicant. While the current home exceeds the variance allowing 37% lot coverage, the home was purchased with these existing non-conformities and the new owner is attempting to address the lot coverage by removing some hardscape to allow for the new pool and decking.



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

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

Staff does find that the proposed variance will not confer any special privileges. The neighborhood consists of lots that are all substandard in nature, and most are placed east west on the lot. Several have built patios and pools in the rear setbacks. While this lot is slightly larger than the other lots in the surrounding area, the extra area of the second lot is currently taken up by the existing house and driveway.

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 and undue hardship**

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. Though staff cannot verify without a survey, it appears that many of the homes along this street have reduced rear and front setbacks and possibly lot coverage for pool improvements.

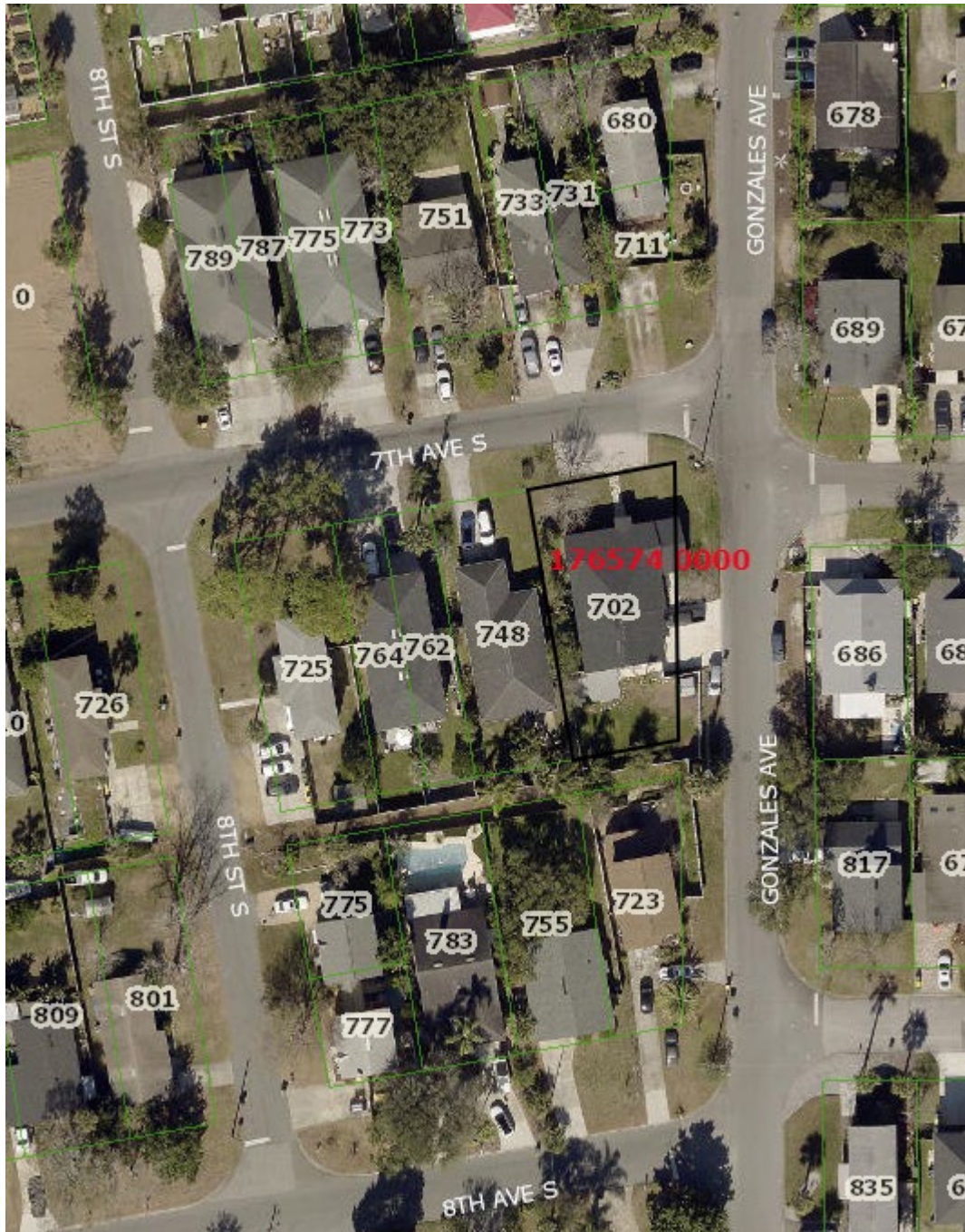
5. **Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff does find that the requested variances are the minimum variance needed to construct the pool based on the proposed plan. Based on the proposed site plan, the requested variances are the minimum variance needed to correct the existing nonconformities and allow for the new pool and pool deck.

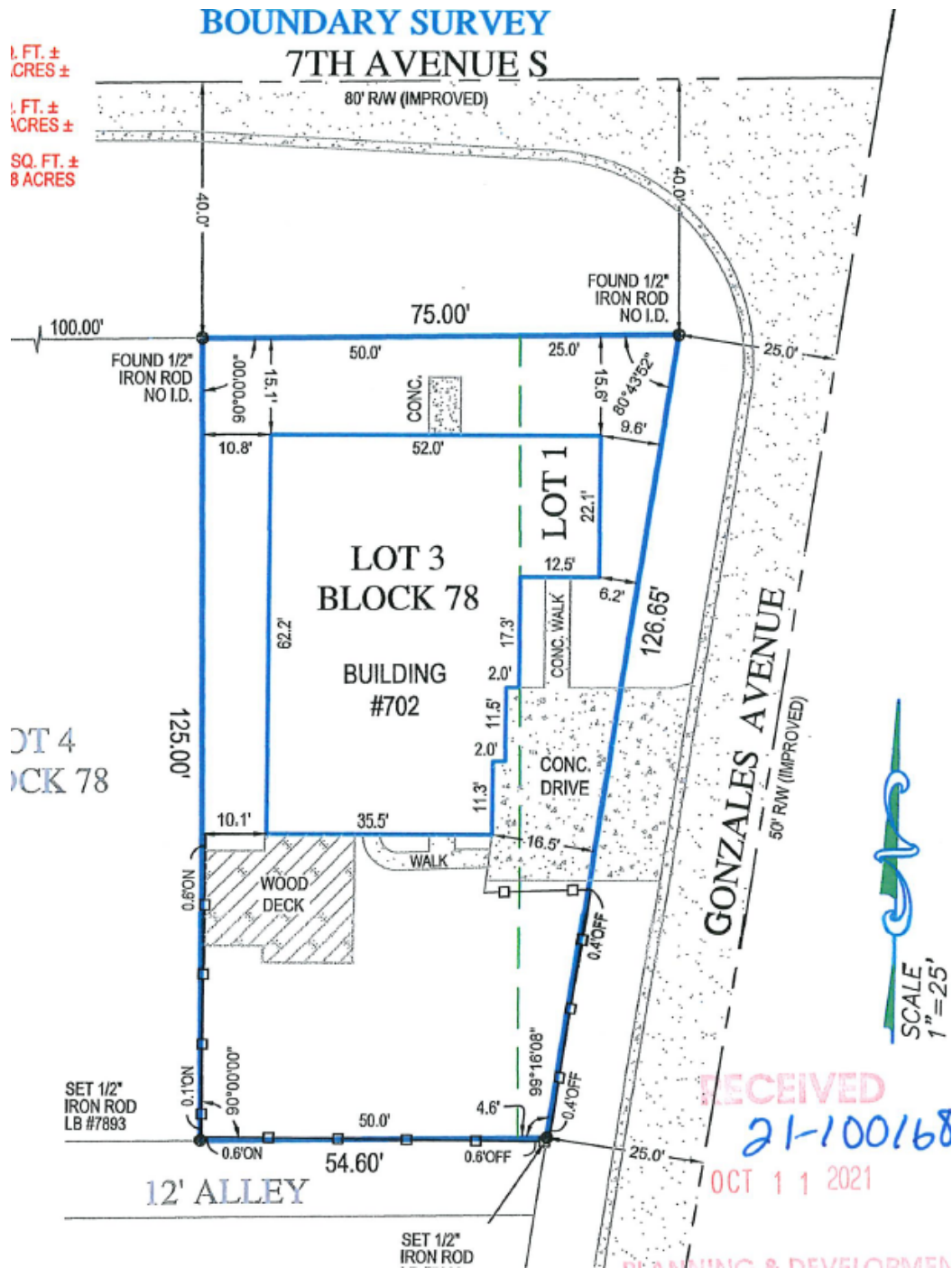
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely effect adjacent land.**

Staff does find that the request is consistent with the comprehensive plan.

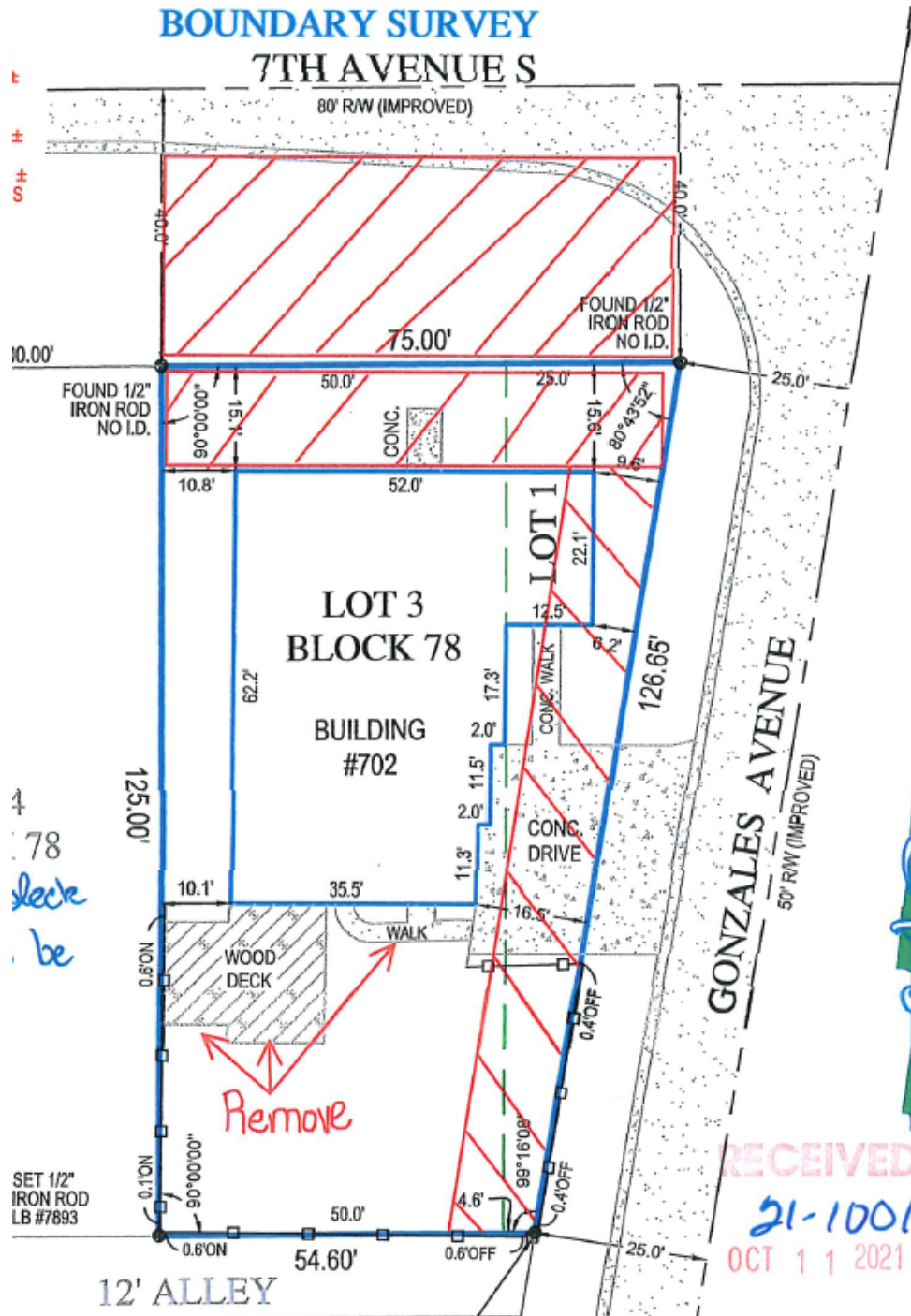
Location Map (property boundaries are reprehensive only)



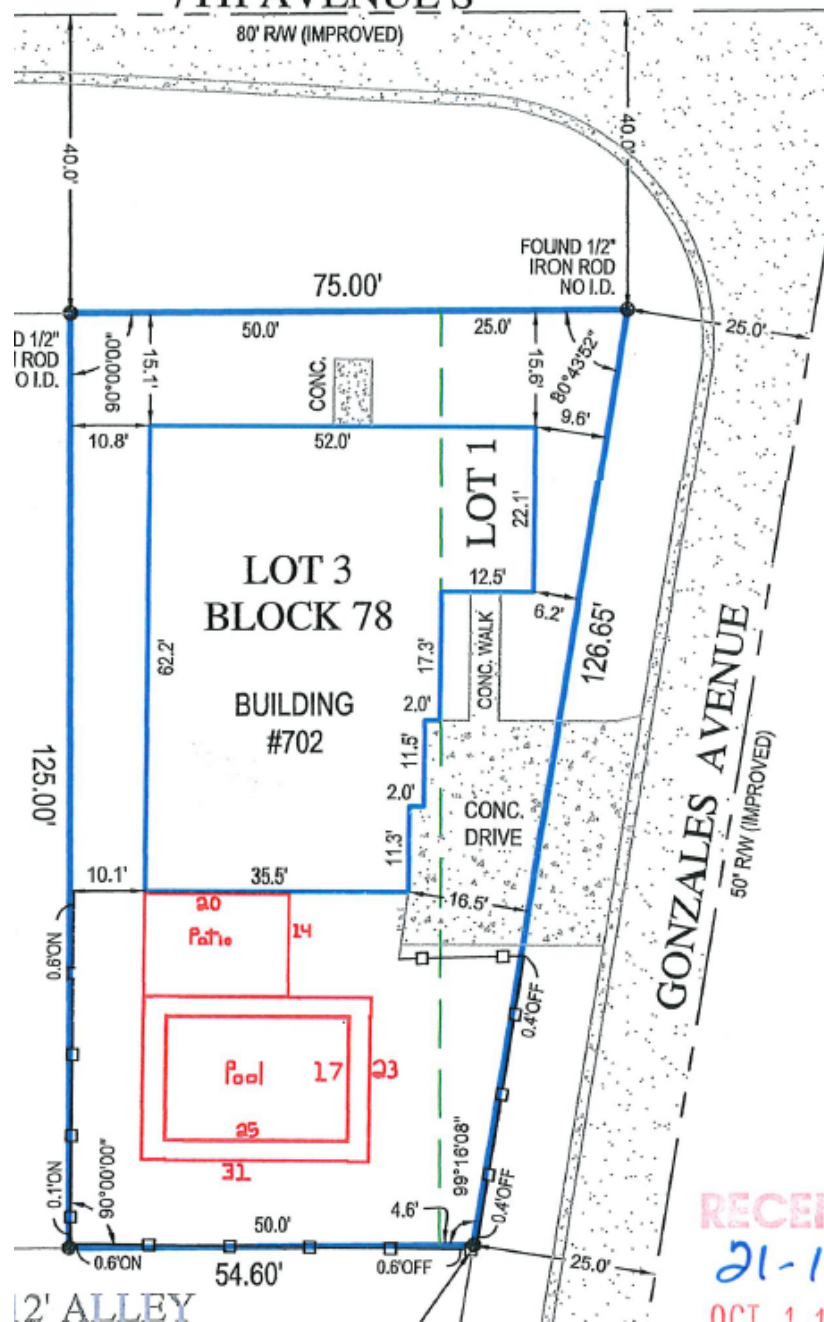
Existing Survey



Proposed Site Plan



BOUNDARY SURVEY
7TH AVENUE S



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.

OCT 11 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Daniel Brown Telephone: 321-557-6873
Mailing Address: 702 7th Ave S. E-Mail: browndanielw@yahoo.com
Tax Beach, FL 32250
Agent Name: N/A Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Same as Applicant Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 702 7th Ave S. RE #176574-0000
Legal description of property (Attach copy of deed): See attached deed
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Lot coverage of 49.7% to install pool and covered patio. This will also remediate non-conforming decking, remove existing decking, and remove a concrete walkway to accommodate the lot coverage.

AFFIDAVIT

I, Daniel Brown, 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

Daniel Brown
PRINT APPLICANT NAME

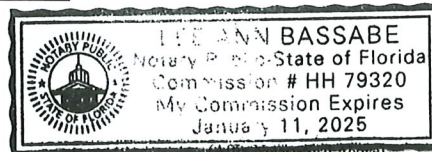
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 11th day of October, 2021, by Daniel W. Brown, who is personally known to me or produced Florida Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3FLOOD ZONE: X

CODE SECTION (S):

34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new swimming pool and pool deck to an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 21-100168

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.

OCT 11 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	It is an oddly shaped lot that's usable space is further reduced by being located on a street corner and pre-existing coverage from prior owners.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	No modifications to lot coverage have been made since acquiring the property; all outstanding coverage is the result of prior owners.
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	Similar homes in the neighborhood enjoy covered patios and pools on similar parcels.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	There is no way to modify the existing property to meet the current lot coverage building code without unnecessary hardship.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We will additionally be removing existing concrete in the backyard to ensure we are allowing as much permeability as possible.
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	Improvements are to single family residential house to provide shade and a swimming pool to a young family.

1/2

This Instrument Was Prepared By:
Theodore A. Topouzis, Esq.
Topouzis & Associates, P.C.
595 Jefferson Blvd.
Warwick, RI 02886
File No.: 2020061293CD
Tax Folio No.: 176574-0000
SALES PRICE: \$530,000.00

RECEIVED

21-100168
OCT 11 2021

PLANNING & DEVELOPMENT

SPECIAL WARRANTY DEED
(Corporate Seller POA/Trust)

THIS INDENTURE, made this 11 day of December 20, between U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, whose post office mailing address is c/o Hudson, 3701 Regent Blvd., Suite 175, Irving, TX 75063, hereinafter called the Grantor and DANIEL BROWN AND AMANDA BROWN, A MARRIED COUPLE, AS TENANTS BY THE ENTIRETY, whose post office mailing address is 702 7th Avenue S, Jacksonville, FL 32250, hereinafter called the Grantee.

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

WITNESSETH: the Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents, does grant, bargain and sell, alien, remise, release, convey and confirm unto the Grantee all that certain land, situate in Duval County, Florida, to-wit:

LOT 3 AND FRACTIONAL LOT 2, BLOCK 78, OCEANSIDE PARK, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 13, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Property Address: 702 7th Avenue S, Jacksonville, FL 32250

Subject to: Restrictions, limitations, conditions, reservations, covenants and easements of record, if any; all applicable zoning ordinances; and taxes for the current and all subsequent years.

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

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor.

For signatory authority see power of attorney recorded in Book 26392, Page 662, of the Public Records of Hillsborough County, Florida. The undersigned agent further states that said power of attorney has not been revoked by the principal and is still in full force and effect.

RECEIVED

21-100168

OCT 11 2021

PLANNING & DEVELOPMENT

Wherever the text in this Special Warranty Deed so requires, the use of any gender shall be deemed to include all genders, and the use of the singular shall include the plural.

IN WITNESS WHEREOF the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officer(s) thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in our presence:

U.S. Bank Trust, N.A., as Trustee for LSF9
Master Participation Trust, by Hudson Homes
Management LLC, its Attorney-in-Fact

BY: Paula Kelley its Authorized Signatory

(CORPORATE SEAL)

[Signature]
(Witness)

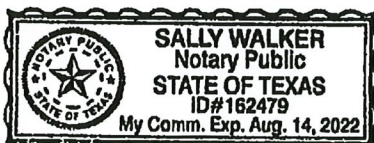
Print Name: JAY FRYE

[Signature]
(Witness)

Print Name: Don Duncan

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 11 day of December, 2020 by Paula Kelley as Authorized Signatory of Hudson Homes Management LLC as Attorney-in-Fact for U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, who executed same on behalf of the said corporation/company. He/She is personally known to me or has produced known as identification.



Sally Walker
NOTARY PUBLIC
Print Name: Sally Walker
My Commission Expires: 8/14/2022

City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

September 19, 2003

Renny Imperial
702 S. 7th Avenue
Jacksonville Beach FL 32250

Ref. 21-100168

RE: Case No. BOA 95-2003
702 S. 7th Avenue

Dear Mr. Imperial:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on September 16, 2003 to consider your variance application.

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

- Section 34-338 (e)(1) c.1., for a front yard of 15.7 feet in lieu of 20 feet required
- Section 34-338 (e)(1) c.2., for a corner side yard of 6.1 feet in lieu of 14.5 feet required, and
- Section 34-338 (e)(1) e., for 37% lot coverage in lieu of 35% maximum

To allow for improvements to a 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.

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6231.

Sincerely,

Jonathan Hays, CBO
Building Department

Attachment(s)

JCH/EB

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To	
Imperial	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Name (Please Print Clearly) (to be completed by mailer)	
Street, Apt. No.; or PO Box No.	

LEGAL DESCRIPTION AND CERTIFICATION

LOT 3 AND FRACTIONAL LOT 2, BLOCK 78, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Community Number: 120078 Panel: 0417 Suffix: J Flood Zone: X Field Work: 12/22/2020

Certified To:

DANIEL BROWN & AMANDA BROWN; IMPERIAL TITLE COMPANY; FIRST AMERICAN TITLE INSURANCE COMPANY; MOVEMENT MORTGAGE LLC, its successors and/or assigns.

Property Address:

702 7TH AVENUE S
JACKSONVILLE, FL 32250

Survey Number: 446733

Client File Number: 2020061293CD

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21-100168
OCT 11 2021

PLANNING & DEVELOPMENT

ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F. EL.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A/C	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
Δ	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
(D)	DEED / DESCRIPTION	(M)	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N&D	NAIL & DISK	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	N.R.	NOT RADIAL	(R)	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

	= CATCH BASIN		= MISC. FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	= EXISTING ELEVATION		= UTILITY POLE
	= HYDRANT		= WATER METER
	= MANHOLE		= WELL
	= METAL FENCE		= WOOD FENCE

PAGE 1 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 2)

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.G.V.D. 1929
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES.
- IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.



SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

AREA CALCULATIONS

TOTAL LOT AREA = 8,100.00 SQ. FT. ±
0.19 ACRES ±

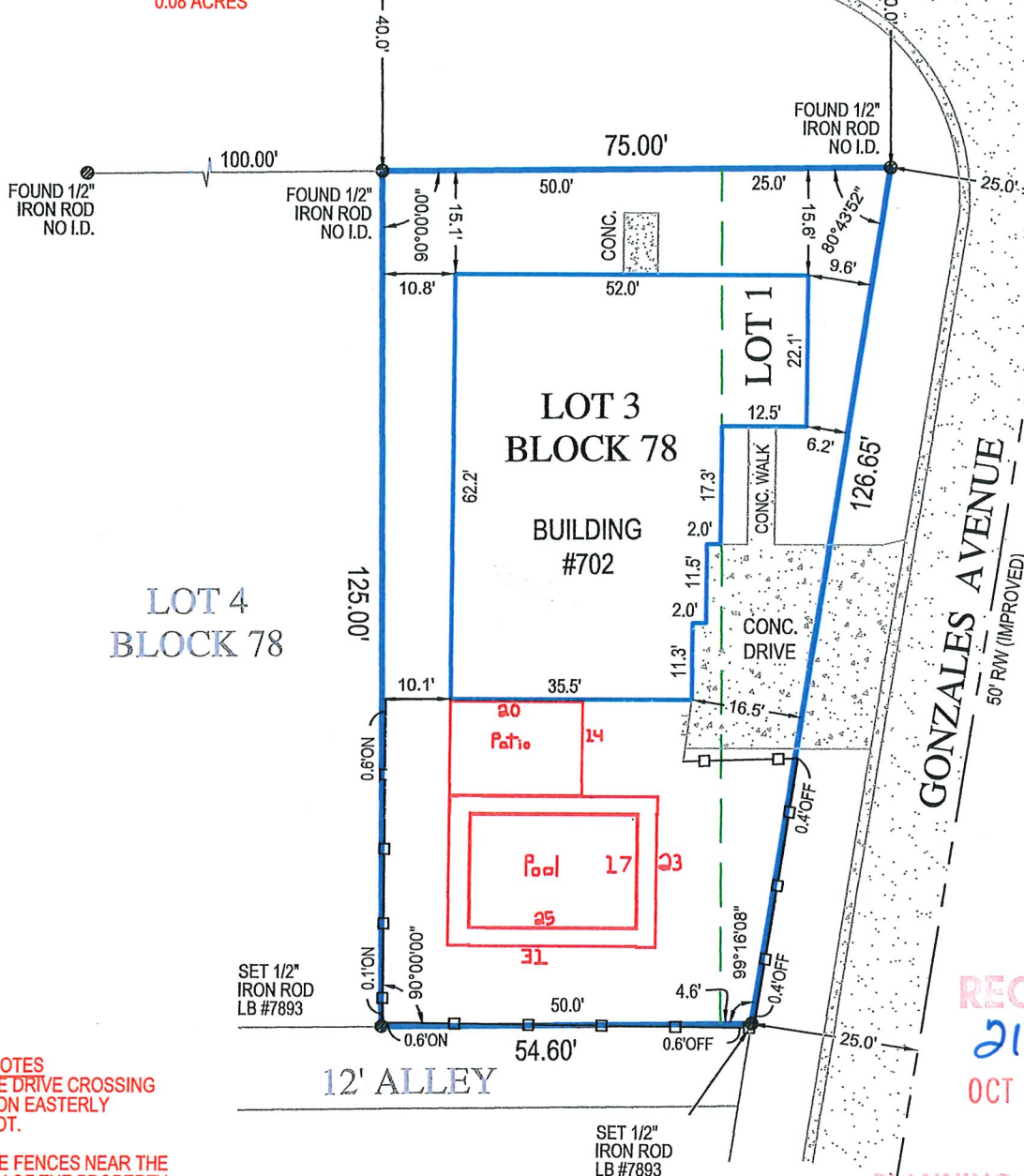
PERVIOUS AREA = 4,319.92 SQ. FT. ±
0.11 ACRES ±

IMPERVIOUS AREA = 3,780.08 SQ. FT. ±
0.08 ACRES

BOUNDARY SURVEY

7TH AVENUE S

80' R/W (IMPROVED)



SCALE
1" = 25'

RECEIVED
21-100168
OCT 11 2021

PLANNING & DEVELOPMENT

SURVEY NOTES
CONCRETE DRIVE CROSSING
INTO R/W ON EASTERLY
SIDE OF LOT.

THERE ARE FENCES NEAR THE
BOUNDARY OF THE PROPERTY.



(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

KENNETH
OSBORNE

Digitally signed by
KENNETH
OSBORNE
Date: 2021.10.06
11:39:55 -04'00'

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: http://targetsurveying.net

Sheet1

702 7th Ave S: - Proposal for pool and patio pervious calculations / explanations

Current

Total Lot	8100	From survey
Covered	3780	From survey
Covered %	<u>46.67%</u>	

Proposed

Total Lot	8100	From survey
Covered	4013	From site plan
Covered %	<u>49.54%</u>	

Remove

Wood Deck	-275
Concrete Path	-60

Add

Covered Patio	280
Pool Skirt	<u>288</u>
Net Change	<u>233 sq. ft.</u>

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PLANNING & DEVELOPMENT

80' R/W (IMPROVED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

Showing areas un-usable for pool/patio creating hardship
(Marked-up by homeowner)

2/3

AREA CALCULATIONS

TOTAL LOT AREA = 8,100.00 SQ. FT. ±
0.19 ACRES ±

PERVIOUS AREA = 4,319.92 SQ. FT. ±
0.11 ACRES ±

IMPERVIOUS AREA = 3,780.08 SQ. FT. ±
0.08 ACRES

BOUNDARY SURVEY

7TH AVENUE S

80' RW (IMPROVED)

FOUND 1/2" IRON ROD NO I.D.

FOUND 1/2" IRON ROD NO I.D.

FOUND 1/2" IRON ROD NO I.D.

LOT 4
BLOCK 78

LOT 3
BLOCK 78

BUILDING
#702

Also shows wood deck
and walkway to be
removed.

Remove

SET 1/2" IRON ROD LB #7893

12' ALLEY

SET 1/2" IRON ROD LB #7893

GONZALES AVENUE
50' RW (IMPROVED)

SCALE
1"=25'

RECEIVED

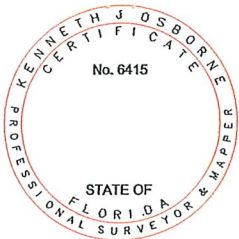
21-100168

OCT 11 2021

PLANNING & DEVELOPMENT

SURVEY NOTES
CONCRETE DRIVE CROSSING
INTO RW ON EASTERLY
SIDE OF LOT.

THERE ARE FENCES NEAR THE
BOUNDARY OF THE PROPERTY.



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

KENNETH
OSBORNE

Digitally signed by
KENNETH
OSBORNE
Date: 2021.10.06
11:39:55 -04'00'

(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

BOA#21-100170

Zoning: RS-1
RE: 178039-0000
Legal: Lot 3, Block 10, Pine Grove Unit 4
Address: 1509 3rd Avenue North

Request

Section(s): 34-336(e)(1)c.2, for a corner side yard setback of 11 feet in lieu of 20 feet required, to allow for construction of a new addition to an existing single-family dwelling

Existing Conditions

The subject property is a platted lot of records (circa 1946) located in the Residential Low Density future land use category. The existing single family home was constructed in 1972, and appears largely unchanged. The home has had a pool and pool deck added at some point in the past. The current home and pool are oriented to the front and right side of the lot.

The lot is an irregular shape, and is bordered on two sides by right of way, making this a corner lot. The right of way for 3rd avenue north intersects the unimproved and unused right of way for 16th street north at an acute angle. This leads to the irregular shaped lot with a front yard setback of 25 feet and a corner side yard of 20 feet.

Staff Analysis

Though the lot meets the minimal dimensional standards of the RS-1 zoning district, its irregular shape and location of the existing house and pool leave the left side of the house as the only location for an addition. This creates the condition were the larger corner side yard fronting on the unimproved and unused 16th Street North, even though this is not actively a road.

The proposed design would not exceed 35% lot coverage and does not violate the sight triangle at the intersection of 3rd Avenue North and 16th Street North.



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Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.
-

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The lot is boarded on two sides by platted right of way, though the northern right of way, 16th Street north, is unopened and causes an irregular shape to the lot. The unopened right of way causes an excessive setback of 20 feet that would otherwise be 10 feet.

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

Staff does not find that circumstances are a result of the applicant. The subject property was platted in 1946. The home was purchased by the exiting owner in 2014 in its current state.

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



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Staff does find that the proposed variance will not confer any special privileges. The lot to the immediate north also has the same constraints placed on it by the unpaved right of way of 16th Street North and has the same complicated setbacks.

- 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 and undue hardship**

Staff does find that literal interpretation of the code would deprive the applicant of rights and privileges. There are several of these irregular corner lots within this neighborhood that have similarly reduced corner setbacks, such as 315 N 18th Street.

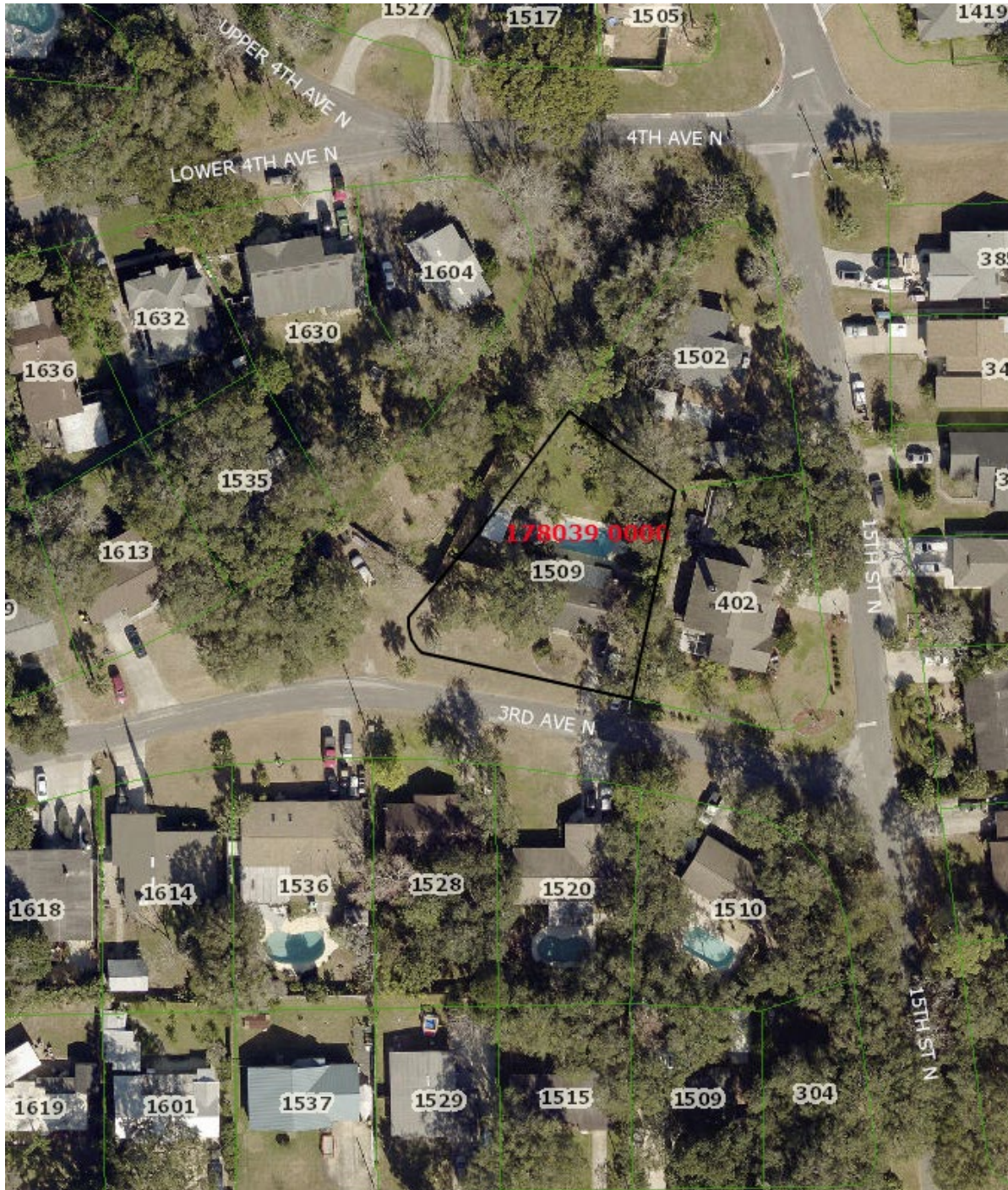
- 5. Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure**

Staff does find that the requested variances are the minimum variance needed to construct the addition based on the proposed plan. To build the addition as proposed in both size and layout, this is the minimum variance needed.

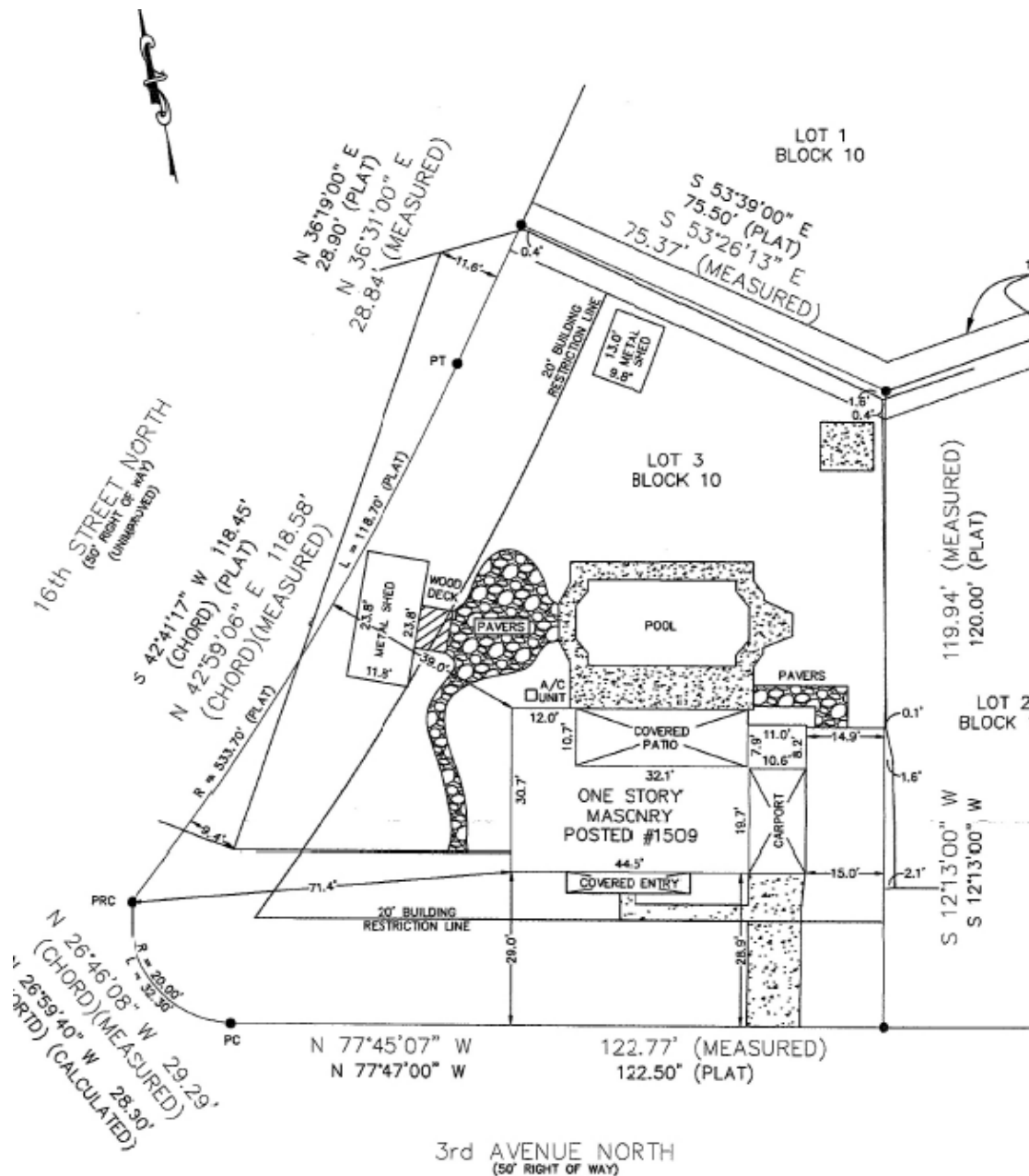
- 6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

Staff does find that the request is consistent with the comprehensive plan.

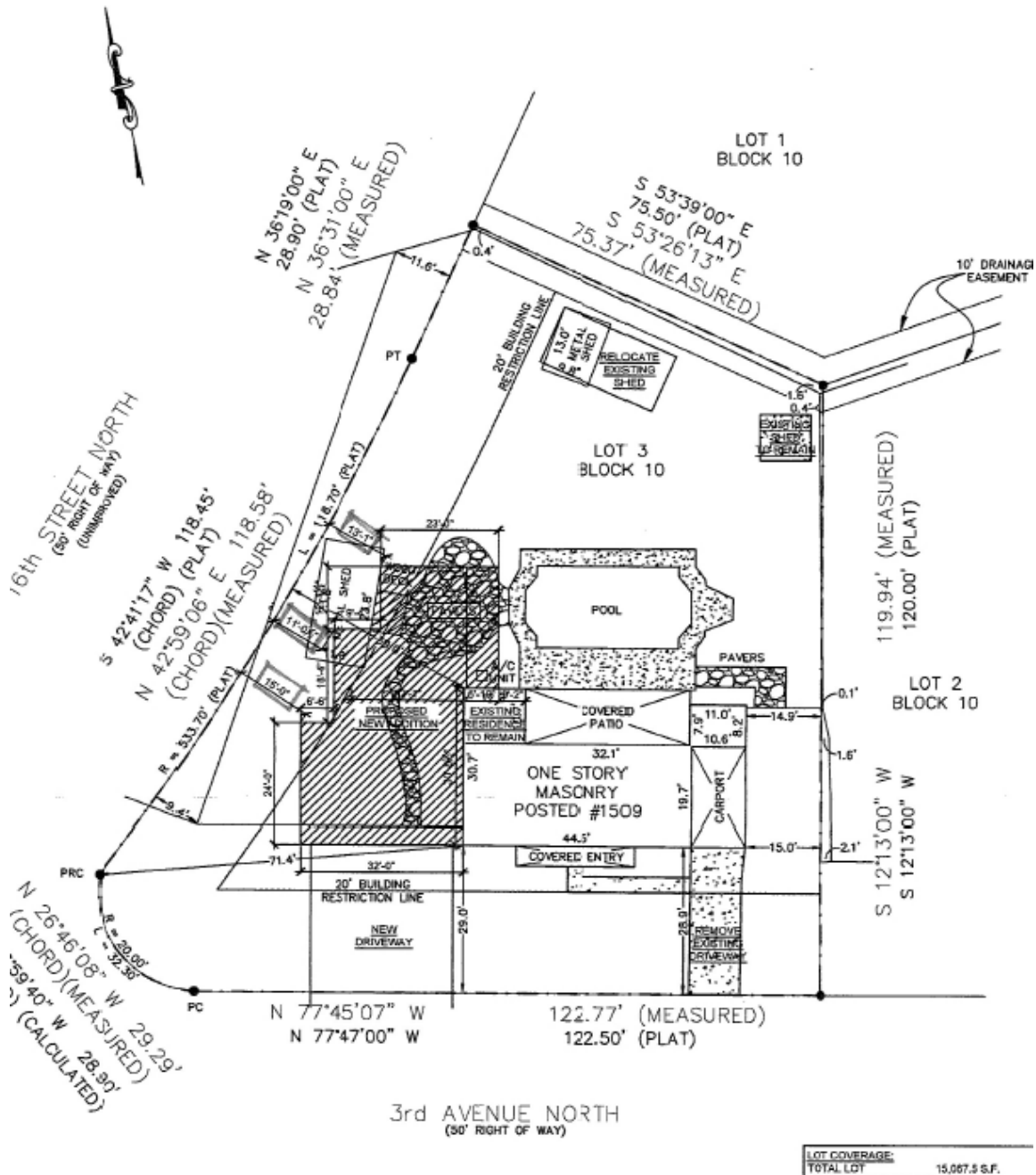
Location Map (property boundaries are reprehensive only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100170
HEARING DATE 12-8-21

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: John + Karla Marshall Telephone: 334-791-9322
Mailing Address: 1509 3RD Ave. N. E-Mail: AMAYSINGK@me.com
Jacksonville Beach, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: John + Karla Marshall Telephone: 334-791-9322
Mailing Address: 1509 3RD Ave. N. E-Mail: AMAYSINGK@me.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 1509 3RD Ave. N Jacksonville Beach
Legal description of property (Attach copy of deed): 178039-0000 FL 32250
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). 10ft. in lieu of 20ft
setback - Corner yard (west) For A New
edition.

AFFIDAVIT

I, JOHN J. MARSHALL, 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

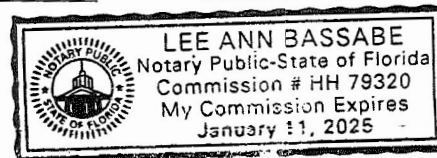
JOHN J. MARSHALL
PRINT APPLICANT NAME

10-13-2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13th day of October, 2021, by John J. Marshall, who is personally known to me or produced Florida Drivers License 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-1

FLOOD ZONE: X

CODE SECTION (S):

34-336(e)(1)c.2, for a corner side yard setback of 11 feet in lieu of 20 feet required, to allow for construction of a new addition to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-160170

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.

OCT 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	This is an irregular shaped lot that precludes the ability to expand the living space. We chose not to build up due to both of us being disabled veterans and we would have difficulty with stairs, long-term.
Special circumstances and conditions do not result from the actions of the applicant.	NO	N/A. 16th Street right of way is not a built road.
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	Granting this request does not affect the other parcels in the same zoning district as this parcel is uniquely shaped.
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 original 20' corner lot set back would preclude the ability to expand the living space of the existing house and would deter the intent and minimize the benefit of expansion.
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 request to reduce the set-back to 10' would enable the lot to be fully utilized with the expansion of the existing house as it is oriented on the uniquely shaped 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 request to reduce the set-back to 10' would not adversely affect the neighboring parcels or overall neighborhood.

Loan No 0057134066

Document Prepared By:
Dave LaRose/NTC, 2100 Alt.
19 North, Palm Harbor, FL
34683 (800)346-9152

RECEIVED
21-100170
OCT 13 2021

PLANNING & DEVELOPMENT

When Recorded Return To:
Freedom Mortgage Corporation
C/O Nationwide Title Clearing,
Inc. 2100 Alt. 19 North
Palm Harbor, FL 34683



SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR SUN WEST MORTGAGE COMPANY, INC., ITS SUCCESSORS AND ASSIGNS, is the lienholder of a certain Mortgage Deed executed by JOHN J. MARSHALL AND KARLA MAYS MARSHALL recorded in Official Records **Book 17811 and Page 1113**, in the office of the Clerk of the Circuit Court of **DUVAL** County, **Florida**, upon the property situated in said State and County as more fully described in said Mortgage.

The present lienholder of the mortgage hereby acknowledges full payment and satisfaction of said note and Mortgage Deed, and hereby directs the Clerk of the said Circuit Court to cancel the same of record.

IN WITNESS WHEREOF, said lienholder has caused this instrument to be executed by its VICE PRESIDENT this 05th day of April in the year 2021.

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR SUN WEST MORTGAGE COMPANY, INC., ITS SUCCESSORS AND ASSIGNS

By: Mary Mojica
MARY MOJICA
VICE PRESIDENT



All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

Patricia Masi
PATRICIA MASI
WITNESS

Lauren Astle
LAUREN ASTLE
WITNESS

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization on this 05th day of April in the year 2021, by Mary Mojica as VICE PRESIDENT of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR SUN WEST MORTGAGE COMPANY, INC., ITS SUCCESSORS AND ASSIGNS, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

Vicky McCoy
VICKY MCCOY
COMM EXPIRES: 12/18/2022



VICKY MCCOY
NOTARY PUBLIC
STATE OF FLORIDA
COMM# GG285301
EXPIRES: 12/18/2022

FM001 422759653 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS) MIN
100107311630703826 MERS PHONE 1-888-679-6377 MERS Mailing Address: P.O. Box 2026, Flint, MI
48501-2026 DOCR T052104-12:18:40 [C-1] ERCNFL1

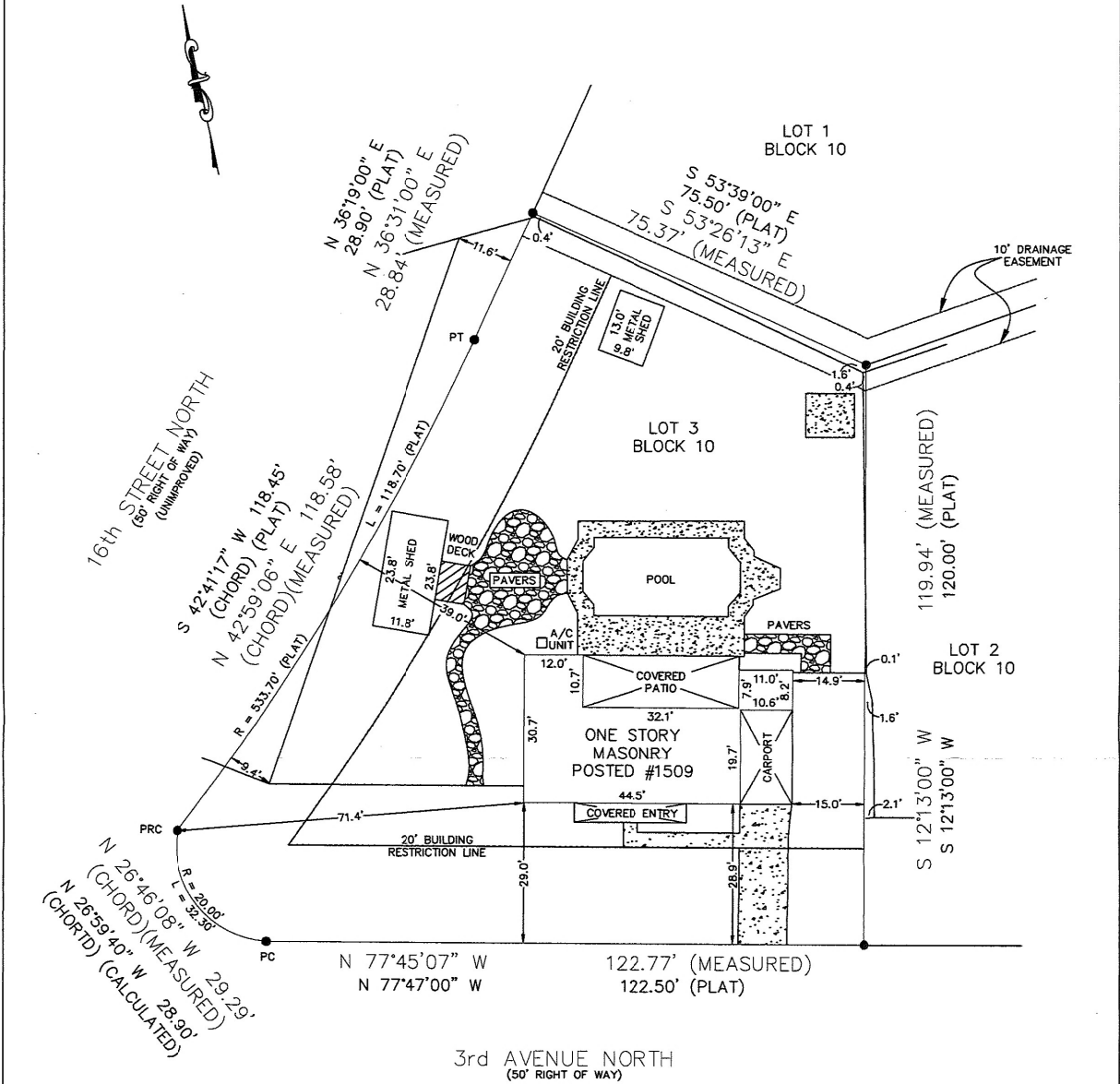


D0074139803

EXISTING

MAP SHOWING BOUNDARY SURVEY OF
LOT 3, BLOCK 10, PINE GROVE UNIT No. 4, AS RECORDED IN PLAT BOOK 19,
PAGES 44 & 44-A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JOHN J. MARSHALL
BANK OF ENGLAND
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



LEGEND:

- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- X- = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- CONCRETE



**Ray Thompson
SURVEYING, Inc.**
Going the DISTANCE for You
4613 Phillips Highway, Suite 210
Jacksonville, Florida 32207
(Phone) 904-448-5125
(Fax) 904-448-5178

P:\LOGOS\Americas Choice Title logo.jpg

REVISIONS

DATE	DESCRIPTION

JOB # 20086

DATE OF FIELD SURVEY: 11-9-2011

SCALE: 1" = 30'

NOTES:

- BEARINGS ARE BASED ON THE PLAT BEARING OF S 12°13'00" W ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: APRIL 17, 1989, COMMUNITY NUMBER: 120078 PANEL 0001 D.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHT OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED, UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.072, FLORIDA STATUTES.

RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA
LICENSE BUSINESS No. 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS

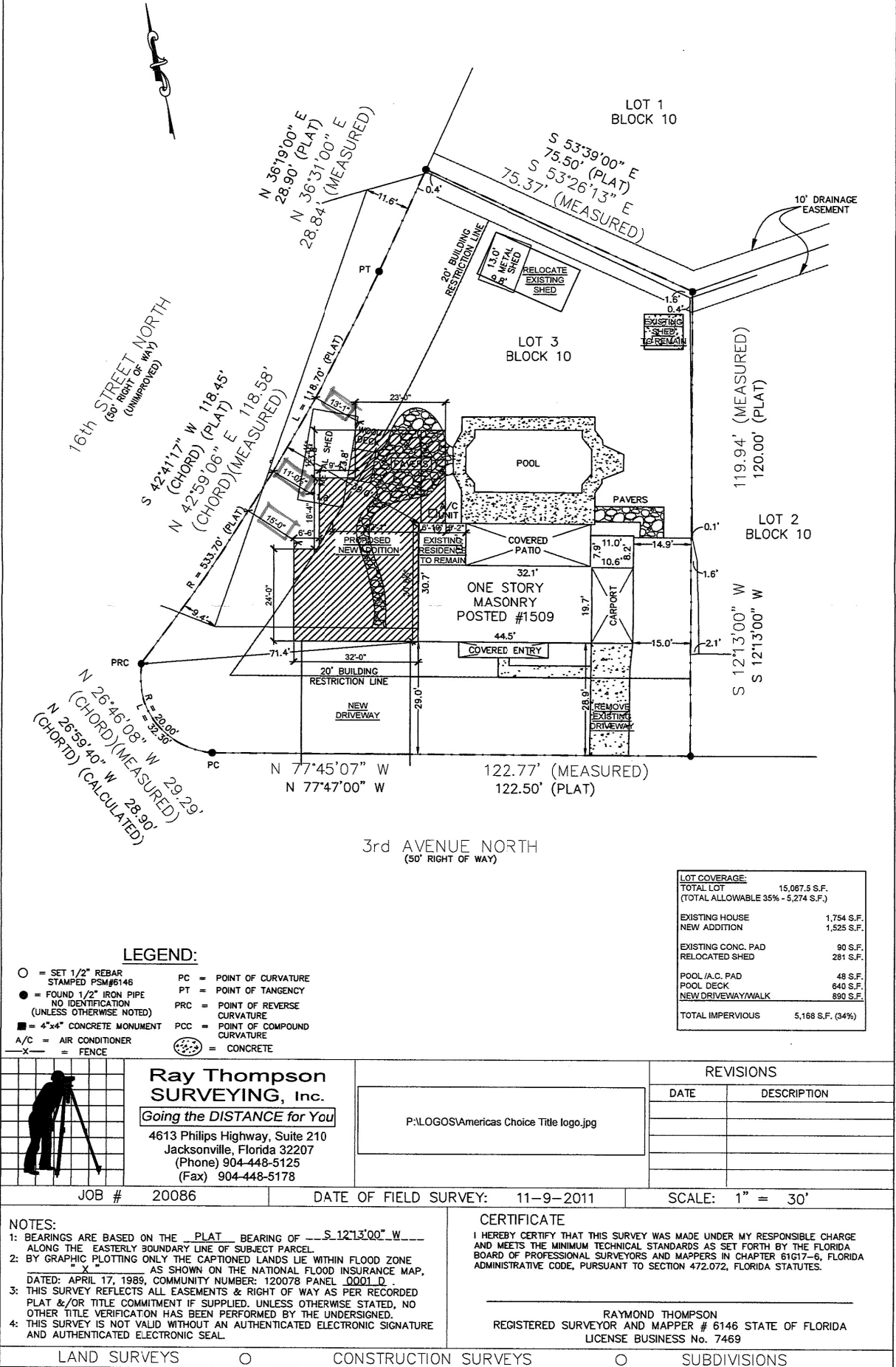
21-100170
007 13 2021

PLAT BOOK 19, PAGE 44-A

PROPOSED

MAP SHOWING BOUNDARY SURVEY OF
LOT 3, BLOCK 10, PINE GROVE UNIT No. 4, AS RECORDED IN PLAT BOOK 19,
PAGES 44 & 44-A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JOHN J. MARSHALL
BANK OF ENGLAND
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



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21-100170
OCT 13 2011

PLANNING & DEVELOPMENT

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

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21-100170
NOV 30 2021
via email
PLANNING & DEVELOPMENT

I/We (name(s)) Felicia Baer
(address) 315 15th St N.

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) 

Date 11/29/21

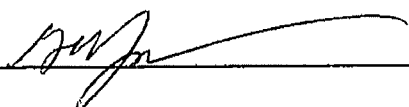
Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

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NOV 30 2021
via email
PLANNING & DEVELOPMENT

I/We (name(s)) G.W. Reynolds

(address) 321 15th ST-NO JAC BEACH FL 32250

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) 

Date 11/29/02

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

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NOV 30 2021
via email
PLANNING & DEVELOPMENT

I/We (name(s)) Shaun + Lisa James

(address) 341 15th St N

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) Shaun James Lisa James

Date 11/29/21

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

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21-100170
NOV 30 2021
via email
PLANNING & DEVELOPMENT

I/We (name(s)) MICHAEL FLYNN

(address) 1701 3rd AVE N

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) Michael Flynn

Date 11-29-21

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

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21-100170
NOV 30 2021
via email
PLANNING AND DEVELOPMENT

I/We (name(s)) Dave Montecchi

(address) 1630 Lower 4th Ave N

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) Dy Montecchi

Date 11-30-21

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

21.100170

NOV 30 2021

via email

RECEIVED NOV 30 2021

I/We (name(s)) Ken Heiman

(address) 1505 4th Ave N Jax Bch FL 32250

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s) Keneth Heiman

Date 11.30.21

Jacksonville Beach - Planning And Development Department
11 North 3rd St.
Jacksonville Beach, FL 32250
(904)247-6231

21-100170

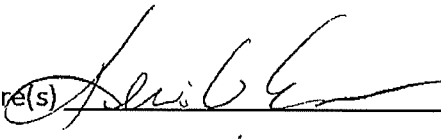
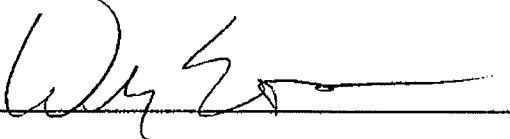
NOV 30 2021

via email

PLEASE PRINT NAME AND ADDRESS

I/We (name(s)) Kenn + Wendy Evers
(address) 515 15TH ST N Jacksonville Beach, FL 32250

Support a Variance of Use Request for a 10' setback in lieu of a 20' setback on the west side of the lot situated at 1509 3rd Ave. N, Jacksonville Beach, FL 32250.

Signature(s)  

Date 11/30/21