



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, February 1, 2022

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

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

Alternates: Todd Smith

APPROVAL OF MINUTES

CORRESPONDENCE

OLD BUSINESS

EX PARTE COMMUNICATION

NEW BUSINESS

A. **Case Number(s): BOA#21-100191 - DEFERRED**

Applicant: David Merritt

Agent: N/A

Owner: David Merritt

Property Address: 1339 Pinewood Lane

Parcel ID: 178286-0000

Legal Description: Lot 14, Block 2, *Ocean Forest Unit One*

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 minimum

Consider: to allow for construction of a new single-family dwelling

B. **Case Number(s): BOA#21-100192 - DEFERRED**

Applicant: Ryan Gault, Call the Screen Guys

Agent: N/A

Owner: Eduardo Perez

Property Address: 2540 St. Johns Boulevard

Parcel ID: 180864-0000

Legal Description: Lot 13, Block 4, *Jacksonville Beach Heights*

Current Zoning: RS-2
Motion to 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum; and 34-
Consider: 337(e)(1)g, for an accessory side-yard setback of 2 feet in lieu of 5 feet
minimum along the southern property line to allow for construction of a new
screen enclosure and structural footer over an existing swimming pool at
an existing single-family dwelling

C. **Case Number(s): BOA#21-100194**

Applicant: RE904, LLC - Julia Sanders
Agent: Julia Sanders
Owner: RE904, LLC - Julia Sanders
Property Address: 941 17th Avenue North
Parcel ID: 175219-0000
Legal Description: Lot 25, Block 4, *Beach Homesites Unit Three*
Current Zoning: RS-1
Motion to 34-336(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for
Consider: construction of a new single-family dwelling

D. **Case Number(s): BOA#21-100195**

Applicant: Chad Atallah
Agent: N/A
Owner: Bassam, Dina & Chad Atallah
Property Address: 708 7th Avenue North
Parcel ID: 174304-0000
Legal Description: Lot 2, Block 78, *Pablo Beach North*
Current Zoning: RS-2
Motion to 34-337(e)(1)e, for lot coverage of 41% in lieu of 35% maximum; and 34-
Consider: 337(e)(1)c.2, for a side-yard setback of 0 feet in lieu of 5 feet minimum, for
an existing carport, and 7 feet total in lieu of 15 feet minimum, to rectify non-
conformities and allow for construction of a new rear addition at an existing
single-family dwelling

E. **Case Number(s): BOA#21-100196**

Applicant: Brad C. Wester, Driver, McAfee, Hawthorne & Diebenow
Agent: Brad C. Wester
Owner: William & Jill McGriff, IV
Property Address: 3830 Duval Drive
Parcel ID: 181706-0000
Legal Description: Lot 7, Block D-6, *Ponte Vedra Together with the North ½ of the Vacated
Walkway, per Ordinance 2003-7485*
Current Zoning: RS-1
Motion to 34-336(e)(1)c.1 for a front yard setback of 23 feet in lieu of 25 feet
Consider: minimum; 34-336(e)(1)c.3, for a rear yard setback of 28 feet in lieu of 30
feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35%
maximum to allow for construction of a new single-family dwelling

PLANNING DEPARTMENT REPORT

A. The Board training will be at **6:00 p.m.** on Tuesday February 15, 2022

B. The next scheduled meeting is Tuesday, February 15, 2022. There are four scheduled cases.

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

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

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Agency. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Agency when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

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

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

cc: City Manager; City Attorney



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BOA#21-100194

Zoning: RS-1
RE: 175219-0000
Legal: Lot 25, Block 4, Beach Homesites Unit 3
Address: 941 17th Ave North

Request

Section(s): 34-336(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling

Exiting Conditions

The subject property is an existing lot of record (circa 1954) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The property is currently occupied by an existing single family home. The existing lot is 75 feet in width, and 110 feet in depth, with a lot area of 8,250 square feet. The current structure is a nonconforming structure with regards to side yard setbacks, failing to meet the minimum of 10 feet on either side, with a northern side yard setback of 7.9 feet, and southern side yard setback of 9.9 feet.

Previous Variances: No previous variances found.

Staff Analysis

The existing home has unresolved nonconformities with regards to side yard setbacks. The current home is roughly at or below 35% lot coverage with a large driveway and existing shed. The applicant proposes to demolish the existing house, and replace it with a new house. The new home will comply with all setbacks, rectifying the existing home's nonconformities, but will require an increase in lot coverage to 43%, inclusive of the driveway and ac pad.

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.



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- 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.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The minimum lot area for the RS-1 zoning district is 10,000 square feet. The subject property is 8,250 square feet. The minimum lot width for RS-1 zoning is 90 feet, whereas the subject lot is 75 feet in width.

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 is a lot of records, platted in 1954, and purchased by the applicant in 2021. The applicant did not create the substandard nature of the lot.

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

Staff finds that the proposed variance will not confer special privileges. The applicant is requesting to build a single family home, which is allowed by right in the RS-1 zoning district.



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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. Were the subject lot a conforming size to the RS-1 district, the proposed lot coverage contained in the application would be roughly 35%, and would have been in compliance with the limits in the Land Development Code.

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

Staff does find that the requested variances are the minimum variance needed to accommodate the proposed new home. As noted above, the proposed variance allows the applicant to construct the home proposed within what would be 35% lot coverage but for the deficiencies of the subject property in area.

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

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

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#21-100194**

Location Map (property boundaries are reprehensive only)



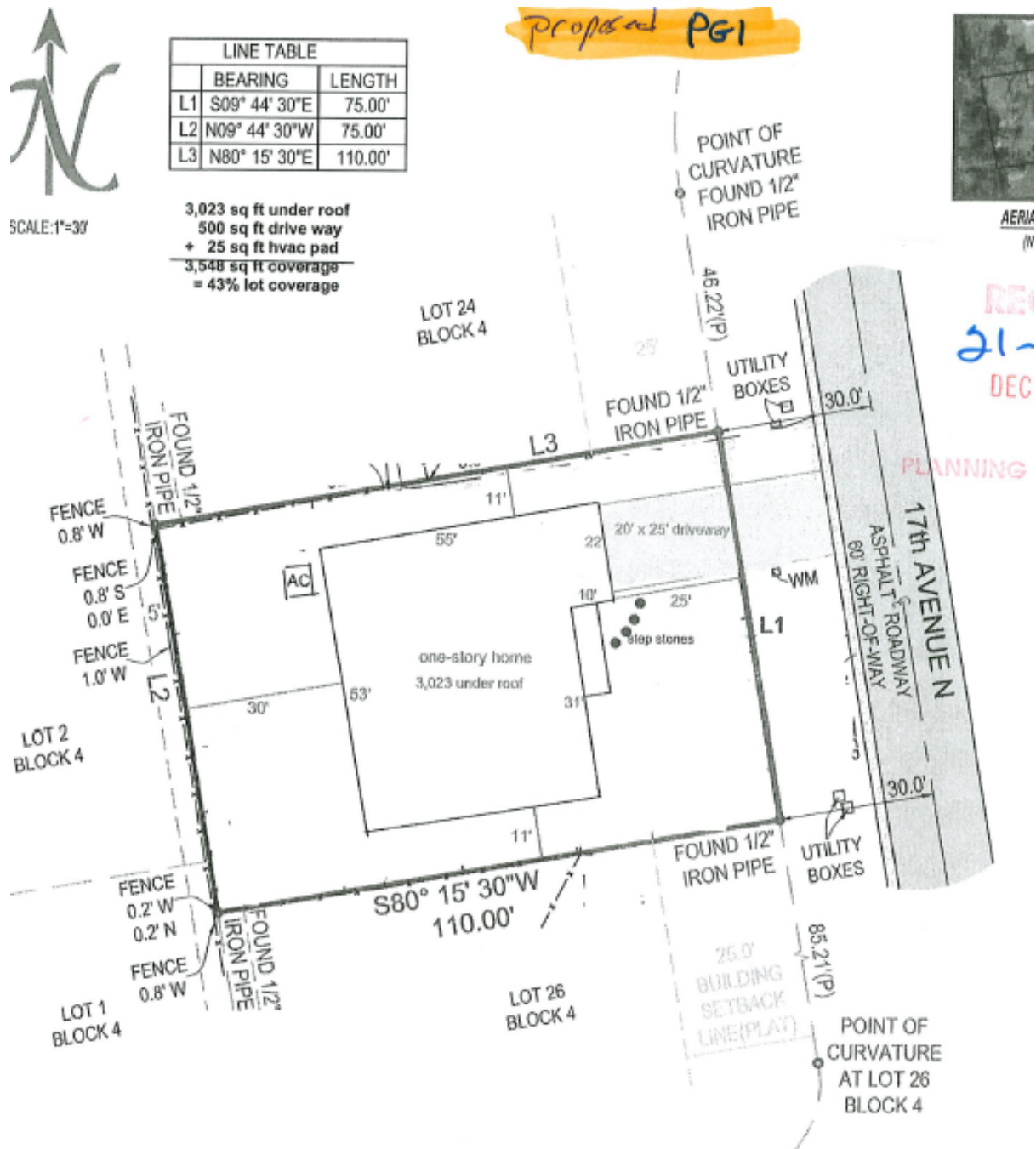
SCALE: 1"=30'

LINE TABLE		
	BEARING	LENGTH
L1	S09° 44' 30"E	75.00'
L2	N09° 44' 30"W	75.00'
L3	N80° 15' 30"E	110.00'

Existing PG 1



Proposed Site Plan



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED



APPLICATION FOR VARIANCE

BOA No.

HEARING DATE

21-100194

2.1.22

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. X
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal). ✓
7. Completed application. ✓

RECEIVED

09:00

DEC 13 2021

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: RE904, LLC Telephone: (904) 333-7873
Mailing Address: 1903 Eastern Dr E-Mail: RE904@icloud.com
Jacksonville Beach FL 32250
Agent Name: Julia Sanders Telephone: (904) 333-7873
Mailing Address: 1903 Eastern Dr E-Mail: RE904@icloud.com
Jacksonville Beach FL 32250
Landowner Name: RE904, LLC Telephone: (904) 333-7873
Mailing Address: 1903 Eastern Dr E-Mail: RE904@icloud.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: 941 17th Ave North - RE#175219-0000
Legal description of property (Attach copy of deed): BEACH HOMESITES UNIT 3 LOT 25 BLK 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).

Requesting for lot coverage of 43%

AFFIDAVIT

I, Julia Sanders, 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

Julia Sanders

PRINT APPLICANT NAME

DATE

12/10/2021

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10th day of December, 2021, by Julia Sanders, who is personally known to me or produced as identification.

NOTARY PUBLIC SIGNATURE

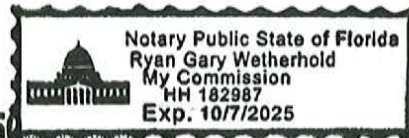
Ryan Wetherhold

PRINT NOTARY NAME

OCEANSIDE

19 12TH ST. S.

JACKSONVILLE BEACH, FL 32250



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X/X-shaded

CODE SECTION (S):

34-336(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 21-100194

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 RECEIVED DEC 13 2021
Special circumstances and conditions do not result from the actions of the applicant.	yes	PLANNING & DEVELOPMENT This is a platted lot of record prior to the result from the actions of the applicant.
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	Yes literal interpretation would could undo hardship in designing a home much different from any other in the immediate neighborhood.
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 buildings within the surrounding area, i.e. one-story homes
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	A new home would be consistent with improving neighborhood without being overly tall and large, i.e. McMansion

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Prepared by and return to:
Maria Coutu
Atlantic Coast Title & Escrow
317 4th Avenue North
Jacksonville Beach, FL 32250
(904) 372-4834
File Number: 2021-20874
Will Call No.:

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 2nd day of December, 2021 between Bobbie Ann Petty, a widower whose post office address is 941 17th Avenue N, Jacksonville Beach, FL 32250, grantor, and RE904 LLC, a Florida Limited Liability Company whose post office address is 1903 Eastern Drive, Jacksonville Beach, FL 32250, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval County, Florida to-wit:

Lot 25, Block 4, Beach Homesites Unit Three, according to the plat thereof as recorded in Plat Book 25, Page 38, Public Records of Duval County, Florida.

Parcel Identification Number: 175219-0000

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 the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2021.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Ashlee Truesdale

Witness

Printed Name: Ashlee Truesdale

Nicole Weatherford

Witness

Printed Name: Nicole Weatherford

Bobbie Ann Petty by

Karen K. Holsberg

Bobbie Ann Petty, by Karen K. Holsberg, Attorney in Fact

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DEC 13 2021

State of South Carolina
County of Orangeburg

PLANNING & DEVELOPMENT

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 2nd day of December, 2021 by Bobbie Ann Petty, by Karen K. Holsberg, as his/her Attorney in Fact who ☐ is personally known or ☐ has produced a driver's license as identification.

[Seal]



Sheron F. Capers

Notary Public

Print Name: Sheron F. Capers

My Commission Expires: 10/31/2027

941 17th AVENUE NORTH, JACKSONVILLE BEACH, FL. 32250



SCALE: 1"=30'

LINE TABLE		
	BEARING	LENGTH
L1	S09° 44' 30"E	75.00'
L2	N09° 44' 30"W	75.00'
L3	N80° 15' 30"E	110.00'

3,023 sq ft under roof
500 sq ft drive way
+ 25 sq ft hvac pad
3,548 sq ft coverage
= 43% lot coverage

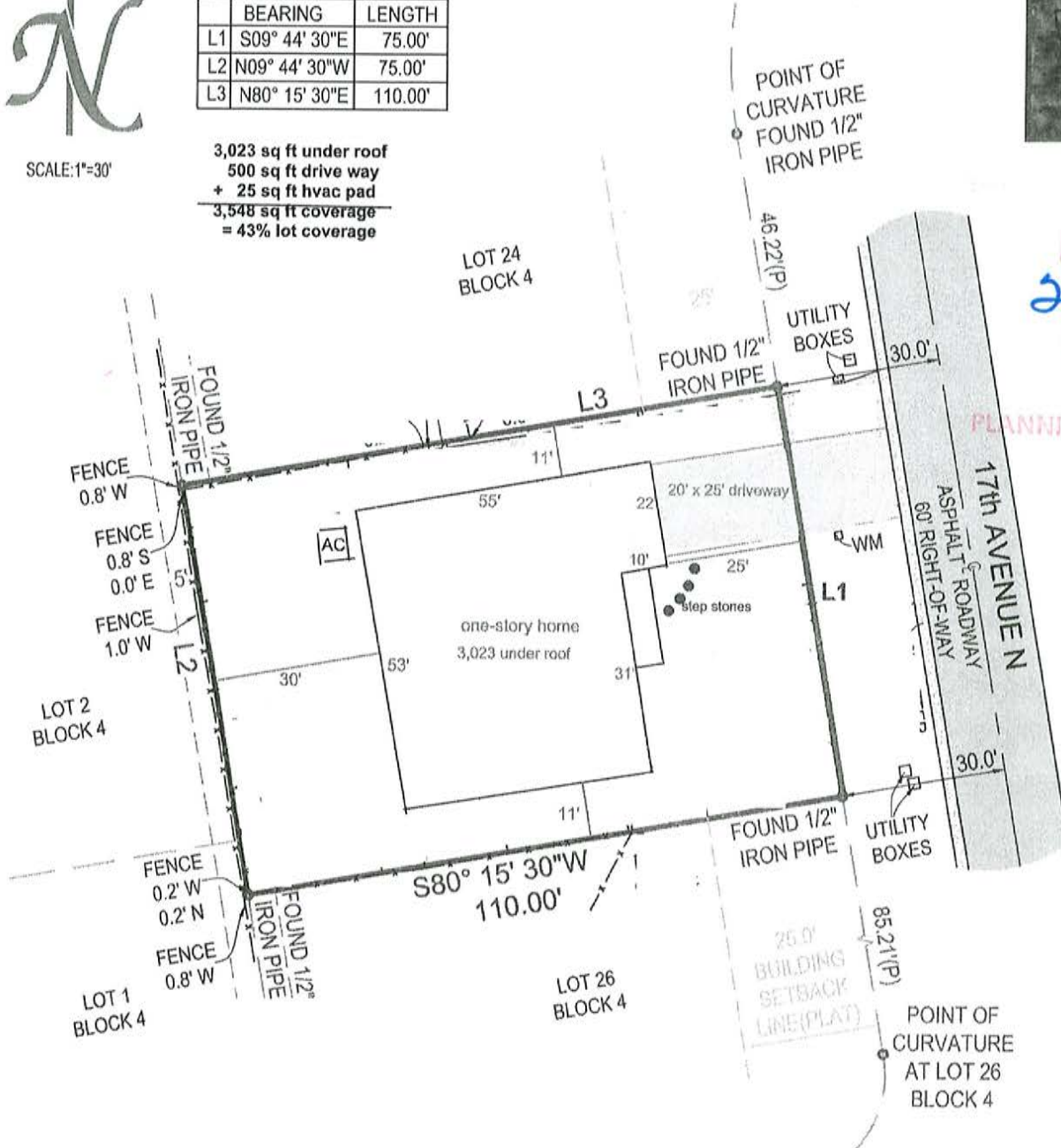
Proposed PGI



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)

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- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 11-27-2021
Drawn By: Oleg
Order #: 159086
Last Revision Date: None
Boundary Survey prepared by: LB8111
NexGen Surveying, LLC
561-508-6272
1421 Oglethorpe Rd
West Palm Beach, FL 33405

NEXGEN
SURVEYING, LLC.



LEGAL DESCRIPTION OF: 941 17TH AVE N, JACKSONVILLE BEACH, FL, 32250

LOT 25, BLOCK 4, BEACH HOMESITES UNIT THREE, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 25,
PAGES 38, 38A AND 38B OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

RE904 LLC

ATLANTIC COAST TITLE & ESCROW

OLD REPUBLIC NATIONAL TITLE

FLOOD ZONE:

12031C0417J

ZONE: X

EFF: 11/02/2018

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON NORTHEASTERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINES ON SOUTHWESTERLY, SOUTHEASTERLY AND NORTHWESTERLY SIDES OF LOT AS SHOWN.
- FENCES EXTEND THROUGH UTILITY EASEMENT ALONG SOUTHWESTERN BOUNDARY LINE AS SHOWN.

PROPOSED PG 2

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LEGEND

A/C	-AIR CONDITIONER
WM	-WATER METER
AL	-ARC LENGTH
(C)	-CALCULATED
(M)	-MEASURED
P.O.B.	-POINT OF BEGINNING
P.O.C.	-POINT OF COMMENCEMENT
&	-AND
P.B.	-PLAT BOOK
PG	-PAGE
U.E.	-UTILITY EASEMENT
D.E.	-DRAINAGE EASEMENT
P.U.E.	-PUBLIC UTILITY EASEMENT
L.A.E.	-LIMITED ACCESS EASEMENT
L.M.E.	-LAKE MAINTENANCE EASEMENT
O.H.E.	-OVERHEAD EASEMENT
R	-RADIUS
(R)	-RECORD
O.R.B.	-OFFICIAL RECORDS BOOK
Sq.Ft.	-SQUARE FEET
Ac.	-ACRES
DB	-DEED BOOK
(D)	-DEED
(P)	-PLAT
EOW	-EDGE OF WATER
TOB	-TOP OF BANK
OHL	-OVERHEAD LINE
C/O	-CLEAN OUT
ELEV	-ELEVATION
FF	-FINISHED FLOOR
LS	-LICENSED SURVEYOR
LB	-LICENSED BUSINESS
PSM	-PROFESSIONAL SURVEYOR & MAPPER
— x —	-FENCE
#	-NUMBER
±	-PLUS OR MINUS
■	-ASPHALT
■	-CONCRETE
■	-PAVER/BRICK
■	-WOOD
☼	-LIGHT POLE
⊙	-WELL
⊗	-WATER VALVE
⊕	-CENTER LINE
■	-CATCH BASIN
⊙	-FIRE HYDRANT
⊙	-UTILITY POLE
⊙	-MANHOLE
⊙	-ELEVATION

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.

GENERAL NOTES:

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS.
- 5) DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
- 6) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 7) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 8) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 9) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)

LB8111

info@NexGenSurveying.com

NEXGEN

www.NexGenSurveying.com

561-508-6272

1421 Oglethorpe Rd
West Palm Beach
FL 33405

941 17th AVENUE NORTH, JACKSONVILLE BEACH, FL. 32250



SCALE: 1"=30'

LINE TABLE		
	BEARING	LENGTH
L1	S09° 44' 30"E	75.00'
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L3	N80° 15' 30"E	110.00'

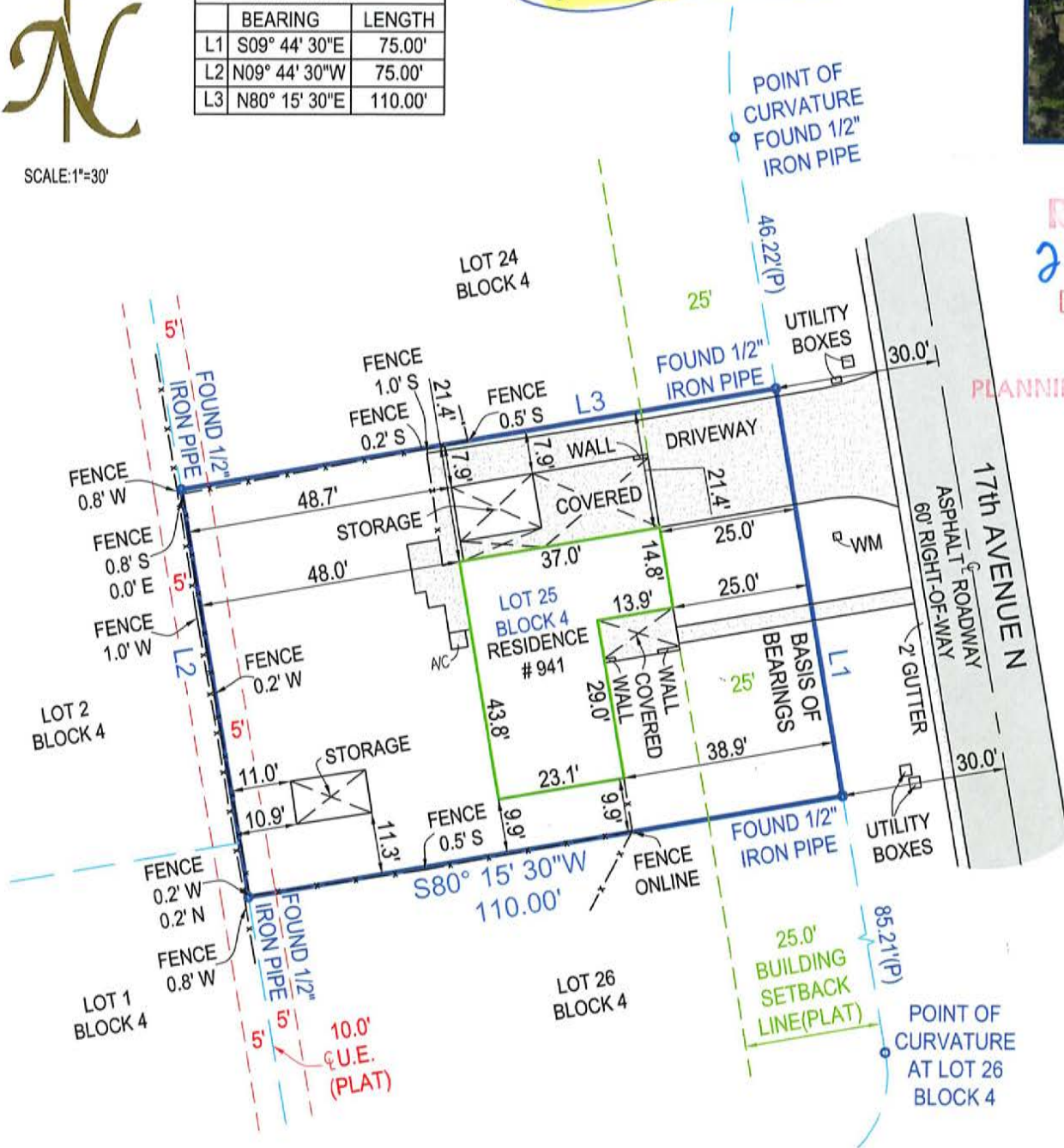
Existing PG 1



AERIAL PHOTOGRAPH
(NOT-TO-SCALE)

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PLANNING & DEVELOPMENT



- ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED

SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

The survey map & report or the copies thereof are not valid without the digital signature and seal of a Florida licensed surveyor and mapper

Date of Field Work : 11-27-2021
 Drawn By: Oleg
 Order #: 159086
 Last Revision Date: None
 Boundary Survey prepared by: LB8111
 NexGen Surveying, LLC
 561-508-6272
 1421 Oglethorpe Rd
 West Palm Beach, FL 33405

NEXGEN
SURVEYING, LLC.



LEGAL DESCRIPTION OF: 941 17TH AVE N, JACKSONVILLE BEACH, FL, 32250

LOT 25, BLOCK 4, BEACH HOMESITES UNIT THREE, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 25, PAGES 38, 38A AND 38B OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

RE904 LLC

ATLANTIC COAST TITLE & ESCROW
OLD REPUBLIC NATIONAL TITLE**FLOOD ZONE:**

12031C0417J

ZONE: X

EFF: 11/02/2018

SURVEY NOTES:

- DRIVEWAY CROSSES THE BOUNDARY LINE ON NORTHEASTERLY SIDE OF LOT AS SHOWN.
- FENCES LIE NEAR BOUNDARY LINES AS SHOWN, OWNERSHIP NOT DETERMINED.
- FENCES CROSS THE BOUNDARY LINES ON SOUTHWESTERLY, SOUTHEASTERLY AND NORTHWESTERLY SIDES OF LOT AS SHOWN.
- FENCES EXTEND THROUGH UTILITY EASEMENT ALONG SOUTHWESTERN BOUNDARY LINE AS SHOWN.

EXISTING PG 2

RECEIVED

21-160194
DEC 13 2021

PLANNING & DEVELOPMENT

LEGEND

A/C	-AIR CONDITIONER
WM	-WATER METER
AL	-ARC LENGTH
(C)	-CALCULATED
(M)	-MEASURED
P.O.B.	-POINT OF BEGINNING
P.O.C.	-POINT OF COMMENCEMENT
&	-AND
P.B.	-PLAT BOOK
PG	-PAGE
U.E.	-UTILITY EASEMENT
D.E.	-DRAINAGE EASEMENT
P.U.E.	-PUBLIC UTILITY EASEMENT
L.A.E.	-LIMITED ACCESS EASEMENT
L.M.E.	-LAKE MAINTENANCE EASEMENT
O.H.E.	-OVERHEAD EASEMENT
R	-RADIUS
(R)	-RECORD
O.R.B.	-OFFICIAL RECORDS BOOK
Sq.Ft.	-SQUARE FEET
Ac.	-ACRES
DB	-DEED BOOK
(D)	-DEED
(P)	-PLAT
EOW	-EDGE OF WATER
TOB	-TOP OF BANK
OHL	-OVERHEAD LINE
C/O	-CLEAN OUT
ELEV	-ELEVATION
FF	-FINISHED FLOOR
LS	-LICENSED SURVEYOR
LB	-LICENSED BUSINESS
PSM	-PROFESSIONAL SURVEYOR & MAPPER
- x -	-FENCE
#	-NUMBER
±	-PLUS OR MINUS
□	-ASPHALT
□	-CONCRETE
□	-PAVER/BRINCK
□	-WOOD
☀	-LIGHT POLE
⊙	-WELL
⊗	-WATER VALVE
⊕	-CENTER LINE
□	-CATCH BASIN
⊕	-FIRE HYDRANT
⊕	-UTILITY POLE
⊕	-MANHOLE
XXX	-ELEVATION

SOME ITEMS IN LEGEND MAY NOT
APPEAR ON DRAWING.**GENERAL NOTES:**

- 1) THIS SURVEY IS BASED UPON RECORD INFORMATION BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
- 2) IF THIS SURVEY HAS BEEN PREPARED FOR THE PURPOSES OF A MORTGAGE TRANSACTION, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO FUTURE CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT FIRST OBTAINING APPROVAL AND/OR UPDATES FROM NEXGEN SURVEYING, LLC. NEXGEN SURVEYING, LLC, ASSUMES NO RESPONSIBILITY FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
- 3) ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
- 4) GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS.
- 5) UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
- 6) ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988).
- 7) ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
- 8) CORNERS SHOWN AS "SET" ARE 5/8" IRON RODS IDENTIFIED WITH A PLASTIC CAP MARKED LS (LICENSED SURVEYOR)

LB8111

info@NexGenSurveying.com



www.NexGenSurveying.com

561-508-6272

1421 Oglethorpe Rd
West Palm Beach
FL 33405



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

BOA#21-100195

Zoning: RS-2
RE: 174304-0000
Legal: Lot 2, Block 78, Pablo Beach Improvement Company
Address: 708 7th Ave. North

Request

Section(s): 34-337(e)(1)e, for lot coverage of 41% in lieu of 35% maximum; and 34-337(e)(1)c.2, for a side-yard setback of 0 feet in lieu of 5 feet minimum, for an existing carport, and 7 feet total in lieu of 15 feet minimum, to rectify non-conformities and allow for construction of a new rear addition at an existing single-family dwelling

Exiting Conditions

The subject property is an existing lot of records (circa 1913) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject property is 50 feet in width by 125 feet in depth, with a lot area of 6,250 square feet. The subject property is currently occupied by an existing nonconforming single family home. Built in 1949. The home currently has a car port on the eastern side of the home that is built up to the eastern property line, leaving no side yard setback. Additionally, the total lot coverage is 38% which includes the primary home, driveway, car port and an accessory shed. There's a small patio on the rear and a small covered porch in front with a walkway from the driveway to the porch. The car port is set back from the front plain of the house, leading to a longer driveway.

Previous Variances: No previous variances found.

Staff Analysis

The existing lot was platted in 1918, and the current owner purchased the home in 2021. The exiting house is nonconforming in both lot coverage and setbacks. The lot is substandard in width and area. A full renovation of the house would likely exceed 50% of the assessed value, and based on section 34-623, if the renovation exceeds this 50% threshold, the existing nonconformities would need to be brought into compliance, with the only practical mechanism being in the form of a variance for lot coverage and setbacks. The proposed addition would increase the lot coverage, but the applicant has proposed to remove the shed, thus limiting the



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increased lot coverage to roughly 3%. The proposed addition would not increase the nonconforming setbacks.

Minimum Dimensional Standards

- Minimum lot area: Seven thousand five hundred (7,500) square feet.
- Minimum lot width: Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet in 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.
 - 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. The garage or carport 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 minimum lot area for the RS-2 zoning district is 7,500 square feet. The subject property is 6,250 square feet. The minimum lot width for RS-2 zoning is 75 feet, whereas the subject lot is 50 feet in width.

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 is a lot of records, platted in 1918, and purchased by the



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applicant in 2021. The applicant did not create the substandard nature of the lot.

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

Staff finds that the proposed variance will not confer special privileges. The applicant is requesting to build a single family home, which is allowed by right in the RS-2 zoning district.

- 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. Were the subject lot a conforming size to the RS-2 district, the proposed lot coverage contained in the application would be less than 35%, and would have been in compliance with the limits in the Land Development Code.

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

Staff does find that the requested variances are the minimum variance needed to accommodate the proposed new home. As noted above, the proposed variance allows the applicant to construct the home proposed within what would be less than 35% lot coverage but for the deficiencies of the subject property in area.

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

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



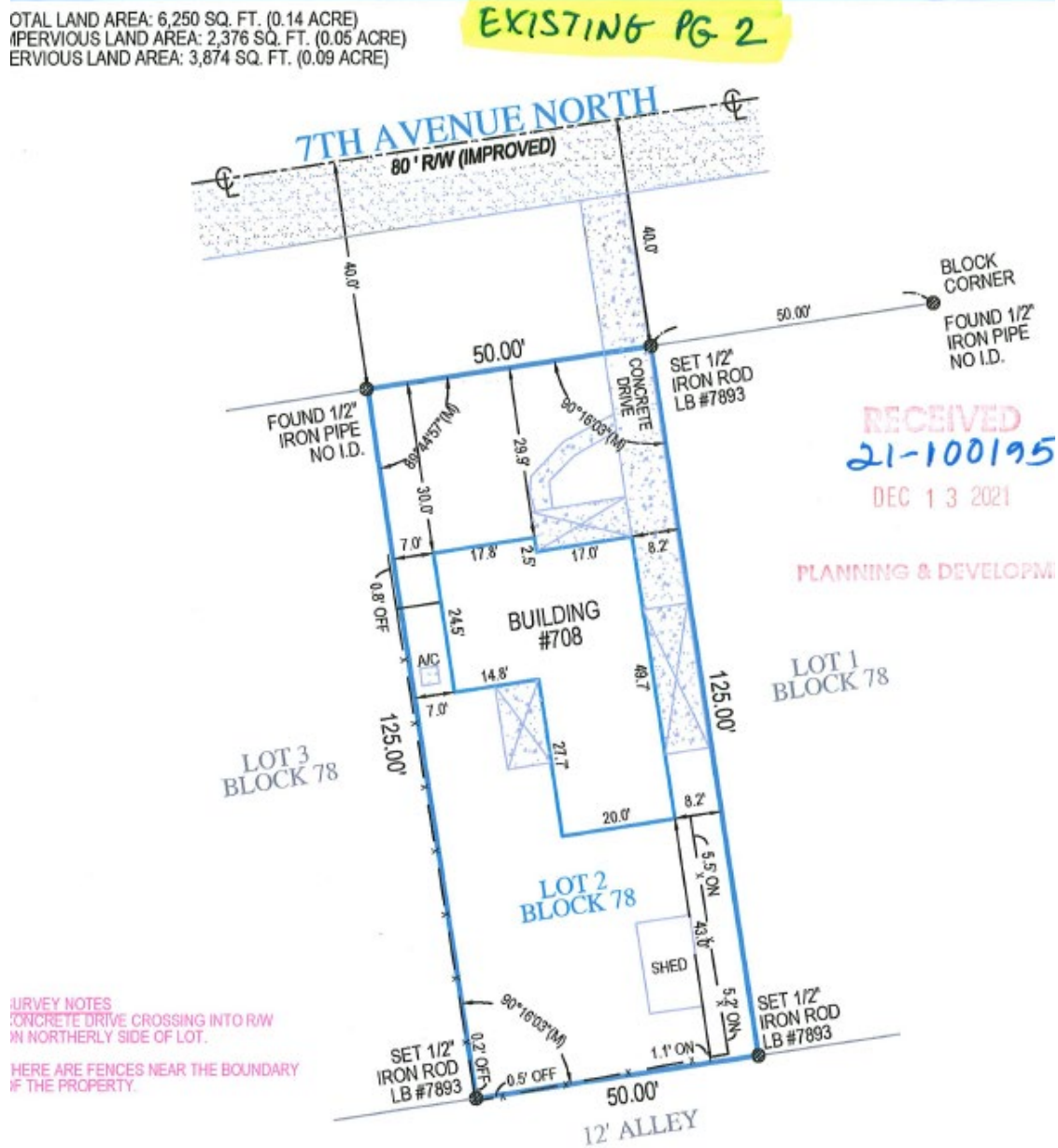
City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Staff Recommendation

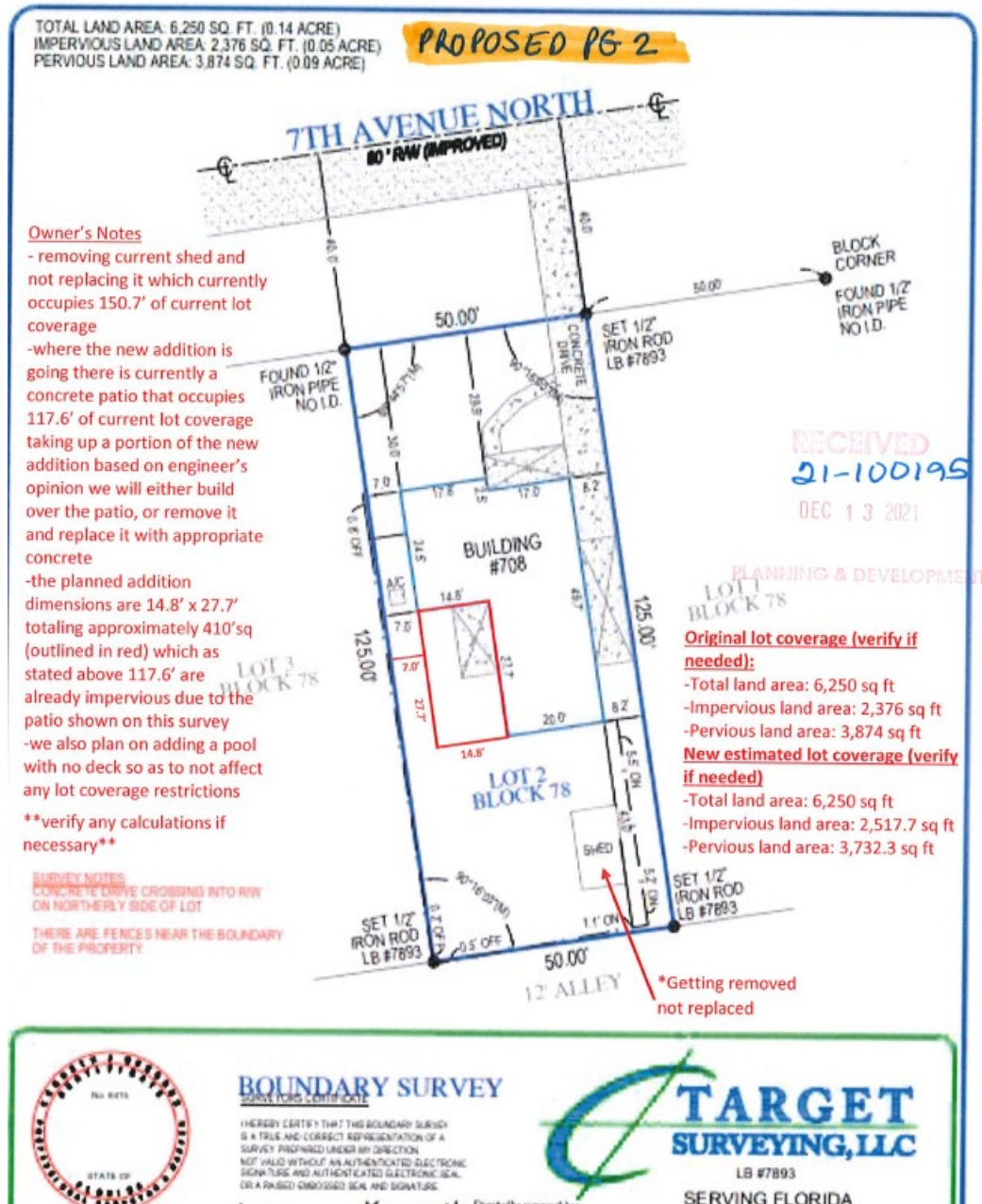
Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#21-100195**

Location Map (property boundaries are reprehensive only)





Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 21-100195HEARING DATE 2/1/22

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: Chad Atallah Telephone: (904) 654-9692
Mailing Address: 8145 Hunters Grove Rd E-Mail: Chadataallah@yahoo.com
Jacksonville, FL 32256
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Bassam, Dina, Chad Atallah Telephone: (904) 910-1970
Mailing Address: 8145 Hunters Grove Rd E-Mail: bassamataallah@bellisouth.net
Jacksonville, FL 32256

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

VARIANCE DATA

Street address of property and Real Estate Number: 7080 7th Ave North Jacksonville, FL 32250
Legal description of property (Attach copy of deed): See Attach Deed 174304-0000
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).
Add to current lot coverage. This property was purchased on 12/1/2021 in current condition. We would like to improve and add to current structure. See attached

AFFIDAVIT

I, Chad Atallah, 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.

Chad Atallah
APPLICANT SIGNATURE

Chad Atallah
PRINT APPLICANT NAME

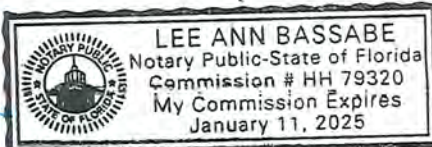
12/13/2021
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

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

Lee Ann Bassabe
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-2

FLOOD ZONE: X/X-shaded

CODE SECTION (s):

34-337(e)(1)e, for lot coverage of 41% in lieu of 35% maximum; and 34-337(e)(1)c.2, for a side-yard setback of 0 feet in lieu of 5 feet minimum, for an existing carport, and 7 feet total in lieu of 15 feet minimum, to rectify non-conformities and allow for construction of a new rear addition at an existing single-family dwelling

update

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100/95

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.

DEC 22 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	We Purchased the property and found out it is an "undersized" lot. It is 61250sqft
Special circumstances and conditions do not result from the actions of the applicant.	yes	We Purchased the property in current condition based on the survey it is at 38% and we are asking for 40%
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	Based on a google review there are multiple house take 40% or more on the same street.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	We are asking for the bare minimum we need to meet our needs, we are not asking for any extra.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	We are asking for a 2% increase to meet the needs to build an addition to meet the housing space needed
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	By increasing the 2% this will be for our addition it will not encroach upon or affect adjacent property

Prepared by & Return to:

April Voisin
America's Choice Title Company
170 A1A North
Ponte Vedra Beach, Florida 32082

File Number: 21-1212

Property Appraiser's Parcel I.D. (folio) Number:
174304-0000

*Documentary Stamps have been paid in
amount of \$2,975.00*

Consideration \$425,000.00

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PLANNING & DEVELOPMENT

General Warranty Deed

Made this 1st day of December, 2021, by **Wayne Sweat Jr., a single person, and Melissa C. Tebo, a single person**, whose mailing address is 8705 Apple Ct, Jacksonville, FL 32244; hereinafter referred to as the "Grantor(s)", to **Bassam Atallah and Dina G. Atallah, a married couple, and Chad Atallah, a single person, as tenants in common**, whose mailing address is 8145 Hunters Grove Rd, Jacksonville, FL 32256; hereinafter referred to as the "Grantee(s)";

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantees, all that certain land situate in Duval County, Florida, viz:

Lot 2, Block 78, Pablo Beach Improvement Company's Plat of Part of Northern Portion of Pablo Beach, according to the map or plat thereof, as recorded in Plat Book 5, Page(s) 66, of the Public Records of Duval County, Florida.

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 the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2020.

Prepared by & Return to:

April Voisin

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 21-1212

Property Appraiser's Parcel I.D. (folio) Number:

174304-0000

Documentary Stamps have been paid in

amount of \$2,975.00

Consideration \$425,000.00

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21-100195
DEC 13 2021

PLANNING & DEVELOPMENT

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

SIGN:

April Voisin

Witness #1 PRINT: April Voisin

Wayne Sweat Jr.
Wayne Sweat Jr.

SIGN:

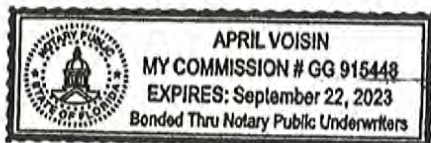
Anne Nickel

Witness #1 PRINT: Anne Nickel

State of Florida

County of St. Johns

The foregoing instrument was acknowledged before me this 30th day of November, 2021, by **Wayne Sweat Jr.**, who appeared before me in his physical presence, and, who produced a Driver's License as identification



(Notary Seal)

April Voisin
Notary Public

Prepared by & Return to:

April Voisin

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 21-1212

Property Appraiser's Parcel I.D. (folio) Number:

174304-0000

*Documentary Stamps have been paid in
amount of \$2,975.00*

Consideration \$425,000.00

RECEIVED
21-100195
DEC 13 2021

PLANNING & DEVELOPMENT

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

SIGN:

Witness #1 PRINT: April Voisin

Melissa C. Tebo

SIGN:

Witness #1 PRINT: Jaime Stokes

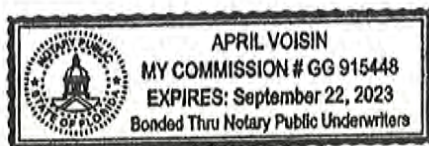
State of Florida

County of St. Johns

The foregoing instrument was acknowledged before me this 29th day of November, 2021, by **Melissa C. Tebo**, who appeared before me in her physical presence, and, who produced a Driver's License as identification

Notary Public

(Notary Seal)



Survey Lot Calculations

Total land area: 6,250 sq ft

Original impervious land area: 2,376 sq ft (38%)

Addition: + 410 sq ft

Existing patio: - 117.6 sq ft

Removing existing shed: -150.7 sq ft

New impervious land area: 2,517.7 sq ft (~40.3%)

New pervious land area: 3,732.3 sq ft (~59.7%)

*After removing the existing shed and adjusting the planned additional square footage to include the concrete already existing with the current patio, the total impact in lot coverage differential from our planned addition is estimated to be 141.7 sq ft or ~2.3% more than the current total impervious land area of our lot. Please verify all calculations as deemed necessary. Please contact me or my father with any questions at (904)654-9692 or (904)910-1970.

Thank you,

Chad Atallah and Bassam Atallah

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PLANNING & DEVELOPMENT

LEGAL DESCRIPTION AND CERTIFICATION

PROPOSED PG 1

LOT 2, BLOCK 78, PABLO BEACH NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FL.

Community Number: 120078 Panel: 0417 Suffix: J F.I.R.M. Date: Flood Zone: X Field Work: 11/18/2021

Certified To:

; AMERICA'S CHOICE TITLE COMPANY;;

Property Address:

708 7TH AVENUE NORTH
JACKSONVILLE BEACH, FL 32250

Survey Number: 512135

Client File Number: QOUTE

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DEC 13 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:

- 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

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>

TOTAL LAND AREA: 6,250 SQ. FT. (0.14 ACRE)
 IMPERVIOUS LAND AREA: 2,376 SQ. FT. (0.05 ACRE)
 PERVIOUS LAND AREA: 3,874 SQ. FT. (0.09 ACRE)

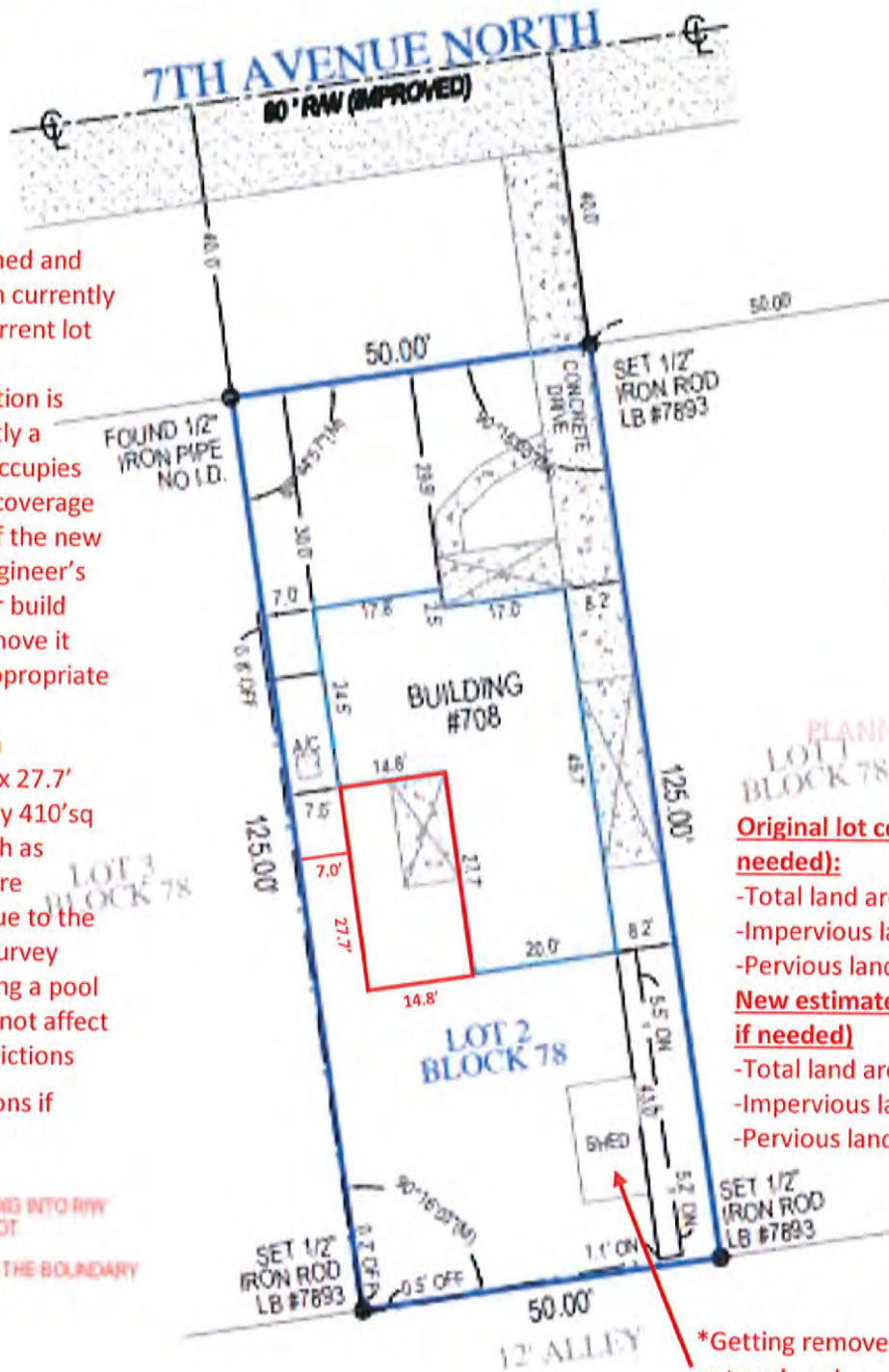
PROPOSED PG 2

Owner's Notes

- removing current shed and not replacing it which currently occupies 150.7' of current lot coverage
- where the new addition is going there is currently a concrete patio that occupies 117.6' of current lot coverage taking up a portion of the new addition based on engineer's opinion we will either build over the patio, or remove it and replace it with appropriate concrete
- the planned addition dimensions are 14.8' x 27.7' totaling approximately 410'sq (outlined in red) which as stated above 117.6' are already impervious due to the patio shown on this survey
- we also plan on adding a pool with no deck so as to not affect any lot coverage restrictions
- **verify any calculations if necessary**

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

THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY.



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PLANNING & DEVELOPMENT
 LOT 2 BLOCK 78

Original lot coverage (verify if needed):

- Total land area: 6,250 sq ft
- Impervious land area: 2,376 sq ft
- Pervious land area: 3,874 sq ft

New estimated lot coverage (verify if needed):

- Total land area: 6,250 sq ft
- Impervious land area: 2,517.7 sq ft
- Pervious land area: 3,732.3 sq ft

*Getting removed not replaced



BOUNDARY SURVEY
 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
 KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR AND MAPPER 86118

Kenneth Osborne

Digitally signed by Kenneth Osborne
 Date: 2021.11.19 10:05:48 -05'00'

PAGE 2 OF 2 PAGES
 ONLY CORRECT IF AUTHENTICITY PAGE 1



TARGET SURVEYING, LLC

LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
 WEST PALM BEACH, FL 33417
 PHONE: (561) 640-4808
 STATEWIDE PHONE: (800) 228-4807
 STATEWIDE FACSIMILE: (888) 741-0575
 WEBSITE: <http://targetsurveying.net>

LEGAL DESCRIPTION AND CERTIFICATION

EXISTING PG 1

LOT 2, BLOCK 78, PABLO BEACH NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FL.

Community Number: 120078 Panel: 0417 Suffix: J F.I.R.M. Date: Flood Zone: X Field Work: 11/18/2021

Certified To:

; AMERICA'S CHOICE TITLE COMPANY;;

Property Address:

708 7TH AVENUE NORTH
JACKSONVILLE BEACH, FL 32250

Survey Number: 512135

Client File Number: QOUTE

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21.100195
DEC 13 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:

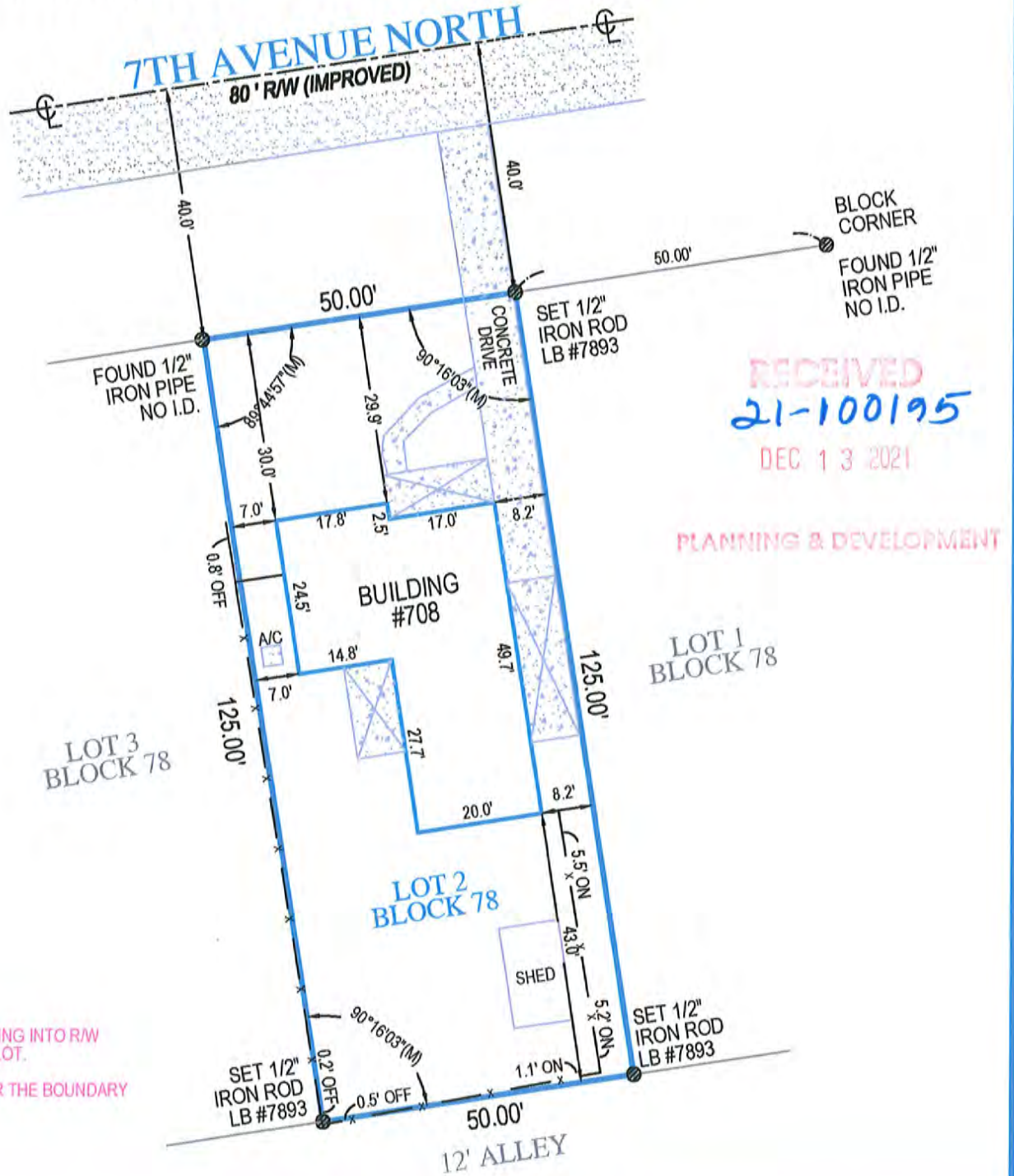
- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT 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.

 **TARGET**
SURVEYING, LLC
LB #7893
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>

TOTAL LAND AREA: 6,250 SQ. FT. (0.14 ACRE)
IMPERVIOUS LAND AREA: 2,376 SQ. FT. (0.05 ACRE)
PERVIOUS LAND AREA: 3,874 SQ. FT. (0.09 ACRE)

EXISTING PG 2



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

THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY.



BOUNDARY SURVEY 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: 2021.11.19
10:05:48 -05'00'

(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

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



LB #7893

SERVING FLORIDA

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
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WEBSITE: <http://targetsurveying.net>



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

BOA#21-100196

Zoning: RS-1
RE: 181706-0000
Legal: Lot 25, Block 4, Beach Homesites Unit 3
Address: 3830 Duval Drive

Request

Section(s): 34-336(e)(1)c.1 for a front yard setback of 23 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 28 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling

Exiting Conditions

The subject property is an existing lot of records (circa 1913) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is 95 feet in width, and 93 feet in depth on the north property line, and 102 feet in depth on the south property line, with a lot area of 9,308 square feet. A bulkhead was installed on the water side of the lot in 2018. The property is currently vacant.

Previous Variances: No previous variances found.

Staff Analysis

The subject property is currently substandard in area, mostly as a result of the rear of the property being adjacent to the lake. The rear property line is also not square, due to the lake and bulkhead. The proposed lot coverage of 40% based on the smaller lot size would be close to 35% if the lot was a full sized lot. The proposed front and rear yard setback encroachments are minimal, and the rear is caused by the rear property line being out of square. This also affects the front setback, as the proposed house would be pushed further into the front setback if the rear setback were met.

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.



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

- 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.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff does find that there are circumstances unique to the subject parcel of land. The minimum lot area for the RS-1 zoning district is 10,000 square feet. The subject property is 9,308 square 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 is a lot of records, platted in 1913, and purchased by the applicant in 2019. The applicant did not create the substandard nature of the lot.

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

Staff finds that the proposed variance will not confer special privileges. The applicant is requesting to build a single family home, which is allowed by right in the RS-1 zoning district.



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

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. Were the subject lot a conforming size to the RS-1 district, the proposed lot coverage contained in the application would be roughly 35%, and would have been in compliance with the limits in the Land Development Code.

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

Staff does find that the requested variances are the minimum variance needed to accommodate the proposed new home. As noted above, the proposed variance allows the applicant to construct the home proposed within what would be 35% lot coverage but for the deficiencies of the subject property in area. Additionally the setback encroachment is mainly a result of the irregular rear property line.

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

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

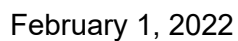
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#21-100196**

Location Map (property boundaries are reprehensive only)



VACATED WALKWAY, PER ORDINANCE 2003-7845, AS RECORDED IN PLAT BOOK 15, PAGES 66 AND 66A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 21-100196

HEARING DATE 2.1.22

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.

DEC 20 2021
11:30

APPLICANT INFORMATION

Applicant Name: Brad C. Wester **Telephone:** (904) 294-3768
Mailing Address: 1 Independent Drive, Suite 1200 **E-Mail:** bwester@drivermcafee.com
Jacksonville, Florida 32202
Agent Name: Brad C. Wester **Telephone:** (904) 294-3768
Mailing Address: 1 Independent Drive, Suite 1200 **E-Mail:** bwester@drivermcafee.com
Jacksonville, Florida 32202
Landowner Name: William A. McGriff, IV and Jill M. McGriff **Telephone:** (904) 386-1401
Mailing Address: 3830 Duval Drive **E-Mail:** jmmcgriff@comcast.net
Jacksonville Beach, Florida 3225

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: 3830 Duval Drive (RE# 181706-0000)
 Legal description of property (Attach copy of deed): See attached "Exhibit A"
 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).
 3 Variance requests: see attached separate sheet for details.

AFFIDAVIT

I, Brad C. Wester, 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

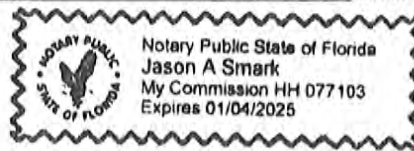
Brad Wester
 PRINT APPLICANT NAME

Dec 20, 2021
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20th day of DECEMBER, 2021, by BRAD C. WESTER who is personally known to me or produced FL DRIVERS LICENSE as identification.

[Signature]
 NOTARY PUBLIC SIGNATURE
JASON A. SMARK
 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-shaded

CODE SECTION (S):
 34-336(e)(1)c.1 for a front yard setback of 23 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 28 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 21-100196

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The size and shape of the lot is irregular and smaller than those in the immediate area. Additionally, the proposed home is smaller than the average home surrounding in the immediate area. (See Exhibit B).
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The size and shape of the lot is irregular and angular (not square) in the rear yard based on angle tie-in points to the immediately abutting lots to the north and south along Lake Duval. The lot is smaller than the average in the immediate area (see Exhibit B).
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The variance request is site specific and unique to this property as described and does not confer upon the applicant any special privileges denied to other parcels of land or buildings/structures in the same zoning in the neighborhood.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation and enforcement of the Code with regard to the open air porch areas as depicted in this application would work an unnecessary hardship compared to the size and/or shape of the other lots in the immediate neighborhood as described.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The variance requests are the minimal amount needed, and reasonable for the maximum function and enjoyment in keeping within character and harmony of the surrounding lots and residences.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The granting of this variance application is generally consistent with the Comprehensive Plan and LDC, and will not adversely affect adjacent land as described in this application and exhibits.

Exhibit A

Return to:
North American Title Company
328 9th Avenue North
Jacksonville Beach, FL 32250

This Instrument Prepared
under the supervision of:

Mark J. Loterstein, Esq.
North American Title Company
328 9th Avenue North
Jacksonville Beach, FL 32250

Property Appraisers Parcel Identification (Folio) No.:
181706-0000

Our File No.: 11662-19-00086

RECORDED
21-100196
DEC 20 2021

WARRANTY DEED

This Warranty Deed made this 30th day of April, 2019 by Turtle Nest, LLC a Florida Limited liability, and having its principal place of business at 3804 Duval Dr, Jacksonville, FL 32250, hereinafter called the grantor(s), to William A McGriff, IV and Jill M McGriff, husband and wife, whose post office address is 3830 Duval Drive, 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)

WITNESSETH: That the grantor(s), for and in consideration of the sum of \$10.00 (ten) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, allens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Duval County, State of Florida, viz:

Lot 7, Block D-6, PONTE VEDRA, together with the North 1/2 of the vacated walkway, per Ordinance 2003-7845, according to the map or plat thereof, as recorded in Plat Book 15, Page(s) 66, of the Public Records of Duval County, Florida.

SUBJECT TO: covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2019 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any,

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 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, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons.

Deed (Warranty - Corporate)

11662-19-00086

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:

Chloe Sellers
First Witness Signature

Chloe Sellers
Printed Signature

C. Huell
Second Witness Signature

Christina J. Huell
Printed Signature

TURTLE NEST, LLC a Florida Limited liability

By: BORSON, LLP, a Florida limited liability limited
partnership
It's Manager

By: The John G Bordon Irrevocable Trust
It's General Partner

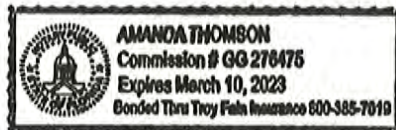
BY: Richard Brock
Trustee

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 29 day of April, 2019 by Richard Brock, the
Trustee, who has produced FL DRIVER'S as identification or is personally known to me to be the
persons therein.
License

Amanda Thomson
Notary Public, State of Florida

My commission expires:
Seal



Deed (Warranty - Corporate)

11662-1B-00086

21-100196
DEC 20 2021

PLANNING & DEVELOPMENT

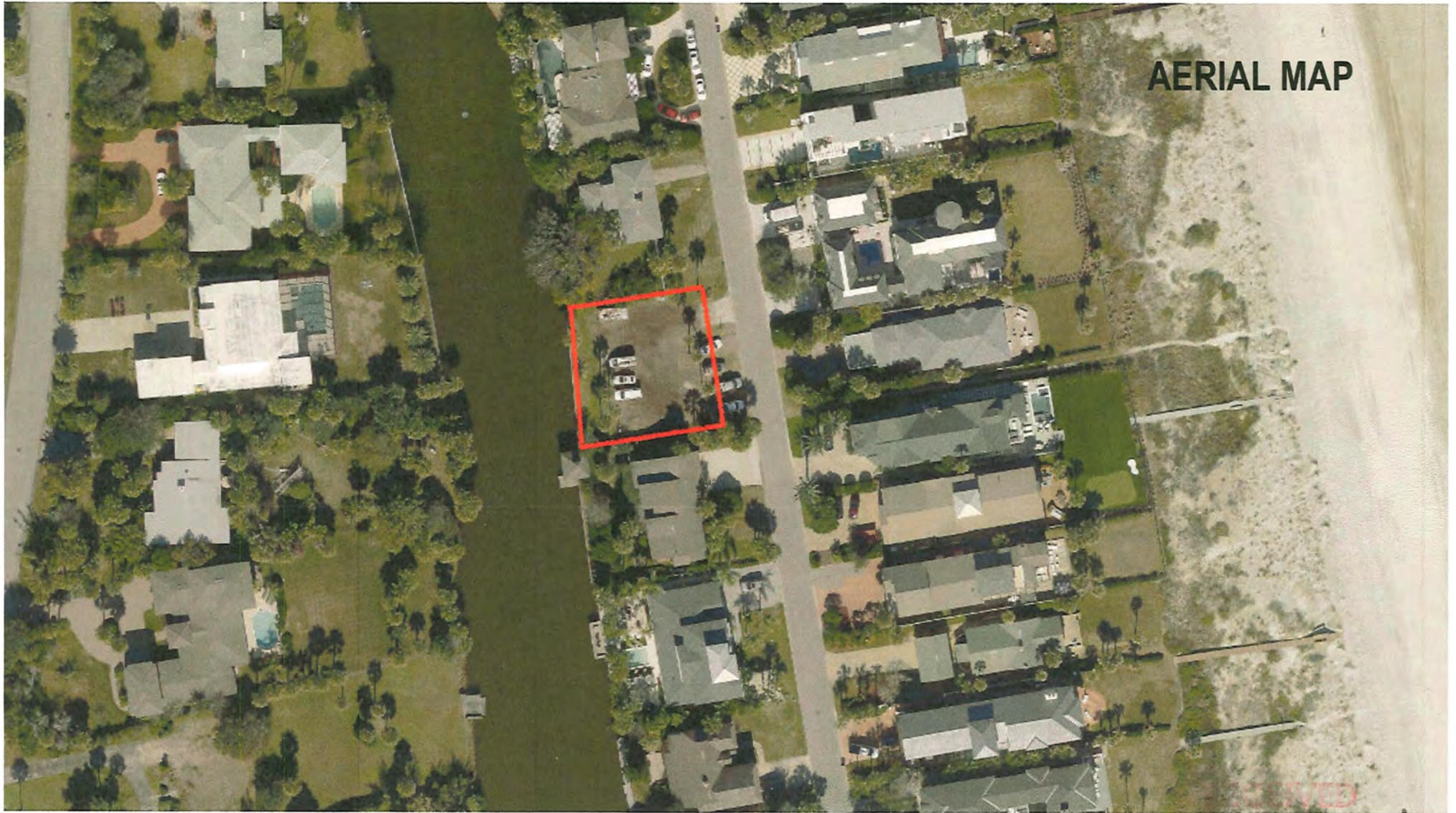
3830 Duval Dr.

Location Map

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PLANNING & DEVELOPMENT

AERIAL MAP



DEC 20 2021
21-100196

PLANNING & DEVELOPMENT

Exhibit B

Character summary of property and neighborhood:

A comparison study of the five (5) properties immediately abutting to the north and south, two (2) properties to the west across Lake Duval, and three (3) properties to the east across Duval Drive conclude that the size the proposed home and lot at 3830 Duval Drive is less than the gross square footage of the average size home and lot, which is consistent with the character and scale of the neighborhood. The variance requests outlined below do not negatively impact the character, health, safety, or well-being of the surrounding residents and properties, as they are minimal in terms of size and scale, but provide maximum function and aesthetic value in character with the area considering the irregular shape and small size of the lot.

Variance Requests for 3830 Duval Drive:

- 1) Rear yard setback of 28' in lieu of required 30' to accommodate a 2nd floor porch corner area extending into irregular shaped diagonal rear lot line at its furthest encroachment point (see site plan). The porch encroaches 2' on the furthest NW corner. The small amount of open-air rear porch extension is generally designed in context with the angled setback line and home architectural features and enclosed square footage along the SW corner and NW corner of the house. As depicted on the site plan and architectural renderings, the rear portions of the home conform to the angled rear setback line, except for the NW corner area of the open-air rear porch.
- 2) Front yard setback of 23' in lieu of required 25' to accommodate a 2nd floor porch that extends along a portion of the front of the house (see site plan). The encroachment allows for 18" of usable outdoor area under roof and up to 24" max to the edge of the front railing and support posts. The small amount of open-air front porch extension allows for architectural relief and embellishment to provide a functional porch with visual interest from Duval Drive. The shape of the lot is slightly irregular and the size (0.21ac) is smaller than the average lot size of the immediately surrounding lots (0.37ac). Additionally, the gross square footage of the proposed home (2,718sf) is smaller than the average gross square footage of 4,295sf of the immediately surrounding home size.
- 3) Increase maximum lot coverage from 35% to 40% for inclusion of all elements of the home, including driveways, hardscape and mechanical/pool equipment. The total percentage on the plan is 38.6%, however, based on final engineering and field construction changes to accommodate possible unforeseen elements we respectfully request a variance for up to 40% for the lot coverage. The size and shape of the lot, as previously mentioned, is irregular and a lot coverage increase would accommodate the proposed plan to be in character with the style and context of the neighborhood.



SITE PLAN
Scale: 1/8" = 1'-0"

DO NOT MEASURE DRAWINGS
NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES
PRIOR TO CONSTRUCTION. SEE GENERAL NOTES

McGRIFF RESIDENCE (PROPOSED) R-1		
SITE DATA - IMPERVIOUS / PERVIOUS CALCULATIONS		
SITE AREA:	9,308	SQ. FT.
MAXIMUM IMPERVIOUS AREA ALLOWABLE:	35% (3,238 SQ. FT.)	
HARDSCAPE TAKE-OFFS:		
IMPERVIOUS		
BUILDING COVERAGE / PORCH	2,726	SQ. FT.
DRIVEWAY	330	SQ. FT.
POOL DECK & TURF COLLAR	262	SQ. FT.
A/C PADS	27	SQ. FT.
POOL EQUIPMENT	26	SQ. FT.
IPE DECKS (1/2" GAPS - 25% reduction)	226	SQ. FT.
TOTAL IMPERVIOUS:	3,589	SQ. FT.
PERCENTAGE OF SITE IMPERVIOUS:	38.6%	
VARIANCE REQUEST - 40% MAX. ISR or 3,723 SQ. FT.		

NOTE: IPE DECKS TO HAVE 1/2" MINIMUM DECK BOARD GAPS
PROVIDING FOR 25% REDUCTION FOR IMPERVIOUS AREA.

McGRIFF RESIDENCE
3830 DUVAL DR.
JACKSONVILLE BEACH, FLORIDA 32250



CRONK DUCHI
ARCHITECTURE

1838 San Marco Blvd., Suite 101, Jacksonville, Florida 32225 U.S.A.
Office: 904.833.3344
21 Catherine Way, Suite 200, Palm Beach, Florida 33480
Office: 561.352.8327

CONTRACTOR:
MORALES GROUP
8200 PHILIPS HIGHWAY, STE. 15
JACKSONVILLE, FL 32216
U.S.A.
PH: (904) 299-6500
FAX: (904) 299-6546
WEBSITE: www.moralesgroup.com

STRUCTURAL:
HILSEBERG ENGINEERING, INC.
12008 SAN JOSE BLVD. STE. #1001
JACKSONVILLE BEACH, FL 32223
U.S.A.
PH: (904) 889-2401
WEBSITE: www.hilsebergengineering.com

REVISION	DATE
PERMIT SET	11/01/21

ARCHITECT'S SEAL

DATE: 01/05/21, P.L.E. NO.

FOR: _____

AS SHOWN: _____

DATE: 01/05/21, P.L.E. NO.

DATE: 01/05/21, P.L.E. NO.

PROJECT: 21-100196

PERMIT SET

PROJECT NUMBER

NEW RESIDENCE

3830 DUVAL DR.

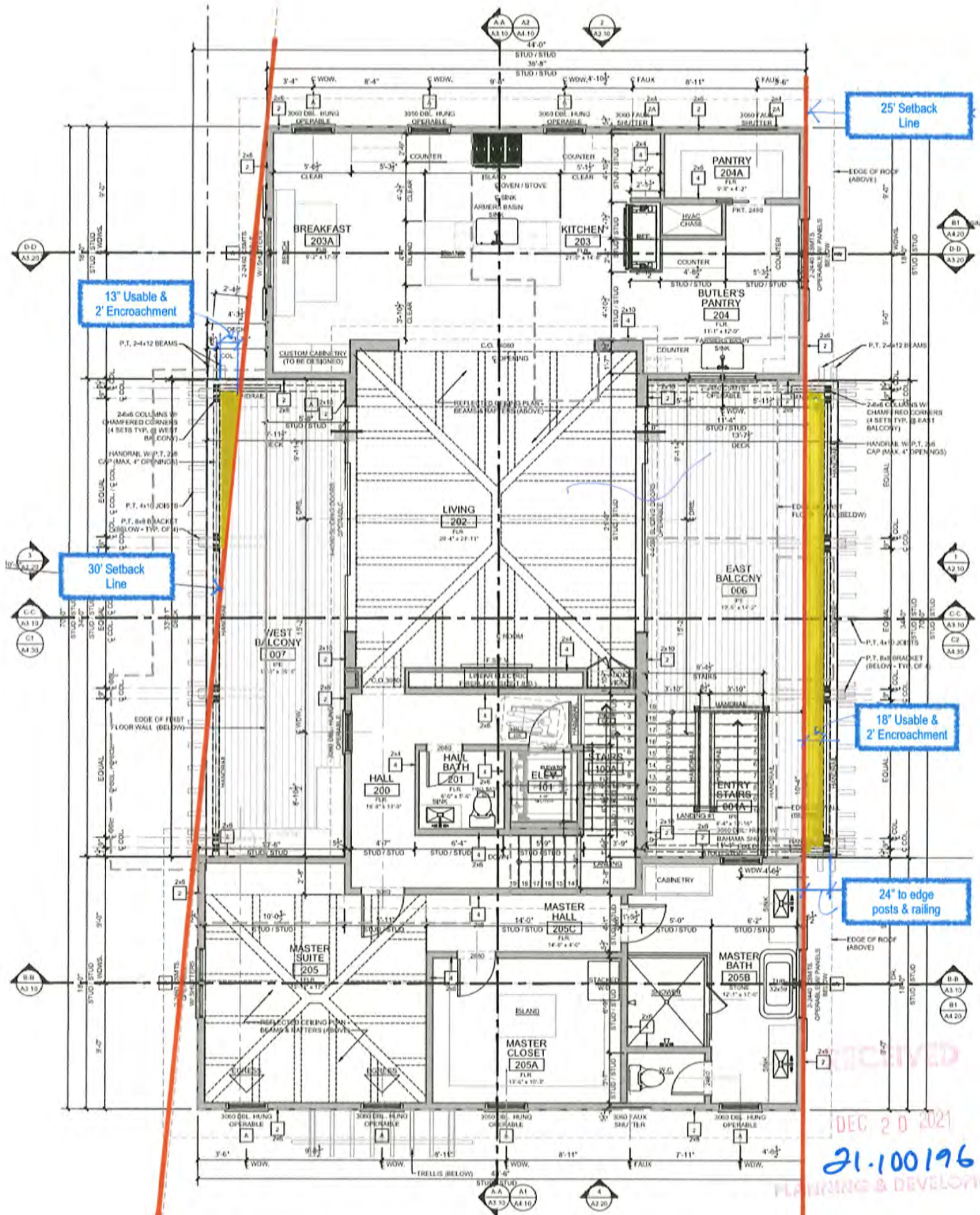
JACKSONVILLE BEACH, FL 32250

McGRIFF RESIDENCE

SITE PLAN

AS1.00

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DEC 20 2021
PLANNING & DEVELOPMENT



DEC 20 2021
21-100196

PLANNING & DEVELOPMENT

30'
REAR
SETBACK

RECEIVED
21-100196
DEC 20 2021

PLANNING & DEVELOPMENT

AREA INSIDE
REAR
SETBACK

AREA OF USABLE
PORCH BEYOND REAR
SETBACK

AREA INSIDE
REAR
SETBACK



RECEIVED
21-100196
DEC 20 2021

PLANNING & DEVELOPMENT





RECEIVED

DEC 20 2021
21-100196
PLANNING & DEVELOPMENT



RECEIVED

DEC 20 2021
21-100196

PLANNING & DEVELOPMENT



DEC 20 2021
21-100196
PLANNING & DEVELOPMENT

PROPOSED

McGRIFF RESIDENCE (PROPOSED) R-1

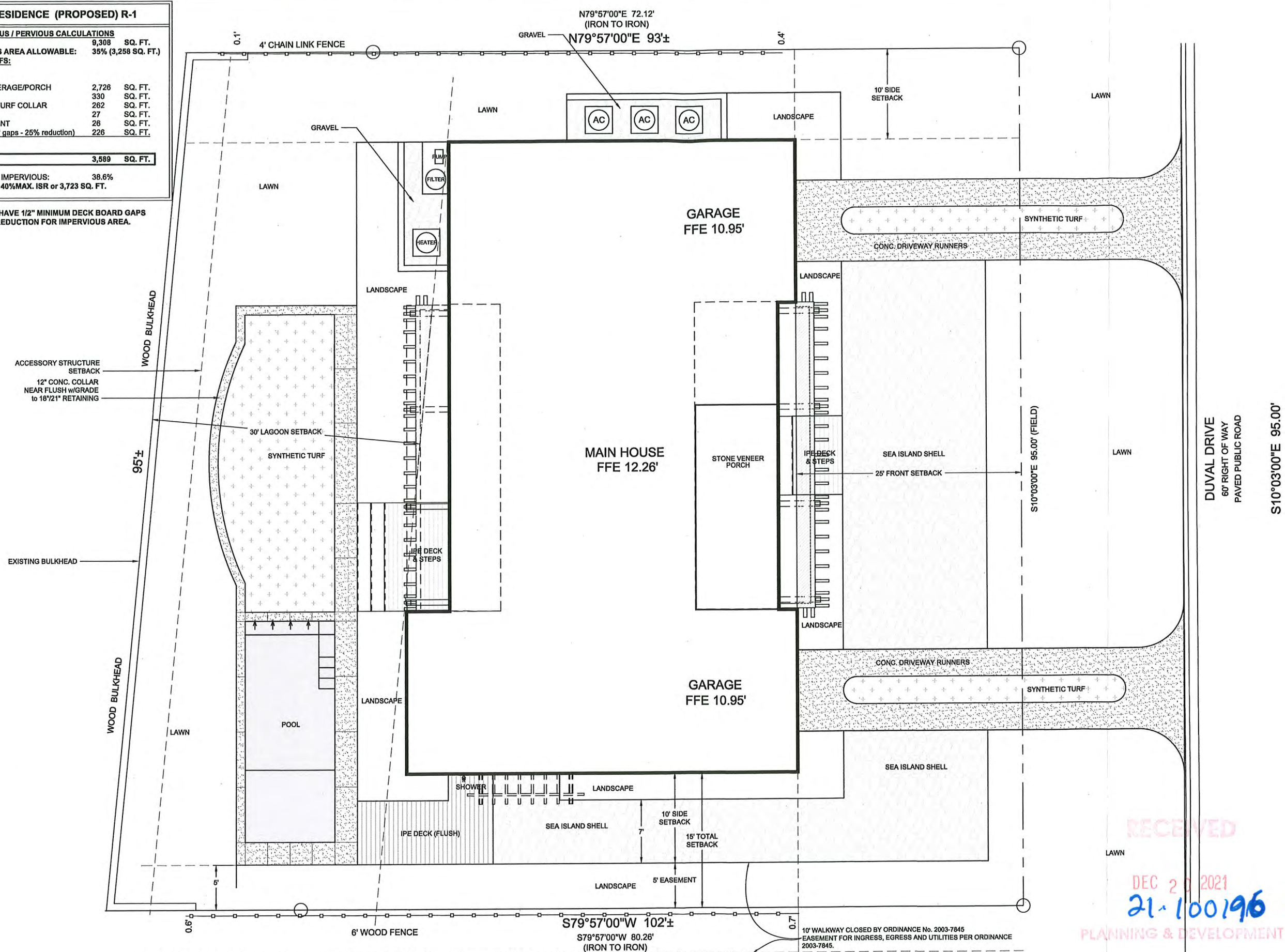
SITE DATA - IMPERVIOUS / PERVIOUS CALCULATIONS
SITE AREA: 9,308 SQ. FT.
MAXIMUM IMPERVIOUS AREA ALLOWABLE: 35% (3,258 SQ. FT.)
HARDSCAPE TAKE-OFFS:

IMPERVIOUS		
BUILDING COVERAGE/PORCH	2,726	SQ. FT.
DRIVEWAY	330	SQ. FT.
POOL DECK & TURF COLLAR	262	SQ. FT.
A/C PADS	27	SQ. FT.
POOL EQUIPMENT	26	SQ. FT.
IPE DECKS (1/2" gaps - 25% reduction)	226	SQ. FT.

TOTAL IMPERVIOUS: 3,589 SQ. FT.

PERCENTAGE OF SITE IMPERVIOUS: 38.6%
VARIANCE REQUEST - 40% MAX. ISR or 3,723 SQ. FT.

NOTE: IPE DECKS TO HAVE 1/2" MINIMUM DECK BOARD GAPS PROVIDING FOR 25% REDUCTION FOR IMPERVIOUS AREA.



McGRIFF RESIDENCE

3830 DUVAL DRIVE
JAX. BEACH, FL 32250



SCALE: 3/16" = 1' - 0"
TO BE PRINTED 22" X 34"

SITE PLAN (Impervious Surface Ratio)

DATE: 12.17.21

REVISIONS:		
No.	Date	Notes

SHEET NUMBER:

V-1

APPROVAL DOCUMENT

JOB #: 20002 DRAWN BY: LBR
THIS DRAWING IS THE PROPERTY OF LANDWISE DESIGN, INC. UNLESS OTHERWISE PROVIDED FOR BY CONTRACT, THE CONTENTS OF THIS DRAWING ARE CONFIDENTIAL AND SHALL NOT BE TRANSMITTED TO ANY OTHER PARTY EXCEPT AS AGREED TO BY LANDWISE DESIGN, INC.
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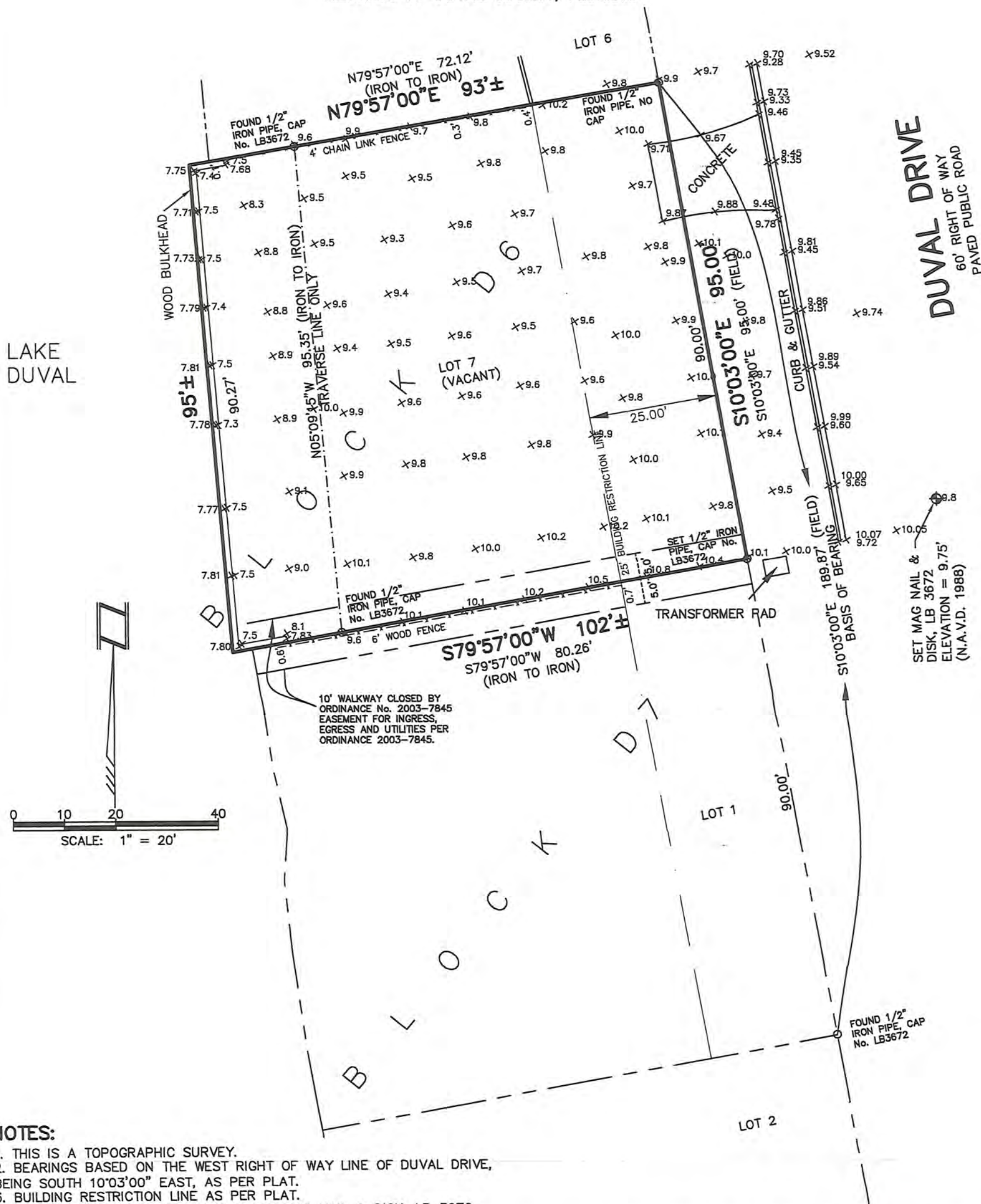
LANDWISE DESIGN
1838 SAN MARCO BLVD., SUITE 101, JAX, FL 32207 904.343.4174

RECEIVED
DEC 21 2021
21-100196
PLANNING & DEVELOPMENT

EXISTING

MAP SHOWING SURVEY OF

LOT 7, BLOCK D6, PONTE VEDRA, TOGETHER WITH THE NORTH 1/2 OF THE
VACATED WALKWAY, PER ORDINANCE 2003-7845, AS RECORDED IN
PLAT BOOK 15, PAGES 66 AND 66A OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES:

1. THIS IS A TOPOGRAPHIC SURVEY.
2. BEARINGS BASED ON THE WEST RIGHT OF WAY LINE OF DUVAL DRIVE, BEING SOUTH 10°03'00\"/>

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (SHADED) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12109C0019J REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

THIS SURVEY WAS MADE FOR THE BENEFIT OF WILLIAM A. MCGRUFF IV; JILL MCGRUFF.

DEC 20 2021
21-100196
DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: _____
DRAWN BY: K LW
FILE: 2020-0192

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

DATE: MARCH 6, 2020
SHEET 1 OF 1

RECEIVED
21-100196
DEC 30 2021

Heather Ireland
AICP Planning Director of Jacksonville Beach

Dear Ms. Ireland:

We are writing to you regarding 3830 Duval Drive and the upcoming variance meeting. We are neighbors directly across the street from this property.

We have seen the current renderings of the proposed house. We have no concerns with any of the proposed variance issues including the porches and the slight increase in lot coverage due to the issues the McGriff's face with the small size of their lot.

We give the McGriff's our support during this process.

Sincerely,

Ken and Barb Sweder
3829 Duval Drive
Jacksonville Beach, FL 32250

**MG and Donna Orender
3909 Duval Drive
Jacksonville Beach, Fl. 32250**

RECEIVED
21-100196
DEC 20 2021

December 10, 2021

Heather Ireland, AICP
Planning Director of
Jacksonville Beach

Dear Ms. Ireland,

My name is MG Orender. I have lived at 3909 Duval Drive for over 25 years. Our home is basically across the street from the new home being proposed by the owners of the lot at 3830 Duval Drive. The McGriff's have shared their house plans and the requested variances with us, and I have no issue with their minor changes. Currently the lot is empty and frankly it would be to our benefit, and I believe the street to have a home on that lot.

The design as submitted is attractive and the slight setback and porch extensions frankly are minor and very aesthetically appealing. This would be a great addition to Duval Drive.

If you wish to discuss my views please feel free to reach out.

Regards,



MG Orender

F. Scott Saltmarsh
3848 Duval Drive
Jacksonville Beach, FL 32250

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21-100196
DEC 20 2021

Heather Ireland
AICP Planning Director of Jacksonville Beach

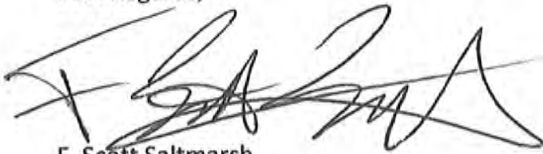
Dear Ms. Ireland:

We are writing to you regarding 3830 Duval Drive and the upcoming variance meeting. We are neighbors directly next door from this property.

We have seen the current renderings of the proposed house. We have no problem with any of the variance issues including the porches and the slight increase in lot coverage due to the hardship the McGriff's face with the small size of their lot.

We give the McGriff's our support during this process.

Best Regards,



F. Scott Saltmarsh
3848 Duval Drive
Jacksonville Beach, FL 32250

Heather Ireland
AICP Planning Director
Jacksonville Beach, Florida

RECEIVED
21.100196
DEC 20 2021

PLANNING & DEVELOPMENT

Dear Ms. Ireland

We reside at 3903 Duval Drive and have lived there since 1993. The McGriffs have shared with us their plans for their new residence at 3830 Duval Drive which is across the street from us. They have explained their request for a variance.

After reviewing their plans we are fully supportive of their request for a variance. The architectural elements afforded by the variance will enhance the look of the house and we believe a positive outcome for the neighborhood. Please feel free to contact us with any questions or concerns.

Ed and Billie Jo Burr.

Sent from my iPad

Steve and Paula Lear
3922 Duval Drive
Jacksonville Beach, FL 32250

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DEC 20 2021

PLANNING & DEVELOPMENT

Heather Ireland
AICP Planning Director of Jacksonville Beach

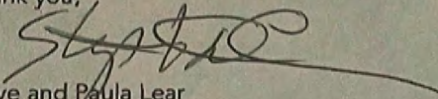
Dear Ms. Ireland:

We are writing to you regarding 3830 Duval Drive and the upcoming variance meeting. We are neighbors two doors down from this property.

We have seen the current renderings of the proposed house. We have no problem with any of the variance issues including the porches and the slight increase in lot coverage due to the hardship the McGriff's face with the small size of their lot.

We give the McGriff's our support during this process.

Thank you,


Steve and Paula Lear