



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, April 5, 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, Jennifer Williams

APPROVAL OF MINUTES

A. Regular Board of Adjustment Meeting held on March 15, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. Case Number(s): BOA#22-100020

Applicant: Mr. Jean Bakkes

Agent: N/A

Owner: Marshpoint Multi Family One, LLC. - Jean Bakkes

Property Address: 220 5th Avenue South

Parcel ID: 175964-0000

Legal Description: Lots 3, 4, 5 and 6, Block 53, *Pablo Beach South*

Current Zoning: C-1

Motion to Consider: 34-340(e)(3)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly side yard of 9 feet in lieu of 10 feet minimum and a westerly corner side yard of 10 feet in lieu of 20 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 17 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1, 2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking spaces in lieu of two required spaces per unit all to rectify existing non-conformities of an existing multi-family dwelling

B. Case Number(s): BOA#22-100021

Applicant: Mr. Jean Bakkes

Agent: N/A
Owner: Marshpoint Multi Family One, LLC - Jean Bakkes
Property Address: 207 9th Avenue North
Parcel ID: 174533-0000
Legal Description: Lots 7,8, 9 and 10, Block 103, *Pablo Beach Improvement Company's Replat of Part of Northern Portion of Pablo Beach*
Current Zoning: C-1 / RM-2
Motion to Consider: 34-340(e)(3)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly corner side yard setback of 9 feet in lieu of 20 feet minimum and a westerly side yard setback of 7 feet in lieu of 10 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1,2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking in lieu of two required spaces per unit to rectify existing non-conformities of an existing multi-family dwelling

C. **Case Number(s): BOA#22-100022**

Applicant: Eric Griggs
Agent: N/A
Owner: For His Ultimate Glory, LLC. - Eric Griggs
Property Address: 134 1st Street South
Parcel ID: 175603-0000
Legal Description: The South 39 feet of Lot 8, Block 12, *Pablo Beach South*
Current Zoning: CBD
Motion to Consider: 34-338(e)(1)c.1, for a front yard setback of 10 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for a corner side yard of 0 feet in lieu of 10 feet minimum and a combined side yard of 5 feet in lieu of 15 feet minimum; 34-338(e)(1)c.3, for a rear yard of 20 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 58% in lieu of 35% maximum to allow for construction of a new single family dwelling

D. **Case Number(s): BOA#22-100023**

Applicant: Tom & Penny Yamamoto
Agent: Daniel Romano
Owner: Kato Maki Trust
Property Address: 902 3rd Avenue North
Parcel ID: 173852-0000
Legal Description: Lots 1 and 2, Block 40, *Atlantic Park*
Current Zoning: RS-2
Motion to Consider: 34-337(e)(1)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum to rectify existing non-conformities at an existing single-family dwelling

E. **Case Number(s): BOA#22-100024**

Applicant: Janet S South
Agent: N/A
Owner: Janet S South
Property Address: 1118 Ruth Avenue

Parcel ID: 179937-0100
Legal Description: West ½ of Lot 16, All of Lot 17, and the East ½ of Lot 18, Block 11, *Williams Coastal Boulevard Heights*
Current Zoning: RS-2
Motion to Consider: 34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; 34-337(e)(1)g, for accessory structure setbacks of 1 foot, 0 feet, and 4 feet in lieu of 5 feet minimum from the southern, western and eastern property lines to rectify non-conformities of an existing concrete swimming pool deck; 34-373(d), for an off-street parking area setback of 0 feet in lieu of 5 feet minimum to expand the existing driveway; and 34-392(a)(1), for paver walkways of 0 feet in lieu of 2 feet minimum from the western and eastern property lines to construct new walkways and allow for improvements to a developed single-family property

F. **Case Number(s): BOA#22-100025**

Applicant: Shaun Guske
Agent: Bob Hamil - Henderson Pools
Owner: Shaun Guske
Property Address: 815 17th Avenue North
Parcel ID: 175211-0000
Legal Description: Lot 17, Block 4, *Beach Homesites Unit Three*
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)e, for lot coverage of 46% in lieu of 35% maximum to allow for construction of a new swimming pool deck and widening of the existing driveway at an existing single family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, April 19, 2022. There are five 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

**Minutes of Board of Adjustment Meeting
held Tuesday, March 15, 2022, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Board Member Jeff Truhlar called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez (absent)

Vice-Chairperson: Owen Curley (absent)

Board Members: Dan Elmaleh (absent)

Alternates: Todd Smith

Jeff Truhlar

Jennifer Williams

John Moreland

Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to nominate Mr. Truhlar as acting Chairperson and Mr. Smith as acting Vice-Chairperson for the meeting.

In a voice vote, the motion was unanimously approved.

APPROVAL OF MINUTES:

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

- March 1, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#22-100009

Applicant: Loveluci, LLC., Misti Stephens & Nancy Love
Agent: Scott Rae
Owner: Loveluci, LLC
Property Address: 422 9th Avenue North
Parcel ID: 174457-0000

City of Jacksonville Beach Land Development Code Section(s): 34-339(e)(1)f, for lot coverage of 44% in lieu of 35% maximum to allow for construction of a new two-family dwelling.

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

Agent: Scott Rae, 345 South Roscoe Boulevard, Ponte Vedra Beach, stated the hardship was the lot size. He noted the pavers in the original plan were not available, and they had to revise the design with pea gravel. The agent provided a handout to the clerk, distributed to the Board [on file].

A discussion ensued regarding the driveway material, lot coverage, and clarification of dimensional standards in the RM-1 zoning district.

Public Hearing:

The following spoke in opposition to the variance:

- Mary Phillips, 934 10th Street North, Jacksonville Beach

The following submitted a speaker card in support of the variance but did not wish to speak:

- Emily Stouffer, 204 Laguna Villa Boulevard Unit A21, Jacksonville Beach

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to deny BOA#22-100009 based on the testimony and evidence provided that the request has not met the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Jennifer Williams

The motion to deny was unanimously approved.

B. Case Number: **BOA#22-100010**
Applicant/Owner: Svetoslav Rankov
Property Address: 1105 11th Avenue North
Parcel ID: 178999-0060

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

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

Applicant: Svetoslav Rankov, 1105 11th Avenue North, Jacksonville Beach, stated his driveway was sand, and they wanted to install paving strips.

A discussion ensued regarding lot coverage and miscalculation of lot coverage.

Mr. Popoli confirmed the applicant's original developer submitted a plan with an incorrect lot coverage calculation. The City accepted the calculation as truthful, issued the permit, and

construction started. However, when the as-built survey was completed, it was determined the project was above lot coverage by approximately two percent. He noted it was a combined mistake by the City and the contractor. He confirmed the side setback for the walkway was 1.4 feet, and they can encroach up to two feet.

Public Hearing:

No one came forth to speak on this item. Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to approve BOA#22-100010, based on the standards for a variance outlined in Section 34-286 of the Land Development Code, subject to the condition of strips and pavers only to complete the driveway.

Discussion: None

Amended Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to add “subject to the condition of the existing site plan as submitted.”

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar

The amended motion was unanimously approved.

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar

The original motion, as amended, was unanimously approved.

C. Case Number: BOA#22-100012

Applicant: New Atlantic Builders, Inc
Agent: Stephen B. Williams, EXP Realty
Owner: DaveCar Investments, LLC.
Property Address: '0' 12th Avenue South (113 12th Avenue South)
Parcel ID: 176191-0010

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.2, for a side yard setback of 7.5 feet in lieu of 10 feet minimum; and 34-340(e)(1)f, for lot coverage of 44% in lieu of 35% maximum to allow for construction of a new two-family dwelling.

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

Applicant: Stephen Williams, 3731 Duval Drive, Jacksonville Beach, asked for the item to be deferred.

Mr. Popoli noted they noticed 44% and not the requested 49% lot coverage. He said they would re-advertise it at the correct lot coverage.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to defer BOA#22-100012 until the next appropriate meeting.

Roll Call Vote: In a voice vote, the motion to defer was unanimously approved.

Mr. Popoli said he would try to get the item on the April 5, 2022 meeting agenda, but it could be on the April 19, 2022 meeting agenda.

D. Case Number: BOA#22-100016

Applicant: Wendi Wheeler Meek
Owner: Wheeler, Wheeler W Revocable Living Trust
Property Address: 1485 2nd Street North
Parcel ID: 173988-0010

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.1, for a front yard setback of zero feet in lieu of 20 feet minimum to allow for construction of a new second story attached deck to an existing single-family dwelling.

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

Applicant: Wendi Wheeler Meek, 10826 Cross Wicks Road, Jacksonville, stated the hardship was the lot size.

Public Hearing:

No one came forth to speak on this item. Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to approve BOA#22-100016, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar
The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, April 5, 2022. There are six scheduled cases.

Mr. Popoli reminded the Board to schedule their individual training with the City Attorney's office.

COURTESY OF THE FLOOR TO VISITORS

None

ADJOURNMENT

There being no further business, Mr. Truhlar adjourned the meeting at 7:51 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT



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

BOA#22-100020

Zoning: C-1
RE: 175964-0000
Legal: Lots 3, 4, 5 & 6, Block 53, Pablo Beach South
Address: 220 5th Avenue South.

Request

Section(s): 34-340(e)(3)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly side yard of 9 feet in lieu of 10 feet minimum and a westerly corner side yard of 10 feet in lieu of 20 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 17 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1, 2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking spaces in lieu of two required spaces per unit all to rectify existing non-conformities at an existing multi-family dwelling

Existing Conditions

The subject property is comprised of 4 existing nonconforming lots of record (circa 1909) located in the Commercial Limited future land use category. The property is currently zoned Commercial Limited: C-1. The property is currently completely occupied by a large multifamily structure built in 1969. The structure currently has no conforming off street parking. It also currently adheres no none of the required yard setbacks. The property is designed with a structure that's roughly "C" shaped, with two wings adjoining to a main central structure. The middle of the "C" is occupied by common space and a swimming pool. Although the property does have some parking partially on the property, it is not designed in a way that would meet the Land Development Code in both dimensions and quantity.

Staff Analysis

The subject property was developed as a Multifamily structure in 1969. The structure that currently exists is substantially unchanged from its' original state. The current owner wishes to address all existing nonconformities. The building was constructed prior to the adoption of the Land Development Code, making this a legal nonconforming structure. As the owner is incapable of moving or redesigning the structure without completely demolishing the current building, a variance is the only way to address the deficiencies.



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Minimum Dimensional Standards

Multiple family dwellings. (RM-2 Standards)

- Minimum lot area: Five thousand (5,000) square feet, plus one thousand (1,000) square feet for each unit in excess of two (2), except that the gross density shall not exceed forty (40) units an acre.
- 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: Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- Floor area: Multiple family dwelling unit shall contain the following minimum square feet of conditioned living area excluding garages, carports and breezeways.
 - One bedroom unit—Seven hundred (700) square feet.
 - Two bedroom unit—Nine hundred (900) square feet.
 - Three bedroom unit—One thousand one hundred (1,100) square feet.
 - This square footage requirement shall also apply to units sold as condominiums.
- Maximum lot coverage: Sixty-five (65) 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 structure. The current structure is nonconforming in both location and parking, and was constructed in 1969, prior to the adoption of the code.



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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 structure was built in 1969, and long before the adoption of the current codes. The applicant purchased the structure in 2021, and is not proposing any exterior changes to the footprint or parking.

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 not find that the proposed variance will confer special privileges. The applicant is only requesting to make the existing structure legally conforming through the variance process.

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. The structure is existing and built prior to the adoption of the current dimensional standards. Literal application of the code would require the existing structure to meet setbacks and parking requirements that can't physically be met on sight in its current state.

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 two family dwelling. The applicant has simply requested a variance that matches the existing conditions of the currently occupied multifamily structure. No expansion or changes to the site are requested.

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



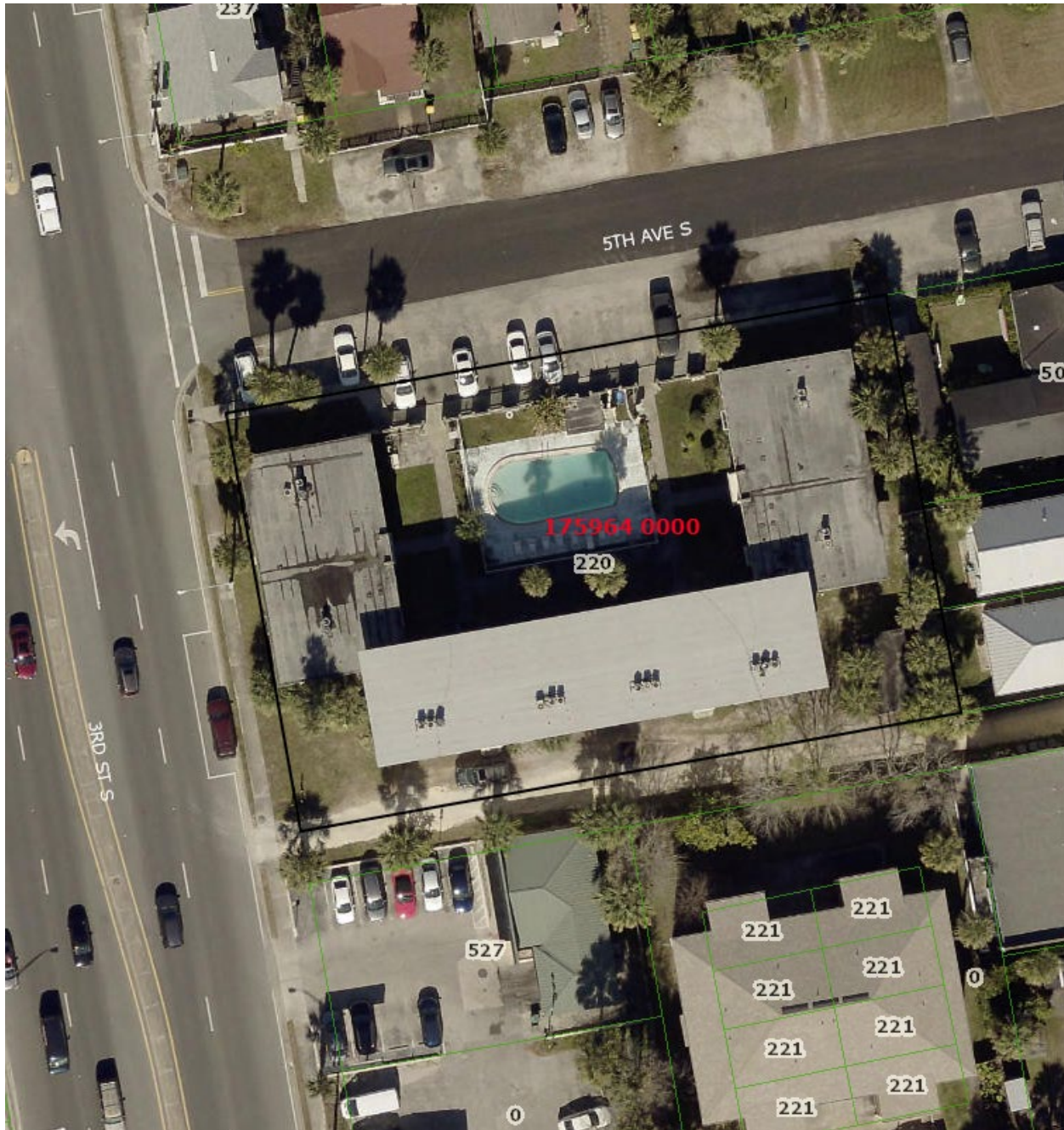
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the adopted comprehensive plan. It should be noted the current property is over the density limits for this land use, and should the structure every be destroyed, any rebuild of the structure would require the number of units to be reduced to the allowable limit in the 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#22-100020**

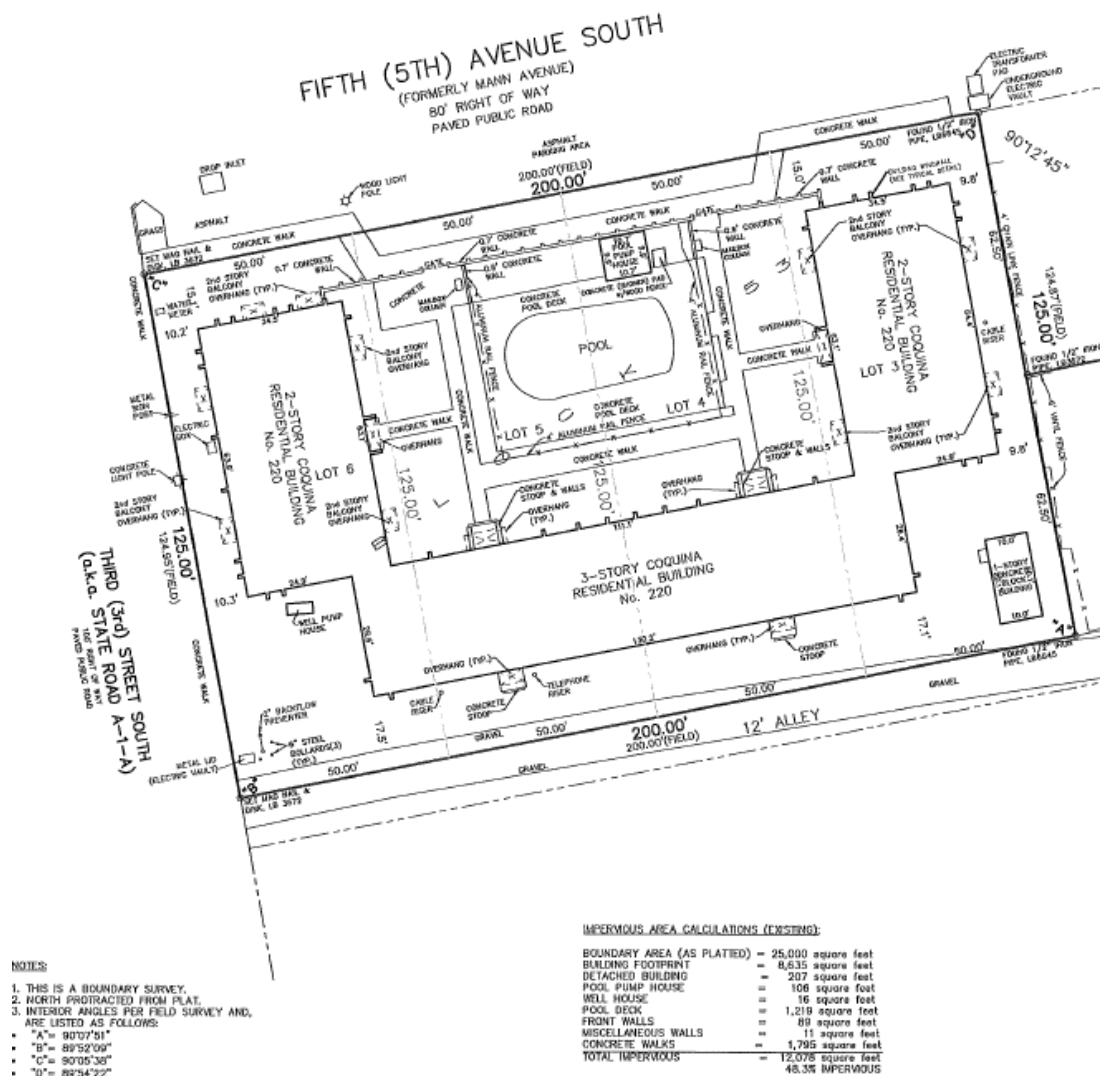
Location Map (property boundaries are representative only)



Existing Survey

MAP OF SURVEY

LOTS 3, 4, 5, AND 6, BLOCK 53, PABLO BEACH SOUTH, ACCORD
THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 28, OF THE CURRE
OF DUVAL COUNTY, FLORIDA.



THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE
X" (SHADED) AS WELL AS CAN BE DETERMINED FROM
FLOOD INSURANCE RATE MAP NO. 1303604171 EFFECTIVE



APPLICATION FOR VARIANCE

BOA NO. 22-100020

HEARING DATE 4.5.22

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: Jean Bakkes Telephone: (904) 853-6801
Mailing Address: 2300 Marsh Point Rd, Suite 301 E-Mail: jean@skyenterprises.com
Neptune Beach, FL 32266

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

Landowner Name: Marshpoint Multi Family One LLC Telephone: (904) 853-6801
Mailing Address: 2300 Marsh Point Rd, Suite 301 E-Mail: jean@skyenterprises.com
Neptune Beach, FL 32266

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: 220 5th Avenue South (RE:175964-0000)
Legal description of property (Attach copy of deed): lots 3, 4, 5 and 6, Block 53, Pablo Beach South, according to the Plat thereof as recorded in Plat Book 3, Page 26 of the current Public Records of Duval County, Florida.

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

Setbacks are currently 15' N, 9'8" E, 17'1" S, 10'2" W

Parking-Property does not have code required parking for number of units.

Unit Sizes are below code required minimums.

AFFIDAVIT

I, Jean Bakkes, 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 _____

PRINT APPLICANT NAME _____

DATE 2/7/2022

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17th day of February, 20 22, by Jean Bakkes who is personally known to me or produced _____

NOTARY PUBLIC SIGNATURE _____

PRINT NOTARY NAME _____



Virginia Wetzel
COMMISSION # GG233893
EXPIRES: July 1, 2022
Bonded Thru Aaron Notary

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):

34-340(e)(3)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly side yard of 9 feet in lieu of 10 feet minimum and a westerly corner side yard of 10 feet in lieu of 20 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 17 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1, 2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking spaces in lieu of two required spaces per unit all to rectify existing non-conformities at an existing multi-family dwelling



February 17, 2022

Planning and Development Department
City of Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach, FL 32250

RE: Letter of Intent for Variance Request
Property Address: 220 5th Avenue South

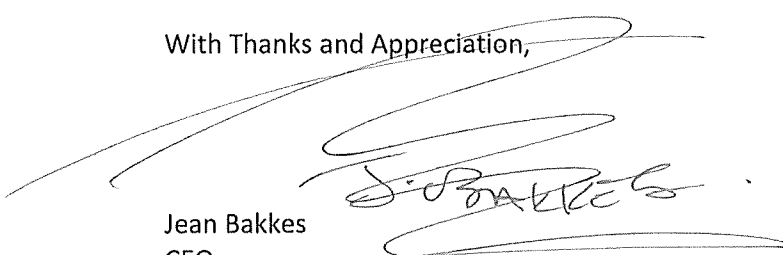
Department of Planning and Development:

This Letter of Intent is in support of our Variance Request to address the non-conforming properties of the property covering setbacks, parking, and unit sizes on the aforementioned property.

Currently, the setbacks are 15' N, 9'8" E, 17'1" S, 10'2" W. Regarding Parking, the property does not have the code required number of parking spaces for the number of units. The unit sizes existing are below current code required minimum, as built in 1969.

These three pre-existing non-conforming conditions create a hardship as they are existing as built before the present code came to be. Note: Building built around 1969.

With Thanks and Appreciation,


Jean Bakkes
CEO
Marshpoint Multi Family One LLC

RECEIVED
22-100020
FEB 18 2022

PLANNING & DEVELOPMENT

(904)-853-6801
2300 Marsh Point Rd. #301
Neptune Beach, FL 32266

RECEIVED

22-100020

FEB 18 2022

PREPARED BY AND RETURN TO:

Ross H. Chaffin, Esquire (DBF)
Fisher, Tousey, Leas & Ball, P.A.
501 Riverside Avenue, Suite 600
Jacksonville, Florida 32202

NOTE TO CLERK: CONSIDERATION ON THIS TRANSFER IS IN THE AMOUNT OF \$3,871,875.00.
DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$27,103.30 IS BEING PAID ON THIS TRANSFER.

PLANNING & DEVELOPMENT

WARRANTY DEED

THIS INDENTURE, made effective as of the 31st day of March, 2021, by and between K-TOWN, INC., a Florida corporation, the address for which is 1504 Bigtree Road, Neptune Beach, Florida 32266 party of the first part, and MARSHPOINT MULTI FAMILY ONE LLC, a Delaware limited liability company, the address for which is 2300 Marsh Point Road, Suite 301, Neptune Beach, Florida 32266, party of the second part.

2

WITNESSETH:

That the said party of the first part, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and conveyed to the said party of the second part, its successors and assigns forever, the following described lands situate, lying and being in Duval County, Florida, to wit:

27,107.30
18.50
(2)

LOTS 3, 4, 5, AND 6, BLOCK 53, PABLO BEACH SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Real Estate Assessment No: 175964-0000

Subject to covenants, restrictions and easements of record; existing zoning and government regulations; matters that would be shown on a current survey of the foregoing property; rights of tenants in possession of the foregoing property pursuant to leases without any right of first refusal or option to purchase the foregoing property thereunder; and taxes assessed subsequent to December 31, 2020; provided, however, this reference will not serve to reimpose any such covenants, restrictions or easements.

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.

IN WITNESS WHEREOF, the party of the first part has executed this instrument effective as of the date set forth above.

Witnessed by:

K-TOWN, INC.,
a Florida corporation

[Signature]
Witness: Dana Barr Foley

By: [Signature]
Kenneth R. Kirton, II, a/k/a Kenneth R. Kirton, President

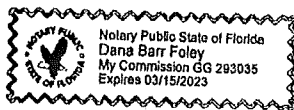
[Signature]
Witness: [Signature]

RECEIVED
22-100020
FEB 18 2022

STATE OF FLORIDA
COUNTY OF Duval

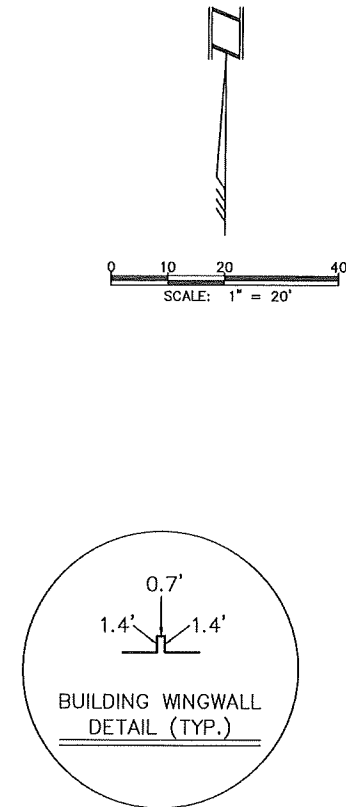
PLANNING & DEVELOPMENT

The foregoing was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 31st day of March 2021, by Kenneth R. Kirton, II, a/k/a Kenneth R. Kirton, as President of K-Town, Inc., a Florida corporation, on behalf of the corporation [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☒ who is personally known to me or ☐ who has produced a current _____ (state) driver's license as identification.



Signature: [Signature]
Printed Name: Dana Barr Foley
NOTARY PUBLIC, State of Florida
Commission Number: GG 293035

LOTS 3, 4, 5, AND 6, BLOCK 53, PABLO BEACH SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



1. THIS IS A BOUNDARY SURVEY.
2. NORTH PROTRACTED FROM PLAT.
3. INTERIOR ANGLES PER FIELD SURVEY AND,
ARE LISTED AS FOLLOWS:
 - "A" = 90°07'51"
 - "B" = 89°52'09"
 - "C" = 90°05'38"
 - "D" = 89°54'22"

BOUNDARY AREA (AS PLATTED)	=	25,000 square feet
BUILDING FOOTPRINT	=	8,635 square feet
DETACHED BUILDING	=	207 square feet
POOL PUMP HOUSE	=	106 square feet
WELL HOUSE	=	16 square feet
POOL DECK	=	1,219 square feet
FRONT WALLS	=	89 square feet
MISCELLANEOUS WALLS	=	11 square feet
CONCRETE WALKS	=	1,795 square feet
TOTAL IMPERVIOUS	=	12,078 square feet
		48.3% IMPERVIOUS

22-100020
FEB 18 2022

THIS MAP WAS MADE FOR THE BENEFIT OF

DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672



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

BOA#22-100021

Zoning: C-1 & RM-2
RE: 174533-0000
Legal: Lots 7, 8, 9 & 10, Block 103 Pablo Beach North
Address: 207 9th Avenue North

Request

34-340(e)(3)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly corner side yard setback of 9 feet in lieu of 20 feet minimum and a westerly side yard setback of 7 feet in lieu of 10 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1, 2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking in lieu of two required spaces per unit to rectify existing non-conformities of an existing multi-family dwelling

Existing Conditions

The subject property is comprised of 4 existing nonconforming lots of record (circa 1913) located in the Commercial Limited future land use category & the Residential Medium future land use category. The property is currently zoned Commercial Limited: C-1 and Residential Medium: RM-2. The property is currently completely occupied by a large multifamily structure built in 1948. The structure currently has no conforming off street parking. It also currently adheres to none of the required yard setbacks. The property is designed with a structure that's roughly "C" shaped, with two wings adjoining to a main central structure. The middle of the "C" is occupied by common space and green space. Although the property does have some parking partially on the property, it is not designed in a way that would meet the Land Development Code in both dimensions and quantity.

Staff Analysis

The subject property was developed as a Multifamily structure in 1948. The structure that currently exists is substantially unchanged from its' original state. The current owner wishes to address all existing nonconformities. The building was constructed prior to the adoption of the Land Development Code, making this a legal nonconforming structure. As the owner is incapable of moving or redesigning the structure without completely demolishing the current building, a variance is the only way to address the deficiencies.



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

Minimum Dimensional Standards

Multiple family dwellings. (RM-2 Standards)

- Minimum lot area: Five thousand (5,000) square feet, plus one thousand (1,000) square feet for each unit in excess of two (2), except that the gross density shall not exceed forty (40) units an acre.
- 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: Ten (10) feet for each side yard, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- Floor area: Multiple family dwelling unit shall contain the following minimum square feet of conditioned living area excluding garages, carports and breezeways.
 - One bedroom unit—Seven hundred (700) square feet.
 - Two bedroom unit—Nine hundred (900) square feet.
 - Three bedroom unit—One thousand one hundred (1,100) square feet.
 - This square footage requirement shall also apply to units sold as condominiums.
- Maximum lot coverage: Sixty-five (65) 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 structure. The current structure is nonconforming in both setbacks and parking, and was constructed in 1948, prior to the adoption of the code.



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

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 structure was built in 1948, and long before the adoption of the current codes. The applicant purchased the structure in 2021, and is not proposing any exterior changes to the footprint or parking.

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 not find that the proposed variance will confer special privileges. The applicant is only requesting to make the existing structure legally conforming through the variance process.

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. The structure is existing and built prior to the adoption of the current dimensional standards. Literal application of the code would require the existing structure to meet setbacks and parking requirements that can't physically be met on sight in its current state.

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 two family dwelling. The applicant has simply requested a variance that matches the existing conditions of the currently occupied multifamily structure. No expansion or changes to the site are requested.

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



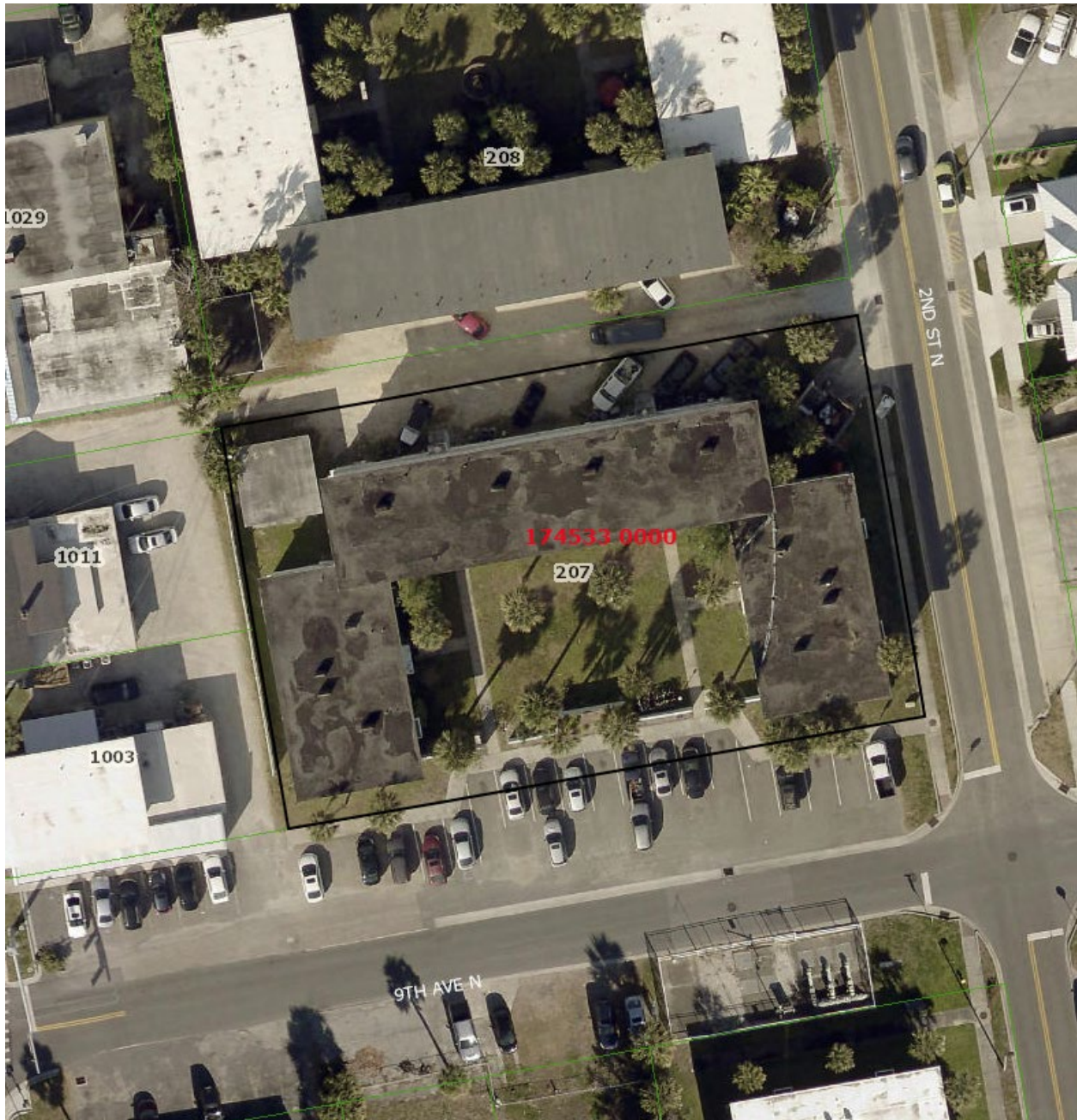
City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

the adopted comprehensive plan. It should be noted the current property is over the density limits for this land use, and should the structure every be destroyed, any rebuild of the structure would require the number of units to be reduced to the allowable limit in the comprehensive plan.

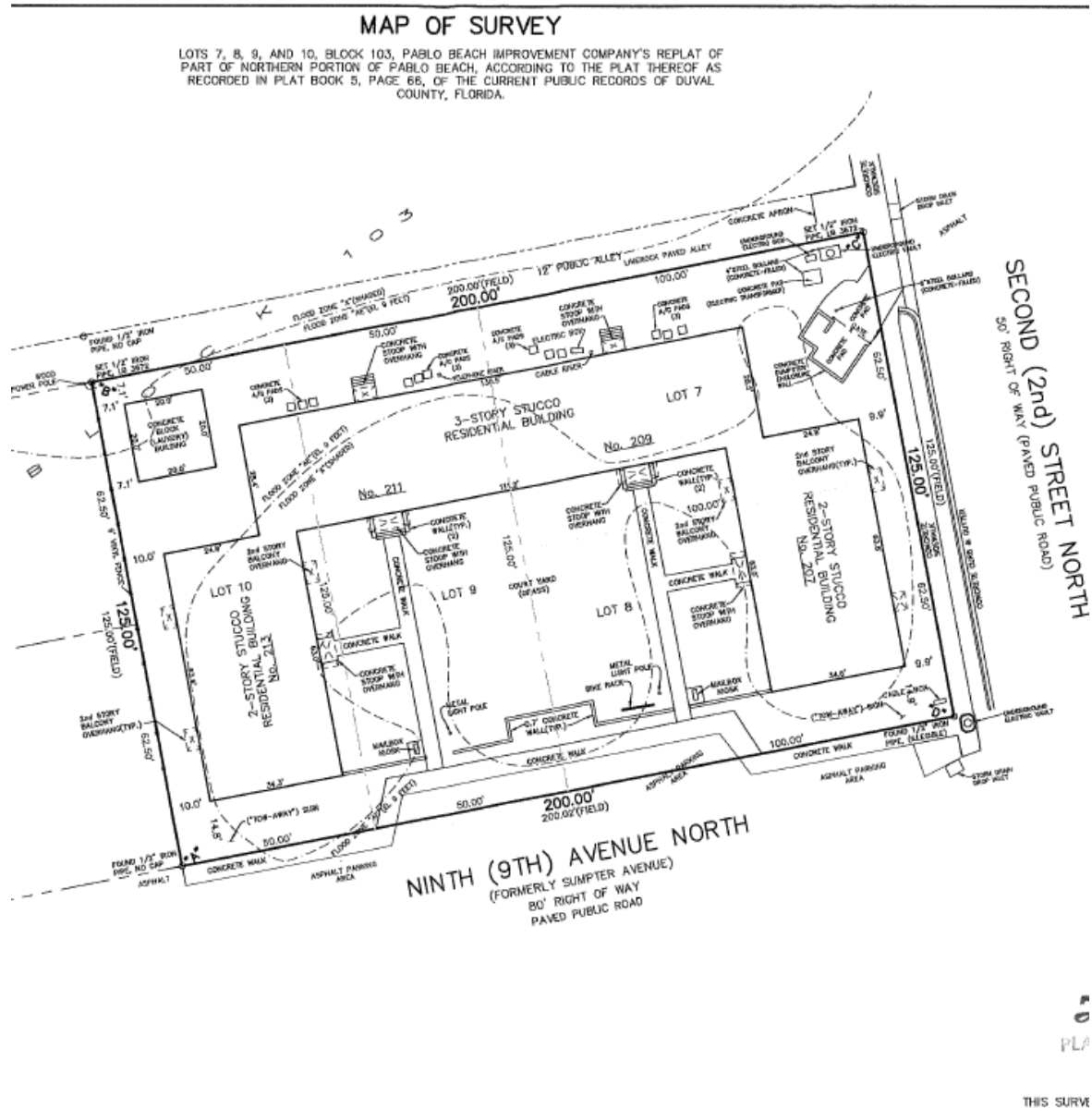
Staff Recommendation

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#22-100021**

Location Map (property boundaries are representative only)



Existing Survey





APPLICATION FOR VARIANCE

BOA No.

HEARING DATE

22-100021
4.5.22

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.

RECEIVED

FEB 18 2022

APPLICANT INFORMATION

Applicant Name: Jean Bakkes Telephone: (904) 853-6801
Mailing Address: 2300 Marsh Point Rd, Suite 301 E-Mail: jean@skyenterprises.com
Neptune Beach, FL 32266
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Marshpoint Multi Family One LLC Telephone: (904) 853-6801
Mailing Address: 2300 Marsh Point Rd, Suite 301 E-Mail: jean@skyenterprises.com
Neptune Beach, FL 32266

PLANNING & DEVELOPMENT

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: 207 9th Avenue North (RE: 175964-0000)
Legal description of property (Attach copy of deed): Lots 7, 8, 9 and 10, Block 103, Pablo Block 53, Pablo Beach Improvement Company's replat of part of Northern portion of Pablo Beach, according to plat thereof as recorded in Plat Book 5, Page 66 of the current public records of Duval County, Florida.
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Setbacks are currently 7'1"N, 9'9" E, 14'8"S, 7'1" W
Parking-Property does not have code required parking for number of units.
Unit Sizes are below code required minimums.

174533-0000

AFFIDAVIT

I, Jean Bakkes, 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

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 17th day of February, 2022, by Jean Bakkes as personally known to me or as a Notary Public.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



Virginia Wetzel
COMMISSION # GG233893
EXPIRES: July 1, 2022
Bonded Thru Aaron Notary

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 / RM-2

FLOOD ZONE: AE/X-shaded

CODE SECTION (s):
34-340(e)(3)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum; 34-340(e)(3)c.2, for an easterly corner side yard setback of 9 feet in lieu of 20 feet minimum and a westerly side yard setback of 7 feet in lieu of 10 feet minimum; 34-340(e)(3)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; 34-340(e)(3)d.1, 2 & 3, for dwelling units that reflect the existing sized units in lieu of the required minimum size; and 34-377 for zero parking in lieu of two required spaces per unit to rectify existing non-conformities of an existing multi-family dwelling



February 17, 2022

Planning and Development Department
City of Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach, FL 32250

RE: Letter of Intent for Variance Request
Property Address: 207 9th Avenue North

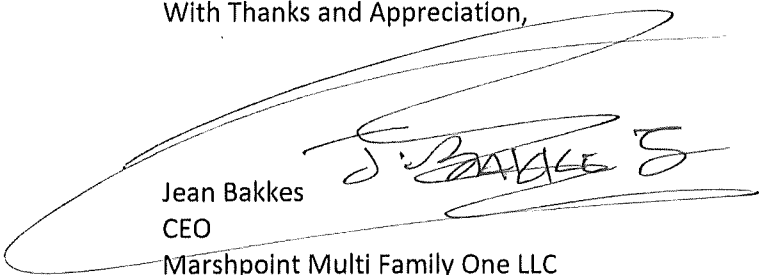
Department of Planning and Development:

This Letter of Intent is in support of our Variance Request to address the non-conforming properties of the property covering setbacks, parking, and unit sizes on the aforementioned property.

Currently, the setbacks are 7'1" N, 9'9" E, 14'8" S, 17'1" W. Regarding Parking, the property does not have the code required number of parking spaces for the number of units. The unit sizes existing are below current code required minimum, as built in 1948.

These three pre-existing non-conforming conditions create a hardship as they are existing as built before the present code came to be. Note: Building built around 1948.

With Thanks and Appreciation,


Jean Bakkes
CEO
Marshpoint Multi Family One LLC

RECEIVED
22-100021
FEB 18 2022

PLANNING & DEVELOPMENT

(904)-853-6801
2300 Marsh Point Rd. #301
Neptune Beach, FL 32266

PREPARED BY AND RETURN TO:

Ross H. Chaffin, Esquire (DBF)
Fisher, Tousey, Leas & Ball, P.A.
501 Riverside Avenue, Suite 600
Jacksonville, Florida 32202

RECEIVED

22-100021

FEB 18 2022

NOTE TO CLERK: CONSIDERATION ON THIS TRANSFER IS IN THE AMOUNT OF \$3,871,875.00.
DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$27,103.30 IS BEING PAID ON THIS TRANSFER.

PLANNING & DEVELOPMENT

WARRANTY DEED

THIS INDENTURE, made effective as of the 31st day of March, 2021, by and between K-TOWN, INC., a Florida corporation, the address for which is 1504 Bigtree Road, Neptune Beach, Florida 32266 party of the first part, and MARSHPOINT MULTI FAMILY ONE LLC, a Delaware limited liability company, the address for which is 2300 Marsh Point Road, Suite 301, Neptune Beach, Florida 32266, party of the second part.

WITNESSETH:

That the said party of the first part, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and conveyed to the said party of the second part, its successors and assigns forever, the following described lands situate, lying and being in Duval County, Florida, to wit:

LOTS 3, 4, 5, AND 6, BLOCK 53, PABLO BEACH SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Real Estate Assessment No: 175964-0000

Subject to covenants, restrictions and easements of record; existing zoning and government regulations; matters that would be shown on a current survey of the foregoing property; rights of tenants in possession of the foregoing property pursuant to leases without any right of first refusal or option to purchase the foregoing property thereunder; and taxes assessed subsequent to December 31, 2020; provided, however, this reference will not serve to reimpose any such covenants, restrictions or easements.

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.

27,107.30
18.50
(2)

IN WITNESS WHEREOF, the party of the first part has executed this instrument effective as of the date set forth above.

Witnessed by:

RECEIVED
22-100021
FEB 18 2022

K-TOWN, INC.,
a Florida corporation

PLANNING & DEVELOPMENT

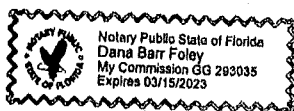
[Signature]
Witness: Dana Barr Foley

By: [Signature]
Kenneth R. Kirton, II, a/k/a Kenneth R. Kirton, President

[Signature]
Witness: [Signature]

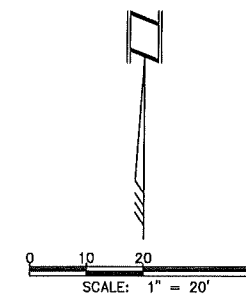
STATE OF FLORIDA
COUNTY OF Duval

The foregoing was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX] ☒ physical presence or ☐ online notarization, this 31st day of March 2021, by Kenneth R. Kirton, II, a/k/a Kenneth R. Kirton, as President of K-Town, Inc., a Florida corporation, on behalf of the corporation [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION] ☒ who is personally known to me or ☐ who has produced a current _____ (state) driver's license as identification.



Signature: [Signature]
Printed Name: Dana Barr Foley
NOTARY PUBLIC, State of Florida
Commission Number: GG 293035

LOTS 7, 8, 9, AND 10, BLOCK 103, PABLO BEACH IMPROVEMENT COMPANY'S REPLAT OF
PART OF NORTHERN PORTION OF PABLO BEACH, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 5, PAGE 66, OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.



1. THIS IS A BOUNDARY SURVEY.
2. NORTH PROTRACTED FROM PLAT.
3. INTERIOR ANGLES PER FIELD SURVEY ARE LISTED AS FOLLOWS:
 - "A"= 90°00'00"
 - "B"= 90°00'00"
 - "C"= 90°00'25"
 - "D"= 89°59'35"
4. NO BUILDING RESTRICTION LINES PER PLAT.

RECEIVED

22-100021
PLANNING & DEVELOPMENT

DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672



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

BOA#22-100022

Zoning: CBD
RE: 175603-0000
Legal: South 39 feet of Lot 8, Block 12, Pablo Beach South.
Address: 134 1st Street South

Request

Section(s): for a front yard setback of 10 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for a corner side yard of 0 feet in lieu of 10 feet minimum and a combined side yard of 5 feet in lieu of 15 feet minimum; 34-338(e)(1)c.3, for a rear yard of 20 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 58% in lieu of 35% maximum to allow for construction of a new single family dwelling

Existing Conditions

The subject property consists of a platted lot of record (circa 1909) located in the Commercial future land use category. The site currently has a converted single family home that is now a three unit multifamily structure with two units in the main structure and one in the garage. The lot is currently thirty-nine (39) feet in width and seventy-five (75) feet in depth. The current lot area is three-thousand, seven-hundred and fifty (3,750) square feet. The lot is substandard in width and area.

The property has been the subject of two separate variance applications in the last year, including for a two unit multifamily structure and a single family home. The previous single family home application was withdrawn prior to a decision by the Board. The multifamily variance, BOA#21-100157 was approved by the Board on November 16, 2021 for rear yard of 5 feet in lieu of 15 minimum.

BOA#21-100157 for a multifamily in CBD, BOA#21-100125 (withdrawn), PC#09-21 for SFD in the CBD district, BOA#05-100357 for northerly side yard of 5 feet and 68% lot coverage ILO 65%.

Staff Analysis

The subject property has been before this board twice already in the last year. The general issues with the property are its small size and being located in the CBD zoning district while trying to cite a new single family structure. The CBD district has a complicated table of dimensional standards for the mix of single and multifamily



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

uses, as well as a large and diverse list of commercial uses. The complexity comes, in this case, from the fact that in almost all cases, multifamily and commercial have much less stringent requirements for setbacks and lot coverage than those applied to single family. The RS-3 standards are used for single family uses, which are a suburban standard for things such as lot coverage and setbacks, and are not well suited to the Central Business District zoning. The remainder of the uses use a more urban standard, with not only minimal lot coverage and setback restrictions, but actually require the structures to be set close to the street, and must cover a large portion of the lot to meet these requirements. This has led to the multitude of applications previously on this property. The owner wished to originally build a single family home, which required a large amount of relief from these suburban standards used, which are in the RS-3 portion of the code. This application was withdrawn, in part because they were not confident the board was going to approve the request. They then reapplied for a multifamily structure, with a nearly identical foot print, but, as the structure was regulated under the urban CBD standards, it only required minimal relief to build the same structure, but now with two units instead of one. The applicant truly wished to build a single family home, so they have now reduced the design, to lessen the request, but still will need a healthy amount of relief to achieve, in essence what they were approved for as a multifamily structure.

Minimum Dimensional Standards

Single family dwelling unit (RS-3 standards in CBD).

- 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:
 - Front yard: Twenty (20) feet.
 - 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.
 - 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.



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

- 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 parcel is only a portion of a full lot, and is well below minimum lot size for a single family home.

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 lot has been substandard for many years, and was only recently purchased by the applicant, the site currently has a legal nonconforming single family home that was previously divided into three units that do not currently meet the standards.

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

Staff finds that the proposed variance **will not** confer special privileges. The lot has land use and zoning that allow single family homes as a permitted use, approval of this variance does not confer any use denied by the zoning or comprehensive plan.

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. The lot would be unbuildable without some practical relief from the code for a single family use, allowed as a permitted use. All previous attempts to redevelop this property have required relief as well.



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

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. Although the previous variance allowed for a two unit multifamily, to build a single family home, more relief is needed as the setbacks and lot coverage are different in the CBD district.

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 use of single family is consistent with the GOP of the comp 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#22-10022**

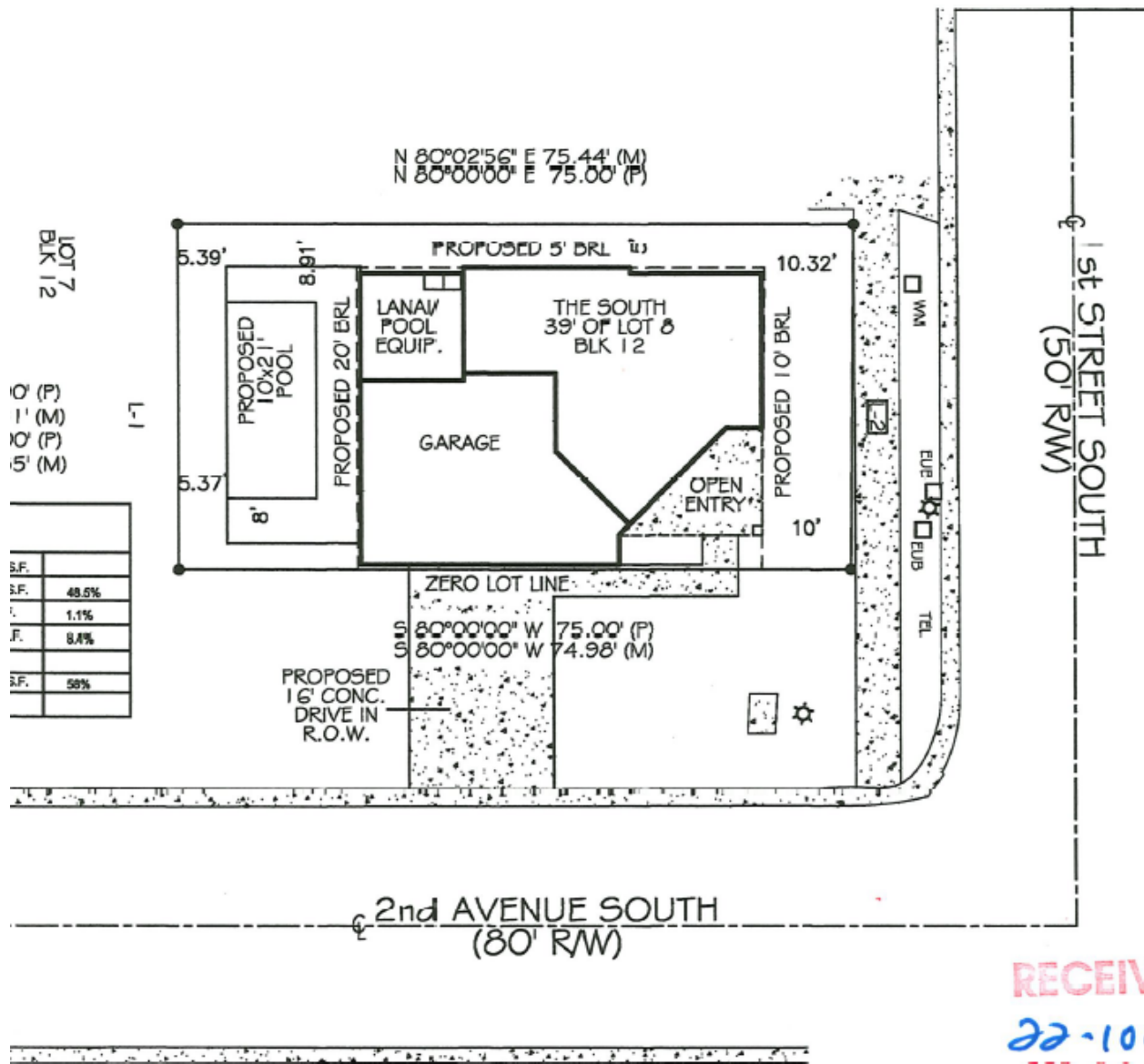
Location Map (property boundaries are representative only)





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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100022

HEARING DATE 4.5.22

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.

11:00AM

FEB 22 2022

APPLICANT INFORMATION

Applicant Name: ERIC GRIGGS **Telephone:** 904-716-4601
Mailing Address: 932 1ST ST. N #602 **E-Mail:** TAXDOCTOR1@aol.com
JACKSONVILLE BEACH, FL 32208
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: FOR HIS ULTIMATE GLORY, LLC **Telephone:** 904-716-4601
Mailing Address: 932 1ST ST. N #602 **E-Mail:** TAXDOCTOR1@aol.com
JACKSONVILLE BEACH, FL 32208

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: 134 1ST ST. S. JAX BEACH, FL 32203-0000
 Legal description of property (Attach copy of deed): 32-28 33-25-29 E PABLO BCH S 394 107 8 Bk 12
 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).
- SEE ATTACHED -

AFFIDAVIT

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

APPLICANT SIGNATURE

ERIC GRIGGS
 PRINT APPLICANT NAME

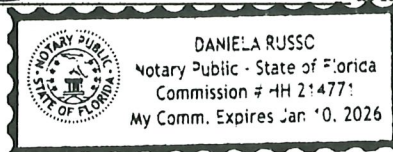
DATE

2/22/22

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22nd day of February, 20 22, by Eric Griggs, who is personally known to me or produced FL Drivers License as identification.

Daniela Russo
 NOTARY PUBLIC SIGNATURE
Daniela Russo
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION:

CBD

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):

34-338(e)(1)c.1, for a front yard setback of 10 feet in lieu of 20 feet minimum; 34-338(e)(1)c.2, for a corner side yard of 0 feet in lieu of 10 feet minimum and a combined side yard of 5 feet in lieu of 15 feet minimum; 34-338(e)(1)c.3, for a rear yard of 20 feet in lieu of 30 feet minimum; and 34-338(e)(1)e, for lot coverage of 58% in lieu of 35% maximum to allow for construction of a new single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 28-100028

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 SIZE & LOT WIDTH
Special circumstances and conditions do not result from the actions of the applicant.	YES	PLATTED LOT OF RECORD NOW - CONFORMING
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	HOME NEXT DOOR AT 126/128 1 ST ST. S HAS UNDER 5' OF BACK SETBACK + LOT COV COVERAGE > 90%
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	EXISTING STRUCTURE HAS 1'11" SIDE & 2'10" BACK SETBACK
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	SIDE ENTRY GARAGE + DRIVE NOT POSSIBLE WITH EXISTING PUBLIC PARKING SPACES. NO BUILDING ON BACKSIDE OF LOT
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	NO NEGATIVE DRAINAGE

Prepared By and Return To:
Johnni Nicole Causey
Landmark Title
4540 Southside Boulevard, Suite 202
Jacksonville, Florida 32216

RECEIVED
22-100028
FEB 22 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made effective the 25th day of May, 2021, by Vishal Prabhu and Shilpa Nayak, husband and wife, hereinafter called the Grantor, whose address is 5049 Sienna Lane, Sacramento, CA 95835 to For His Ultimate Glory, L.L.C., a Florida Limited Liability Company, whose post office address is: 238 Ponte Vedra Park Dr, #201, Ponte Vedra Beach, FL 32082, hereinafter called the Grantee:

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

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

The South 39 feet of Lot 8, Block 12, Pablo Beach South, a subdivision according to the plat thereof recorded at Plat Book 3, Page 28, in the Public Records of Duval County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 175603-0000

Subject to taxes accruing subsequent to December 31, 2020.

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

Together with all the tenements, hereditaments and appurtenances 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.

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

Signed, sealed and delivered in our presence:

Nalin Deleon

Witness 1 Signature

NALIN DELEON

Witness 1 Printed Name

Vishal

Vishal Prabhu

Shilpa

Shilpa Nayak

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22-100022

FEB 22 2022

PLANNING & DEVELOPMENT

Robert DeLeon

Witness 2 Signature

ROBERT DE LEON

Witness 2 Printed Name

STATE OF California
COUNTY OF Sacramento

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this
24 day of May, 2021, by Vishal Prabhu and Shilpa Nayak.

Markus Coleman

Signature of Notary Public

Print, Type/Stamp Name of Notary

Personally Known: _____ OR Produced Identification: ☒

Type of Identification

Produced: CA Drivers License





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
FOR HIS ULTIMATE GLORY, L.L.C.

Filing Information

Document Number	L03000021082
FEI/EIN Number	61-1451488
Date Filed	06/11/2003
State	FL
Status	ACTIVE

Principal Address

932 1st St. N
602
Jacksonville Beach, FL 32250

Changed: 03/03/2022

Mailing Address

932 1st St. N
602
Jacksonville Beach, FL 32250

Changed: 03/03/2022

Registered Agent Name & Address

Griggs, Eric n
932 1st St N
602
Jacksonville Beach, FL 32250

Name Changed: 04/09/2019

Address Changed: 01/17/2020

Authorized Person(s) Detail

Name & Address

Title MGRM

GRIGGS, ERIC N, eric griggs

932 1st St N
602
Jacksonville Beach, FL 32250

Annual Reports

Report Year	Filed Date
2020	01/17/2020
2021	03/06/2021
2022	03/03/2022

Document Images

<u>03/03/2022 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/06/2021 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/17/2020 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/09/2019 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/30/2018 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/23/2017 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/07/2016 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/24/2015 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/20/2014 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/23/2013 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/12/2012 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/25/2011 -- ANNUAL REPORT</u>	View image in PDF format
<u>01/21/2010 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/15/2009 -- ANNUAL REPORT</u>	View image in PDF format
<u>04/29/2008 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/27/2007 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/21/2006 -- ANNUAL REPORT</u>	View image in PDF format
<u>02/24/2005 -- ANNUAL REPORT</u>	View image in PDF format
<u>03/17/2004 -- ANNUAL REPORT</u>	View image in PDF format
<u>06/11/2003 -- Florida Limited Liabilites</u>	View image in PDF format



DEPARTMENT OF PLANNING & DEVELOPMENT
CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 5038



FILE COPY

November 18, 2021

Eric Griggs
932 1st Street North #602
Jacksonville Beach, FL 32250

Ref.
22-100022

DEVELOPMENT ORDER FOR VARIANCE

BOA#21-100157

134 1st Street South

The South 39 feet of Lot 8, Block 12, *Pablo Beach South*

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, November 16, 2021, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

- 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 construction of a new rear and side addition to an existing single family dwelling

Based on the review and discussion of said application and the consideration of any testimony provided during the duly advertised public hearing, the Board of Adjustment determined this application for development met the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

The Board **Approved** the request.

This development order does not constitute final approval to commence the development proposed in the referenced application(s). The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements, and shall apply for and obtain all necessary permits before initiating development. Information about permitting, including official address assignments, application forms, and checklists, is available in our office or online at www.jacksonvillebeach.org/building.

Attached is a copy of the submitted site plan for your records. Copies of this development order and the attached site plan shall be submitted when applying for any future development or building permit applications.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



CONTINUED ON PAGE 2



DEPARTMENT OF PLANNING & DEVELOPMENT

Ref.
22-100022

Sincerely,

Christian Popoli
Senior Planner

DISCLAIMER

As provided by subsection 166.033(6), Florida Statutes, issuance of a variance by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. It is hereby a condition that all other applicable state or federal permits be obtained before commencement of the development.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



BOA#21-100157

•34-338(e)(1)c.1 for a front yard setback of 10 feet in lieu of 20 feet minimum;

•34-338(e)(1)c.2 for a corner side yard of 0 feet in lieu of 10 feet minimum and total side yard of 5 feet in lieu of 15 feet required;

•34-338(e)(1)c.3 for a rear yard setback of 20 feet in lieu of 30 feet minimum; and

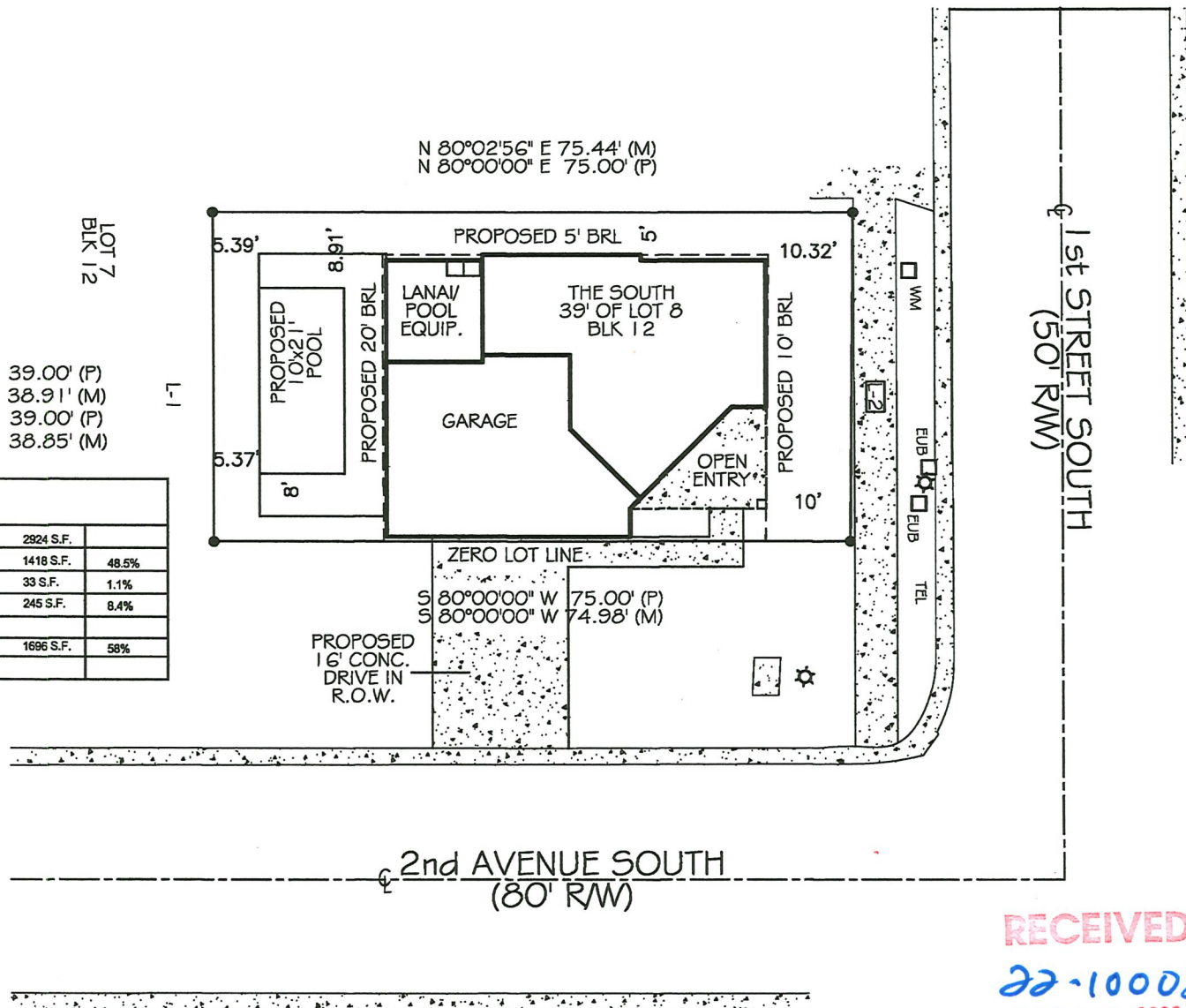
•34-338(e)(1)e, for lot coverage of 58% in lieu of 35% maximum, in the CBD zoning district, using the RS-3 standards

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PLANNING & DEVELOPMENT

L-1 N 10°00'00" W 39.00' (P)
N 10°00'33" W 38.91' (M)
L-2 S 10°00'00" E 39.00' (P)
S 09°20'18" E 38.85' (M)

SCALE: 1"=20'



FEB 22 2022

PLANNING & DEVELOPMENT

- PROPOSED -



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FEB 22 2022

22-100022

PLANNING & DEVELOPMENT

134 1st ST

e S



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

BOA#22-100023

Zoning: RS-2
RE: 173852-0000
Legal: Lots 1 & 2, Block 40, Atlantic Park Replat of Pablo Beach.
Address: 902 3rd Avenue North

Request

Section(s): 34-337(e)(1)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum to rectify existing non-conformities at an existing single-family dwelling

Existing Conditions

The subject property is comprised of existing conforming lots of record (circa 1924) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject property is comprised of two lots which meet the RS-2 zoning standards. The lot is 125 feet in width and 100 feet in depth, with a lot area of 12,500 square feet. The existing home, built in 1960 is nonconforming in placement on the lot. Currently the home faces 3rd Avenue North. The home and all associated accessory uses meet all other setbacks and lot coverage except for front yard setbacks.

No previous variances or code cases.

Staff Analysis

The current home was built in 1960, and appears mostly unchanged from that time. The current owner inherited the home, and is in the process of renovating the structure. The home was built 15 feet from the property line, thus does not meet the front yard setback for the RS-2 zoning district. The home renovation will exceed 50% of the assessed value of the structure alone, and the Land Development Code requires that all nonconformities be brought into compliance. As the house cannot be readily moved, a variance is required for the owner to continue with the proposed renovations.

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.



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

- 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 subject home has existed in its current location for over 60 years. The location of the home is unique in that it was built closer to the street than typically allowed. The renovation of the home is the trigger for the requirement to come into compliance.

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 current owner did not construct the home inside the required setback and given the age of the home, it's construction predates the code requirement for the setback.

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 finds that the proposed variance **will not** confer special privileges. The applicant is requesting to do maintenance and renovations to an existing home, a right enjoyed by all homeowners in the city.

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. The applicant cannot maintain and update the home without relief from the code. The ability to maintain and update a home is not only a right enjoyed by others, but a recommend practice to support the neighborhood city wide.

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. The only relief requested is to address existing nonconformities.

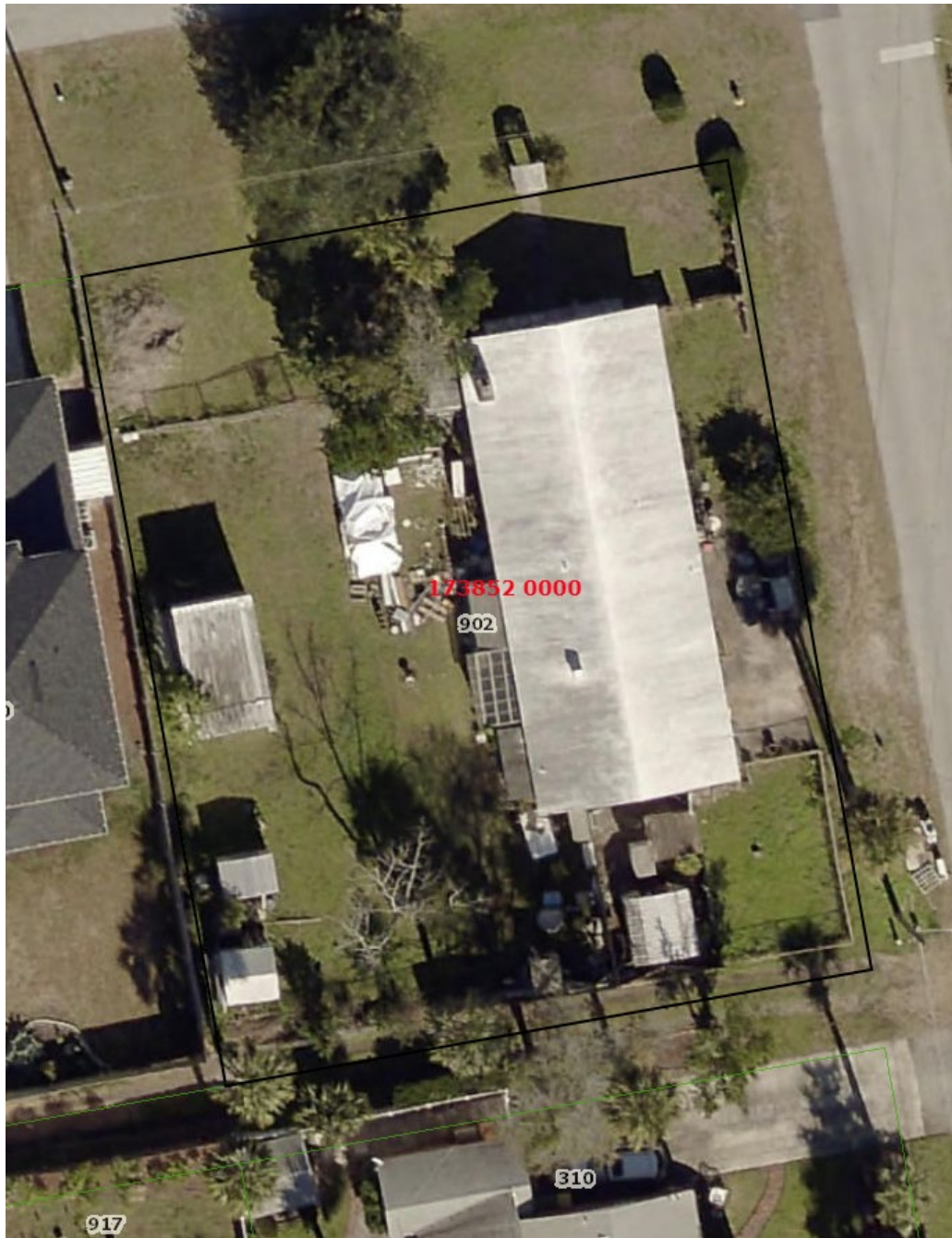
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

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#22-100023**

Location Map (property boundaries are representative only)



FROM THE COUNTY CLERK'S RECORDS OF DOVAL COUNTY, FLORIDA.
 CERTIFIED TO:

[illegible]



APPLICATION FOR VARIANCE

BOA No. 22-100023

HEARING DATE 4-5-22

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.

FEB 22 2022

APPLICANT INFORMATION

Applicant Name: Penny Yamamoto
Mailing Address: 801 3rd Ave N

Telephone: 904-327-1484
E-Mail: stinkyangie@aol.com

Agent Name: _____
Mailing Address: _____

Telephone: _____
E-Mail: 2 Romane Roofing@gmail.com

Landowner Name: _____
Mailing Address: _____

Telephone: _____
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: 902 3rd Ave N, Jacksonville FL 32233 (173850-0000)

Legal description of property (Attach copy of deed): 9-15 33-25-A1E Atlantic Park R/P A Public Beach N 105

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).

Reduce front yard setback of 14' 5" in lieu of 20' required to rectify non-conformities and allow for improvements

AFFIDAVIT

I, Penny Yamamoto, 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.

Penny Yamamoto
APPLICANT SIGNATURE

PENNY YAMAMOTO
PRINT APPLICANT NAME

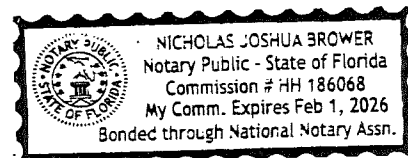
2-21-22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of February, 20 22, by Penny Yamamoto, who is personally known to me or produced D.C. as identification.

NOTARY PUBLIC SIGNATURE

Nicholas Brower
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

CODE SECTION (S):

34-337 (e)(1)c.1, for a front yard setback of 14 feet in lieu of 20 feet minimum to rectify existing non-conformities at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 22-100073

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	I inherited this property through a trust and it was built in the 1960's
Special circumstances and conditions do not result from the actions of the applicant.	Yes	I inherited property through a trust and was built in 1960's
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	Others have had similar var variances 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	Others have had similar variances in the neighborhood and have applied for similar variances
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The density is less with one house vs 2 houses structures
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 density is less for having one house vs 2 houses on this property 2 house will have less impact + less cars

Prepared by
Fred L. Ahern, Jr.
Buschman, Ahern, Persons & Bankston
2215 South Third Street, Suite 101
Jacksonville Beach, FL 32250

Doc # 2006112088, OR BK 13166 Page 597,
Number Pages: 2
Filed & Recorded 03/31/2006 at 07:30 AM,
JIM FULLER CLERK CIRCUIT COURT DUVAL COUNTY
RECORDING \$18.50
DEED DOC ST \$0.70

Record and Return to:
Maki Kato
312 First Avenue North
Jacksonville Beach, Florida 32250

RECEIVED
22-100023
FEB 22 2022

Parcel Identification No. 173852-0000

PLANNING & DEVELOPMENT

WARRANTY DEED

THIS WARRANTY DEED made the 8th day of March A.D. 2006, by **MAKI KATO**, a single woman, whose address is 902 3rd Avenue North, Jacksonville Beach, Florida 32250, hereinafter called Grantor, to **MAKI KATO**, as Trustee of the **MAKI KATO REVOCABLE LIVING TRUST, DATED MARCH 8, 2006**, whose address is 902 3rd Avenue North, Jacksonville Beach, Florida 32250, hereinafter called the Grantee: (Wherever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation).

WITNESSETH: That the Grantor, for and in consideration of the sum of TEN & No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

Lots 1 and 2, Block 40, ATLANTIC PARK, according to the plat thereof, recorded in Plat Book 9, Page 15, of the current public records of Duval County, Florida.

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

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

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

AND the Grantee, and her successors, as Trustee, shall have the full power and authority to protect, conserve and to sell, convey, lease encumber and otherwise manage and dispose of the real property described herein pursuant to Section 689.071, Florida Statutes.

THIS IS A DEED TO A TRUSTEE, CONVEYING REAL PROPERTY AND IS EXEMPT FROM THE STAMP TAX AS THIS DEED DOES NOT TRANSFER THE BENEFICIAL OWNERSHIP OF THE REAL PROPERTY AND THERE IS NO CONSIDERATION FOR THE TRANSFER (FAC)12B-4.014(2)(b).

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22-100023

FEB 22 2022

PLANNING & DEVELOPMENT

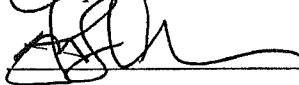
AND the written acceptance by a successor trustee recorded among the public records in the county where the real property described above is located, together with evidence of the previous trustee's death, disability or resignation, shall be deemed conclusive proof that the successor trustee provisions of the trust agreement have been complied with. Evidence of death shall consist of a certified copy of a death certificate. Evidence of disability shall consist of a licensed physician's affidavit establishing that the Trustee is unable to properly care for herself or her property. Evidence of resignation shall consist of a resignation, duly executed and acknowledged by the Trustee.

AND the Trust provides the Grantee not less than a beneficial possessory interest for life which entitles the Grantee to the homestead tax exemption pursuant to Florida Statute 196.041(2).

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the real property described herein in fee simple; that the Grantor has good right and lawful authority to sell and convey said real property land; that the Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever; and that said real property is free of all encumbrances, except taxes accruing subsequent to December 31, 2005.

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

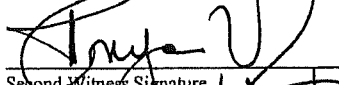
Signed, sealed and delivered
in our presence:



First Witness Signature

Fred L. Aher Jr.

First Witness Printed Name



Second Witness Signature

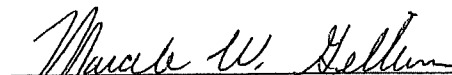
Tonya Wood

Second Witness Printed Name


MAKI KATO

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 8th day of March, 2006 by MAKI KATO, who provided a copy of his driver's license as identification.

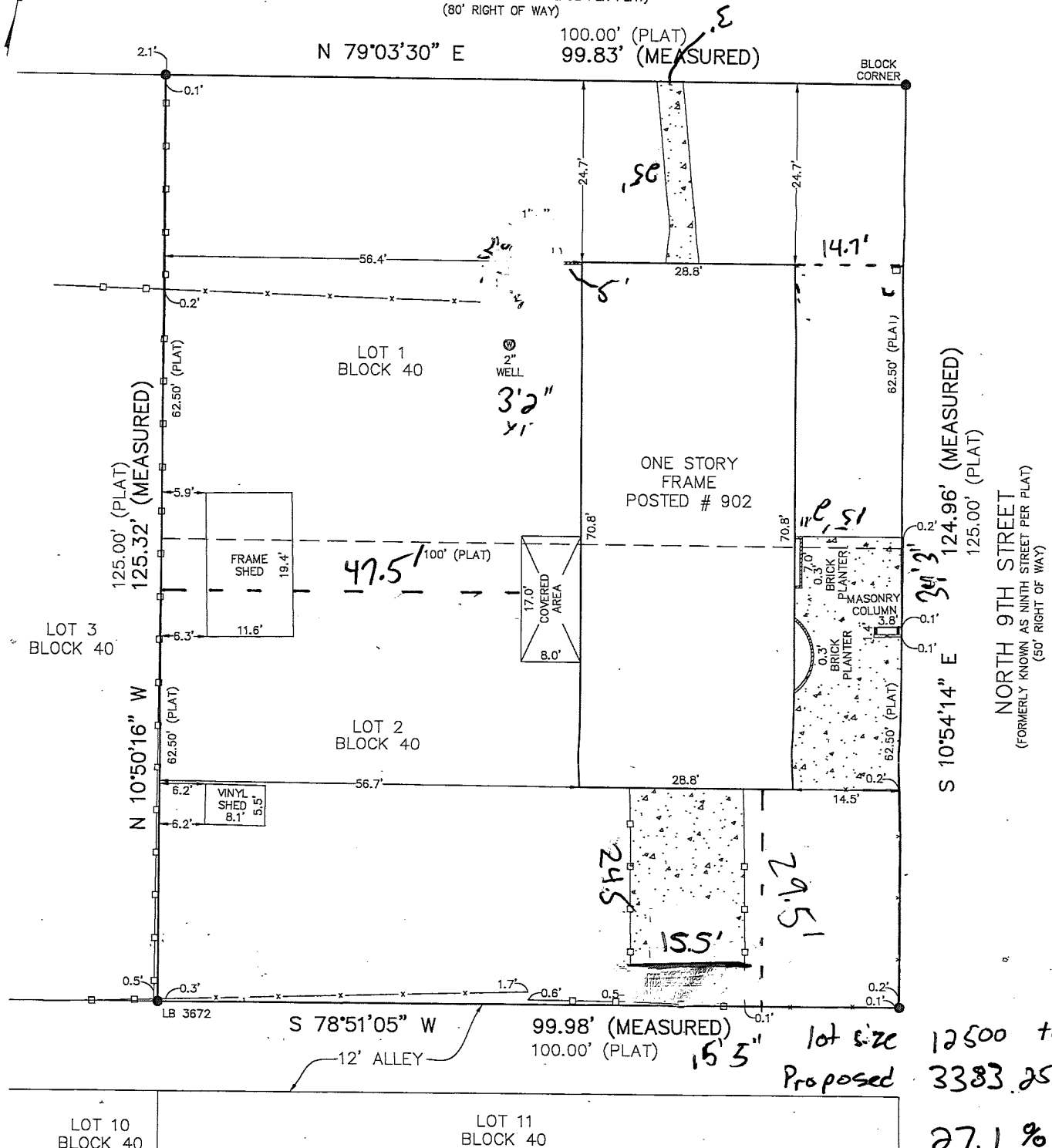

Notary Public

PROPOSED

MAP SHOWING BOUNDARY SURVEY OF
LOTS 1 AND 2, BLOCK 40, ATLANTIC PARK A REPLAT OF A PART OF
PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 9, PAGE 15,
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

3RD AVENUE NORTH
(FORMERLY KNOWN AS STEVENS AVENUE PER PLAT)
(80' RIGHT OF WAY)



LEGEND:

- x — = CHAIN LINK FENCE
- □ — = WOOD 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 ASSUMED BEARING OF N 10°50'16" W ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X", AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2018, COMMUNITY NUMBER 120077, PANEL 0417 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

JOB # 42810

DATE OF FIELD SURVEY: 10-26-21

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, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, 2018, AND THE FLORIDA STATUTES.

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

LAND SURVEYS

O

CONSTRUCTION SURVEYS

SUBDIVISIONS



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

BOA#22-100024

Zoning: RS-2
RE: 179937-0100
Legal: West ½ lot 16, lot 17 & east ½ lot 18, Block 11, Williams Coastal Blvd. Heights.
Address: 1118 Ruth Avenue.

Request

Section(s): 34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; 34-337(e)(1)g, for accessory structure setbacks of 1 foot, 0 feet, and 4 feet in lieu of 5 feet minimum from the southern, western and eastern property lines to rectify non-conformities of an existing concrete swimming pool deck; 34-373(d), for an off-street parking area setback of 0 feet in lieu of 5 feet minimum to expand the existing driveway; and 34-337(e)(1)g for paver walkways of 0 feet in lieu of 2 feet minimum from the western and eastern property lines to construct new walkways and allow for improvements to a developed single-family property

Existing Conditions

The subject property is comprised of several portions of nonconforming lots of record (circa 1925) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject property is made of roughly two full lots in this plat, which measure generally 25 feet in width by 115 feet in depth. The subject lot is 50 feet in width, and 115 feet in depth with an area of 5,750 square feet. Based on the supplied survey, the subject property currently has a pool and pool deck, a concrete driveway and single family home, and has a lot coverage of roughly 51%. The pool was permitted in 1990-91, which also is before and at the time of adoption of the LDC.

No previous variances or code cases.

Staff Analysis

As noted, the property is currently occupied by a single family home and associated driveway, pads and pool with pool deck. The current improvements were properly permitted, but simply happened before the current codes. Therefore it makes sense to capture these as legal nonconforming, and grant them conforming status through the variance process. This step would be necessary for any major renovation of this property. Additionally, the applicant is requesting the addition of two side walkways and a filling in of the driveway along the property line. This would require several setback requests for the walkways and driveway. Additionally it would add roughly



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

500 square feet of lot coverage, bringing the total lot coverage to 52%. As noted previously, the lot is substandard in both width and area. The lot is technically one full lot 25 feet in width, and portions of two other lots, when combined makes a lot 50 feet in width. The lot is substandard and meets the requirements for a variance.

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 subject home has existed in its current location since 1985, and the pool and pool deck since 1991. The lots that make up the property were combined into their current shape prior to the adoption of the code, and even with their current configuration do not meet the minimum requirements of the LDC.



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

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 in its current configuration at the time of purchase by the owner in 1987, and its configuration predates the adoption of the LDC. The lot configuration was not the result of the applicant.

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

Staff finds that the proposed variance **will not** confer special privileges. The lot is substandard and is considered a legal nonconformity in its current configuration. The first request would allow the existing home and pool to be considered conforming with an approval of this variance, which would not be considered a special privilege. The second request would be for walkways to the rear of the house, and is a use commonly enjoyed by homeowners throughout the city.

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. The current lot is nonconforming in size and area, and were the applicant held to the strict standard of the code, the existing home would remain nonconforming and future renovations would be limited to 50% of the assessed value of the building.

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. The existing home and pool with relevant setbacks are existing conditions and would be captured by this request. At a minimum, these are the least the request can be for. The additional walkways and driveway extension are the minimum in lot coverage that is needed to build the requested improvements. The location of the walkways is dictated by the AC and pool concrete pads, so the setback reductions are also the minimum needed to accomplish the request.



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

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#22-100024**

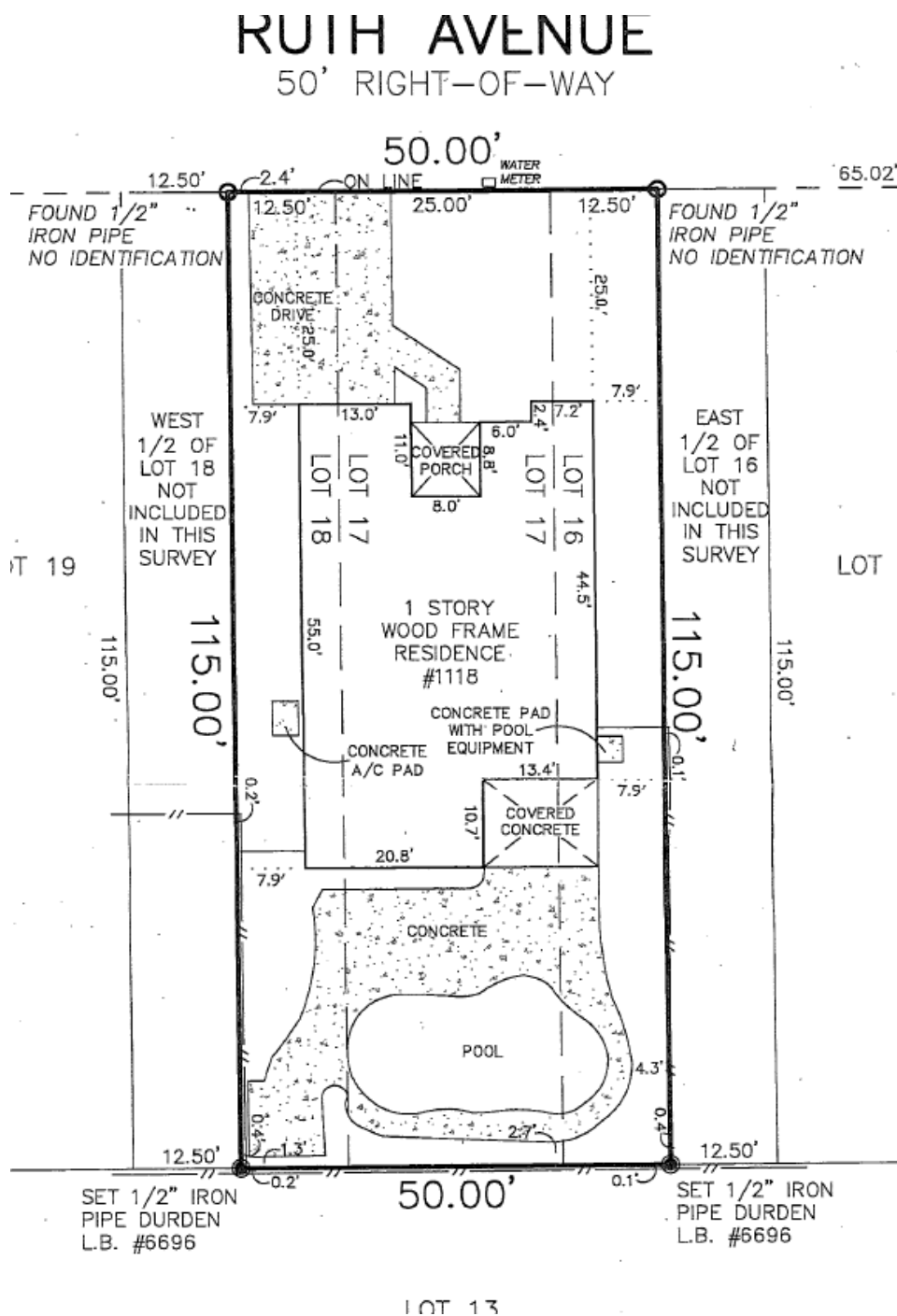
Location Map (property boundaries are representative only)



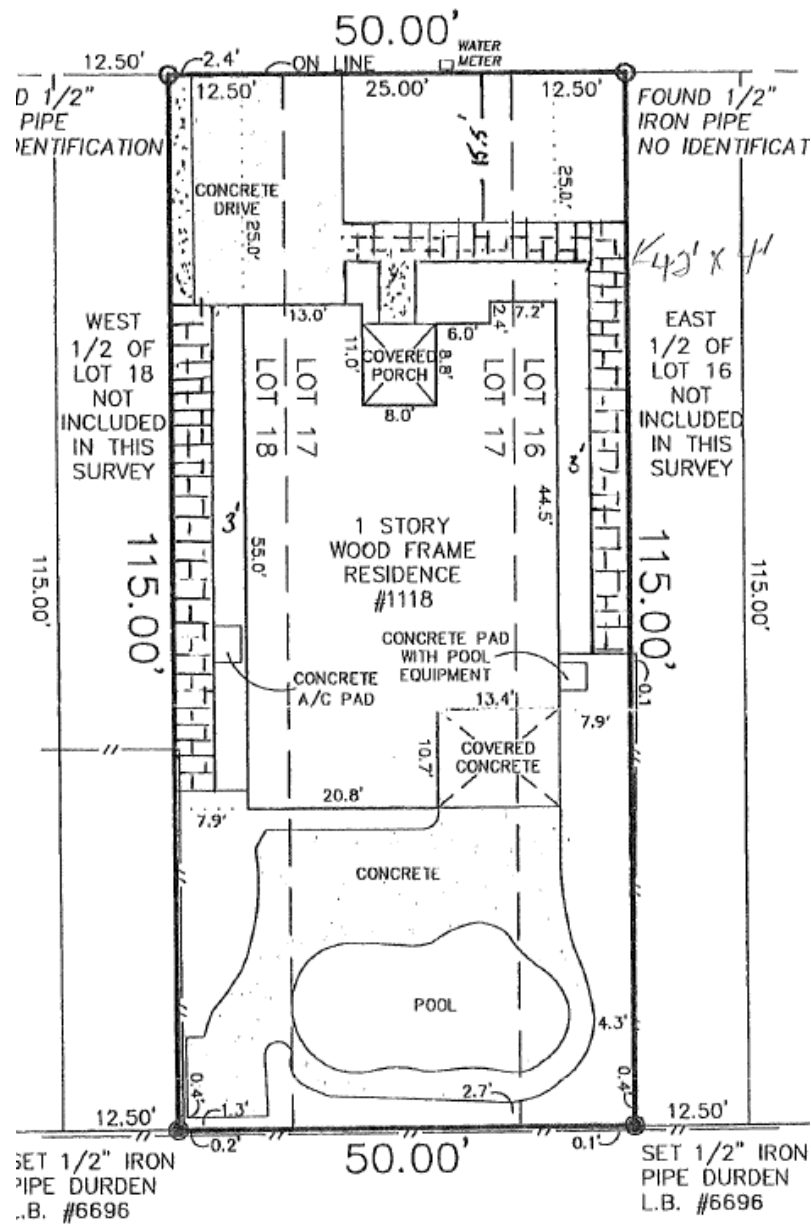


City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Existing Survey



50' RIGHT-OF-WAY PLANNING & I



LOT 13



APPLICATION FOR VARIANCE

BOA No. 22-100024

HEARING DATE 4.5.22

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.

1:55p

RECEIVED

FEB 22 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Janet S South

Telephone: (904) 866-3436 655-8426

Mailing Address: 1118 Ruth Avenue

E-Mail: _____

Jacksonville Beach, FL 32250

Agent Name: _____

Telephone: _____

Mailing Address: _____

E-Mail: _____

Landowner Name: Janet S South

Telephone: (904) 866-3436 655-8426

Mailing Address: 1118 Ruth Avenue

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: 1118 Ruth Ave., 179937-0100

Legal description of property (Attach copy of deed): Deed attached

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

For pool: rear yard 1.3 ft. in lieu of 5 ft; side yard 0.4 ft in lieu of 5 ft. (west side); side yard 4.3 ft in lieu of 5 ft. For walkway; east side yard of zero in lieu of 3 ft for walkway
For driveway: 2.4 ft. in lieu of 5 ft. For improvements: Lot coverage of 50%
in lieu of 35%

AFFIDAVIT

I, Janet S South, 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.

Janet S. South
APPLICANT SIGNATURE

Janet S South

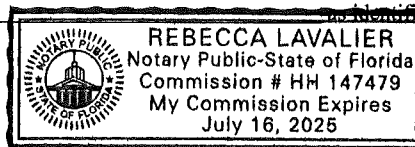
PRINT APPLICANT NAME

7-16-21
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16 day of July, 20 21, by Janet S South, who is personally known to me or produced Physically Present identification.

Rebecca Lavalier
NOTARY PUBLIC SIGNATURE
Rebecca Lavalier
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

CODE SECTION (S):

34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; 34-337(e)(1)g, for accessory structure setbacks of 1 foot, 0 feet, and 4 feet in lieu of 5 feet minimum from the southern, western and eastern property lines to rectify non-conformities of an existing concrete swimming pool deck; 34-373(d), for an off-street parking area setback of 0 feet in lieu of 5 feet minimum to expand the existing driveway; and 34-392(a)(1), for paver walkways of 0 feet in lieu of 2 feet minimum from the western and eastern property lines to construct new walkways and allow for improvements to a developed single-family property

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 22-100024

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	Much of the lot coverage was installed prior to the passage of the current standards
Special circumstances and conditions do not result from the actions of the applicant.	No	I am applying for the Variance prior to repairs and construction
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	Much of the neighborhood was developed in the mid 1980's and exceed the current limits for lot coverage. Much of the work to be done is simple repair to the existing driveway.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	No	Though I would not be deprived by not granting the Variance. The repairs would increase the safety on the parcel by replacing uneven and broken concrete and providing a safe path to the rear of the parcel.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This grant of this variance will reestablish safe parking an use of the land and structures.
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 grant of the variance will be consistent with the purposes, goals, objectives and policies of the comprehensive plan and this code and will not adversely affect adjacent lands.

6380 1642

FINANCIAL

Prepared By Chris Chandler Rogers
AMERICAN TITLE INS. CO.
1112 3rd Street #4
Naples Beach, Florida 32233

OFFICIAL RECORDS

Warranty Deed

B-1568
6.00 P. 00
365.75 DOLLARS

RECEIVED

22-100024

FE 22 2022

PLANNING & DEVELOPMENT

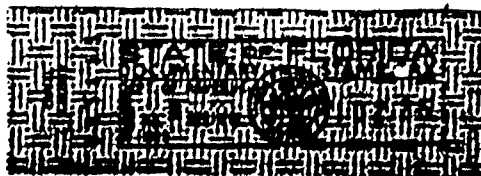
RECORD AND RETURN TO GRANTEE

THIS INDENTURE, Made this 10th day of August, A.D. 1987 BETWEEN
LARRY E. BROCK AND FAYE E. BROCK, HIS WIFE

of the County of Duval, State of Florida, parties of the first part, and
JANET S. SOUTH, A SINGLE PERSON
ADDRESS: 1118 Ruth Avenue, Jacksonville Beach, Florida 32250

of the County of Duval, State of Florida, part Y of the second part,
WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
TEN DOLLARS & OTHER VALUABLE CONSIDERATION Dollars,
to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknow-
ledged, have granted, bargained and sold to the said party of the second part,
her heirs and assigns forever, the following described land, situate, lying and being in the
County of Duval, State of Florida, to wit:

West 1/4 of Lot 16, all Lot 17, and the East 1/4 of Lot 18, Block 11,
WILLIAMS COASTAL BOULEVARD HEIGHTS, according to plat thereof
recorded in Plat Book 10, page 19 of the current public records
of Duval County, Florida. This Warranty Deed is made subject to
any taxes levied against the above described property subsequent to
the year 1986 and to any covenants, restrictions and easements of
record.



And the said parties of the first part do hereby fully warrant the title to said land, and will defend
the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and
seals, the day and year first above written.

WITNESSED AND SEALED IN OUR PRESENCE:

Chris Chandler Rogers
L. R. Rogers

Larry E. Brock (SEAL)
Faye E. Brock (SEAL)
(SEAL)

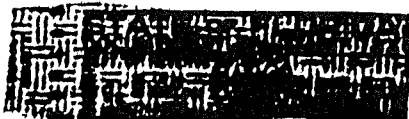
07 AUG 14 1987 (SEAL)

STATE OF FLORIDA
COUNTY OF Duval

Before me personally appeared LARRY E. BROCK
and FAYE E. BROCK

known to me to be the individuals described in and who executed the foregoing instrument, and
acknowledged to and before me that they executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 10th day of AUGUST
1987, at Naples Beach, Duval County, State of Florida.



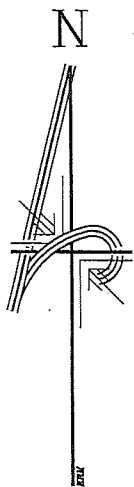
Notary Public in and for the State of Florida.
My commission expires Mar. 4, 1992

STATE OF FLORIDA
Notary Public

EXISTING

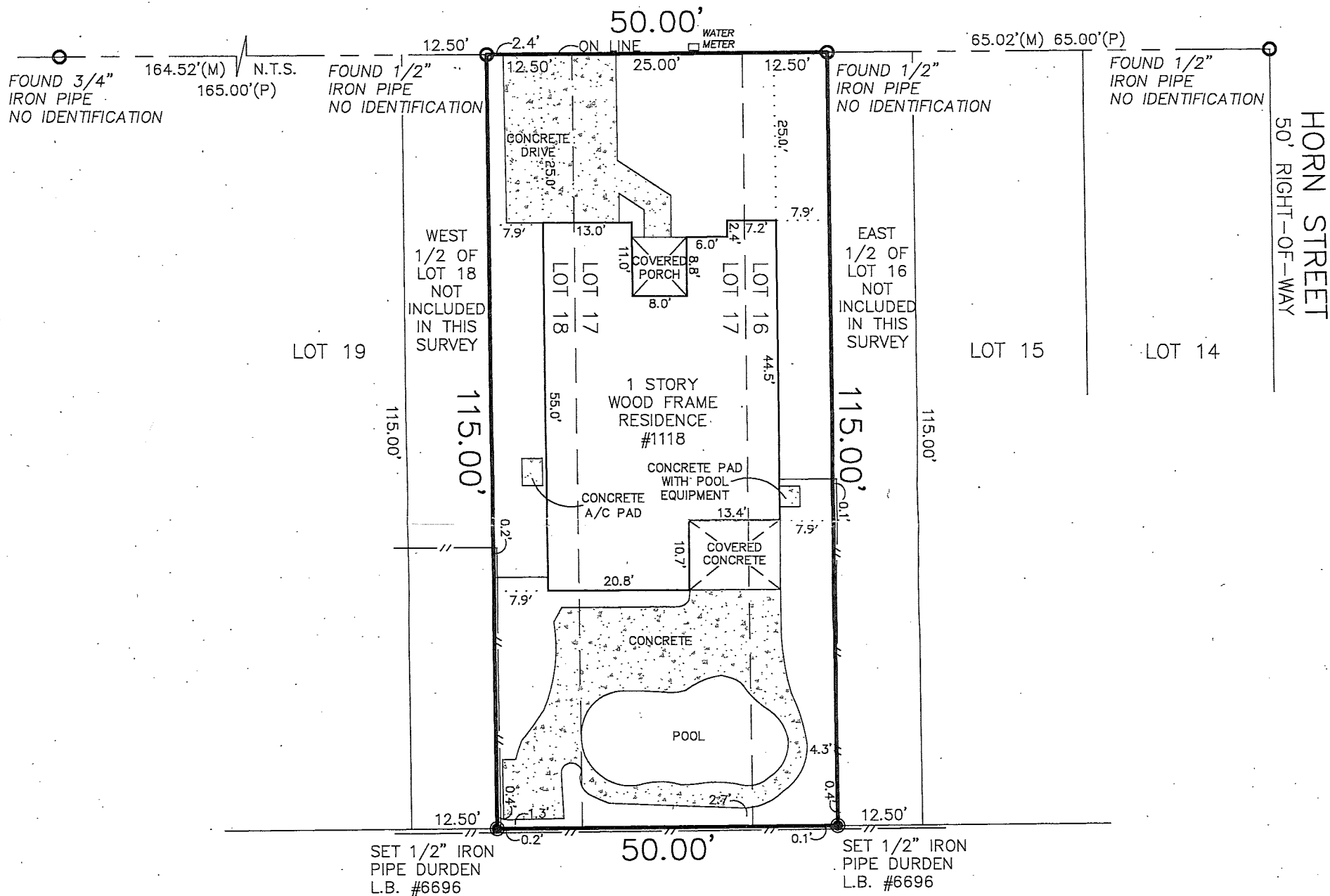
MAP SHOWING BOUNDARY SURVEY OF:

WEST 1/2 OF LOT 16, ALL OF LOT 17, AND THE EAST 1/2 OF LOT 18, BLOCK 11,
WILLIAMS COASTAL BOULEVARD HEIGHTS, AS RECORDED IN PLAT BOOK 10, PAGE 19
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



RUTH AVENUE

50' RIGHT-OF-WAY



NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), DUVAL COUNTY, CITY OF JACKSONVILLE BEACH, COMMUNITY No. 12007B, MAP/PANEL No. 12031C-0419-J, REVISED NOVEMBER 2, 2018

ALL INTERIOR ANGLES SHOWN HEREON ARE 90°00'00" AS FIELD MEASURED AND POSSESSED

NO BUILDING RESTRICTION LINE BY PLAT

N.T.S. DENOTES NOT TO SCALE

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 11

--- 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.

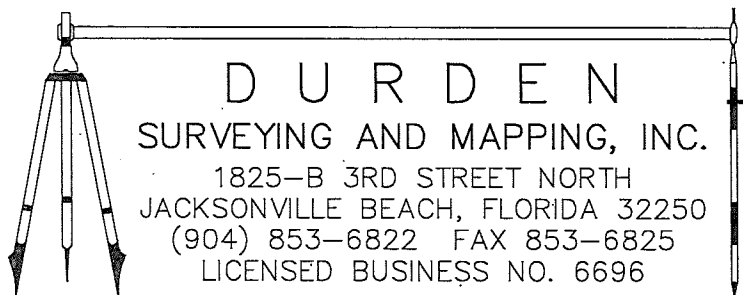
LOT 13

RECEIVED
22-100024
FEB 22 2022

CERTIFIED TO:

JANET S. SOUTH

PLANNING & DEVELOPMENT



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 minimum technical standards 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.
4707
FLORIDA REGISTERED SURVEYOR No. 4707
B. BRUCE DURDEN, JR.

SIGNED FEBRUARY 28, 2020

SCALE: 1" = 20'

WORK ORDER NUMBER: 20077

B-9623



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

BOA#22-100025

Zoning: RS-1
RE: 175211-0000
Legal: Lot 17, Block 4, Beach Homesites Unit 3
Address: 815 17th Avenue North.

Request

Section(s): 34-336(e)(1)e, for lot coverage of 46% in lieu of 35% maximum to allow for construction of a new pool deck and widening of an existing driveway at an existing single family dwelling

Existing Conditions

The subject property is an existing lot of records (circa 1925) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject property is currently occupied by a single family home constructed in 1955. The current owners purchased the home in September of 2021. The owners have since applied for and have been issued a permit for a new swimming pool. The property currently has a detached accessory structure to the rear of the property. The property is roughly 70 feet wide by 110 feet deep, and has an area of 7,700 square feet. The subject property has a car port and a single driveway.

There are no active Code enforcement cases or previous variances

Staff Analysis

The subject property is in the RS-1 zoning district. As such, it is substandard in both width and area. The existing home and shed with associated driveways and other impervious surfaces equal 36.5% of lot coverage. The proposed variance would add pool decking from the shed to the house, going around the pool, as well as doubling the width of the driveway to accommodate more cars. As noted above the existing lot is substantially smaller than the minimum required for the RS-1 zoning district. The current pool is a coping only pool that has no pool decking around it. The proposed increase in lot coverage, extrapolated to a full RS-1 sized lot, would be roughly 35%.



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

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

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**
Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is a nonconforming lot of record in the RS-1 zoning district and is substandard in width and area. The existing home and improvements already cover 36.5% of the lot.
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 lot was platted in 1925 and was not created by actions of the applicant. Additionally the existing home is over lot coverage today.
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 finds that the proposed variance **will not** confer special privileges. The use of the property as proposed in the variance is typical of properties within this 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. As the lot is substandard, the applicant would not be able to do any further renovations on the house much less add any additional amenities to the property without relief, due to the exiting 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 accommodate the proposed new home. The lot will require relief to build the additional pool deck and driveway. The request is the minimum needed to address the proposed pool deck and driveway.

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.

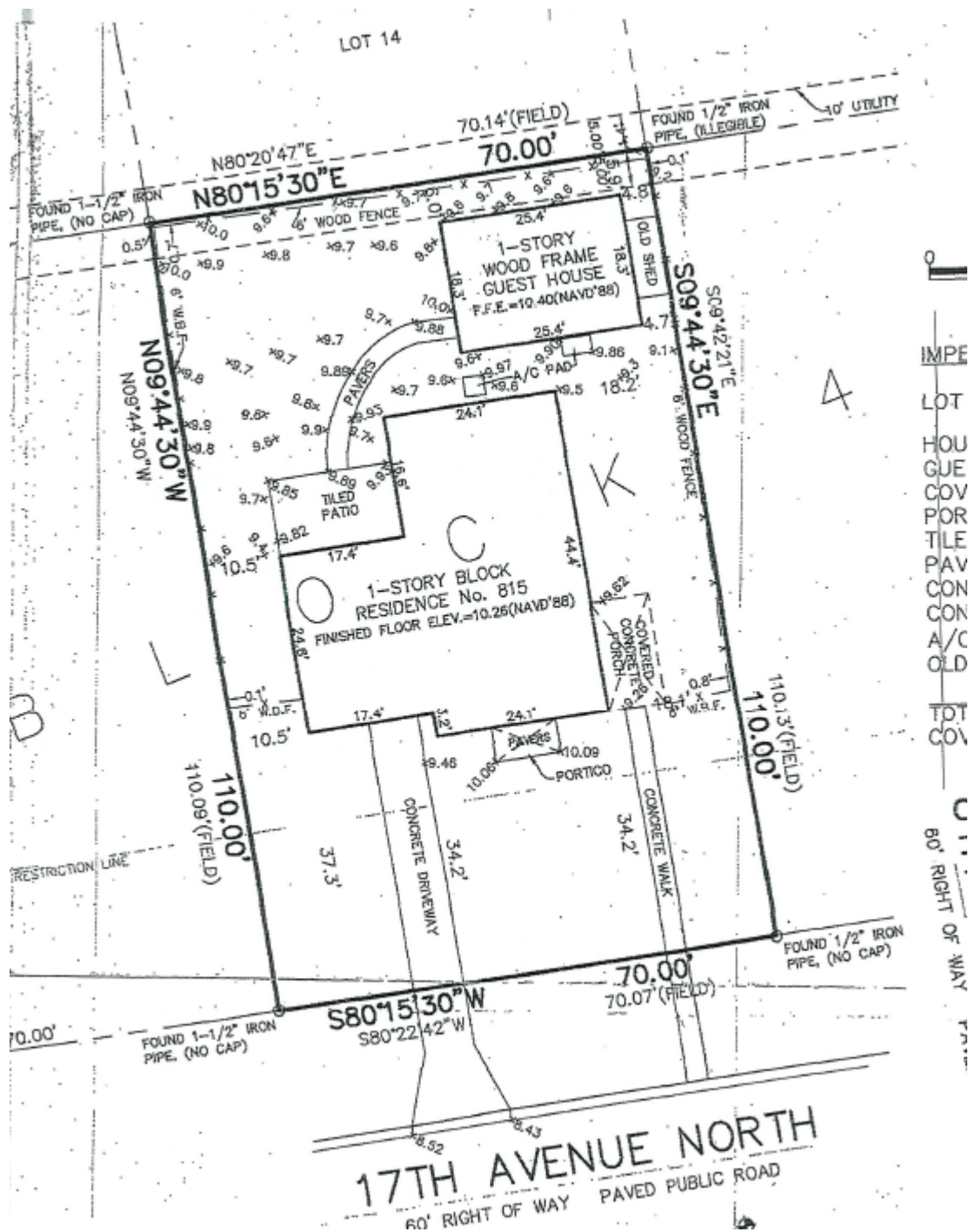
Staff Recommendation

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#22-100025**

Location Map (property boundaries are Representative only)



Existing Survey





APPLICATION FOR VARIANCE

BOA No. 22-100025

HEARING DATE 4/5/22

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.

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APPLICANT INFORMATION

Applicant Name: Shaun Guske
Mailing Address: 815 17th Ave North
Jacksonville Beach FL 32250
Agent Name: Bob Hamill - Henderson Pools
Mailing Address: 725 McCollum Circle
Neptune Beach 32266
Landowner Name: Shaun Guske
Mailing Address: _____

PLANNING & DEVELOPMENT

Telephone: 904-305-9595
E-Mail: Sguske@dca.gov
Telephone: 904-631-6268
E-Mail: Hendersonpool
Builder@gmail.com
Telephone: _____
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: 815 17th Ave North 175211-0000
Legal description of property (Attach copy of deed): Lot 17 Block 4, Beach Homesites Unit 3
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).

Property Owner Requests a Lot Coverage variance of
45.5% in lieu of 35% lot coverage. For Pool Patio and
Driveway expansion

AFFIDAVIT

I, Shaun Guske, 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

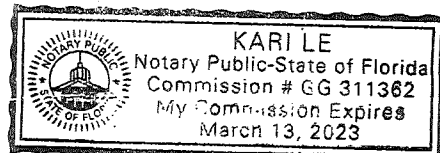
Shaun Guske
PRINT APPLICANT NAME

2/21/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of February, 20 22, by Shaun Guske, who is personally known to me or produced personally know as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Kari Le
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)e, for lot coverage of 46% in lieu of 35% maximum to allow for construction of a new swimming pool deck and widening of the existing driveway at an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

22-100025

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 unique 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 Sized Lot for the Zoning
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Bought Property 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	will be similar to other properties 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	Coverage would be 35% if he had a 10,000 SF Lot
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	needed to do the pool deck + expand the Driveway
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	not changing use typical for Residential

Prepared by & Return to:
Christine Micieli
America's Choice Title Company
170 A1A North
Ponte Vedra Beach, Florida 32082
File Number: 21-944
Property Appraiser's Parcel I.D. (folio) Number:
175211-0000
*Documentary Stamps have been paid in
amount of \$3,850.00
Consideration \$550,000.00*

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PLANNING & DEVELOPMENT

General Warranty Deed

Made this 28th day of September, 2021, by **Michael D. Chretien and Lena Marie Chretien, a married couple**, whose mailing address is **77 Powow River, East Kingston, NH 03827**; hereinafter referred to as the "Grantor(s)", to **Shaun Guske, a single person**, whose mailing address is **815 17th Ave. N Jacksonville Beach, FL 32250**; 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 17, Block 4, Beach Homesites-Unit Three, according to the map or plat thereof, as recorded in Plat Book 25, Page 38, 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:

Christine Micieli

America's Choice Title Company

170 A1A North

Ponte Vedra Beach, Florida 32082

File Number: 21-944

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

175211-0000

*Documentary Stamps have been paid in
amount of \$3,850.00*

Consideration \$550,000.00

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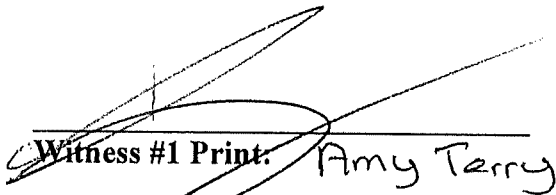
22-100085

FEB 22 2022

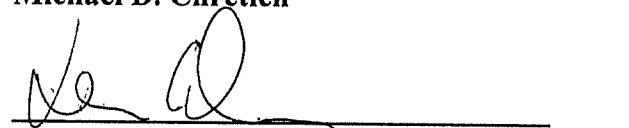
PLANNING & DEVELOPMENT

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

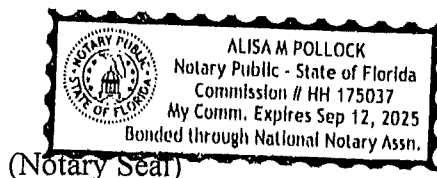

Witness #1 Print: Amy Terry


Witness #2 Print: Alisa Pollock

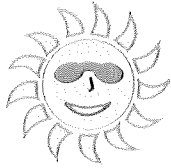

Michael D. Chretien

Lena Marie Chretien

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 28th day of September, 2021, by **Michael D. Chretien and Lena Marie Chretien, a married couple**, who appeared before me in their physical presence, and, who produced a Driver's License as identification.




Notary Public



HENDERSON

POOL SERVICE, INC.

February 16, 2022

Lot Coverage for the Guske Pool, 815 17th Avenue North, Jacksonville Beach. 32250

LOT SIZE: 70 x 110 = 7700 Square Feet

EXISTING LOT COVERAGE: 2813 Square Feet.
EXISTING COVERAGE PERCENTAGE: 36.5%

REMOVING THE FOLLOWING:

Rear Paver Walkway 84 SF

ADD POOL PAVERS AND COPING: 503 SF

ADD DRIVEWAY SQUARE FOOTAGE: 7.8 x 34.2 = 267 SF

$2813 - 84 = 2729$
 $2729 + 267 = 2996$
 $2996 + 503 = 3499$

NEW TOTAL LOT COVERAGE: 3499 SF

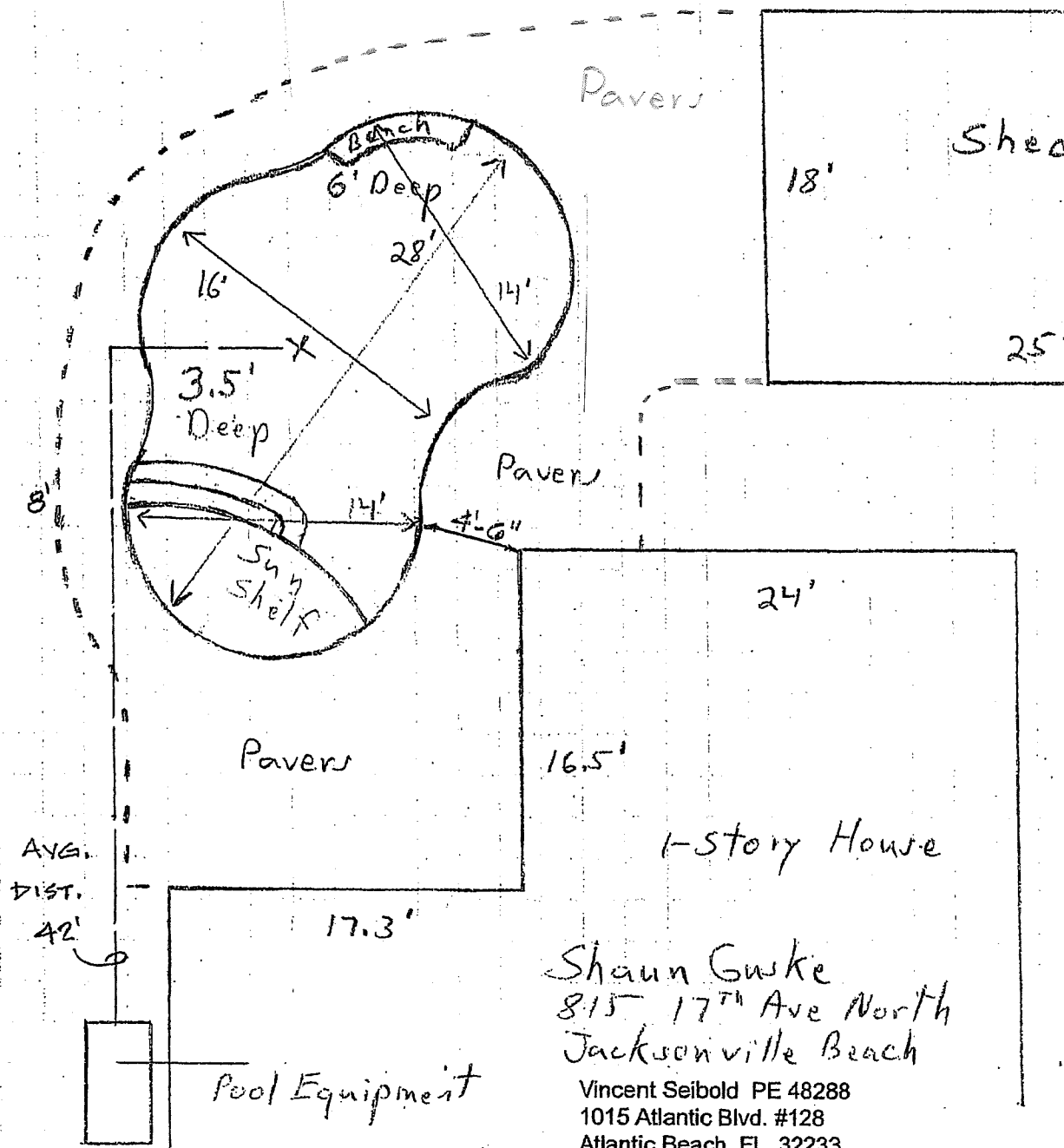
APPLY FOR A VARIANCE OF 45.5%

RS1 MINIMUM LOT SIZE: 10,000. X .35 = 3500 SF

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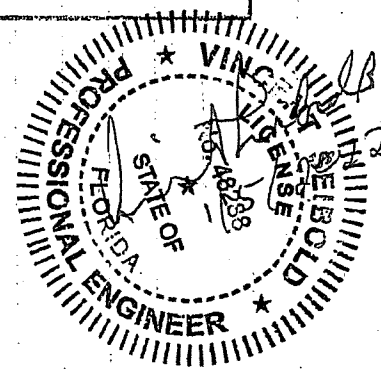
PLANNING & DEVELOPMENT

FBC 7th Edition 2020: R45U.
 Min. 48" high fence with out-swing.
 self-closing, self-latching gates.
 Latch min. 54" above bottom of gate.



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PLANNING & DEVELOPMENT



AREA: 377 SQ. FT.
 VOLUME: 12,000 gals.
 TURNOVER: 6 HOURS

SCALE: 1/8" = 1'-0"

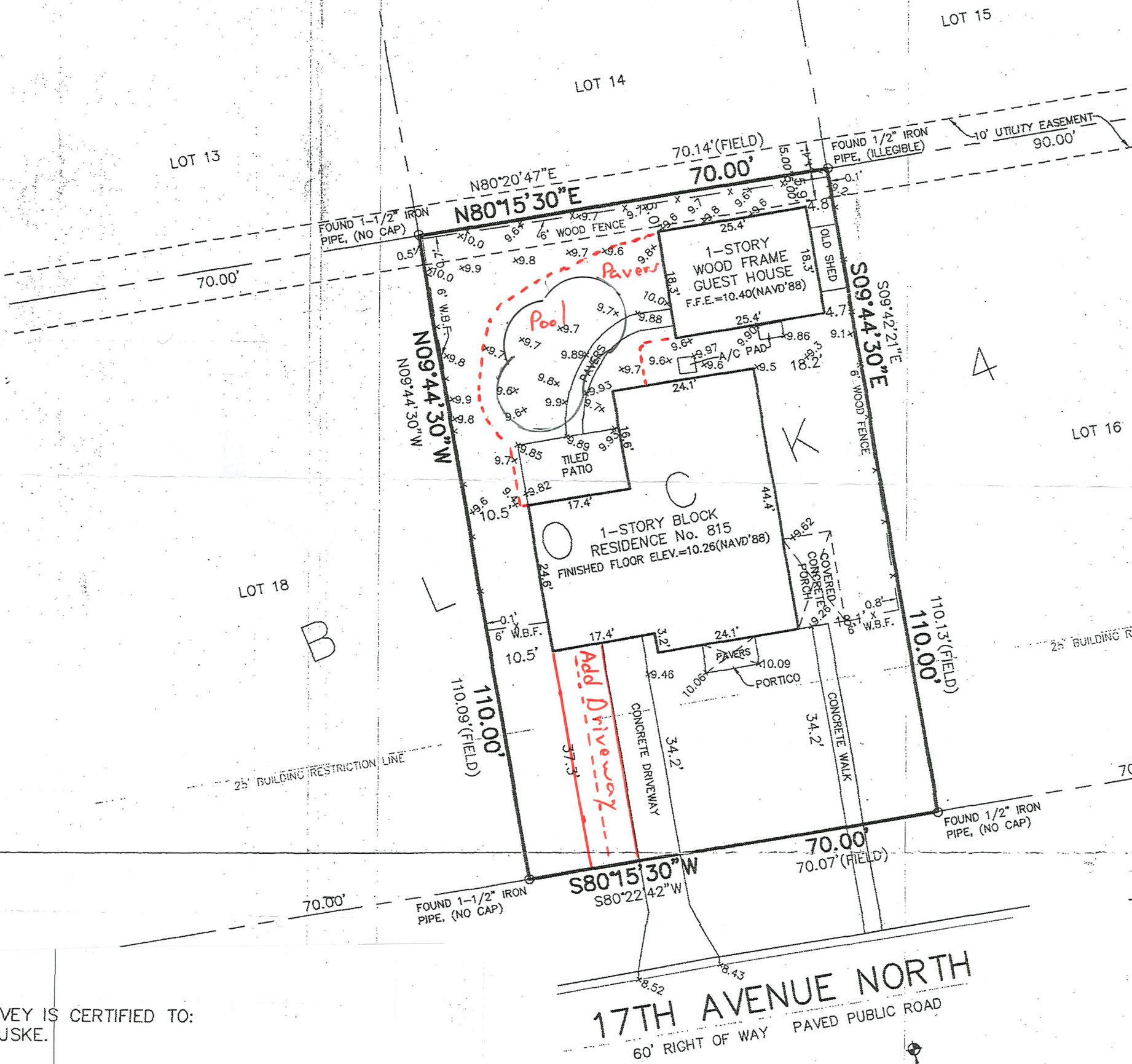
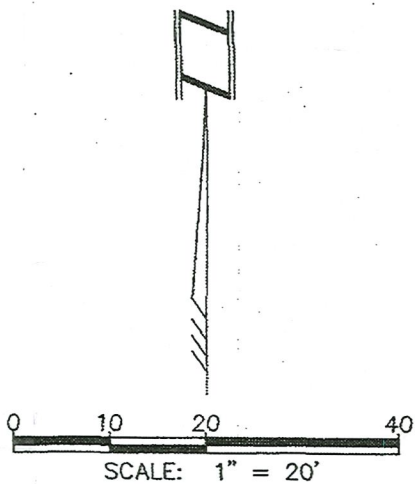
Henderson Pool
 Service
 Bob Hamil
 904-631-6268

Shaun Gwke
 815 17th Ave North
 Jacksonville Beach
 Vincent Seibold PE 48288
 1015 Atlantic Blvd. #128
 Atlantic Beach, FL. 32233
 904-568-4112

PROPOSED

MAP SHOWING SURVEY OF

LOT 17, BLOCK 4, BEACH HOMESITES UNIT THREE, AS RECORDED
IN PLAT BOOK 25, PAGES 38, 38A, AND 38B OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



THIS SURVEY IS CERTIFIED TO:
SHAUN GUSKE.

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

(904)241-8550

DATE: OCTOBER 30, 2021

SHEET 1 OF 1

BENCHMARK:
SET MAG NAIL IN SOUTH EDGE
OF PAVEMENT ACROSS FROM
No. 815 NORTH 17TH AVENUE.
GPS ELEVATION= 8.31 (NAVD '88)

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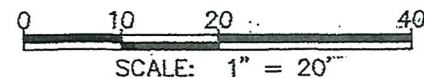
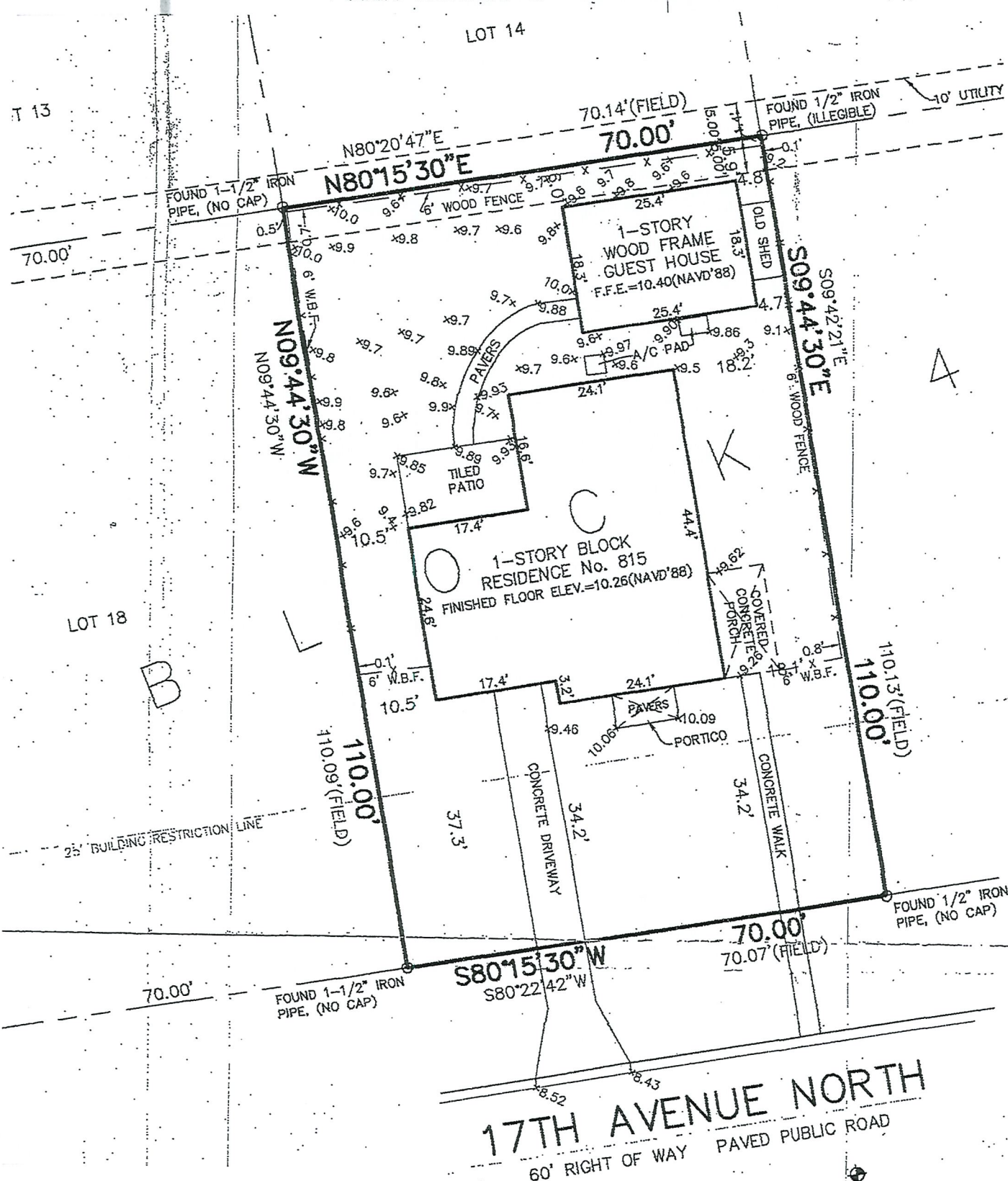
PLANNING & DEVELOPMENT

BOATWRIGHT LAND SURVEYORS, Inc. 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA

EXISTING

MAP SHOWING SURVEY OF

LOT 17, BLOCK 4, BEACH HOMESITES UNIT THREE, AS RECORDED
IN PLAT BOOK 25, PAGES 38, 38A, AND 38B OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



IMPERVIOUS AREA: (S.F. DENOTES SQUARE FEET)

LOT AREA	= 7,700 S.F.
HOUSE (MAIN)	= 1,496 S.F.
GUEST HOUSE	= 465 S.F.
COVERED PORCH	= 121 S.F.
PORTICO	= 42 S.F.
TILED PATIO	= 179 S.F.
PAVER WALK	= 84 S.F.
CONCRETE WALK	= 99 S.F.
CONCRETE DRIVE	= 257 S.F.
A/C PADS	= 18 S.F.
OLD WOOD SHED	= 52 S.F.

TOTAL IMPERVIOUS AREA = 2,813 S.F.
COVERAGE = 36.5%

8TH STREET NORTH
60' RIGHT OF WAY PAVED PUBLIC ROAD

17TH AVENUE NORTH
60' RIGHT OF WAY PAVED PUBLIC ROAD

NOTES

1. THIS IS A BOUNDARY & LIMITED TOPOGRAPHIC SURVEY.
2. BEARINGS ARE BASED ON THE WEST LINE OF LOT 17 BEING NORTH 9°44'30" WEST AS PER PLAT.
3. BUILDING RESTRICTION LINES AS PER PLAT.
4. BENCHMARK USED IS A SET MAG NAIL & DISK (LB 3672), IN THE SOUTH EDGE OF PAVEMENT ACROSS FROM RESIDENCE No. 815 NORTH 17TH AVENUE, AS SHOWN HEREON.
ELEVATION= 8.31 (N.A.V.D. 1988).
5. BENCHMARK USED WAS ESTABLISHED BY GPS OBSERVATION USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND TRIMBLE VRS SOFTWARE.
6. W.B.F. DENOTES WOOD BOARD FENCE.
7. F.F.E. DENOTES FINISHED FLOOR ELEVATION.

BENCHMARK:

SET MAG NAIL IN SOUTH EDGE
OF PAVEMENT ACROSS FROM
No. 815 NORTH 17TH AVENUE.
GPS ELEVATION= 8.31 (NAVD '88)

THIS SURVEY IS CERTIFIED TO:
SHAUN GUSKE.

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22-100025

FEB 22 2022

WORKING
COPY
FOR PLANNING & DEVELOPMENT
ONLY

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD
ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS
WELL AS CAN BE DETERMINED FROM THE FLOOD
INSURANCE RATE MAP No. 12031C0417J, EFFECTIVE
NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

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

DATE: OCTOBER 30, 2021 SHEET 1 OF 1

CHECKED BY: FILE: 2021-1499 DRAWN BY: ADT BOATWRIGHT LAND SURVEYORS, Inc. 1500 ROBERTS DRIVE, JACKSONVILLE
BEACH, FLORIDA (904)241-8550

Ref 22-100025

RECEIVED
via email
MAR 29 2022

March 29, 2022

PLANNING & DEVELOPMENT

SUBJECT: BOA#22-100025 – Variance from Requirements of the Land Development Code

Dear Board of Adjustment Committee Members:

OVERVIEW:

Recently received public notice as a Jacksonville Beach Property Owner in relation to RE# 175211-0000 that a dwelling at 815 17th Avenue North (Lot 17, Block 4, Beach Homesites Unit Three) has requested for lot coverage of 46% in lieu of 35% maximum allowed for construction on specified premises.

REQUEST:

Existing single-family dwelling would like new construction for a swimming pool deck and widening of the existing driveway.

COMMENTS:

Based on research, the property line has already been encroached by approximately 5 feet from the required setback of other property owners. Having additional widening for a pool deck and driveway should not further impede the encroachment zone. Any variance should be protected by the Department of Planning and Development.

OPINIONS:

Widening of the existing driveway should be defined by the average number of cars for a single-family household. Expansion to hold excessive cars would imply that this dwelling is being used by multiple families and/or rental purposes.

Thank you for reaching out to our family as it relates to the addressed section requirements within #34-336(e) (1) e, relating to the public hearing date on Tuesday, April 5, 2022 at 7:00 PM in the Council Chambers. In accordance with Section 286.0105, Florida Statutes, I would like to receive record of the proceedings upon completion of the hearing.

Sincerely,

Anthony and Jennifer Dillon