



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, April 19, 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

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#22-100012**

Applicant: New Atlantic Builders, Inc

Agent: Stephen B. Williams

Owner: DaveCar Investments, LLC. / Daryl Grubbs

Property Address: '0' 12th Avenue South

Parcel ID: 176191-0000

Legal Description: Lot 10, Block 112, *Pablo Beach South*

Current Zoning: RM-2

Motion to Consider: **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 50% in lieu of 35% maximum to allow for construction of a new two-family dwelling

NEW BUSINESS

A. **Case Number(s): BOA#22-100026**

Applicant: Hanna Builders Properties, LLC.

Agent: Mike Hanna

Owner: HBP 01, LLC.

Property Address: 1637 7th Street South

Parcel ID: 179816-0000

Legal Description: Lot 17, Block 4, *Seaside Park*

Current Zoning: RS-2

Motion to Consider: **Section(s):** 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new paver driveway to replace wheel strips at an existing single family dwelling

B. **Case Number(s): BOA#22-100028**

Applicant: KEEE Holdings, LLC., Jeffrey Kendall

Agent: N/A

Owner: KEEE Holdings, LLC.

Property Address: 121 10th Avenue North

Parcel ID: 173965-0000

Legal Description: All of Lots 80 and 85 and the East 50 feet of Lots 81 and 82, *Flagler Tract*, According to Plat Book 15, Page 50 and Lot 3, Block 112, *Pablo Beach Improvement Company*, Plat Book 5, Page 66 and the Portion of Closed Alley Lying East of the North 53 feet of Lot 85, *Flagler Tract*

Current Zoning: RM-2

Motion to Consider: **Section(s):** 34-340(e)(1)c.1 for a front yard setback of 18 feet in lieu of 20 feet minimum and 34-340(e)(1)c.2, for an easterly side yard of 8 feet in lieu of 10 feet minimum to allow for the addition of an extended side and front deck and staircase at an existing two-family dwelling

C. **Case Number(s): BOA#22-100029**

Applicant: Holly & Robert Robertson

Agent: N/A

Owner: Holly & Robert Robertson

Property Address: 1101 13th Street North

Parcel ID: 179151-0060

Legal Description: Lot 6, Block 56, *Section "A", Jacksonville Beach*

Current Zoning: RS-2

Motion to Consider: **Section(s):** 34-337(e)(1)c.2, for a northern side yard setback of 1 foot in lieu of 5 feet minimum and a combined side yard setback of 8 feet in lieu of 15 feet minimum; 37-337(e)(1)c.3, for a rear yard setback of 25 feet in lieu of 30 feet minimum; 34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure setback of 1 foot in lieu of 5 feet minimum to rectify existing non-conformities and allow for the enclosure of an existing screened room at an existing single family dwelling

D. **Case Number(s): BOA#22-100030**

Applicant: Michael & Lauren Garcia

Agent: N/A

Owner: Michael & Lauren Garcia

Property Address: 527 15th Avenue South

Parcel ID: 176874-0010

Legal Description: Lot 8, Block 146, *Oceanside Park*

Current Zoning: RS-2

Motion to Consider: **Section(s):** 34-337(e)(1)e, for lot coverage of 60% in lieu of 35% maximum and 34-337(e)(1)g, for a walkway setback of 0 feet in lieu of 2 feet minimum to allow for the addition of a paver walkway on the west side yard and a

swimming pool deck to an existing single-family dwelling

E. **Case Number(s): BOA#22-100031**

Applicant: Sara Rocco

Agent: N/A

Owner: 1415 3rd St. LLC., Rock Investments Holdings Co., LLC., Sara Rocco

Property Address: 1415 3rd Street North

Parcel ID: 174681-0000

Legal Description: Lot 6 and the West 35 feet of the South 1/2 of Lot 4, Block 143, *Pablo Beach Improvement Company's Plat*

Current Zoning: C-1

Motion to **Section(s): 34-373**, for 12 parking spaces in lieu of 30 required to allow for

Consider: the conversion of an existing commercial retail space to a salon

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, May 3, 2022. There are six 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



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

BOA#22-100012

Zoning: RM-2
RE: 176191-0010
Legal: Lot 10, Block 112, Pablo Beach South
Address: 0 12th Avenue South (113 12th Avenue South)

Request

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 50% in lieu of 35% maximum to allow for construction of a new two-family dwelling

Existing Conditions

The subject property is an existing nonconforming lot of record (Circa 1909) located in the Residential Medium Density future land use category. The property is located in the Residential Multifamily: RM-2 zoning district. The property is currently 50 feet in width and 125 feet in depth. The lot area is 6,250 square feet. The lot is currently vacant. The proposed project would have rear access to the garages, which is common along this specific alley.

No previous variances or code cases.

Staff Analysis

The property is currently substandard in width, as the minimum is 60 feet in width at the building line. The property however is not substandard in lot area, exceeding the minimum of 6,000 square feet. The proposed design of the two family dwelling does attempt to limit lot coverage through the use of wheel strips and is providing a two car garage for each unit. There should be a logical correlation between the request for variance and the specific hardship. In this case, the hardship for this lot is the width, so a request for side yard setbacks would be a request that would correlate with the specific hardship. The request in this case is for lot coverage in excess of 35% with no hardship with regards to lot area. Technically the proposed project could be reduced in size to meet the lot coverage standards. The minimum floor area required for a two family dwelling is 800 square feet per unit, 1,600 square feet total. The base floor area (single floor) for each unit is 1,300 +/- square feet, combined of over 2,500 square feet.



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Minimum Dimensional Standards

(1) Two-family dwellings.

- 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: 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.
- Floor area: A two-family dwelling structure shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area. Each unit within a duplex structure shall contain a minimum of eight hundred (800) square feet of conditioned living area excluding garage or carport.
- Wall separation. Two-family dwellings shall contain a two (2) hour fire resistant wall between units.
- 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 current lot, platted in 1909 is substandard in width. The lot is typical of lots in the area with regards to shape and area. Therefore the request for setback reduction would be an acceptable request to address the deficient lot width.

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

Staff **does** and **does not** find that circumstances are a result of the applicant. Although the lot is substandard in width, the lot has an excess of lot area which



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would allow the applicant to build a structure that meets the code requirements without the need for a variance. The applicant's desire to build a bigger structure is what results in the request, not a deficiency of the lot.

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

Staff finds that the proposed variance will and will not confer special privileges. The desire to build a larger structure is not a reason to grant a variance on a property with no correlated hardship. However the request for setback reduction does have logical connection to the lot width, therefore the side setback reduction will not confer special privilege as there is a hardship for lot width.

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 and does not find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant could build a two family dwelling on this lot without relief for lot coverage. There is a hardship for width, therefore literal interpretation for side yard would be an unnecessary hardship.

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 and does not find that the requested variances are the minimum variance needed to accommodate the proposed new home. As noted above, there is no hardship with regards to lot area that would require a variance from the lot coverage maximums. There is a hardship for side yard setbacks, and based on the proposed design, the request for reduction is the minimum needed for setback reduction to accomplish this plan.

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

Staff does find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use



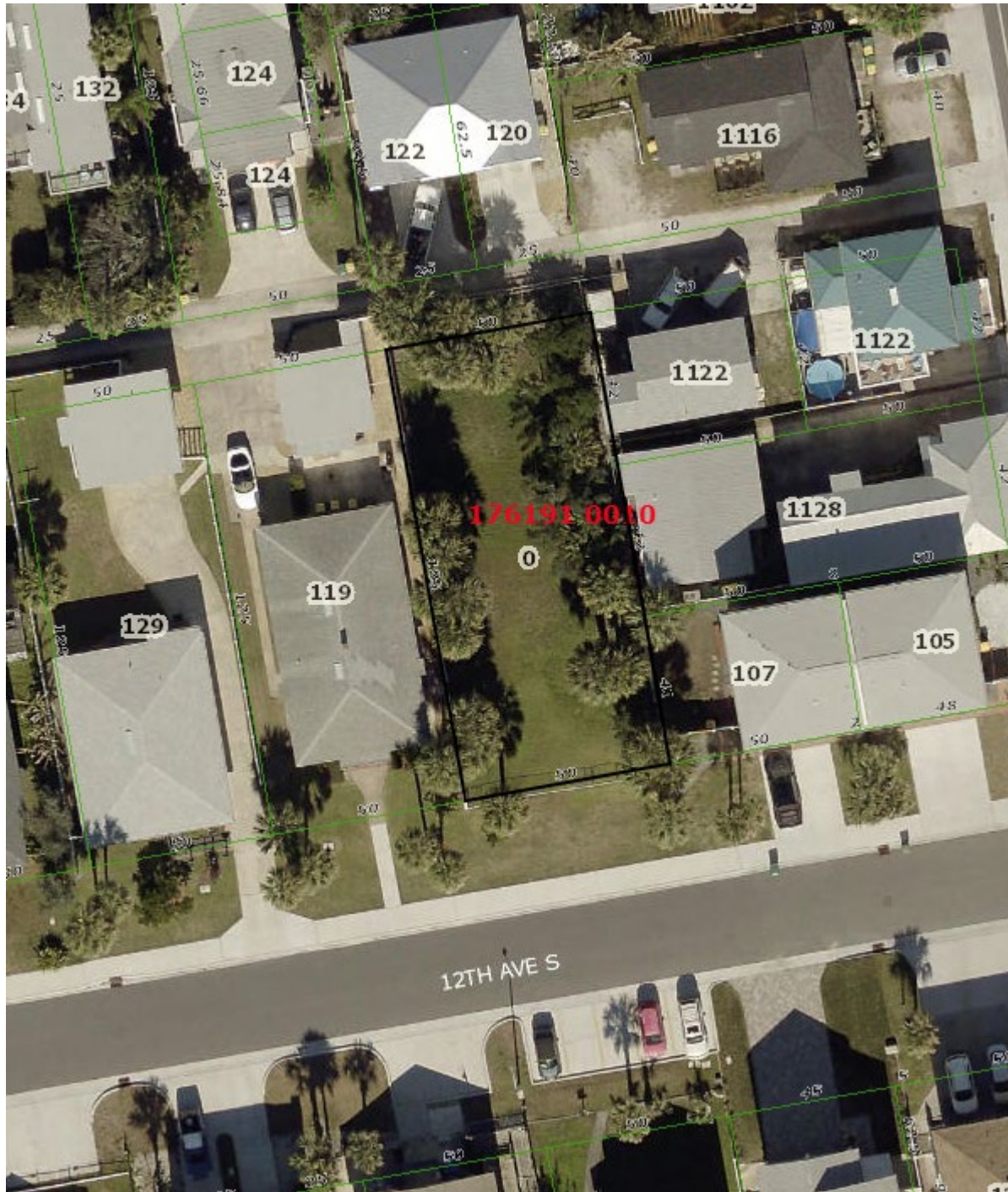
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designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

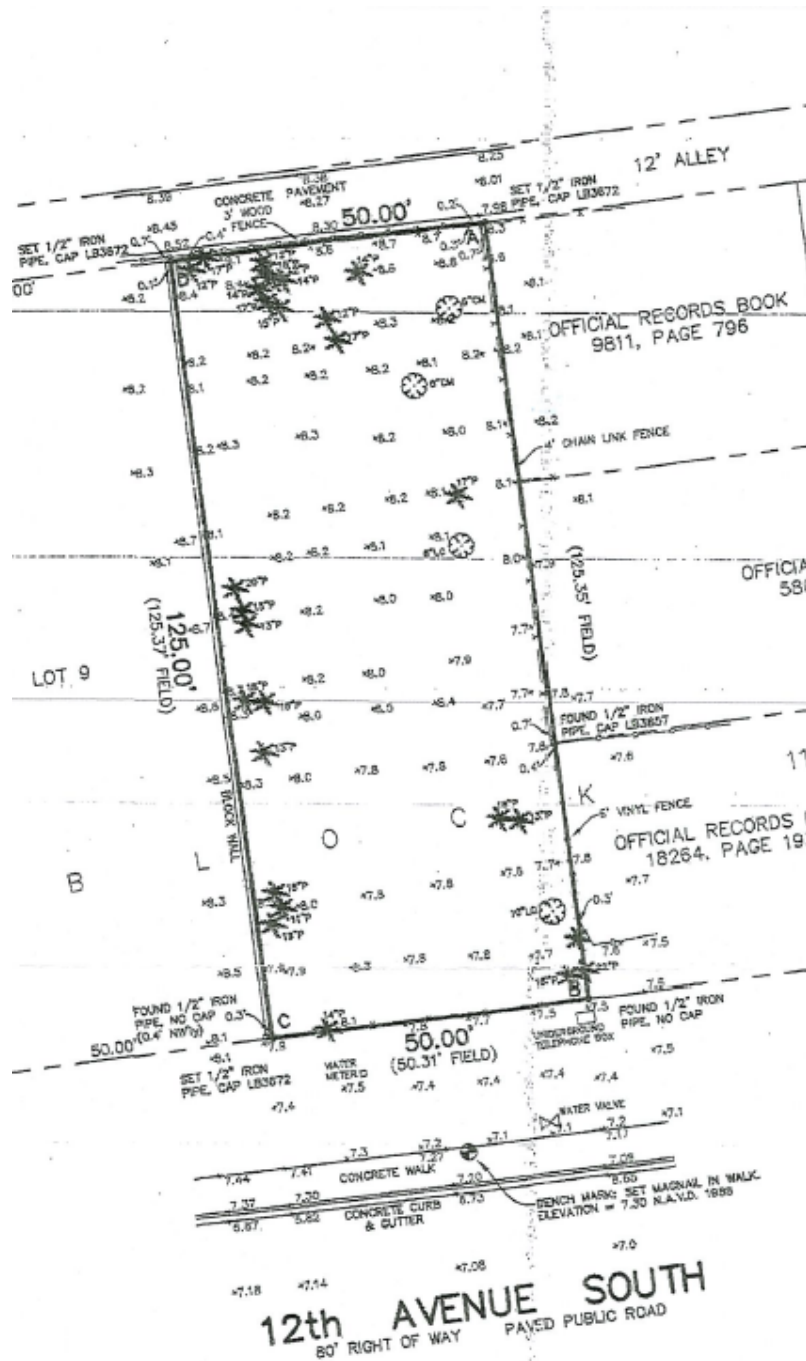
Staff Recommendation

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 **Denial of the request for lot coverage increase and Approve the request for side yard setback reduction of BOA#22-10010**

Location Map (property boundaries are reprehensive only)



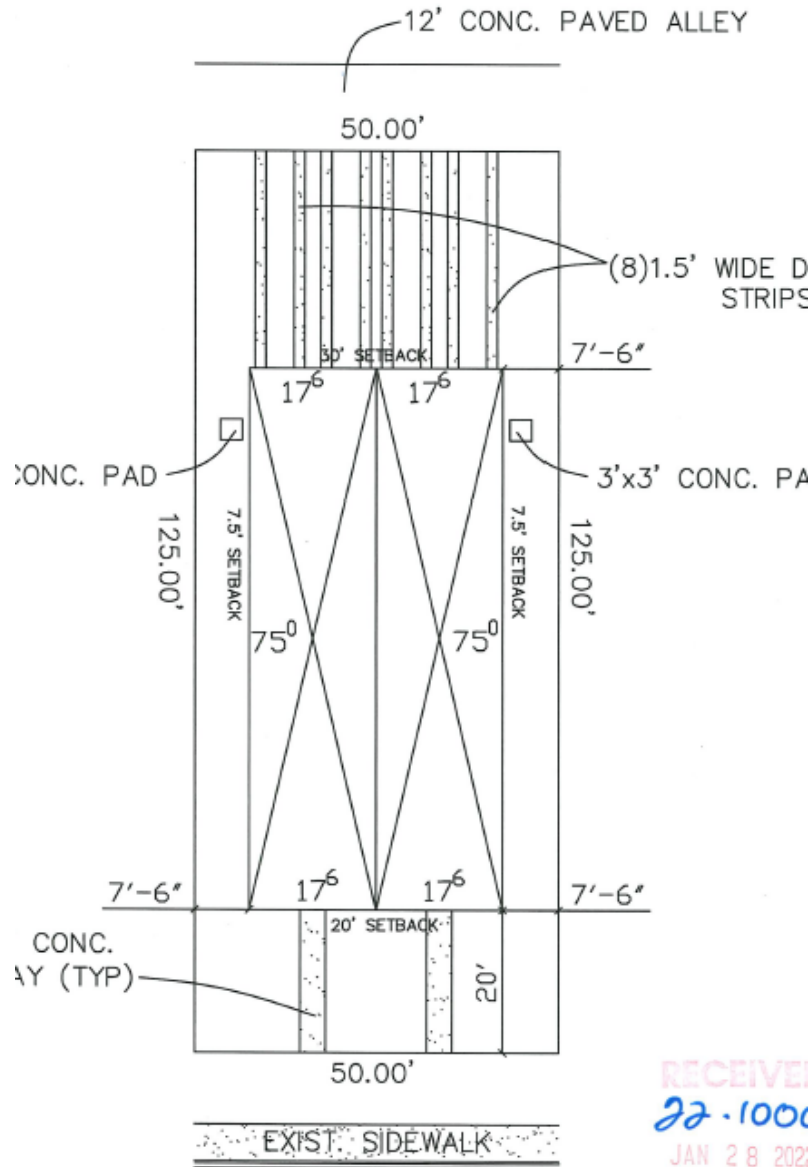
Existing Survey





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

Proposed Site Plan



RECEIVED
22.1000
JAN 28 2022

PLANNING & DEVELOPMENT

12TH AVENUE SOUTH



APPLICATION FOR VARIANCE

BOA No. 22-100012
HEARING DATE 3.15.22

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

JAN 28 2022

APPLICANT INFORMATION

Applicant Name: New Atlantic Builders Inc. Telephone: (904) 683-7533
Mailing Address: 5875 Mining Terrace #206 E-Mail: Jim@NewAtlanticBuilders.com
Jacksonville, FL 32257
Agent Name: Stephen B. Williams Telephone: (904) 219-0603
Mailing Address: 3731 Duval Drive E-Mail: steve@edgewatercompaniesinc.com
Jacksonville Beach, FL 32250
Landowner Name: Daryl Grubbs c/o DaveCar Investments LLC. Telephone: (904) 612-6800
Mailing Address: 1919 Nightfall Drive E-Mail: daryl@dgrubbs.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: 11312th Ave. S. Jacksonville Beach, FL 32250
Legal description of property (Attach copy of deed): Lot 10 Block 112 Pablo Beach South #176191-0010
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).
Applicant is asking for a side yard setback of 7.5 feet in lieu of the 10 feet required to build a two-family dwelling AND 44.9% lot coverage in lieu of 35% in order to build a two-family dwelling.

AFFIDAVIT

I, JAMES WATSON, 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

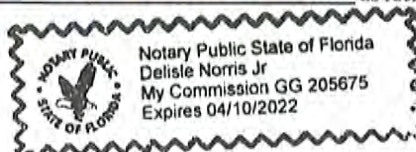
JAMES WATSON
PRINT APPLICANT NAME

1-19-22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19th day of January, 2022, by James Watson, who is personally known to me or produced [Signature] as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Delise Norris Jr.
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: AE

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

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100012

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.

JAN 28 2022
PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Per RM-2 Zoning the Lot Width is less than required and Lot Square Footage is less than required as well. As such this creates unique circumstances hardship and hence the need for the variance
Special circumstances and conditions do not result from the actions of the applicant.	Yes	There are no special circumstances or conditions because of anything the Applicant is proposing because subject lot is substandard in status as it pertains to current zoning.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Granting this variance does not confer any privileges that other property owners in this zoning classification that have not already been received by other applicants & their variance requests approved in the past.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Literal interpretation & enforcement of this zoning classification would certainly deprive the applicant rights to develop this property that have been granted in the past for other property owners in this part of Jacksonville Beach.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Granting this variance is the absolute minimum the applicant could come up with that would insure that the proposed two family dwelling will be satisfactorily received by todays housing standards.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting this variance for this specific lot at this location is definitely consistent with many other two family dwellings already built on the street and surrounding blocks.

Prepared by and return to:

Bryan C. Goode, III

Attorney at Law

Bryan C. Goode III, P.A.

320 1st Street North Suite 613

Jacksonville Beach, FL 32250

904-247-1755

File Number: 21-0119

Will Call No.:

22-100012
JAN 28 2022

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 17th day of March, 2021 between Graziano Fruzzetti as Successor Trustee of the Harvey W. Lotz Revocable Trust u/a/d February 11, 2011 whose post office address is 119 12th Avenue South, Jacksonville Beach, FL 32250, grantor, and Davecar Investments, LLC, a Florida limited liability company whose post office address is 1912 Nightfall Drive, Neptune Beach, FL 32266, grantee:

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

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

Lot 10, Block 112, 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.

Parcel Identification Number: 176191-0000

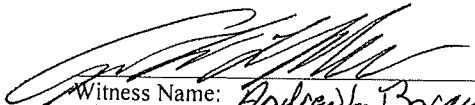
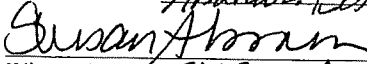
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

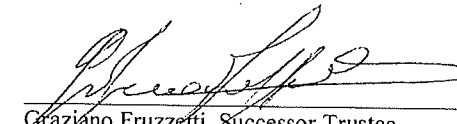
To Have and to Hold, the same in fee simple forever.

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

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

Signed, sealed and delivered in our presence:

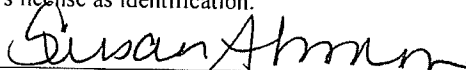

Witness Name: Andrew L. Barauskas

Witness Name: Susan Abram


Graziano Fruzzetti, Successor Trustee

State of Florida
County of Duval

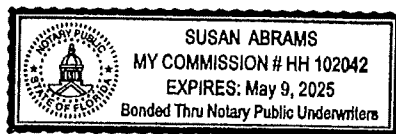
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17th day of March, 2021 by Graziano Fruzzetti as Successor Trustee of the Harvey W. Lotz Revocable Trust w/a/d February 11, 2011, who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]


Notary Public, State of Florida

Printed Name: _____

My Commission Expires: _____



DAVECAR INVESTMENTS, LLC
1912 NIGHTFALL DRIVE
NEPTUNE BEACH, FL 32266

904 270 2030 wk

daryl@dgrubbs.com

January 25, 2022

Via: Hand Delivery

City of Jacksonville Beach Board of Adjustment
11 3rd St North
Jacksonville Beach, FL 32250

22-100012
JAN 28 2022

RE: Authorization to Apply For Variance
Subject Property: 113 12th Ave. S., Jax Beach, FL 32250
R/P RE Parcel #176191-0010
Lot 10 Block 112 Pablo Beach South

To Whom it May Concern,

DaveCar Investments, LLC is the registered owner of the above noted property, and as the manager I authorize applicant New Atlantic Builders to make the application for variance to the City of Jacksonville Beach Board of Adjustment for the consideration of a variance on the above noted Subject Property.

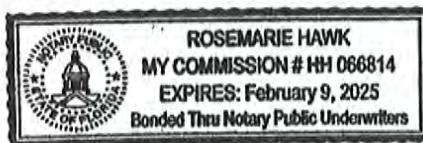
Respectfully,

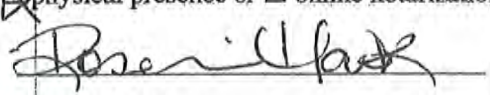

Daryl Grubbs

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to (or affirmed) and subscribed before me this 25 day of January, 2022 by Daryl Grubbs who is personally known to me or who produced identification by means of ☒ physical presence or ☐ online notarization.

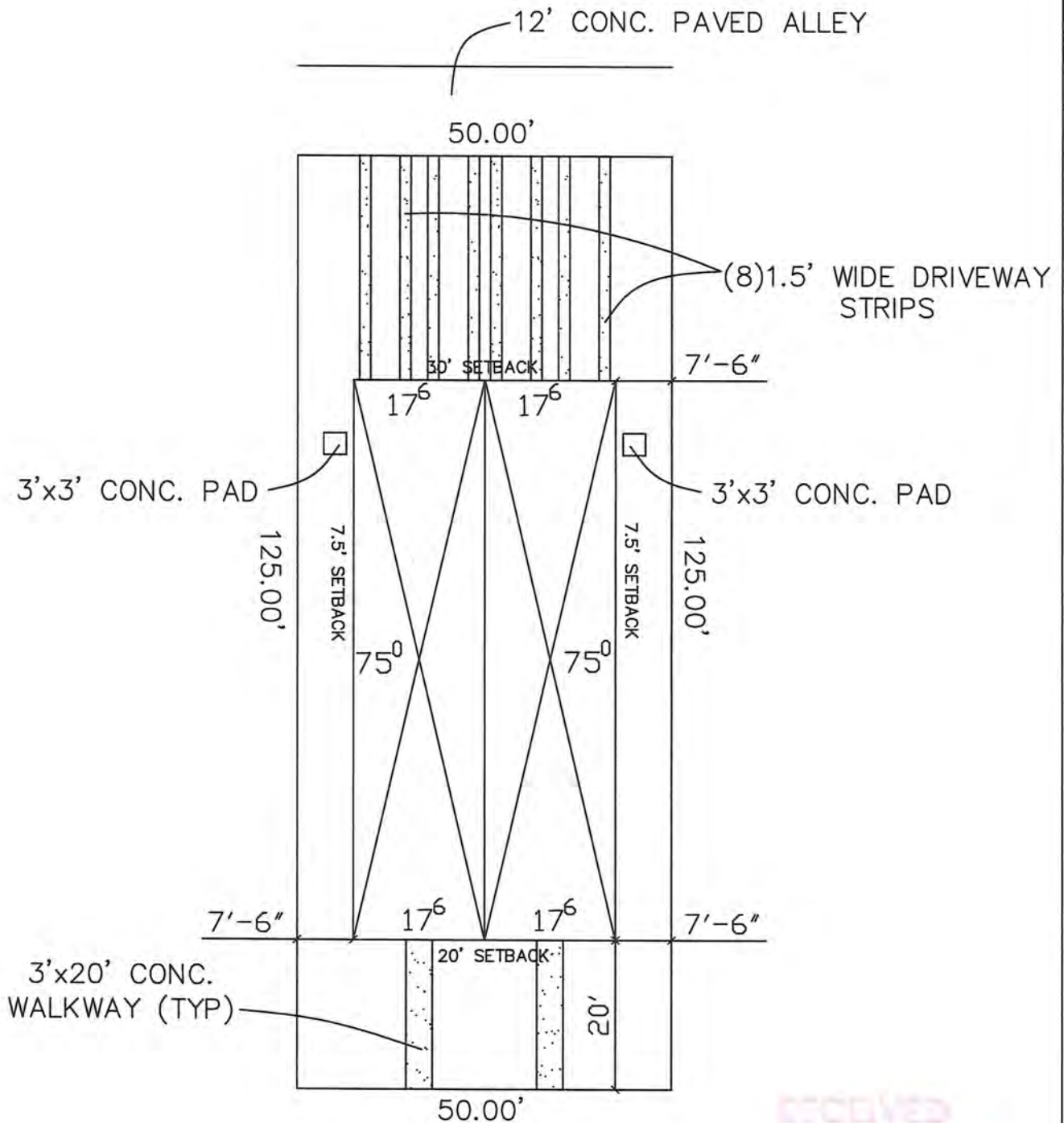
(Stamp of Notary Public- State of Florida)




Notary Public

Rosemarie Hawk
Print Name of Notary Public

PROPOSED



EXIST. SIDEWALK

12TH AVENUE SOUTH

RECEIVED
22-100012
JAN 28 2022

PLANNING & DEVELOPMENT

**NEW
ATLANTIC**

5875 MINING TERRACE
SUITE 206
JACKSONVILLE, FL 32257

SITE PLAN PRODUCED BY:
KATHLEEN MOSS
RESIDENTIAL DESIGN & DRAFTING SERVICES

SITE PLAN SURVEY FOR:
LOT 10 BLK 112 PABLO BEACH SOUTH
12TH AVENUE SOUTH

SCALE: 1" = 20'

DATE: 01/19/22
REVISED: 01/27/22

IMPERVIOUS BUILDING AREA
2,625 S.F. - TOWNHOUSE FOOTPRINT
120 S.F. - FRONT/SIDE WALKWAYS
360 S.F. - DRIVEWAYS
18 S.F. - CONC. PADS

IMPERVIOUS LOT AREA
3,123 S.F. - 6,250 S.F. =
49.97% LOT COVERAGE

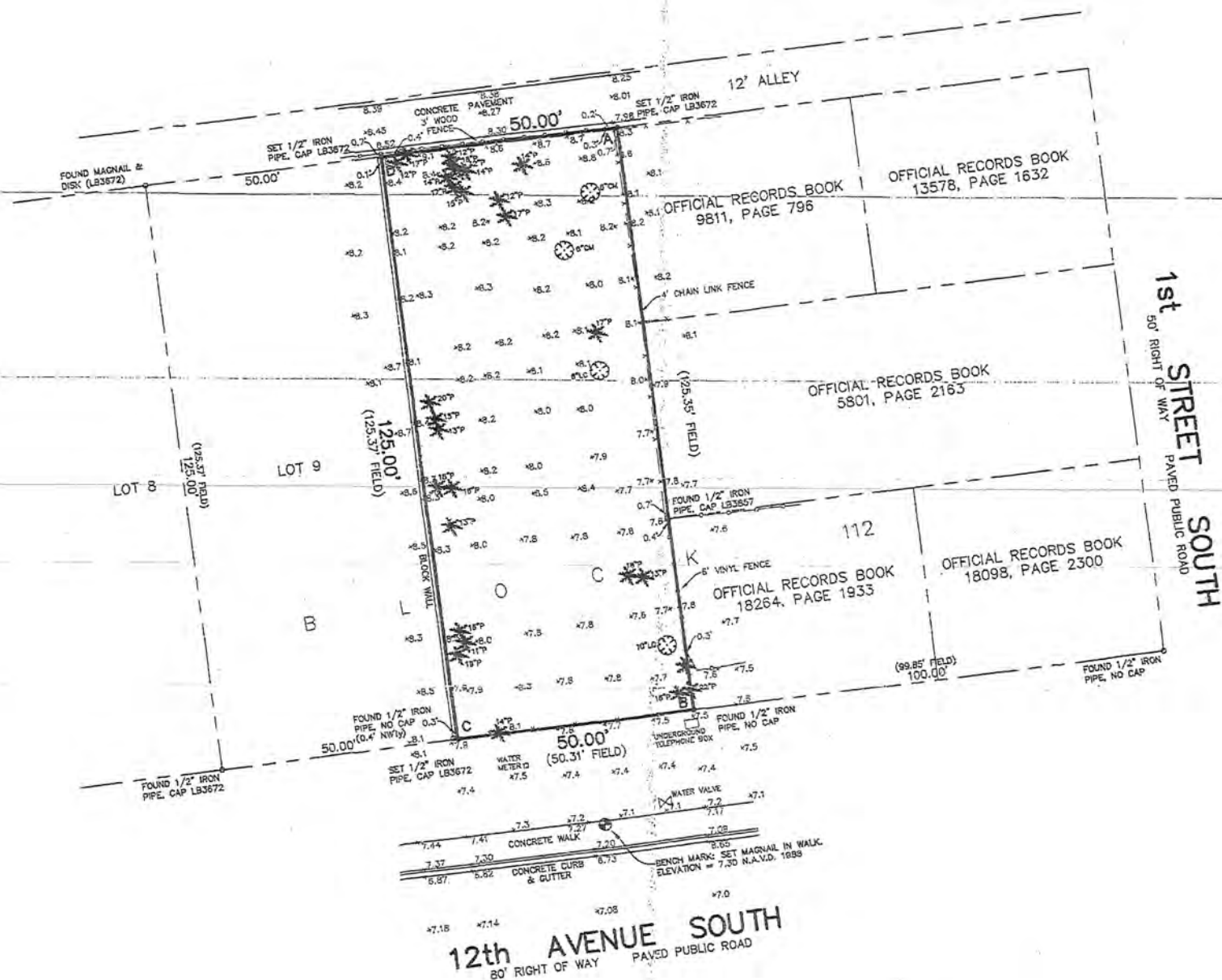
NORTH



ARROW

MAP SHOWING SURVEY OF
LOT 10, BLOCK 112, PABLO BEACH SOUTH AS RECORDED IN PLAT BOOK 3,
PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

EXISTING



NOTES

- NOTES
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY WITH TREE LOCATION.
 2. INTERIOR ANGLES PER FIELD SURVEY AS FOLLOWS:
A = 89°52'57"
B = 90°08'22"
C = 89°43'04"
D = 90°15'37"
 3. NO BUILDING RESTRICTION LINES PER PLAT.
 4. BENCH MARK AS SHOWN HEREON WAS SET FROM A CLOSED LEVEL LOOP FROM N.G.S. BENCH MARK "X-323" AT THE NORTH-EAST CORNER OF THE INTERSECTION OF STATE ROAD A-1-A AND 11 AVENUE SOUTH. ELEVATION = 6.87 N.A.V.D. 1988
 5. NORTH PROTRACTED FROM PLAT.

THE PROPERTY DESCRIBED HEREON
LIES IN FLOOD ZONE "AE" (EL 9) AS
WELL AS CAN BE DETERMINED FROM
THE FLOOD INSURANCE RATE MAP No.
12031C0419J, EFFECTIVE NOVEMBER 2,
2018 FOR DUVAL COUNTY, FLORIDA.

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

P DENOTES PINE
 CM DENOTES CREPE MYRTLE
 LG DENOTES LIGUSTRUM

RECEIVED
22-100012
JAN 28 2022

PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF
CUSTOM BUILDERS.

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

CHECKED BY: _____	FILE: 2021-0139	DRAWN BY: SWC	BOATWRIGHT LAND SURVEYORS, Inc. 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA (904)241-8550	DATE: MARCH 1, 2021	SHEET 1 OF 1
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Ref. BOA-22-100012

LeeAnn Bassabe

From: davidrost1@aol.com
Sent: Saturday, March 5, 2022 11:04 AM
To: Planning Division
Subject: Re: # 176191-0019

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MAR - 7 2022

PLANNING & DEVELOPMENT

Ladies and Gentlemen:

My name is David Rost. I am the owner of the property at 1224 1st St. South, Unit 1B, Jacksonville Beach, FL 23350, and I am speaking on behalf of all 9 property owners at this address.

I respectfully request that you deny the above-referenced application for variance.

The over-building, lack of adequate on-street parking, and unnecessary strain on the storm water drainage system has got to stop.

1. Please take a walk around the area on a sunny weekend day. You will find cars parked on the public sidewalks, which is a traffic violation, without consequences, and every other place where a car will fit, because of no adequate parking on site.
2. Set backs have been relaxed in so many previous applications that there is no visible appearance of any code at all.
3. The City replaced the main storm water drainage system under 1st St South with a 52" main, and we were told by a city engineer after completion that the capacity of the renovated system is at its limit, and that the drainage mitigation on our property, a moat, continues to be mandatory. Yet, the Board continues to approve variances for lot coverages.

It appears to the citizens and owners of property in Jacksonville Beach that the Planning Board will approve almost any new application for variances (with some cosmetic changes), to the point that Jacksonville Beach is not an attractive beach destination, but is only another beach town that has allowed development to continue unabated. This is a shame because the beach in Jacksonville Beach is a beautiful, large beach. But, Florida towns with lesser beaches are ranked higher by travel sites. No wonder when you look at the way in which JaxBeach is being over-developed.

I attended the planning board meeting that approved the 4 townhouse development on 13th Ave South. The approval was granted notwithstanding that the driveways on the plan were shorter than most cars sold in the United States today. There was no concern by Board Members present about any obstruction of city sidewalks.

I have no faith that this request for denial will be taken seriously by the Board, but I wanted my request for denial to be part of the record.

Very truly yours,

David Rost



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

BOA#22-100026

Zoning: RS-2
RE: 179816-0000
Legal: Lot 17, Block 4, Seaside Park, and a portion of the closed alley.
Address: 1637 7th Street South

Request

Section(s): 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new paver driveway to replace wheel strips at an existing single family dwelling

Existing Conditions

The subject property is comprised of existing nonconforming lots of record (circa 1927) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject property is 150 feet deep by 50 feet in width. The lot area is 7,500 square feet. The property received a variance in 2005 that allowed for the construction of the new home that was completed in 2022. The current home was approved at 42.7% lot coverage and with a 24 foot rear yard setback. The current home and improvements are at 40.3% lot coverage. The driveway was designed with ribbon strips instead of a fully paved driveway.

Previous Variance: BOA#05-100171 for a rear yard of 24 feet in lieu of 30 feet required and lot coverage of 42.7% in lieu of 35%.

Staff Analysis

The subject property is a conforming lot of record with regards to area. The minimum for RS-2 zoning is 7500 square feet in area. The lot is nonconforming in width, being only 50 feet in width. Generally there should be a correlation between lot area and lot coverage. If a lot is substandard in area, it could potentially need relief from the code for lot coverage. If it were nonconforming in width, then it could potentially need relief for setbacks. The subject site was granted 42.7% lot coverage for the construction of the home. When the applicant applied for the previous variance, they requested 46% lot coverage, but the board only granted 42.7%. Part of what drove this decision was the fact that the alley to the rear was closed and the subject parcel acquired additional property, which changed the lot coverage calculation. This is the same reason the board approved a 24 foot rear setback instead of the requested 18 feet, because the lot turned out to be longer



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than originally depicted on the property appraiser with the acquired land from the closed alley. With the additional square footage, the lot is now conforming in area. Additionally, the applicant's desire to fill in the driveway is the reason behind the request. There is no hardship with the lot area that would justify the increase in lot coverage, the lot was overbuilt to begin with, and this would further exacerbate the situation.

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 site is substandard in width, although it is not substandard in area.



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

Staff **does** find that circumstances are a result of the applicant. Although the lot is substandard in width, the lot area is conforming to the RS-2 zoning. The desire to fill in the driveway and exceed the approved lot coverage is a self-imposed hardship.

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** confer special privileges. As the lot area is conforming to the RS-2 zoning, allowing an excess of lot coverage for a conforming lot, above what was already approved by the previous variance would be a special privilege not afforded to other properties.

4. Literal interpretation and enforcement of the terms and provisions of this Code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing house was already approved for more lot coverage than would typically be allowed. It was designed in such a way as to take advantage of a minimal driveway design to reduce lot coverage, and has been built to the approved standard. There is no undue hardship.

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 not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The previous variance approved the minimum amount of relief needed to build the structure, any additional relief would be more than the minimum.

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



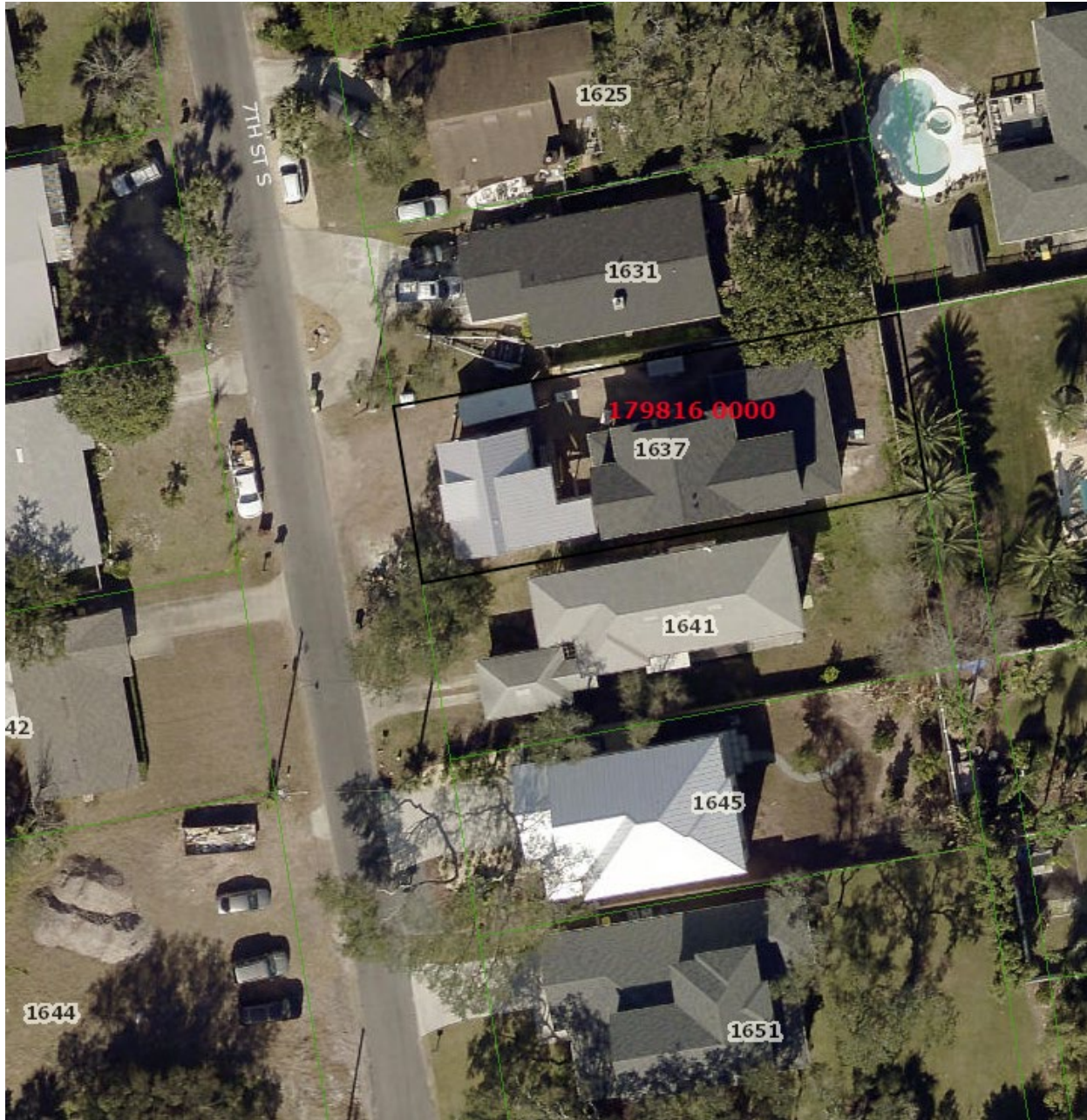
City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

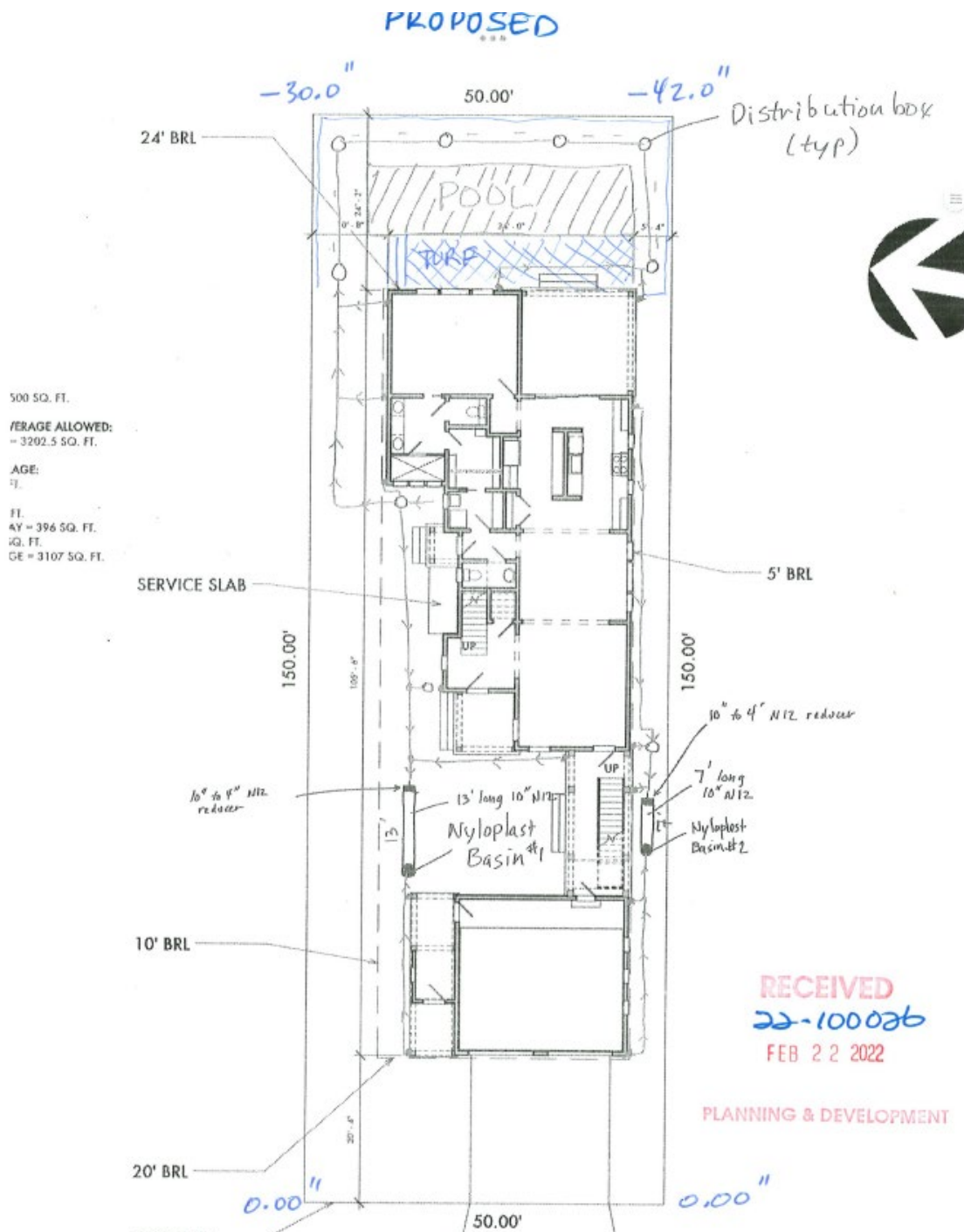
Staff Recommendation

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 **Denial of BOA#22-100026**

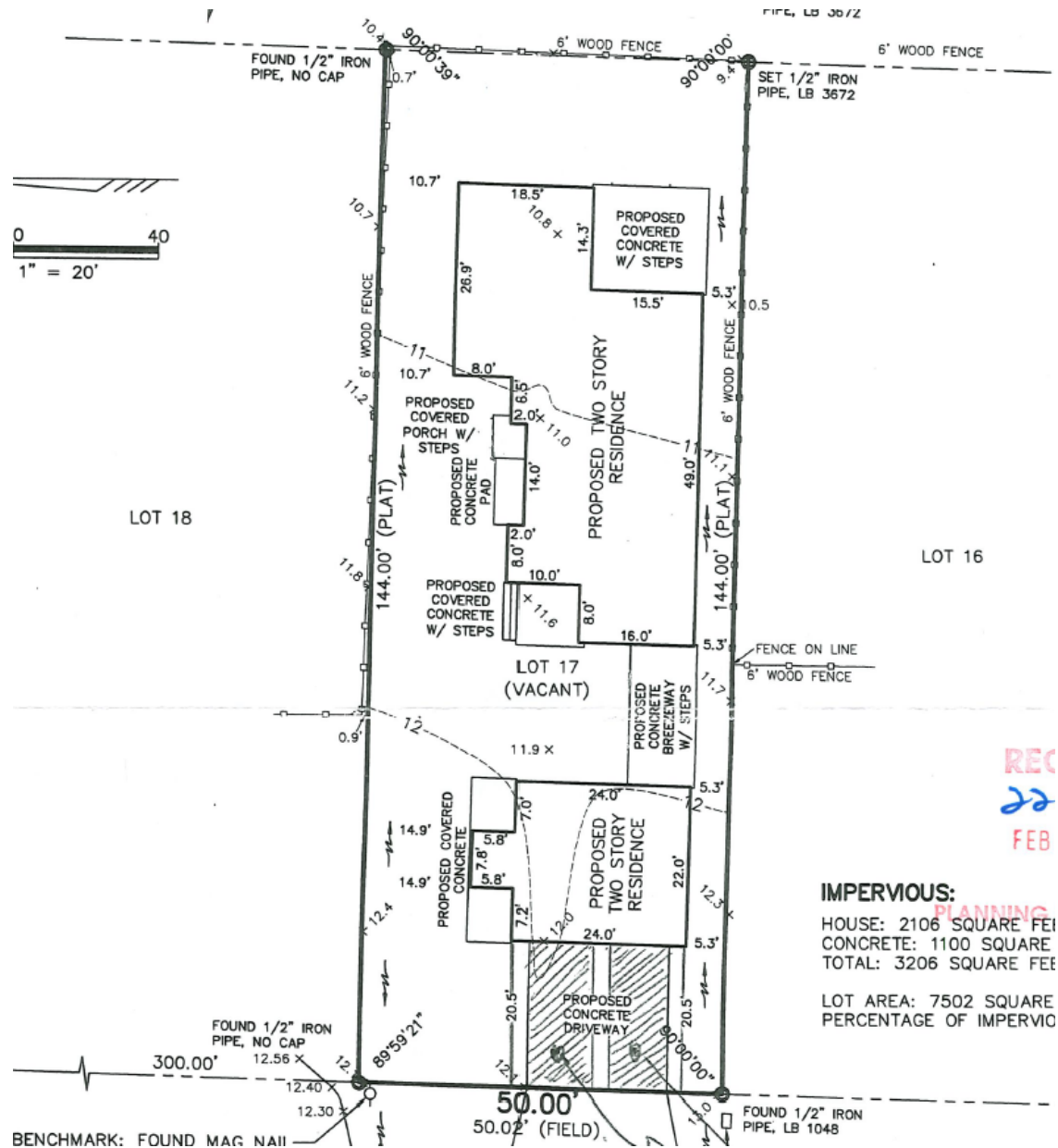
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100026
HEARING DATE 4.19.22

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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3:40

FEB 22 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Hanna Builders Properties LLC Telephone: 904 234 6453
Mailing Address: 134 36th Ave S E-Mail: hanna.builders@yahoo.com
Jax Bch FL 32250
Agent Name: Mike Hanna Telephone: Same
Mailing Address: Same E-Mail: Same
Landowner Name: Hanna Builders Properties LLC Telephone: Same
Mailing Address: Same E-Mail: Same

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: 1637 S 7th St 179816-0000
Legal description of property (Attach copy of deed): 12-98 04-35-29E Seaside Park Lot 17 BK 4
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Lot coverage of 45% in lieu of 42.7% to allow for herringbone brick parking pads instead of 24' driving strips

AFFIDAVIT

I, Mike Hanna, 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.

Mike Hanna
APPLICANT SIGNATURE

MIKE HANNA
PRINT APPLICANT NAME

2/22/22
DATE

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, 2022, by MICHAEL J. HANNA, who is personally known to me or produced Florida Driver License as identification.

Bibi J. Hussain
NOTARY PUBLIC SIGNATURE
Bibi J. Hussain
PRINT NOTARY NAME



Bibi J. Hussain
State of Florida
My Commission Expires 04/06/2022
Commission No. GG 189807

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X/X-shaded

CODE SECTION (S):
34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new paver driveway to replace wheel strips at an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100026

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	No	This lot is undersized just like the rest.
Special circumstances and conditions do not result from the actions of the applicant.	No	I wanted stone parking pads at first but didn't realize it required a variance. If I have to get one I may as well ask for coverage
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	Yes it will confer special privileges b/c others have to apply for a variance also. This is somewhat a confusing question.
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	All parcels are affected by the code so others have to apply for variances as well
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	No	I could use gravel instead.
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	I'm asking for less coverage than others within 300' have been granted recently.

HBP 01 LLC
134 36TH AVE S
JACKSONVILLE BEACH, FL 32250

Primary Site Address
1637 S 7TH ST
Jacksonville Beach FL 32250

Official Record Book/Page
19435-00754

Tile #
9504

1637 S 7TH ST

Property Detail

RE #	179816-0000
Tax District	USD2
Property Use	0000 Vacant Res < 20 Acres
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03255 SEA SIDE PARK
Total Area	7192

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification [Learn how the Property Appraiser's Office values property](#).

Value Summary

Value Description	2021 Certified	2022 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$185,000.00	\$225,000.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$185,000.00	\$225,000.00
Assessed Value	\$185,000.00	\$203,500.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$21,500.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$185,000.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
No applicable exemptions

SJRWMD/FIND Taxable Value
No applicable exemptions

School Taxable Value
No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
19435-00754	4/9/2020	\$100.00	WD - Warranty Deed	Unqualified	Vacant
16990-00383	11/26/2014	\$100.00	WD - Warranty Deed	Unqualified	Vacant
12154-02179	11/3/2004	\$150,000.00	MS - Miscellaneous	Qualified	Vacant
11712-00863	3/3/2004	\$100.00	QC - Quit Claim	Unqualified	Vacant
11122-01284	5/9/2003	\$100.00	QC - Quit Claim	Unqualified	Vacant
07583-01396	5/24/1993	\$100.00	MS - Miscellaneous	Unqualified	Improved
07583-00062	5/24/1993	\$100.00	MS - Miscellaneous	Unqualified	Improved
07233-00646	11/22/1991	\$100.00	QC - Quit Claim	Unqualified	Vacant
07217-01979	9/26/1991	\$100.00	QC - Quit Claim	Unqualified	Vacant
05950-02177	4/11/1985	\$100.00	WD - Warranty Deed	Unqualified	Vacant
05271-00509	2/2/1981	\$100.00	WD - Warranty Deed	Unqualified	Vacant
05004-00333	11/6/1979	\$100.00	WD - Warranty Deed	Unqualified	Vacant

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	POLR3	Pool	1	0	0	1.00	\$0.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	0100	RES LD 3-7 UNITS PER AC	JRS-2	50.00	144.00	Common	1.00	Lot	\$225,000.00

Legal

LN	Legal Description
1	12-98 04-3S-29E
2	SEASIDE PARK
3	LOT 17 BLK 4

Buildings

Building 1

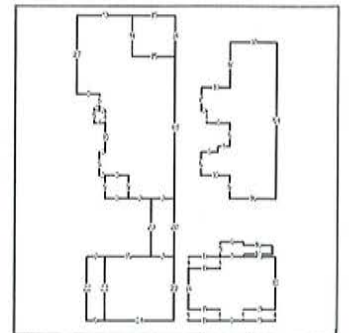
Building 1 Site Address
1637 S 7TH ST Unit
Jacksonville Beach FL 32250

Building Type	0102 - SFR 2 STORY
Year Built	2022
Building Value	\$0.00

Type	Gross Area	Heated Area	Effective Area
Fin Screened Porch	210	0	74
Base Area	1536	1536	1536
Finished Open Porch	18	0	5
Unfin Open Porch	160	0	32
Unfin Open Porch	70	0	14

Element	Code	Detail
Exterior Wall	11	11 Board & Batt
Exterior Wall	14	14 Wood Shingle
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	5	5 Drywall
Int Flooring	14	14 Carpet
Int Flooring	11	11 Cer Clay Tile
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central

Element	Code	Detail
Baths	4.500	



Finished upper story 1	528	528	502	Bedrooms	5.000
Finished Storage	44	0	22	Stories	2.000
Finished upper story 1	1064	1064	1011	Rooms / Units	1.000
Finished Det Garage	528	0	317		
Finished Open Porch	64	0	19		
Finished Storage	44	0	22		
Finished Open Porch	132	0	40		
Finished Storage	44	0	22		
Total	4442	3128	3616		

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PLANNING & DEVELOPMENT

2021 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	\$185,000.00	\$0.00	\$185,000.00	\$1,444.03	\$1,507.97	\$1,438.65
Public Schools: By State Law	\$185,000.00	\$0.00	\$185,000.00	\$676.55	\$658.60	\$647.28
By Local Board	\$185,000.00	\$0.00	\$185,000.00	\$415.88	\$415.88	\$397.90
FL Inland Navigation Dist.	\$185,000.00	\$0.00	\$185,000.00	\$5.67	\$5.92	\$5.66
Jax Beach	\$185,000.00	\$0.00	\$185,000.00	\$707.69	\$739.02	\$706.87
Water Mgmt Dist. SJRWMD	\$185,000.00	\$0.00	\$185,000.00	\$40.52	\$42.31	\$40.50
Urban Service Dist2	\$185,000.00	\$0.00	\$185,000.00	\$0.00	\$0.00	\$0.00
			Totals	\$3,290.34	\$3,369.70	\$3,236.86
Description	Just Value	Assessed Value	Exemptions	Taxable Value		
Last Year	\$185,000.00	\$177,156.00	\$0.00	\$177,156.00		
Current Year	\$185,000.00	\$185,000.00	\$0.00	\$185,000.00		

2021 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2021

2020

2019

2018

2017

2016

2015

2014

- To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: 

More Information

[Contact Us](#) | [Parcel Tax Record](#) | [GIS Map](#) | [Map this property on Google Maps](#) | [City Fees Record](#)



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

Reference

July 21, 2005

Mike Hanna
134 South 36th Avenue
Jacksonville Beach, FL 32250

RE: BOA 05-100171
1637 South 7th Street

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22-100026

FEB 22 2022

PLANNING & DEVELOPMENT

Dear Mr. Hanna:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on July 19, 2005 to consider your variance application.

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

- 34-337 (e) (1) c.3, for a rear yard of 18 feet in lieu of 30 feet required
- 34-337 (e) (1) e, for 46% lot coverage in lieu of 35% maximum

The results of the meeting were; *amended and approved for:*

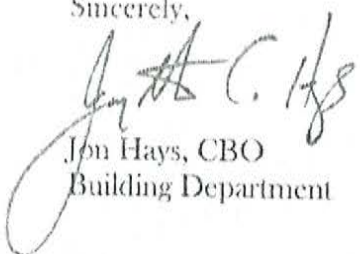
- 34-337 (e) (1) c.3, for a rear yard of 24 feet in lieu of 30 feet required
- 34-338 (e) (1) e, for 42.7% lot coverage in lieu of 35% maximum

To allow for a new single family dwelling.

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

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6235.

Sincerely,


Jon Hays, CBO
Building Department

JCH/et

<u>LOCATION</u>	<u>DIM</u>	<u>DIM</u>	<u>SF</u>
1 Driveway 01	1.00	9.00	9.00
2 Driveway 02	1.00	9.00	9.00
3 Driveway 03	2.00	20.38	40.76
4 Driveway 04	2.00	20.38	40.76
5 Driveway 05	2.00	20.38	40.76
<u>6 Parking Pad 01</u>	<u>9.00</u>	<u>19.38</u>	<u>174.42</u>
<u>7 Parking Pad 02</u>	<u>9.00</u>	<u>19.38</u>	<u>174.42</u>
8 Entry Pad	3.50	4.92	17.22
9 Garage	22.00	24.00	528.00
10 Garage Entry	22.67	6.17	139.87
11 Breezeway Platfm	9.00	20.00	180.00
12 Front Porch	8.33	8.50	70.81
13 Front Porch Stairs	1.67	4.92	8.22
14 House 01	8.00	16.00	128.00
15 House 02	8.00	26.00	208.00
16 House 03	14.00	24.00	336.00
17 House 04	6.46	26.00	167.96
18 House 05	26.88	34.33	922.79
19 Side Porch 01	2.00	4.97	9.94
20 Side Porch 02	2.33	5.67	13.21
21 Pool	0.00	0.00	0.00
22 Pool S Ret Wall	0.63	7.00	4.41
23 Pool Deck Stairs	2.30	7.25	16.68
24 Pool Garden Wall	0.63	98.41	62.00
25 Pool Equip Pad	2.96	2.96	8.76
26 LP Tank Pad	2.83	2.83	8.01
27 Service Slab	4.00	9.25	37.00
28 Courtyard Pad	2.00	3.00	6.00
29 Gate ground timber	0.60	12.00	7.20

3020.35 Current Coverage
 3369.19 Desired Coverage (+2 parking pads)
 -348.8

Original Platted Lot	50.00	144.00	7200.00
Lot + 6' Easement	50.00	150.00	7500.00

Code Coverage	35.00%	Lot + 6' Esmt	2625.00
Variance 7/21/2005	42.70%	Lot + 6' Esmt	3202.50

Current Coverage	40.27%	Lot + 6' Esmt	3020.35	182.15	under current allowed cvg
<u>Desired Coverage</u>	<u>44.92%</u>	<u>Lot + 6' Esmt</u>	<u>3369.19</u>	<u>(166.69)</u>	<u>add'tl lot coverage desired</u>

Site Address: 1637 7th St S
 Mike Hanna
 Hanna Builders
 (904) 234-6453

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 22-100026
 FEB 22 2022

PLANNING & DEVELOPMENT

PROPOSED

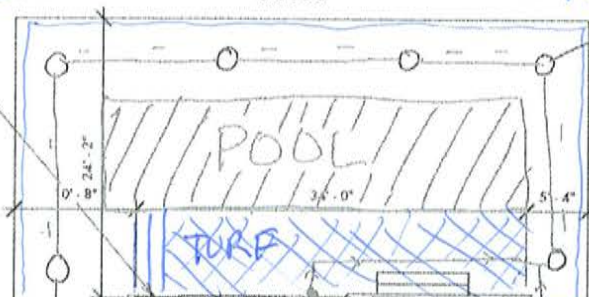
-30.0"

50.00'

-42.0"

Distribution box (typ)

24' BRL



500 SQ. FT.

PERAGE ALLOWED:
= 3202.5 SQ. FT.

AGE:
FT.

FT.
AY = 396 SQ. FT.
IG. FT.
GE = 3107 SQ. FT.

SERVICE SLAB

5' BRL

150.00'

105' 6"

150.00'

10" to 4" N12 reducer

10" to 4" N12 reducer

7' long
10" N12

13' long 10" N12
Nyloplast
Basin #1

Nyloplast
Basin #2

10' BRL

RECEIVED
22-100026

FEB 22 2022

PLANNING & DEVELOPMENT

20' BRL

0.00"

50.00'

0.00"

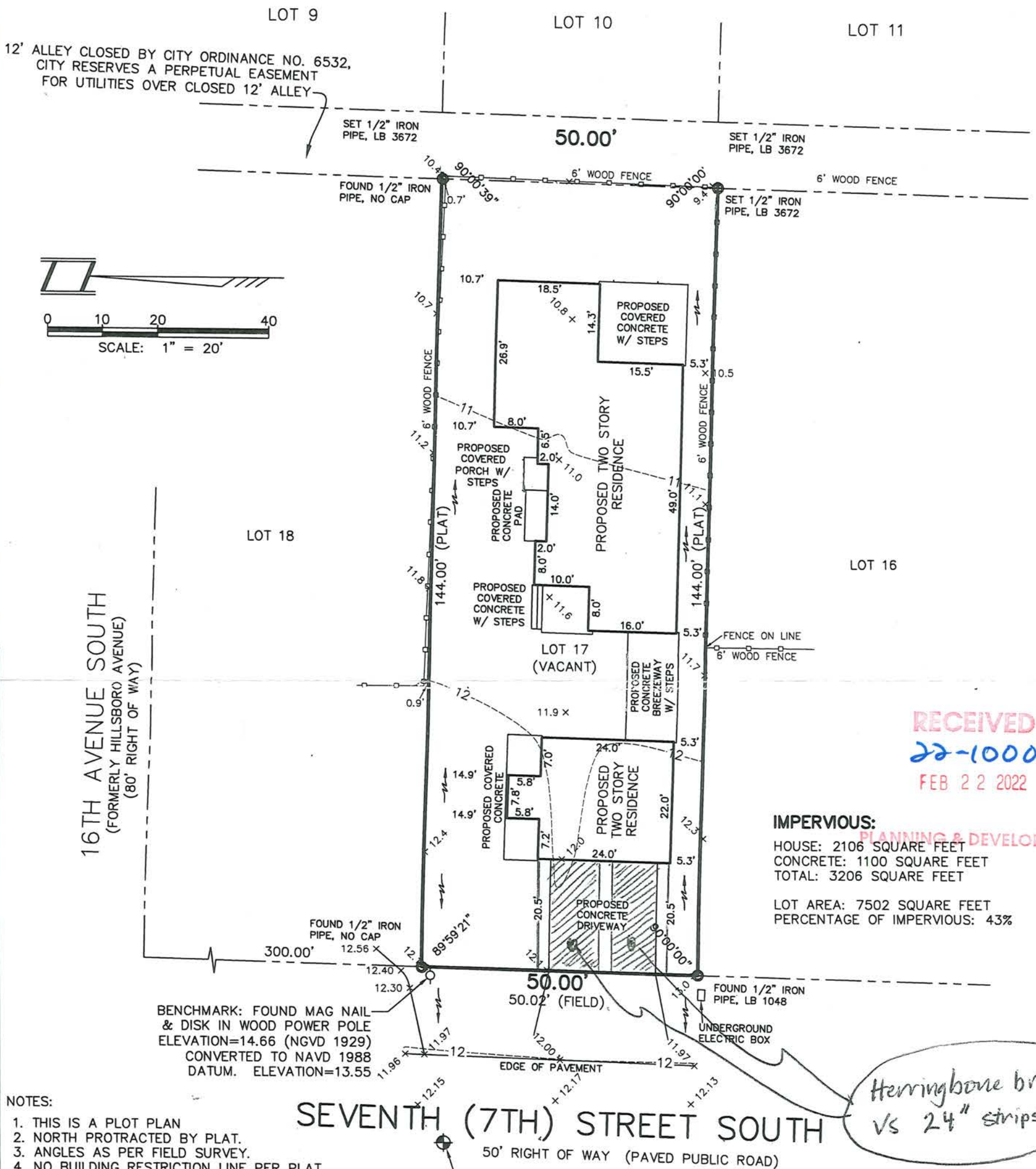
PROPERTY
LINE

7th St. S.

PROPOSED

MAP OF

LOT 17, BLOCK 4, SEASIDE PARK, AS RECORDED IN PLAT BOOK 12, PAGE 98 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE WESTERLY HALF(1/2) OF A 12 FOOT ALLEY (CLOSED BY CITY OF JACKSONVILLE BEACH ORDINANCE NO. 6532) LYING EASTERLY OF AND ADJACENT TO AND BETWEEN THE EASTERLY PROJECTION OF THE NORTHERLY AND SOUTHERLY LINES OF SAID LOT 17, SAID ALLEY SUBJECT TO A PERPETUAL EASEMENT FOR INGRESS, EGRESS AND UTILITIES.



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22-100076
FEB 22 2022

IMPERVIOUS:
HOUSE: 2106 SQUARE FEET
CONCRETE: 1100 SQUARE FEET
TOTAL: 3206 SQUARE FEET

LOT AREA: 7502 SQUARE FEET
PERCENTAGE OF IMPERVIOUS: 43%

- NOTES:
1. THIS IS A PLOT PLAN
 2. NORTH PROTRACTED BY PLAT.
 3. ANGLES AS PER FIELD SURVEY.
 4. NO BUILDING RESTRICTION LINE PER PLAT.
 5. BENCHMARK: FOUND MAG NAIL & DISK IN THE WEST SIDE OF A WOOD POWER POLE AT THE SOUTHWEST CORNER OF THE ABOVE SURVEYED LANDS. ELEVATION=14.66 (NGVD 1929). CONVERTED TO NAVD 1988 DATUM. ELEVATION=13.55

SEVENTH (7TH) STREET SOUTH
50' RIGHT OF WAY (PAVED PUBLIC ROAD)

BENCH MARK: SET MAG NAIL & DISK
ELEVATION = 13.27 (NGVD 1929)
CONVERTED TO NAVD 1988 DATUM
ELEVATION=12.17

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419J, REVISED NOVEMBER 02, 2019 FOR DUVAL COUNTY, FLORIDA.

THIS MAP WAS MADE FOR THE BENEFIT OF MIKE HANNA.

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

Stephen W. Crews
STEPHEN W. CREWS, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 5996
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: _____
DRAWN BY: DAF
FILE: 2019-0701

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

DATE: MAY 06, 2019
SHEET 1 OF 1



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

BOA#22-100028

Zoning: RM-2
RE: 173965-0000
Legal: Lot 80, South 9 ft. of East 50 ft. of lot 81, Flagler Tract
Address: 121 10th Avenue North

Request

Section(s): 34-340(e)(1)c.1 for a front yard setback of 18 feet in lieu of 20 feet minimum and 34-340(e)(1)c.2, for an easterly side yard of 8 feet in lieu of 10 feet minimum to allow for the addition of an extended side and front deck and staircase at an existing two-family dwelling

Existing Conditions

The subject property is comprised of portions of nonconforming lots of record (circa 1936) located in the Residential Medium future land use category. The property is currently zoned Residential Multifamily: RM-2. The subject property is conforming in area, measuring 6,550 square feet. The lot is nonconforming in width, being on 50 feet wide, as opposed to the code required minimum of 60 feet. The subject property consists of a converted single family home that is now a two family dwelling undergoing renovations. The structure was built in in 1987 according to the Duval County Property Appraisers office. The site currently has a large concrete driveway and a small covered outside storage area, both of which are slated to be removed. The driveway will be reinstalled with permeable pavers.

Staff Analysis

The subject property has been under renovations for close to a year. Upon zoning review of revised plans, the deck encroachments were noted. The applicant has proposed an exterior staircase to access the third floor. The proposed size of the staircase necessitates the widening of the both the front and side deck. The proposed deck design would place the structural support beams inside the require 10 foot side yard setback, but the extended overhang of the deck would encroach two feet front and side. The Subject lot is narrow by 10 feet as compared to the code required minimum of 60 feet. A logical correlation between the deficiency of the lot and the requested relief exists, as the applicant has requested a setback encroachment and the lot is too narrow. Since the applicant is renovating an existing structure, and the location of the structure is fixed, the extension of the



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decks to accommodate the new staircase would be an acceptable request based on the limitations of the lot and structure.

Minimum Dimensional Standards

Two-family dwellings.

- 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: 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.
- Floor area: A two-family dwelling structure shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area. Each unit within a duplex structure shall contain a minimum of eight hundred (800) square feet of conditioned living area excluding garage or carport.
- Wall separation. Two-family dwellings shall contain a two (2) hour fire resistant wall between units.
- 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 structure. The existing lot is substandard in width, and the subject structure is located in such a way that it cannot accommodate the new proposed stairs and associated deck without encroaching into the side and front setback.



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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 current owners are renovating an existing structure built in the 1980s and attempting to bring the structure up to code. The required exterior stairs are the reason for the encroachment.

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 renovating an existing structure, and to complete the renovation, exterior stairs are required and the variance will allow the structure to be brought into compliance with Building and Fire codes.

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 would potentially need to redesign the structure to accommodate stairs in a different location. Renovation of an existing structure to bring the building up to modern codes is not a special privilege, but a typical practice for structural maintenance and modernization.

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 two foot encroachment is the minimum variance needed to allow for the stairs. The applicant has chosen to reduce lot coverage through the use of alternate materials to reduce the amount of relief needed under the code.

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



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designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

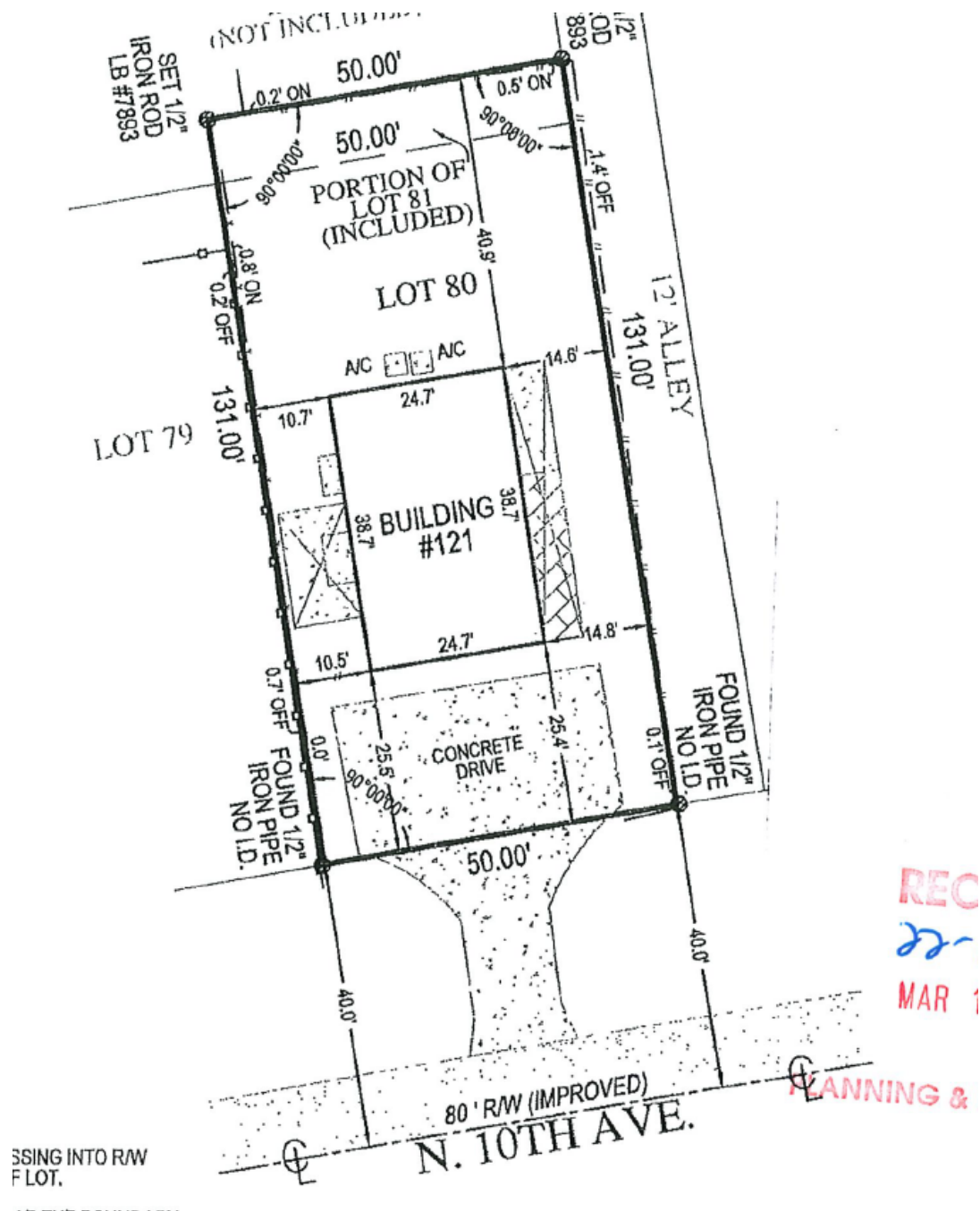
Staff Recommendation

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#22-100028**

Location Map (property boundaries are representative only)



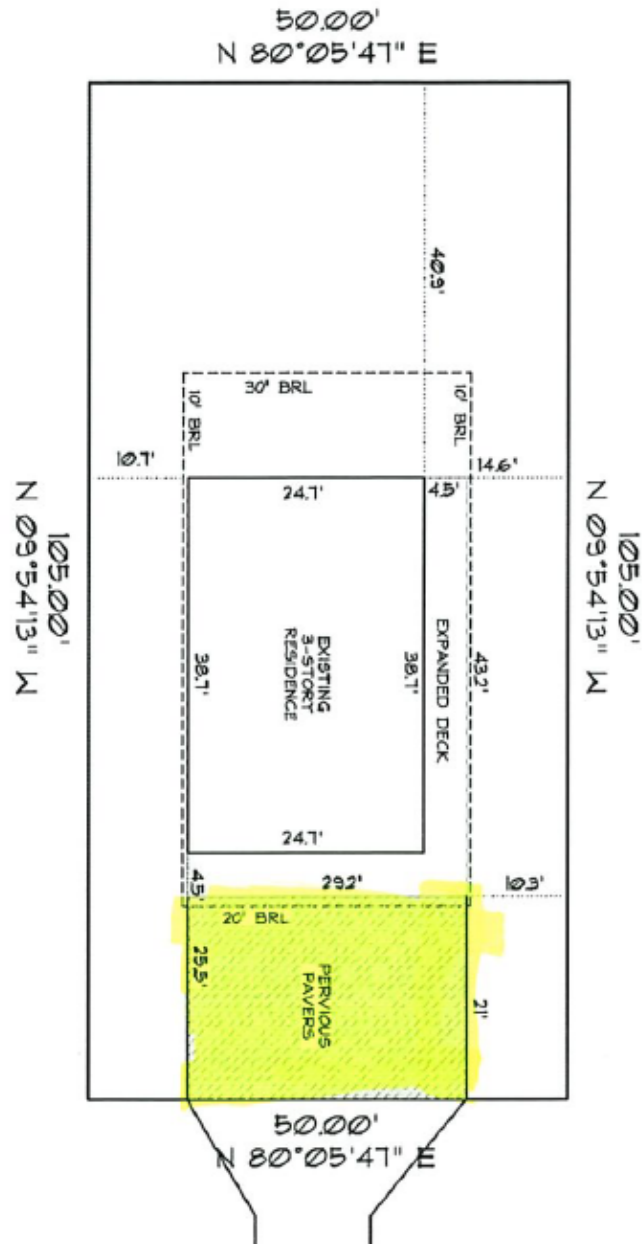
Existing Survey





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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100028
HEARING DATE 4-19-22

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
MAR 11 2022
Revised
PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: KEE Holdings LLC Telephone: 904-626-0993
Mailing Address: 11747 Phillips Hwy Ste 301 E-Mail: Jeff@Birkeninc.com
Jacksonville, FL 32256
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 121 10th Ave N Jacksonville Beach, FL 32250
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):
[Front Setback to be 18ft and Side Setback to be 8ft]
[in lieu of 20ft in lieu of 10ft]
Proposed Deck has 2ft overhang

AFFIDAVIT

I, Jeffrey Kendall, 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.

Jeffrey Kendall
APPLICANT SIGNATURE

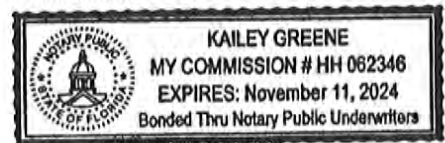
Jeffrey Kendall
PRINT APPLICANT NAME

3/9/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of March, 20 22, by Jeffrey Kendall, who is personally known to me or produced as identification.

Kailey Greene
NOTARY PUBLIC SIGNATURE
Kailey Greene
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: X
CODE SECTION (S):
34-340(e)(1)c.1 for a front yard setback of 18 feet in lieu of 20 feet minimum and 34-340(e)(1)c.2, for an easterly side yard of 8 feet in lieu of 10 feet minimum to allow for the addition of an extended side and front deck and staircase at an existing two-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100028

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.

RECEIVED

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

PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.		
Special circumstances and conditions do not result from the actions of the applicant.	yes	Property was built in 1987, the structure The structure was not altered to infringe upon setbacks since most recent purchase. The property is where it was originally built.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	Granting this variance will quite simply allow this property to stay within setbacks and lot coverage zoning requirements.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	Literal interpretation of this code would create and cause an infringement on other Jacksonville Beach zoning code requirements.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	Requirement to put a carport or garage on 121 10th Ave N could cause water retention issues and will not allow for ease of access to property due to overcrowding frontage
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	Neither adjacent property or property opposite of 121 10th Ave N have a carport or garage. The property remains consistent aesthetic look and design as surrounding property

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

22-100028

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.

revised

MAR 11 2022

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	width of our property is 50ft where as zoning and adjacent properties have 60ft of frontage. Due to this we need 2ft of 2nd story deck overhang.
Special circumstances and conditions do not result from the actions of the applicant.		
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.		
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	width of our property is 50ft where as zoning and adjacent properties have 60ft. Due to this we need the variance to accommodate 2ft of 2nd story deck overhang.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.		
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.		

RECEIVED
22-100028
MAR -7 2022

This Instrument Prepared by:
Blake F. Deal, III., Esquire
Briley & Deal, LLC
1525B The Greens Way, Suite 200
Jacksonville Beach, Florida 32250
File No. 21-0063

PLANNING & DEVELOPMENT

General Warranty Deed

Made this 3 of May, 2021, by **Brendan Bartlett, a married man conveying non homestead property**, hereinafter called the grantor, to **KEEE HOLDINGS, LLC, a Florida limited liability company**, whose post office address is: 11747 Phillips Hwy, Ste 301, Jacksonville, Florida 32256, 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 \$700,000.00, 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:

ALL OF LOTS 80 AND 85 AND EAST 50 FEET OF LOTS 81 AND 82, FLAGLER TRACT, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 50 AND LOT 3, BLOCK 112, PABLO BEACH IMPROVEMENT COMPANY PLAT OF THE NORTHERN PORTION OF PABLO BEACH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF CLOSED ALLEY LYING EAST OF THE NORTH 53 FEET OF LOT 85, FLAGLER TRACT, BEING 6 FEET IN WIDTH AND THAT PORTION OF SAID ALLEY LYING BETWEEN THE EXTENSION WEST OF THE NORTH AND SOUTH LINES OF LOT 3, BLOCK 112, DESCRIBED ABOVE AND BEING 12 FEET IN WITH.

LESS AND EXCEPT THAT PORTION CONVEYED IN O.R. BOOK 17284, PAGE 1665.

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

Parcel ID Number: **173965-0000**

Subject To taxes subsequent to December 31, 2021 covenants, restrictions and easements of record and by this reference shall not operate to reimpose the same.

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

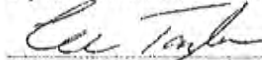
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MAR - 7 2022

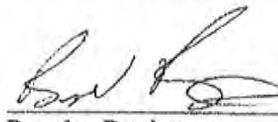
To Have and to Hold, the same in fee simple forever.

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

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 Printed Name Lee Taylor

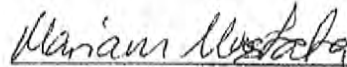
 (Seal)
Brendan Bartlett
Address: 363 South Front Street
Memphis, Tennessee 38103


Witness Printed Name STEPHEN GRAHAM

State of Tennessee
County of Shelby

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of May, 2021 by **Brendan Bartlett, a married man conveying non homestead property**, who is/are personally known to me or who has produced driver's license as identification.




Notary Public

My Commission Expires
3/22/25

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MAR - 7 2022

PLANNING & DEVELOPMENT



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

Detail by Entity Name

Florida Limited Liability Company
KEEE HOLDINGS, LLC

Filing Information

Document Number	L20000037928
FEI/EIN Number	84-4794528
Date Filed	01/31/2020
Effective Date	01/31/2020
State	FL
Status	ACTIVE

Principal Address

11747 PHILLIPS HWY
SUITE 301
JACKSONVILLE, FL 32256

Mailing Address

11747 PHILLIPS HWY
SUITE 301
JACKSONVILLE, FL 32256

Registered Agent Name & Address

BIRKELBACH, DAVID S
11747 PHILLIPS HWY
SUITE 301
JACKSONVILLE, FL 32256

Authorized Person(s) Detail

Name & Address

Title MGR

KENDALL, JEFFREY
9060 HECKSCHER DR
JACKSONVILLE, FL 32226

Title MGR

BIRKELBACH, DAVID
1105 Popolee Rd.
ST JOHNS, FL 32259



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MAR - 7 2022

Detail by Entity Name

PLANNING & DEVELOPMENT

Florida Profit Corporation
BIRKEN CONSTRUCTION INC

Filing Information

Document Number	P13000066399
FEI/EIN Number	46-3399844
Date Filed	08/08/2013
Effective Date	08/08/2013
State	FL
Status	ACTIVE

Principal Address

11747 PHILIPS HWY STE 301
JACKSONVILLE, FL 32256

Changed: 12/06/2017

Mailing Address

11747 PHILIPS HWY STE 301
JACKSONVILLE, FL 32256

Changed: 12/06/2017

Registered Agent Name & Address

KENDALL, JEFFREY S
11747 PHILIPS HWY STE 301
JACKSONVILLE, FL 32256

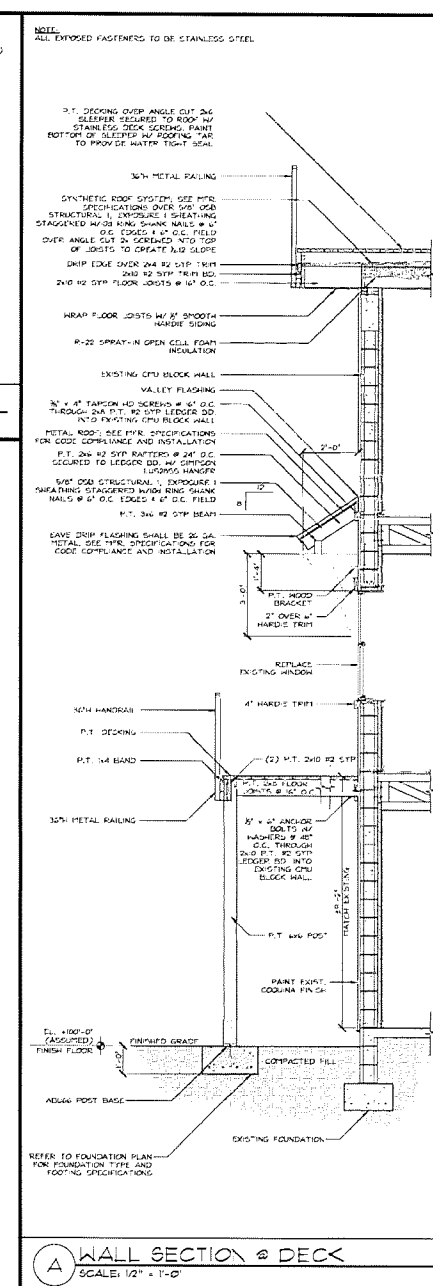
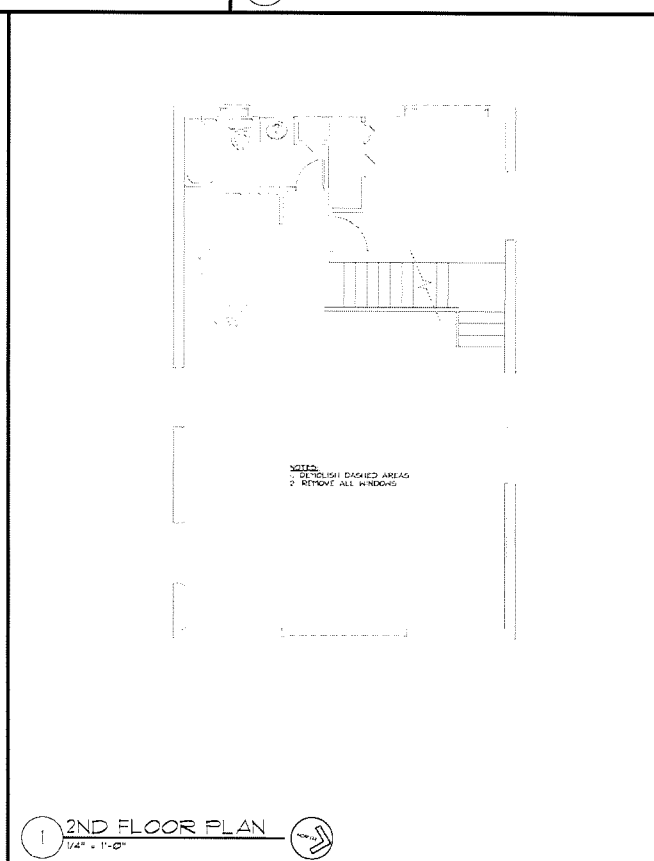
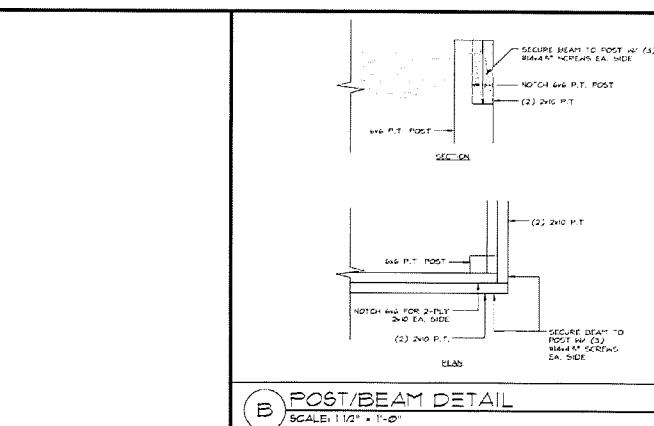
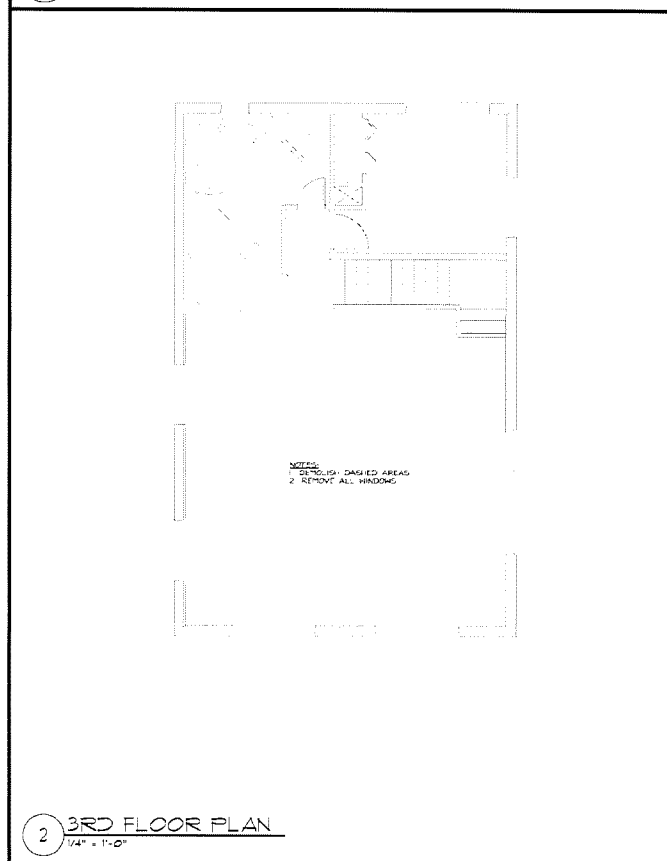
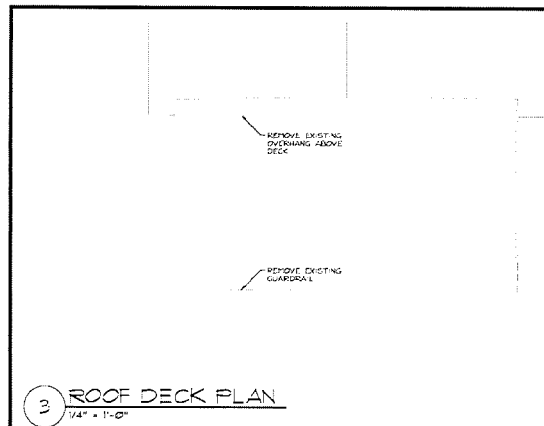
Officer/Director Detail**Name & Address**

Title PTD

KENDALL, JEFFREY S
9060 Hecksher Dr.
JACKSONVILLE, FL 32226

Title VPSD

BIRKELBACH, DAVID



REVISIONS	

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PLANS ARE PROTECTED BY
COPYRIGHT LAW.
UNAUTHORIZED USE MAY
RESULT IN LEGAL ACTION.

**JACKSON
DESIGN
COMPANY, INC.**

1401 E. 10TH AVE. SUITE 300
JACKSONVILLE, FL 32206
K. JACKSON@JACKSONDESIGN.COM
TEL: 904.228.5674
FAX: 904.228.5675
STATE OF FLORIDA LICENSE #18560832

Digitally signed
by William
Stuhrke
Date: 2021.09.10
14:32:14 -04'00'

BIRKEN CONSTRUCTION
1211 10TH AVE N
JACKSONVILLE BEACH, FL 32250

DESIGN: KAJ
DATE: 9/8/21
JOB NO: 21-033
DWG NO: A.2 OF 1



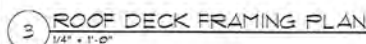
2021.09.10
14:33:05 -04'00'

ENGINEERING
William F. Stuhrke, PhD, PE
State of Florida PE # 22150
12215 Rebeccas Run Dr.
Winter Garden, FL 34787
(407) 920-3119
wfstuhrke@gmail.com

BIRKEN CONSTRUCTION
121 10TH AVE N
JACKSONVILLE BEACH, FL 32250

DESIGN: KAJ
DATE: 8/8/21
JOB NO: 21-033
DWG NO:

A.4 OF 7



PROVIDE 3,000 PSI CONCRETE FIN.

PROVIDE STEEL REINFORCING W/ 3" MIN. CONCRETE COVER AT ALL FOOTINGS AND ANY REINFORCED CONCRETE BELOW THE FINISH GRADE

ALL REINFORCING STEEL SHALL CONFORM TO ASTM A-63 GRADE 40

REINFORCING BAR SPLICES SHALL BE 40 BAR DIAMETERS, MIN. OF 26 INCHES AND HOOKS SHALL MEET ACI STANDARDS

PROVIDE (1) #4 10" DEPT BAR AT CORNER INTERSECTING OF BOND BEAMS AND FOOTINGS, AND AT VERT. JOINTS, ABOUT CLOS. FOOTINGS 4 BOND BEAMS.

REFER TO GOOD MANUFACTURERS SPECIFICATIONS FOR ANY REQUIRED SLAB RECESS. PRIOR TO POURING CONCRETE.

ALL INTERIOR BEARING FOOTINGS TO BE COORDINATED W/UTLSS. DESIGNER

BIRKEN CONSTRUCTION
121 10TH AVE N
JACKSONVILLE BEACH, FL 32250

DESIGN: KAJ
DATE: 5/5/02
JOB NO: 21-03
DWG. NO:

DWG. NO: A.5 OF 7

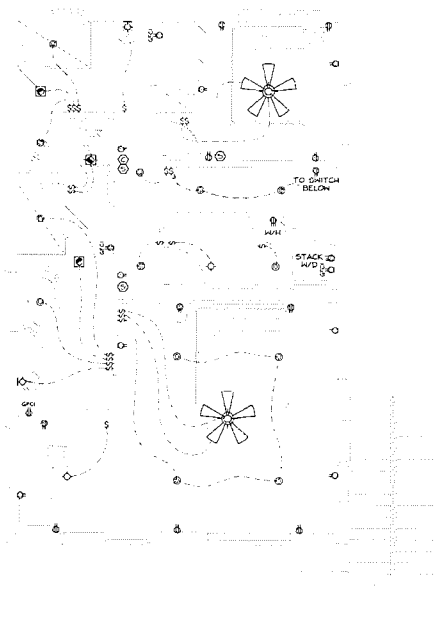
3 ROOF DECK ELECTRICAL PLAN

1/4" = 1'-0"



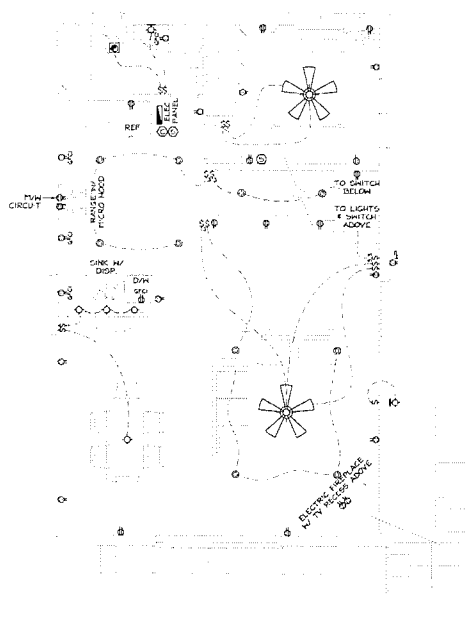
2 3RD FLOOR ELECTRICAL PLAN

1/4" = 1'-0"



1 2ND FLOOR ELECTRICAL PLAN

1/4" = 1'-0"



Digitally signed by William Stuhke
Date: 2021.09.10 14:33:53 -04'00'

This plan has been electronically signed and sealed by William F. Stuhke as the Engineer. Printed copies of this document are not considered signed and sealed until the signature is verified on any electronic copies.

REVISIONS

NO.	DESCRIPTION

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UNAUTHORIZED USE MAY BE PROSECUTED BY THE STATE OF FLORIDA.
JACKSON DESIGN COMPANY, INC.
4401 BIRKEN CONSTRUCTION DRIVE
JACKSONVILLE, FL 32250
TEL: 904.228.9078
STATE OF FLORIDA LICENSE #B00008392

GENERAL NOTES

- ELECTRICAL OUTLET BOXES SHALL BE LOCATED FROM FINISHED FLOOR TO CENTERLINE OF THE BOX AT THE FOLLOWING HEIGHTS (UNLESS NOTED OTHERWISE):
 - GENERAL - 12" AFF
 - KITCHEN - 48" AFF (ISLAND OUTLETS 12" BELOW KITCHEN MAY)
 - BATHROOM - 36" AFF (30" VANITY) 48" AFF (36" VANITY)
 - LAUNDRY ROOM APPLIANCES - 36" AFF
 - GARAGE - 48" ABOVE GARAGE FINISHED FLOOR
- ALL TRIM PLATES & DEVICES TO BE GANGED WHERE POSSIBLE.
- ELECTRICAL SWITCH BOXES SHALL BE LOCATED 42" AFF TO CENTERLINE OF THE BOX.
- ELECTRICAL PLAN IS INTENDED FOR BID PURPOSES ONLY. ALL WORK SHALL BE DONE IN STRICT ACCORDANCE WITH THE CURRENT NATIONAL ELECTRIC CODE BY A LICENSED ELECTRICAL CONTRACTOR WHO SHALL BE RESPONSIBLE FOR THE INSTALLATION & SIZING OF ALL ELECTRICAL, WIRING & ACCESSORIES.
- ALL TELEPHONE AND DATA WIRING SHALL BE CAT 5-E TWISTED & SHIELDED PLENUM RATED. VERIFY WIRE GAUGE AND NUMBER OF PAIRS WITH COMMUNICATIONS CONSULTANT.
- ALL SMOKE ALARMS SHALL BE LISTED & LABELED IN ACCORDANCE WITH NFPA 72 AND INTERCONNECTED.
- GFCI (GROUND FAULT CIRCUIT INTERRUPTER) RECEPTACLES TO BE PROVIDED FOR WET AREAS AND OUTDOOR CIRCUITS PER NEC SECTION 210.8.
- AFCI (ARC FAULT CIRCUIT INTERRUPTER) RECEPTACLES TO BE PROVIDED FOR ALL RECEPTACLES PER NEC SECTION 210.12
- A MINIMUM OF 75% OF LIGHT FIXTURES TO USE HIGH-EFFICACY LAMPS IN ACCORDANCE WITH FBC EC 840.1
- ALL 125-VOLT RECEPTACLES SHALL BE TAMPER RESISTANT
- LIGHT FIXTURES IN BATHROOM SHALL COMPLY W/ ART. 40-4D PER NEC.
- OWNER TO FIELD VERIFY LOCATIONS OF ALL TELEPHONE, DATA, CABLE, AND FLOOR OUTLETS.

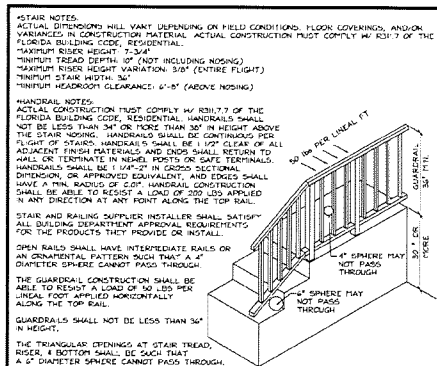
SYMBOLS LEGEND

1 SINGLE POLE SWITCH	CEILING FAN W/ LIGHT
2 3-WAY SWITCH	PRESSURE AND URAGE ONLY
3 4-WAY SWITCH	CEILING MOUNTED LIGHT
4 DIMMER SWITCH	FIXTURE
5 110V DUPLEX RECEPTACLE	WALL MOUNTED LIGHT FIXTURE
6 110V DUPLEX RECEPTACLE - HALF SWITCHED	RECESSED LIGHT FIXTURE
7 110V DUPLEX RECEPTACLE - GROUND FAULT CIRCUIT INTERRUPTER	RECESSED SHOWER LIGHT FIXTURE - RATED FOR WET LOCATIONS
8 110V DUPLEX RECEPTACLE - HEATER PROTECTED	RECESSED EYEBALL LIGHT FIXTURE
9 110V DUPLEX RECEPTACLE W/USB CHARGER	CEILING MOUNTED TRACK LIGHT FIXTURE
10 220V RECEPTACLE	CEILING MOUNTED EXHAUST FAN - VENT TO EXTERIOR
11 110V QUAD RECEPTACLE	CEILING MOUNTED EXHAUST FAN W/ LIGHT - VENT TO EXTERIOR
12 SPECIAL HUMIDITY OUTLET	CEILING MOUNTED LED LIGHT FIXTURE
13 110V DUPLEX RECEPTACLE - FLUSH IN FLOOR	DOUBLE FLOOD LIGHT
14 110V DUPLEX RECEPTACLE - FLUSH IN CEILING	ELECTRICAL PANEL
15 TELEPHONE CONNECTION	SMOKE DETECTOR
16 TELEPHONE CONNECTION - FLUSH IN FLOOR	CARBON MONOXIDE DETECTOR
17 DATA CONNECTION	ELECTRIC METER
18 DATA CONNECTION - FLUSH IN FLOOR	CEILING MOUNTED SPEAKER
19 CABLE TV CONNECTION	PRE-WIRE
20 THERMOSTAT	

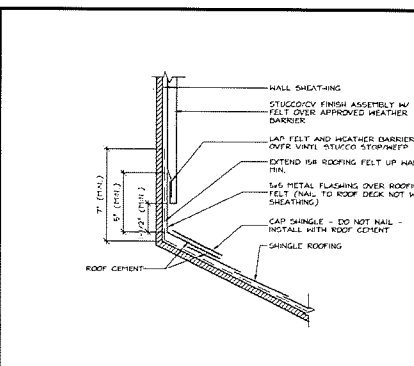
ENGINEERING
William F. Stuhke, PhD, PE
State of Florida PE #22150
12215 Rehoboth Run Dr.
Winter Garden, FL 34767
(407) 920-3119
wstuhke@gmail.com

BIRKEN CONSTRUCTION
121 10TH AVE N
JACKSONVILLE BEACH, FL 32250

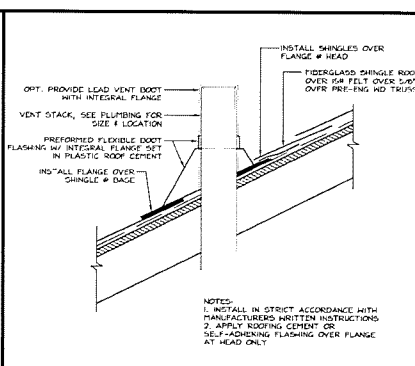
DESIGN: KAS
DATE: 8/8/21
JOB NO: 21-055
DWG NO: A.6 OF 7



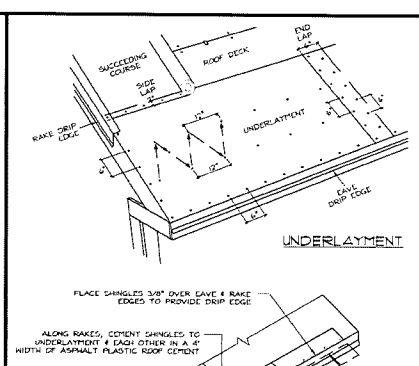
J STAIR DETAIL
SCALE: N.T.S.



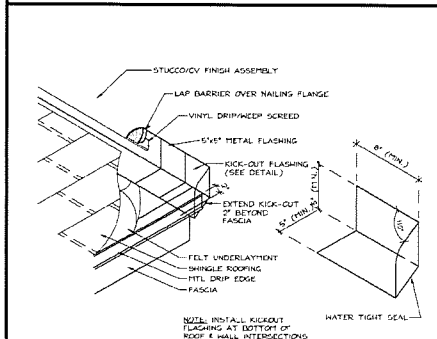
H WALL FLASHING - STUCCO
SCALE: N.T.S.



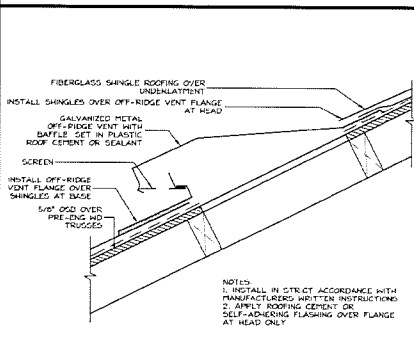
G VENT STACK FLASHING
SCALE: N.T.S.



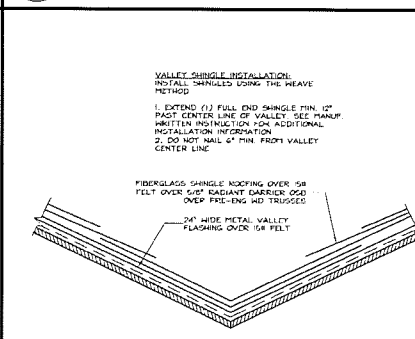
F WALL/KICKOUT FLASHING
SCALE: N.T.S.



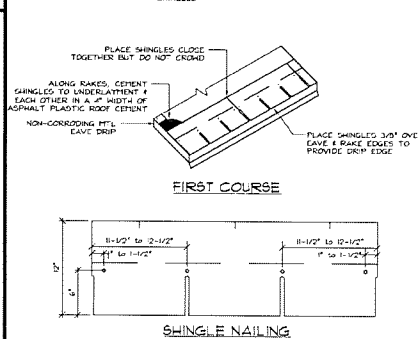
F WALL/KICKOUT FLASHING
SCALE: N.T.S.



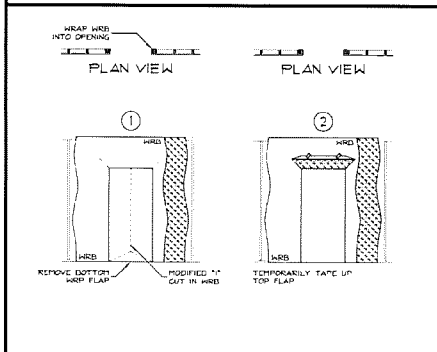
E OFF-RIDGE VENT FLASHING
SCALE: N.T.S.



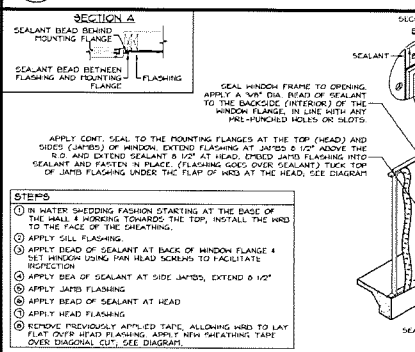
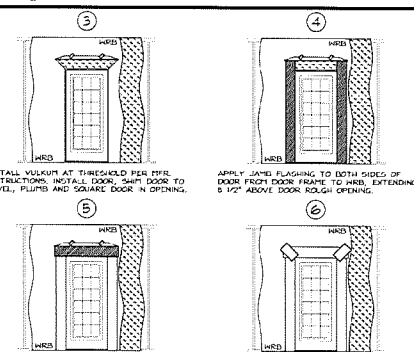
D VALLEY FLASHING
SCALE: N.T.S.



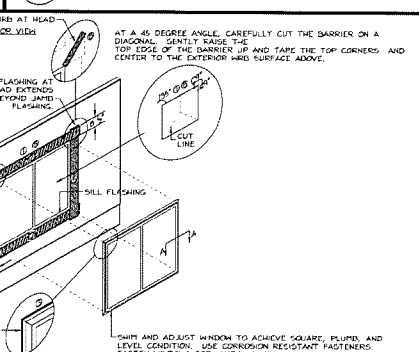
C ROOFING DETAILS
SCALE: N.T.S.



B EXTERIOR DOOR FLASHING
NOT TO SCALE



A WINDOW INSTALLATION (A-1)
NOT TO SCALE



C ROOFING DETAILS
SCALE: N.T.S.

REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/10/2021

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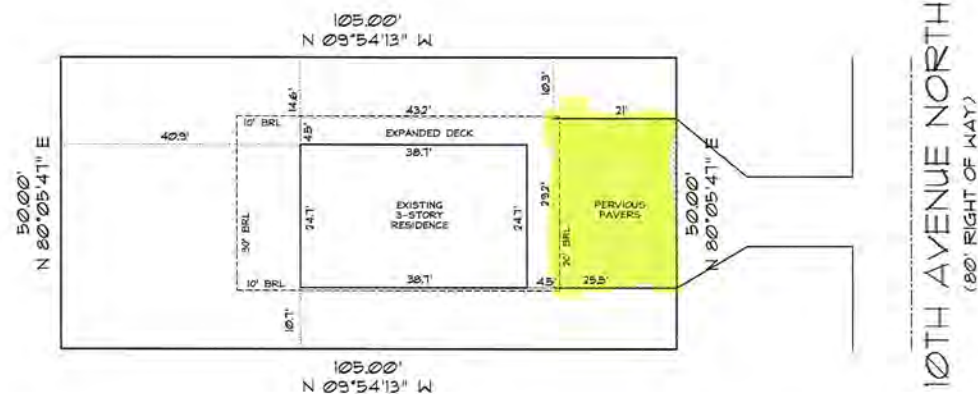
JACOBSON DESIGN, INC.
12115 ROBECOSAS RUN DR.
WINTER GARDEN, FL 34787
TEL: 888.333.8878
STATE OF FLORIDA LICENSE #B3600383

Digitally signed by William F. Stuhke Date: 2021.09.10 14:34:17 -0400

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State of Florida PE # 22150
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(407) 920-3115
wfstuhke@gmail.com

BIRKEN CONSTRUCTION
121 10TH AVE N
JACKSONVILLE BEACH, FL 32250

DESIGN: K.L.J.
DATE: 8/8/21
JOB NO: 21-055
DWG NO: A.1 OF 1



PERVIOUS PAVER DRIVE (50% CREDIT) = 306 SQ. FT.
 LOT COVERAGE BY BUILDING: 1,259/5,250 = 24.0%
 IMPERVIOUS SURFACE RATIO = $\pm 1,565/5,250 = 29.8\%$
 LOT SQUARE FOOTAGE: 5,250 SQ. FT. (± 0.12 ACRES)



JACKSON DESIGN
 COMPANY, INC.

12837 JULINGTON FOREST DR E,
 JACKSONVILLE, FL 32258
 KJACKSON@JACKSONDESIGNCOMPANY.NET
 WWW.JACKSONDESIGNCOMPANY.NET
 TEL: 904.238.8573

BIRKEN CONSTRUCTION
 121 10TH AVE N
 JACKSONVILLE BEACH, FL 32250

SITE PLAN

ALL OF LOTS 80 AND 85 AND EAST 50 FEET OF LOTS 81 AND 82, FLAGLER TRACT, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 50 AND LOT 3, BLOCK 112, PABLO BEACH IMPROVEMENT COMPANY PLAT OF THE NORTHERN PORTION OF PABLO BEACH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 66 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF CLOSED ALLEY LYING EAST OF THE NORTH 53 FEET OF LOT 85, FLAGLER TRACT, BEING 6 FEET IN WIDTH AND THAT PORTION OF SAID ALLEY LYING BETWEEN THE EXTENSION WEST OF THE NORTH AND SOUTH LINES OF LOT 3, BLOCK 112, DESCRIBED ABOVE AND BEING 12 FEET IN WITH.

FLOOD ZONE "X"

DESIGN: KAJ
 DATE: 10/14/21
 SCALE: 1" = 20'-0"
 JOB NO: 21-033
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 ACTION.

BOUNDARY SURVEY



RECEIVED
22-100028
MAR 11 2022

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

THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY.

PLANNING & DEVELOPMENT



SURVEYORS CERTIFICATE

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

Kenneth J.
Osborne

Digitally signed by Kenneth J.
Osborne
Date: 2021.03.30 18:18:30 -04'00'

**TARGET
SURVEYING, LLC**

LB #7893

SERVING FLORIDA

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

(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

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



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

BOA#22-100029

Zoning: RS-2
RE: 179151-0060
Legal: Lot 6, Block 5, Jacksonville Beach Section A
Address: 1101 13th Street North

Request

Section(s): 34-337(e)(1)c.2, for a northern side yard setback of 1 foot in lieu of 5 feet minimum and a combined side yard setback of 8 feet in lieu of 15 feet minimum; 37-337(e)(1)c.3, for a rear yard setback of 25 feet in lieu of 30 feet minimum; 34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure setback of 1 foot in lieu of 5 feet minimum to rectify existing non-conformities and allow for the enclosure of an existing screened room at an existing single family dwelling

Existing Conditions

The subject property is comprised of an existing nonconforming lot of record (circa 1944) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject lot is 50 feet in width and 102 feet in depth and 5,100 square feet in area. The subject property was constructed in 1985, the current owner purchased the property in 2006. The house has a number of nonconformities, including an existing screen enclosure on the north side of the home which abuts the north property line, as well as a wooden deck in the front of the house, and lot coverage in excess of 35%

Previous Variance BZA#383-84 for a rear yard setback of 25.8 feet in lieu of 30 feet minimum for a new single family home.

Staff Analysis

The subject property has a number of existing conditions which are nonconforming and were added over the life of the structure. These would be considered legal nonconforming and would not require a variance, but for the request to enclose the screen room, which is considered expansion of a nonconforming use. This is the trigger that requires the variance. In the process of reviewing the request, staff noted the other nonconformities, and they have also been addressed in this request. Although the applicant is intensifying the nature of the nonconformity by turning a screen room into an addition, the reason for the variance would be similar to that of a renovation that exceeds 50% of the value of the structure. There will be no change



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

in the footprint of the structure, nor any further encroachment into any setbacks or expansion of lot coverage from what is currently there. The house will remain unchanged other than full walls added to the screen room.

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 property is only 5,100 square feet in area and only 50 feet in width. Additionally the structure is nonconforming in several ways, and none of these nonconformities will be expanded into setbacks nor will there be an expansion of lot coverage.



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 house has seen many renovations over its lifespan, and the applicant did not create the nonconforming lot. The request to enclose the existing nonconformity does not expand the nonconformity in any way, but only turns it into an indoor space.

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

Staff finds that the proposed variance **will not** confer special privileges. The applicant is only seeking to enclose an existing nonconforming screen room, and address existing nonconformities.

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. Regardless of the enclosure of the screen room, and extensive renovation, which is a right enjoyed by all homeowners, would require a variance based on the existing nonconformities. This variance addresses all nonconformities, and would allow the applicant the ability to renovate the house as well as extend the living area into the screen room.

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 applicant seeks to add square footage of livable space to the existing house. Without expansion into a side or rear setback, there is no way to accomplish this. The minimum variance needed to enclose an existing nonconformity rather than expand the nonconforming nature of the house, is to enclose the existing screen room.

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.



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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.

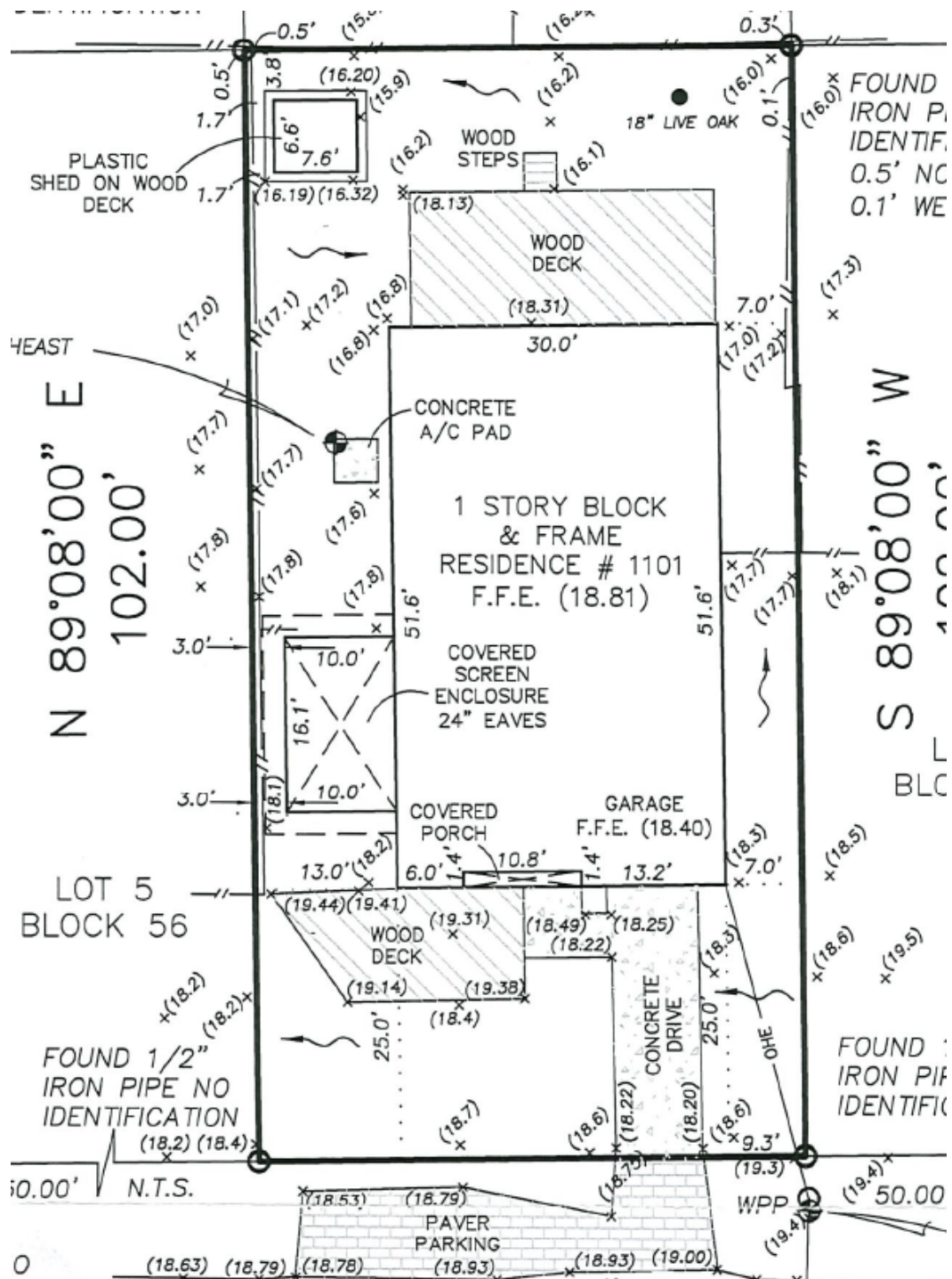
Staff Recommendation

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#22-100026**

Location Map (property boundaries are representative only)



Existing Survey





APPLICATION FOR VARIANCE

BOA NO. 22-100029

HEARING DATE 4-19-22

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

MAR - 7 2022

APPLICANT INFORMATION

Applicant Name: Holly and Robert Robertson Telephone: (904) 463-2706
 Mailing Address: 1101 13th St. North E-Mail: gantth@duvalschools.org
Jacksonville Beach, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Holly and Robert Robertson Telephone: (904) 463-2706
 Mailing Address: 1101 13th St. North E-Mail: gantth@duvalschools.org
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: 1101 13th St. North
 Legal description of property (Attach copy of deed): 179151-0060
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Front yard setback of 14 ft, Right yard setback of 3 ft, Northern side yard setback of 1 foot, Southern side yard setback of 7 ft, (addition), Combined side yard of 8 feet, Lot coverage at 51.4%, A reduction of the side yard set-back from 15 feet (code) to 8 with a total with a left yard minimum of 1.

AFFIDAVIT

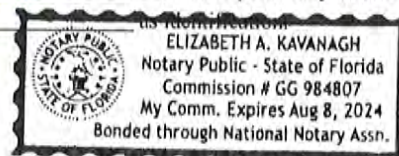
I, Holly C Robertson, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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.

Holly Robertson Holly Robertson 3-7-22
 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 7th day of March, 2022, by Holly Robertson, who is personally known to me or produced

Elizabeth A. Kavanagh
 NOTARY PUBLIC SIGNATURE
Elizabeth A. Kavanagh
 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.2, for a northern side yard setback of 1 foot in lieu of 5 feet minimum and a combined side yard setback of 8 feet in lieu of 15 feet minimum; 37-337(e)(1)c.3, for a rear yard setback of 25 feet in lieu of 30 feet minimum; 34-337(e)(1)e, for lot coverage of 52% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure setback of 1 foot in lieu of 5 feet minimum to rectify existing non-conformities and allow for the enclosure of an existing screened room at an existing single family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100029

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

RECEIVED

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

PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The property is a substandard lot. The home does not meet the current code, based on how it was originally built.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The lot was platted 50 x 102. According to code, the minimum lot area should be 75x100.
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	I am proposing to bring the home into compliance with some aspects of the dimensional standard but due to the undersized nature of the lot itself need relief to accomplish our goals with the consistent with normal use of a single family lot.
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	It is a substandard lot. It is not wide enough based on how it was built and then purchased.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We have an existing nonconforming structure that is in disrepair. We want to remove the existing structure and put a new one in the same place.
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	I am not requesting anything that will affect adjacent land. I am requesting the lot space that is supposed to be available in the first place. (according to the zoning code)



Doc # 2006034823, OR BK 13041 Page 2072,
Number Pages: 1
Filed & Recorded 01/30/2006 at 01:50 PM.
JIM FULLER CLERK CIRCUIT COURT DUVAL COUNTY
RECORDING \$10.00
DEED DOC ST \$618.80

TAX PARCEL # 179151-0060

RECEIVED
22-100029
MAR - 7 2022

WARRANTY DEED PLANNING & DEVELOPMENT

This Indenture made this **23rd** day of **January, 2006** BETWEEN **Holly Robertson, f/k/a Holly Coop, and Robert C. Robertson, Jr., Wife and Husband**, as sellers, whose post office address is **1101 13th Street North, Jacksonville Beach, FL 32250**, hereinafter **GRANTORS***, and **Robert C. Robertson, Jr. and Holly C. Robertson, Husband and Wife**, as buyers, whose post office address is **1101 13th Street North, Jacksonville Beach, FL 32250**, hereinafter as **GRANTEES**.

WITNESSETH, That said Grantor, for and in the consideration of the sum of **Ten Dollars** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of **Duval**, State of **Florida**, to-wit:

Lot 6, Block 56, Section "A", Jacksonville Beach, according to the plat thereof as recorded in Plat Book 18, Page 33 of the current public records of Duval County, Florida.

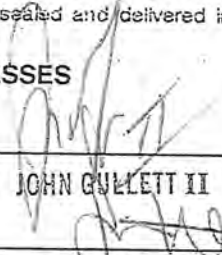
SUBJECT TO taxes for the year 2006 and thereafter, also subject to covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

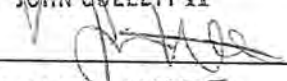
Said grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. *Singular and plural are interchangeable as context requires.

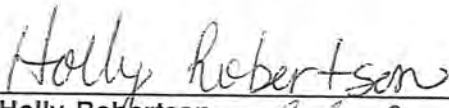
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

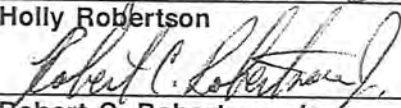
Signed, sealed and delivered in the presence of:

WITNESSES


JOHN GULLETT II


LAURA WADE

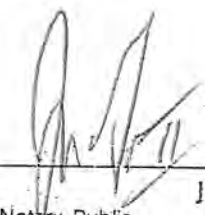

Holly Robertson


Robert C. Robertson, Jr.

STATE OF FLORIDA
COUNTY OF Duval

The forgoing instrument was acknowledged before me this **January 23rd, 2006** by **Holly Robertson and Robert C. Robertson, Jr.** who is () personally known to me or who has (X) produced a drivers license as identification.




JOHN GULLETT II
Notary Public
My Commission Expires: **Dec 28, 2009**
Certificate No: **DD 499165**

RECORD AND RETURN TO: GRANTEE @ 1101 13th Street North, Jacksonville Beach, FL 32250

THIS INSTRUMENT WAS PREPARED BY: Nikki Sinclair Gullett, Title America of Jacksonville, Inc., 10448 Old Saint Augustine Road, Jacksonville, FL 32257; Phone (904-262-6400) as a necessary incident to fulfill the requirements of a Title Insurance Binder issued by if. T20290

Ref# BOA 22-100029

Regular meeting of the Board of Zoning and Adjustment held on Tuesday, September 4, 1984 at 8:00 p.m. in the Council Chamber of City Hall.

Call to order The meeting was called to order by Mr. Polovina.

Roll Call Present: Charles Jolley, Reid McCormick, David Polovina, Rick Shore

Absent: Guy Craig

Also present was Gerald Lute, Fire Marshal.

Approval of minutes The minutes of the previous meeting were approved as written.

383-84 Virginia Hawkes, 13th Street North, Lot 6, Block 56, Section A, rear yard setback variance request of 25'8" in lieu of 30'. Mr. and Mrs. Hawkes were present and stated that this house plan has been built several times on the same size lot.

Motion to Approve Mr. Shore moved, seconded by Mr. McCormick, to approve the request. Vote resulted in all ayes.

384-84 Vernon Prevatt, Lot 13, block 2, Oceanside Park, corner setback variance request of 13' in lieu of 20' and rear setback of 23'6" in lieu of 30'. The lot is 50 x 100. Mr. Prevatt was present and requested that the corner setback be 15' in lieu of 20' and the rear yard be 23'4" in lieu of 30'.

Motion to Approve Mr. McCormick moved, seconded by Mr. Shore, to approve the variance request of 15' in lieu of 20' and 23'4" in lieu of 30'. Vote resulted in all ayes.

Adjournment There being no further business, the meeting was adjourned.

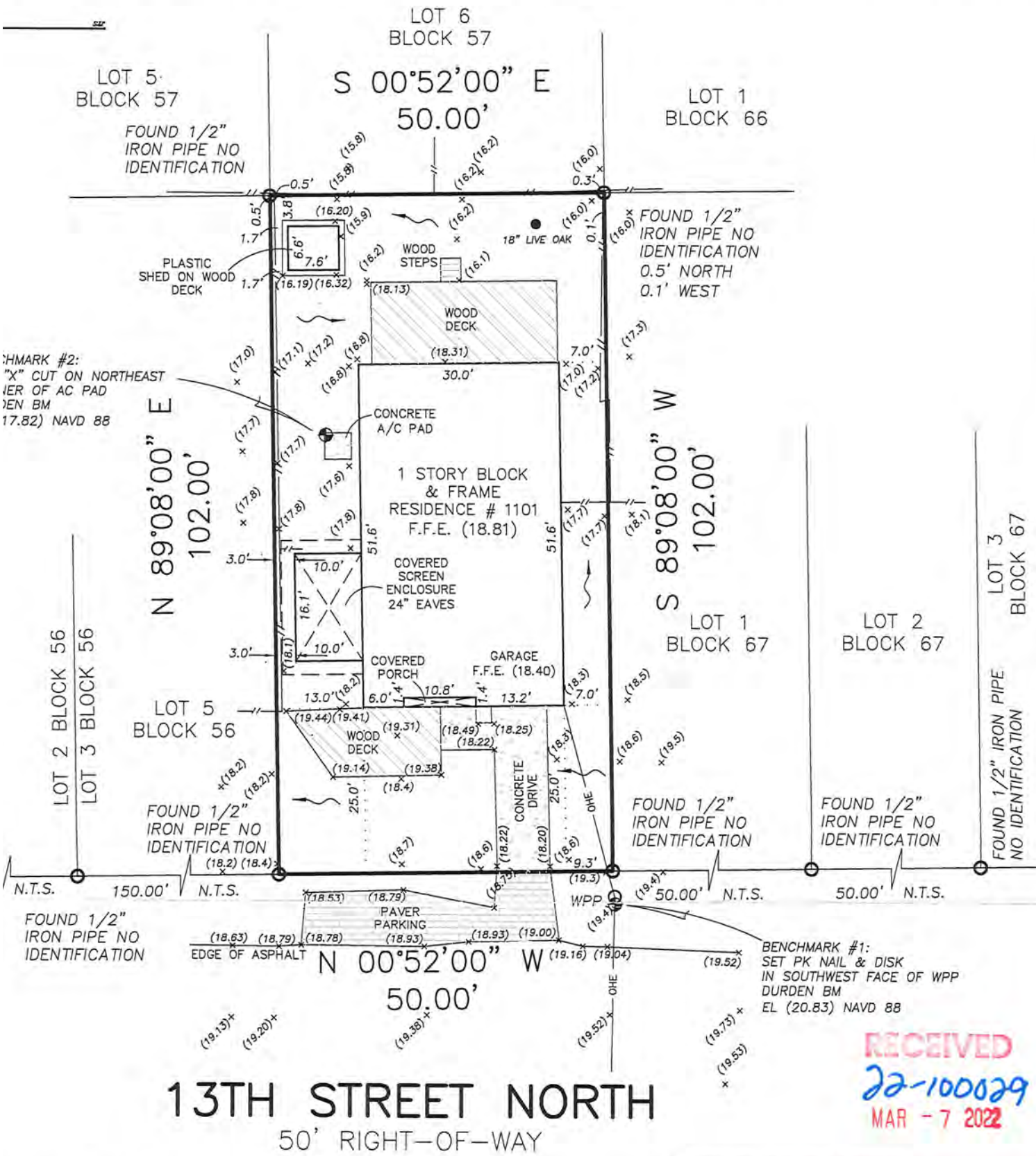
RECEIVED

MAR - 8 2022

PLANNING & DEVELOPMENT

EXISTING BOUNDARY AND TOPOGRAPHIC SURVEY OF:

SECTION A, JACKSONVILLE BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED 18, PAGE 33 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



RECEIVED
22-100029
MAR - 7 2022

"X" PER FLOOD INSURANCE
JACKSONVILLE BEACH, DUVAL COUNTY,
No. 12031C-0417-J,

RIGHT-OF-WAY LINE OF
52'00" W
AND ARE BASED ON THE
A.V.D.) OF 1988
DATELY AS POSSIBLE UNDER
LOCATION ARE MEASURED BY DBH
IMATELY 48 INCHES ABOVE GROUND
AT

ATION
FLOW

CEPT AS NOTED
NS THAT ARE NOT SHOWN
IN THE PUBLIC RECORDS

IMPERVIOUS CALCULATIONS
LOT AREA = 5,100± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,548±
PORCH/LANAI	161±
CONCRETE	238±
WOOD DECK	543±
SHED ON DECK	77±
A/C PAD(S)	16±

TOTAL IMPERVIOUS AREA = 2,583±
TOTAL DENSITY = 51.0%

CERTIFIED TO:
ROBERT C. ROBERTSON, JR. AND HOLLY ROBERTSON

I hereby certify that this survey meets the



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

BOA#22-100030

Zoning: RS-2
RE: 176874-0010
Legal: Lot 8, Block 146, Oceanside Park
Address: 527 15th Avenue South

Request

Section(s): 34-337(e)(1)e, for lot coverage of 60% in lieu of 35% maximum and 34-337(e)(1)g, for a walkway setback of 0 feet in lieu of 2 feet minimum to allow for the addition of a paver walkway on the west side yard and a swimming pool deck to an existing single-family dwelling

Existing Conditions

The subject property is comprised of an existing nonconforming lot of record (circa 1922) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject lot measures 50 feet in width by 125 feet in depth and has a surveyed area of 6,271 square feet. The subject structure was built in 2014. Sometime between 2017 and 2019, a large paver deck and roofed pergola was added without any permits. The current owner purchased the property in 2021, and applied for a building permit for a swimming pool. Unknown to the current owner, the paver patio had never been reviewed or approved, and during the construction of the pool, they removed the pavers and stacked them, with the intent of placing them back down when the pool was completed. At the final inspection for the pool, it was noted the pavers could not be replaced without a permit. At that time it was discovered that the pavers were in excess of the 35% lot coverage maximum as they had previously been installed.

Previous variance: BOA#09-100200 for an easterly side yard of 1.2 feet in lieu of 5 feet minimum for lot 7, and limited to the existing structure (no longer present on the lot, replaced by the current home in 2014)

Staff Analysis

The subject property was redeveloped in 2014 with the current home. Between 2017 and 2019 a paver rear patio and roofed pergola or gazebo was added illegally, and well exceeded the 35% lot coverage maximum, by almost double. Per the applicant, at the time of purchase the lot coverage, with the patio and all other improvements was at 65%. With the pavers removed, but the existing shed and gazebo left in place, along with the house, the lot coverage is at 50%. The pool



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

does not count towards lot coverage, but the request would be to install some, but not all of the previous pavers, along with the pool which reduced the total lot coverage, resulting in a request of 60%. This is less than the existing at the time of purchase.

Additionally to the lot coverage issue, is the minimum setback along the western property line for the paver deck and walkway. Based on the lot width, there may be case for the setback encroachment.

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;**



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

Staff **does** find that there are circumstances unique to the subject parcel of land. The site is substandard in width and area. Additionally the lot is currently at 50% lot coverage, without any paver pool deck or patio.

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 applicant did not create the substandard nature of the lot, and although they purchased the property with the unpermitted work, the lot is currently above the maximum lot coverage with the pavers removed.

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. As the lot area is nonconforming as well as the lot width, allowing the applicant to have some paver deck to serve the pool and gazebo is a reasonable request.

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 existing home and accessory uses are already at 50% lot coverage, so at a minimum, it would be reasonable to assume that the applicant would need to remove both the shed and the gazebo to reduce their lot coverage to conforming levels.

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 not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. Although the lot was at 65% lot coverage, the proposed lot coverage is reduced by the actions of the applicant. At a minimum, the lot without pavers would need relief to 50% lot coverage just for existing improvements. The paver patio could be reduced to meet the required 2 foot setback minimum for the paver walkway.



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.

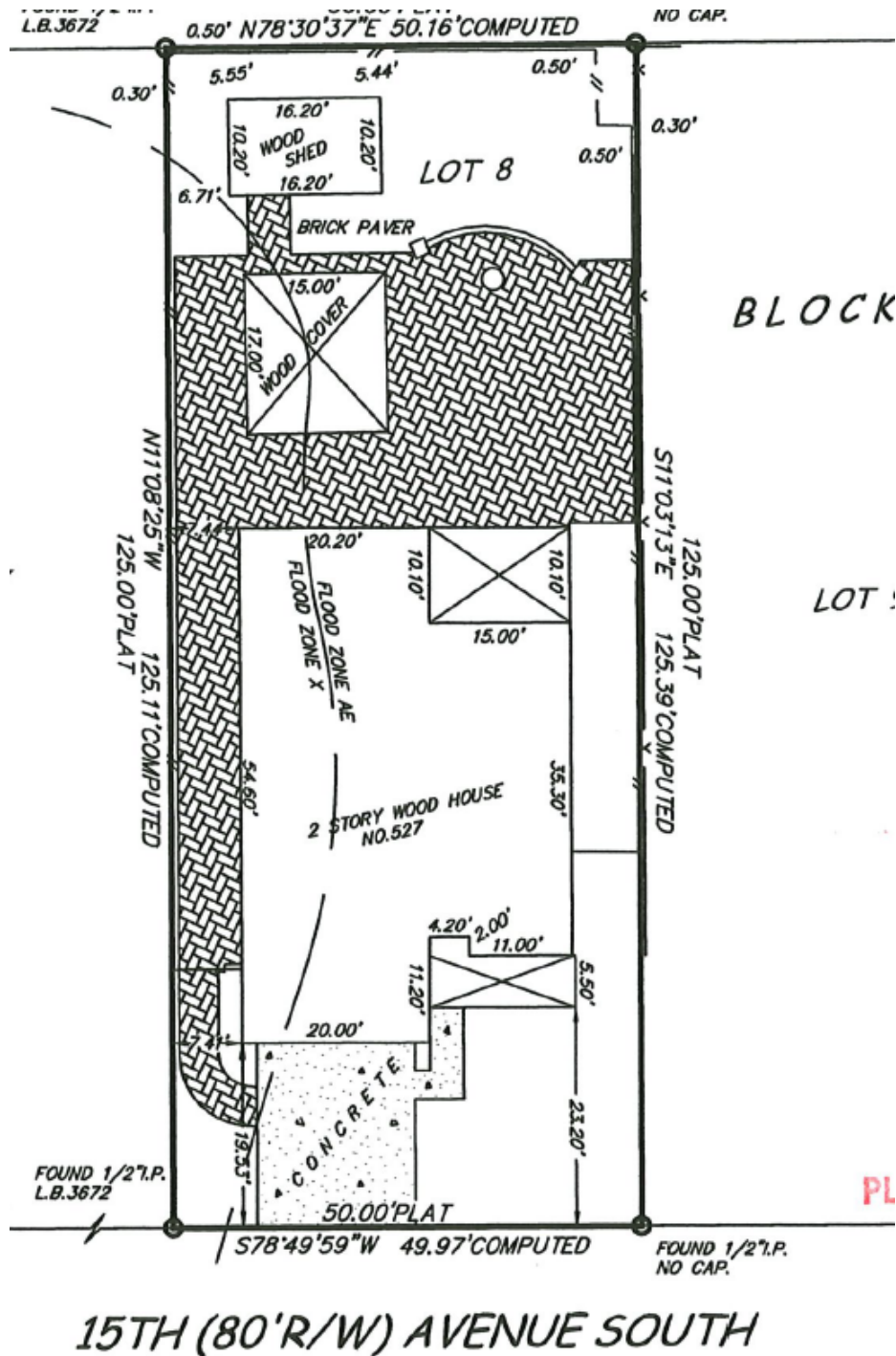
Staff Recommendation +

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#22-100030 in part, as it related to lot coverage, and Denial of BOA#22-100030 in part for side yard setbacks.**

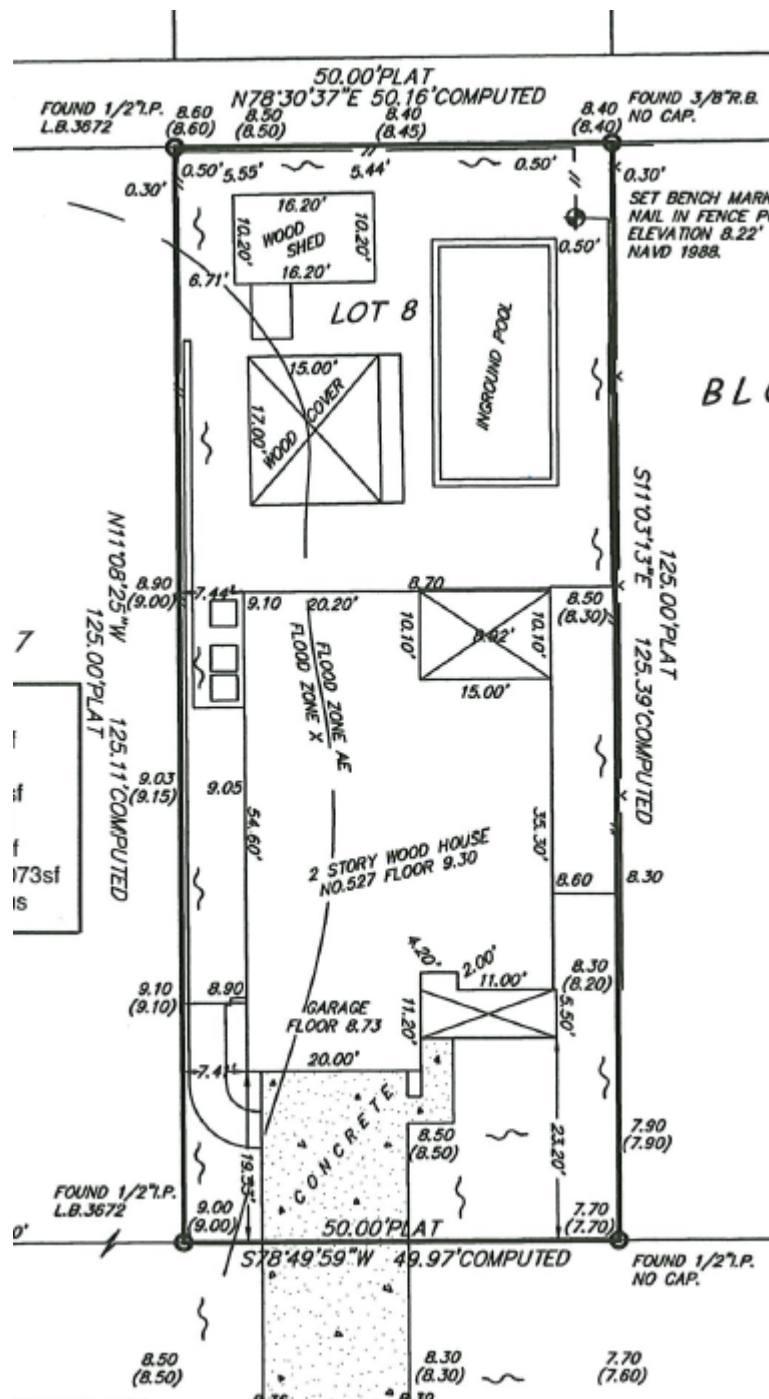
Location Map (property boundaries are representative only)



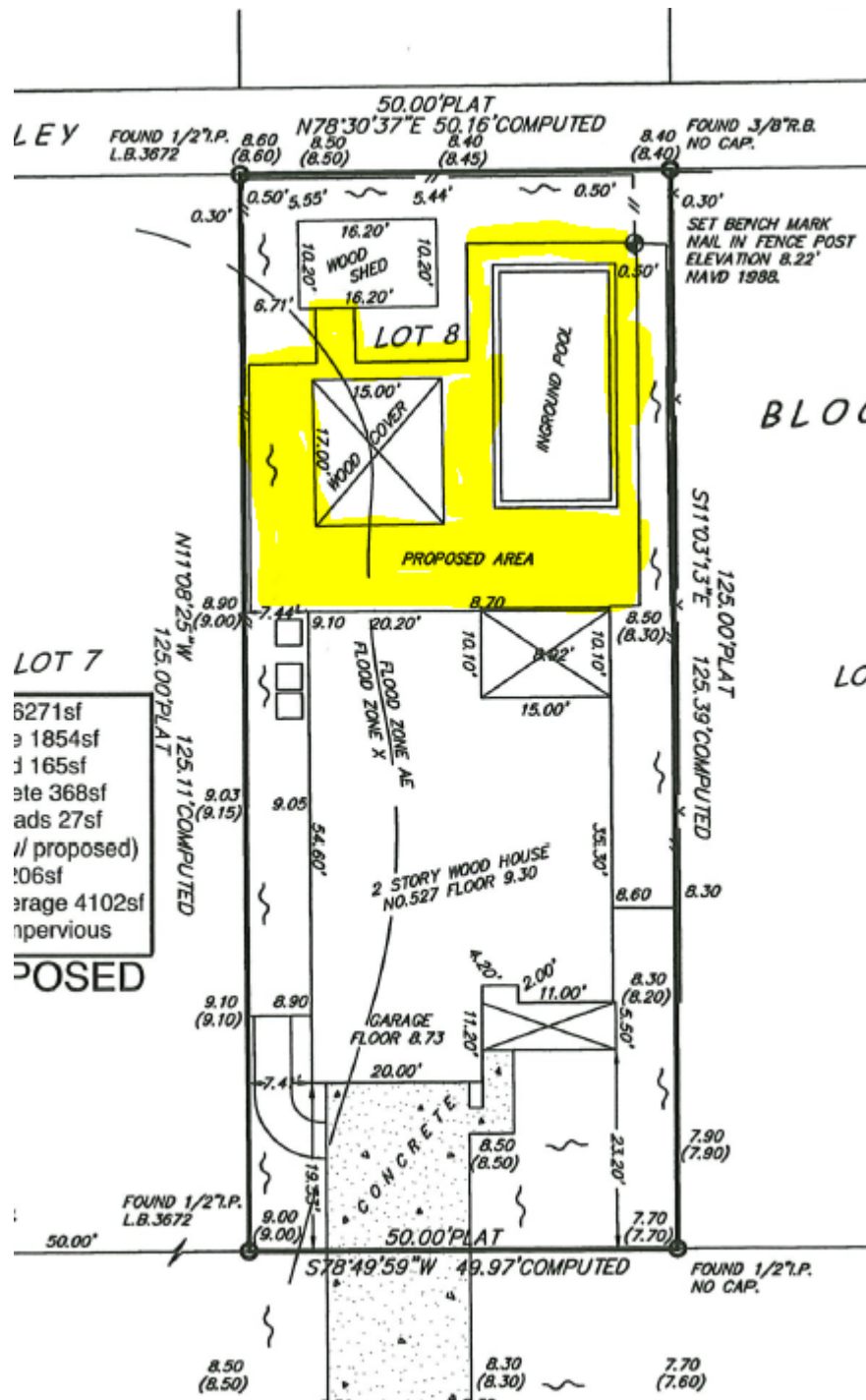
Existing Survey (prior to pool construction)



Existing Site Plan (with pool installed, pavers removed)



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100030

HEARING DATE 4.19.22

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.

MAR - 8 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Michael and Lauren Garcia Telephone: (850) 723-4218
 Mailing Address: 527 15th Ave S E-Mail: Michael.V.Garcia@Gmail.com
Jacksonville Beach, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Michael and Lauren Garcia Telephone: (850) 723-4218
 Mailing Address: 527 15th Ave S E-Mail: Michael.V.Garcia@Gmail.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 527 15th Ave S Jacksonville Beach, FL 32250
 Legal description of property (Attach copy of deed): 176874-0010 Lot 8
 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).
 1. 59% for variance
 2. Relief from setback to side (3')

AFFIDAVIT

I, Michael Garcia, 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.

Michael V. Garcia
 APPLICANT SIGNATURE

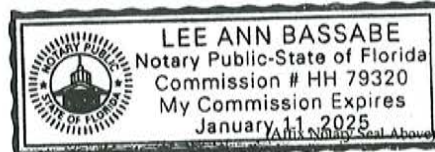
Michael V. Garcia
 PRINT APPLICANT NAME

07 MAR 2022
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8 day of March, 2022, by Michael V. Garcia, who is personally known to me or produced FL Drivers License as identification.

Lee Ann Bassabe
 NOTARY PUBLIC SIGNATURE
Lee Ann Bassabe
 PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2

FLOOD ZONE: X-shaded/AE

CODE SECTION (s):
34-337(e)(1)e, for lot coverage of 60% in lieu of 35% maximum and 34-337(e)(1)g, for a walkway setback of 0 feet in lieu of 2 feet minimum to allow for the addition of a paver walkway on the west side yard and a swimming pool deck to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. **22-100030**

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	Hardship is based on lot size. Upon purchase (5/28/21), 65% of the surface was impervious. We didn't realize pulling up non-conforming, non-permitted work by previous owner would result in loss of previously established coverage. +
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Previous non-conforming lot coverage was from non-permitted work of previous owner. Unaware we couldn't put back down pavers as it was when we purchased the house.
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	No other properties other than 527 15th Ave South.
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	Many neighbors/new builds have pool decks, hardscape areas, covered areas, etc. Lot coverages appear to be equal to mine (or greater).
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Proposing approximately 58-59% lot coverage would accomplish what we're trying to do.
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 neighbors will be affected by reduced proposed lot coverage. It will not exceed 65%, as it was when we purchased the home.

Prepared by and return to:

Timothy P Kelly
Attorney at Law
Timothy P. Kelly PA
1016 LaSalle Street
Jacksonville, FL 32207
904-399-3705
File Number: 11399.000

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 27th day of May, 2021 between **H. Terry Parker and Kimberly Parker, husband and wife** whose post office address is **13700 Sutton Park Drive North, Apt 328, Jacksonville, FL 32224**, grantor, and **Michael Garcia and Lauren Garcia, husband and wife** whose post office address is **527 15th Avenue South, Jacksonville, FL 32250**, grantee:

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

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

Lot 8 Block 146 Oceanside Park, according to the plat thereof as recorded in Plat Book 8 Page 13, of the Public Records of Duval County, Florida.

Parcel Identification Number: 176874-0010

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

To Have and to Hold, the same in fee simple forever.

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

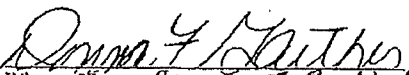
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

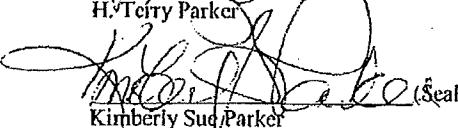
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22-100036
MAR - 8 2022

PLANNING & DEVELOPMENT

Signed, sealed and delivered in our presence:


Witness Name: Timothy P. Kelly

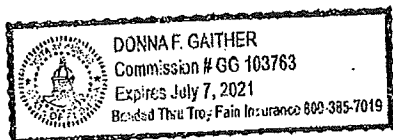

Witness Name: DONNA F. GAITHER

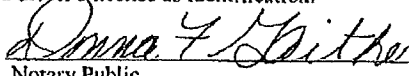
 (Seal)
H. Terry Parker
 (Seal)
Kimberly Sue Parker

State of Florida
County of Duval

The foregoing instrument was acknowledged before me by means of physical presence, this 27th day of May, 2021 by H. Terry Parker and Kimberly Sue Parker, who have produced a driver's license as identification.

[Notary Seal]



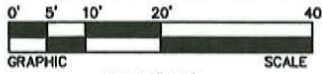

Notary Public

Printed Name: _____

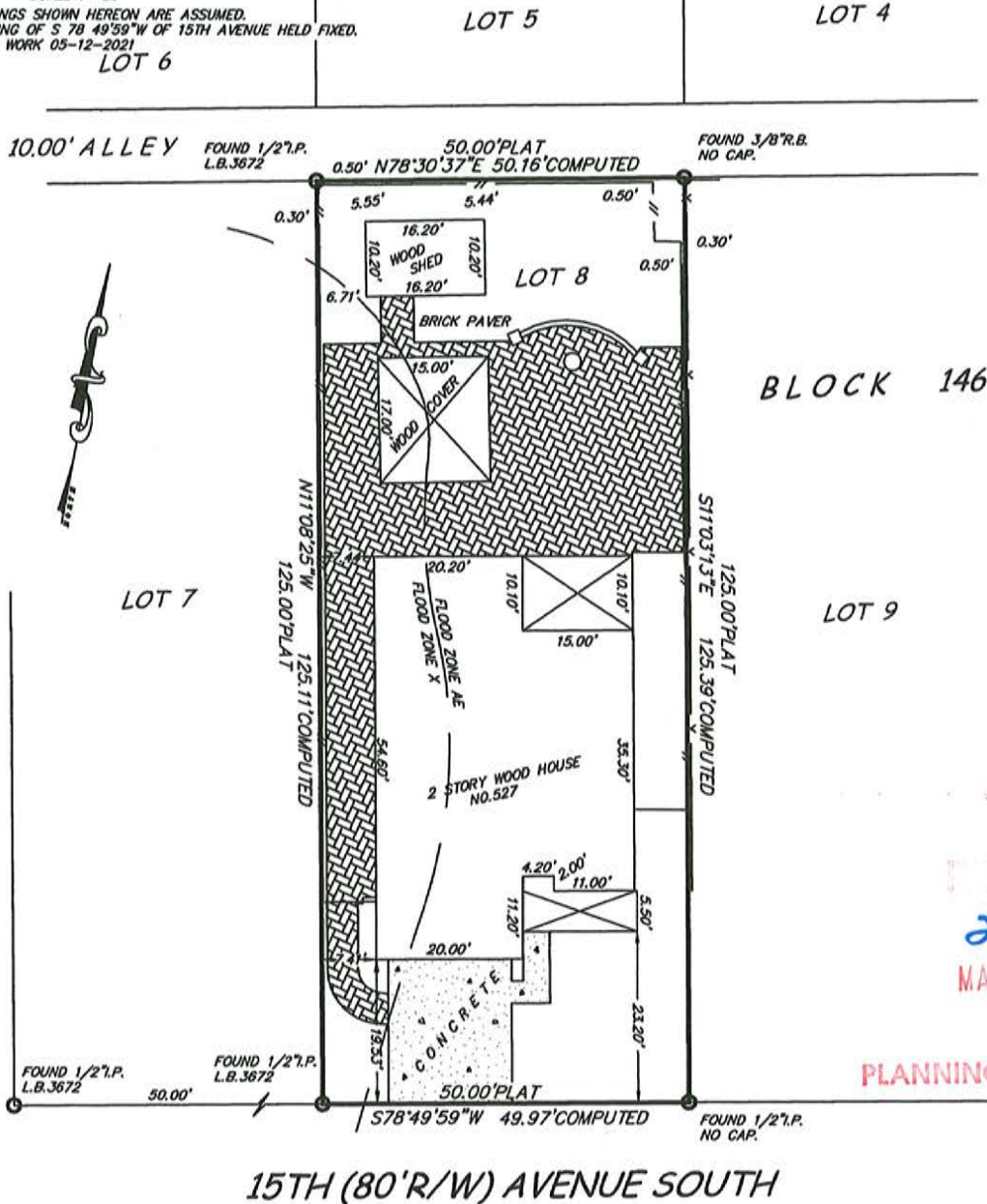
My Commission Expires: _____

AS PURCHASED ORIGINAL

MAP SHOWING BOUNDARY SURVEY OF
LOT 8, BLOCK 146, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT
BOOK 8, PAGE 13, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES:
1. BEARINGS SHOWN HEREON ARE ASSUMED.
2. BEARING OF S 78° 49' 59" W OF 15TH AVENUE HELD FIXED.
3. FIELD WORK 05-12-2021



22-100030
MAR - 8 2022

PLANNING & DEVELOPMENT

ANTHONY PAUL O'NEIL

10448 ST AUGUSTINE ROAD
JACKSONVILLE, FLORIDA 32257
PHONE (904)-624-3399 ROONEYSONS@AOL.COM

I HEREBY CERTIFY TO : MICHAEL & LAUREN GARCIA

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE AMERICA REAL ESTATE CLOSINGS INC.

THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND
MAPPERS IN CHAPTER 5J-17.050-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

FEMA FLOOD INSURANCE RATE INFORMATION PERTAINING TO LANDS SHOWN HEREON;

ZONE X PANEL 12031C0419J DATE 11-02-18 / DUVAL COUNTY, FLORIDA.

P.O.C.-POINT OF COMMENCEMENT
P.O.B.-POINT OF BEGINNING
P.C.-POINT OF CURVATURE
P.T.-POINT OF TANGENT
P.R.C.-POINT OF REVERSE CURVATURE
P.C.C.-POINT OF COMPOUND CURVATURE
P.I.-POINT OF INTERSECTION
P.C.P.-PERMANENT CONTROL POINT
P.R.P.-PERMANENT REFERENCE POINT
R/W-RIGHT-OF-WAY CT.-COURT
L-ARC LENGTH R-RADIUS
Δ-DELTA ANGLE T-TANGENT

R.L.S.-REGISTERED LAND SURVEYOR
PROP.-PROPOSED C/L-CENTER LINE
L.B.-LICENSE BUSINESS
O.R.V.-OFFICIAL RECORDS VOLUME
O.R.B.-OFFICIAL RECORDS BOOK
D.B.-DEED BOOK PG.-PAGE
P.B.-PLAT BOOK M.B.-MAP BOOK
CO.-COUNTY FL.-FLORIDA
AVE.-AVENUE ST.-STREET
C.B.D.-CHORD BEARING AND DISTANCE
COMP.-COMPUTED (R)-RADIAL
P-PLAT C-COMP. D-DEED

N-NORTH S-SOUTH E-EAST W-WEST
EX-EXCEPTION TYP.-TYPICAL
F.F.-FINISH FLOOR EL.-ELEVATION
BLK.-BLOCK FND.-FOUND
I.P.-IRON PIPE RB.-REBAR
CONC.-CONCRETE A/C-AIR CONDITIONER
ESMT.-EASEMENT ELEC.-ELECTRIC
B.R.L.-BUILDING RESTRICTION LINE
F.Z.B.L.-FLOOD ZONE BOUNDARY LINE
APPROX.-APPROXIMATE EXST.-EXISTING
A.K.A.-ALSO KNOWN AS N/F-NOW OR FORMERLY
N.G.V.D.-NATIONAL GEODETIC VERTICAL DATUM

P.S.M.-PROFESSIONAL SURVEYOR/MAPPER
J.E.A.-JACKSONVILLE ELECTRIC AUTHORITY
P.R.M.-PERMANENT REFERENCE MONUMENT
BLVD.-BOULEVARD LA.-LANE
RD.-ROAD No.-NUMBER SEC.-SECTION
TWP.-TOWNSHIP RING-RANGE
P.L.S.-PROFESSIONAL LAND SURVEYOR
NO UNDERGROUND LOCATIONS
LOCATED THIS SURVEY

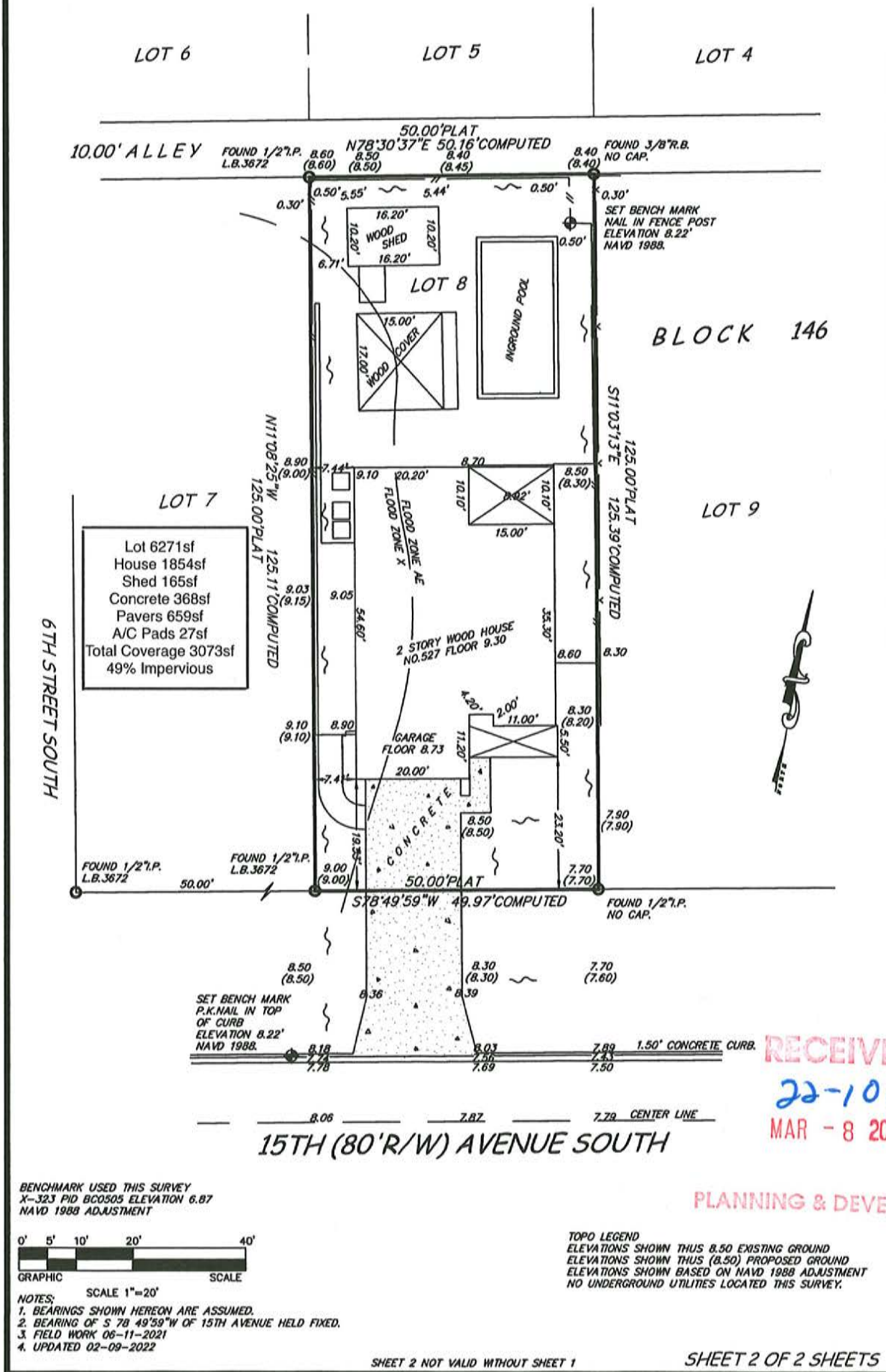
JURISDICTIONAL WETLANDS WERE NOT LOCATED THIS SURVEY.
EASEMENTS OF RECORD WERE NOT PROVIDED FOR THIS SURVEY.
THIS SURVEY DOES NOT DETERMINE OWNERSHIP.
THIS SURVEY NOT VALID WITHOUT EMBOSSED SEAL

□ DENOTES CONCRETE MONUMENT
○ DENOTES IRON PIPE
SET-DENOTES SET 5/8" x 18"
REBAR L.B.5684

DATE SIGNED 05-14-2021
Anthony Paul O'Neil
ANTHONY PAUL O'NEIL PSM 5684

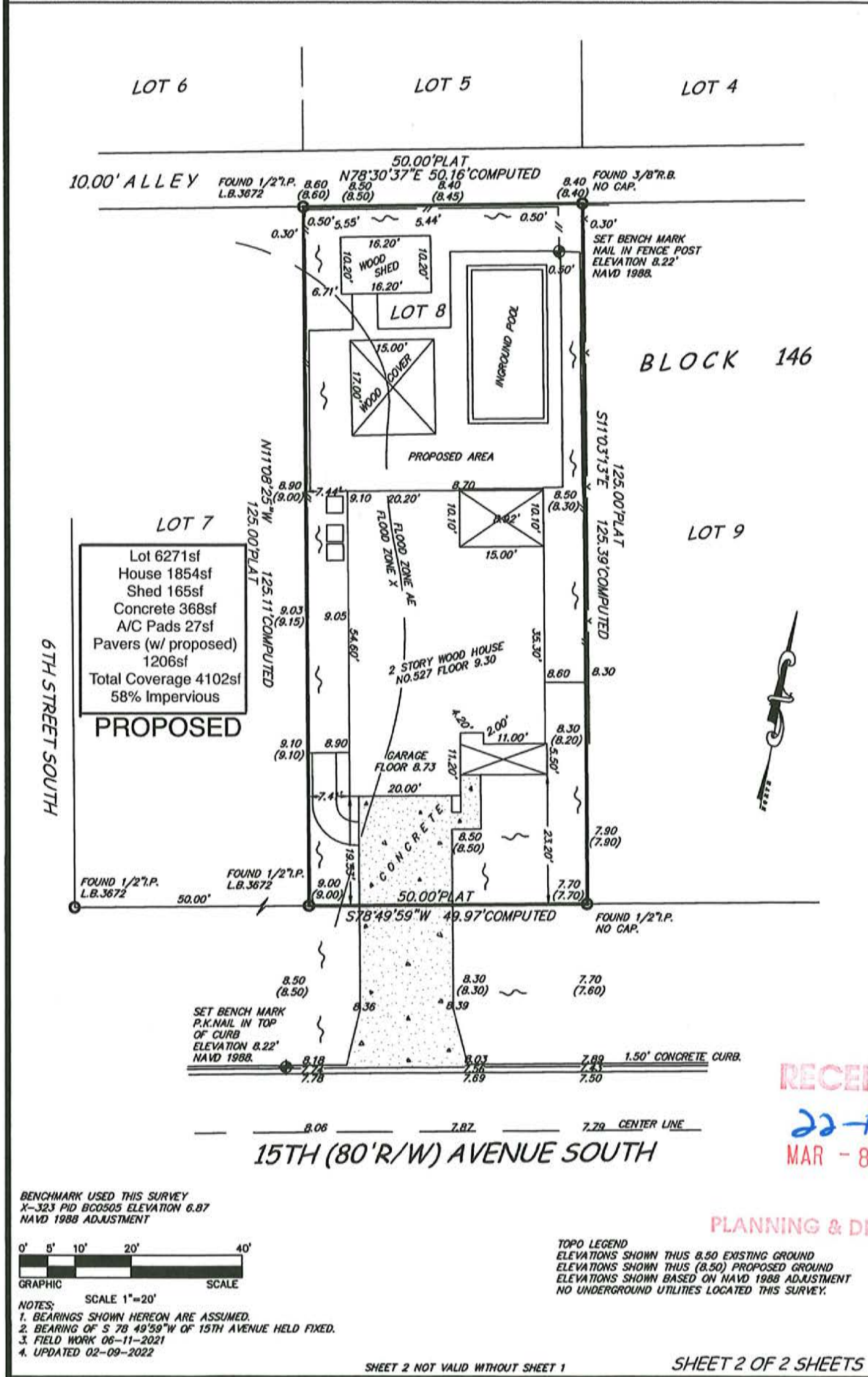
SYMBOLS:
x CHAIN LINK FENCE
- WOOD OR METAL FENCE
w WIRE FENCE
- ELECTRIC LINE
- UTILITY POLE
⊙ WELL
ASPHALT
OVERHEAD
CONCRETE

MAP SHOWING TOPOGRAPHIC SURVEY OF LOTB 8, BLOCK 146, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



PROPOSED

MAP SHOWING TOPOGRAPHIC SURVEY OF LOT 8, BLOCK 146, OCEANSIDE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



RECEIVED
22-100030
MAR - 8 2022

PLANNING & DEVELOPMENT

Reference

LeeAnn Bassabe

From: Geoff Sandels <geoff.sandels@gmail.com>
Sent: Friday, April 8, 2022 1:22 PM
To: Planning Division
Subject: BOA#22-100030

RECEIVED
22-100030
APR - 8 2022

Good afternoon,

I am supportive of the application for 527 15th Avenue South to have lot coverage of 60%.

PLANNING & DEVELOPMENT

Thank you,
Geoff Sandels
501 15th Ave South
Jacksonville Beach, FL 32250



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

BOA#22-100031

Zoning: C-1
RE: 174681-0000
Legal: All of lot 6, Part of the West 35 ft. of lot 4, portion of closed alleyway, Block 143, Pablo Beach North
Address: 1415 3rd Street North

Request

Section(s): 34-377, for 12 parking spaces in lieu of 30 required to allow for the conversion of an existing commercial retail space to a salon with 15 chairs

Existing Conditions

The subject property is comprised of one full lot of record, a portion of a second lot of record, and a portion of a closed alley, (circa 1913) located in the Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The subject property is comprised of a property measuring 62.5 feet in width and 130 feet in depth, with an area of 8,125 square feet. The property is currently occupied by a commercial structure with adjoining parking in front. The structure has most recently been used for retail sales. The existing structure and parking area was built in 1985, and predates the land development code.

No previous variances or code cases.

Staff Analysis

The subject property is a completely developed commercial lot located along 3rd street. The property was most recently used for retail sales. The proposed use of a salon requires two parking spaces per salon chair. The proposed type of salon is a newer concept of salon suites. These are individual rooms that are for one client at a time. The existing site has room for 15 spaces, but the need for a legal dumpster enclosure means that they will have to give up some parking to accommodate the dumpster. The original request is for a minimum of 13 spaces, including one handicap space. However, based on the fact that there have not been approved plans for the dumpster enclosure, staff felt that the possibility of a third space being lost was possible, so the request has been amended to 12 spaces instead of 13. The location has been maximized for parking and building, and there is no physical room to expand.



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Minimum parking standards

- Barber and beauty shops: Two (2) spaces per chair or station.

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 site is built out and maximizes the existing available land for parking and building. There is no physical space to add any additional parking. This has been the case since the structure was built in 1985.

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 property has existed in its current state since 1985, which predates the code and makes the structure and the parking nonconforming in nature. The applicant only recently acquired the property in December of 2021.

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 property is commercial in nature and would need relief from many different parking standards to be able to operate as a commercial space. Approval of the variance only allows the structure to continue to operate as a permitted use.

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. Even though the property has been used for retail sales in the past, with the required dumpster, the property would still need a



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minimum of 30 spaces which it can no longer supply. Without relief from the code, many commercial uses would no longer be viable.

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 not** find that the requested variances are the minimum variance needed to accommodate the proposed new home. Based on the proposed site plan, 13 spaces would be the minimum number the applicant can provide, but staff feels the reduction to 12 would allow some flexibility in design for the required dumpster enclosure, and reduce the need for future variances.

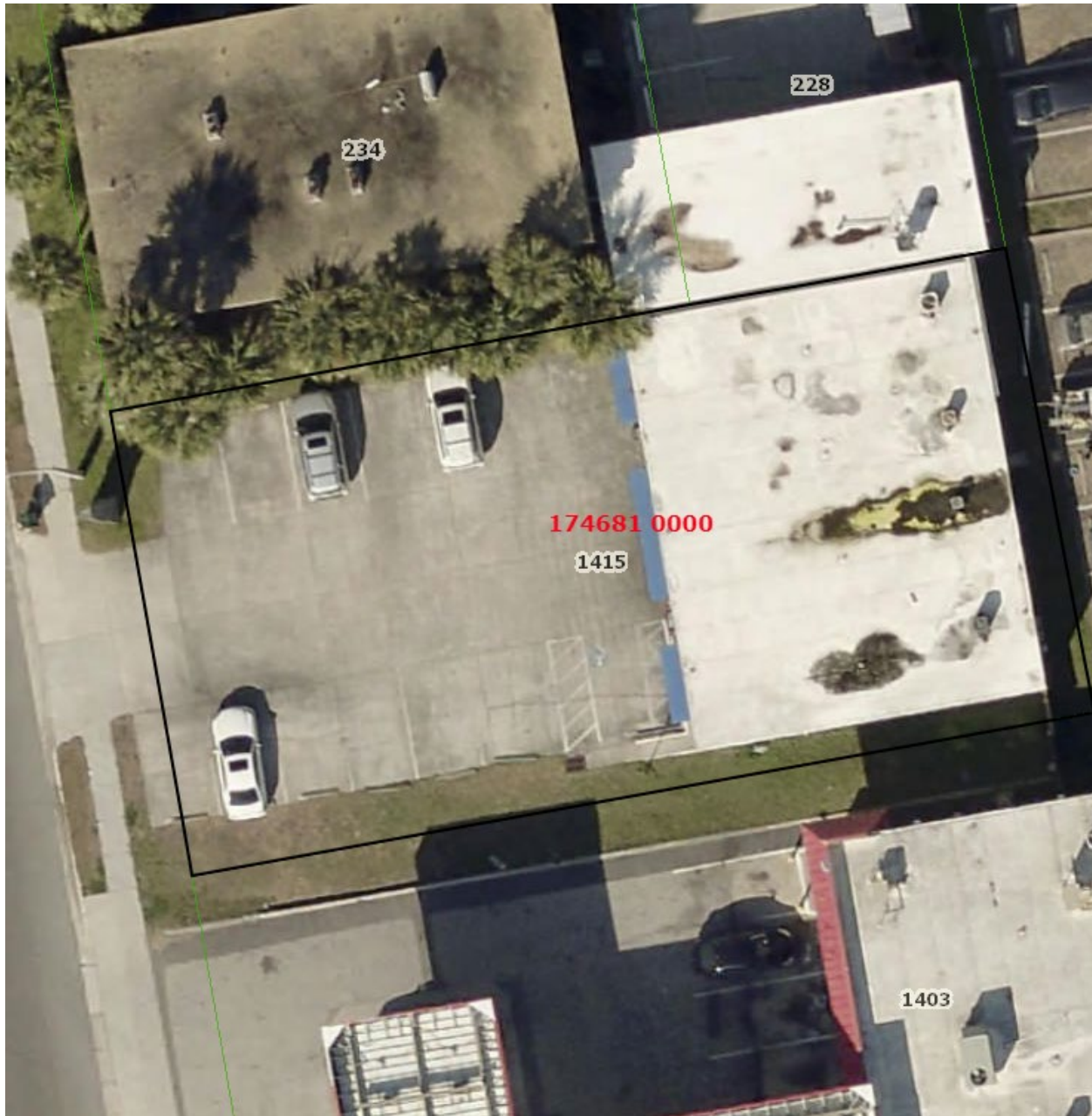
6. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.

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#22-100031**

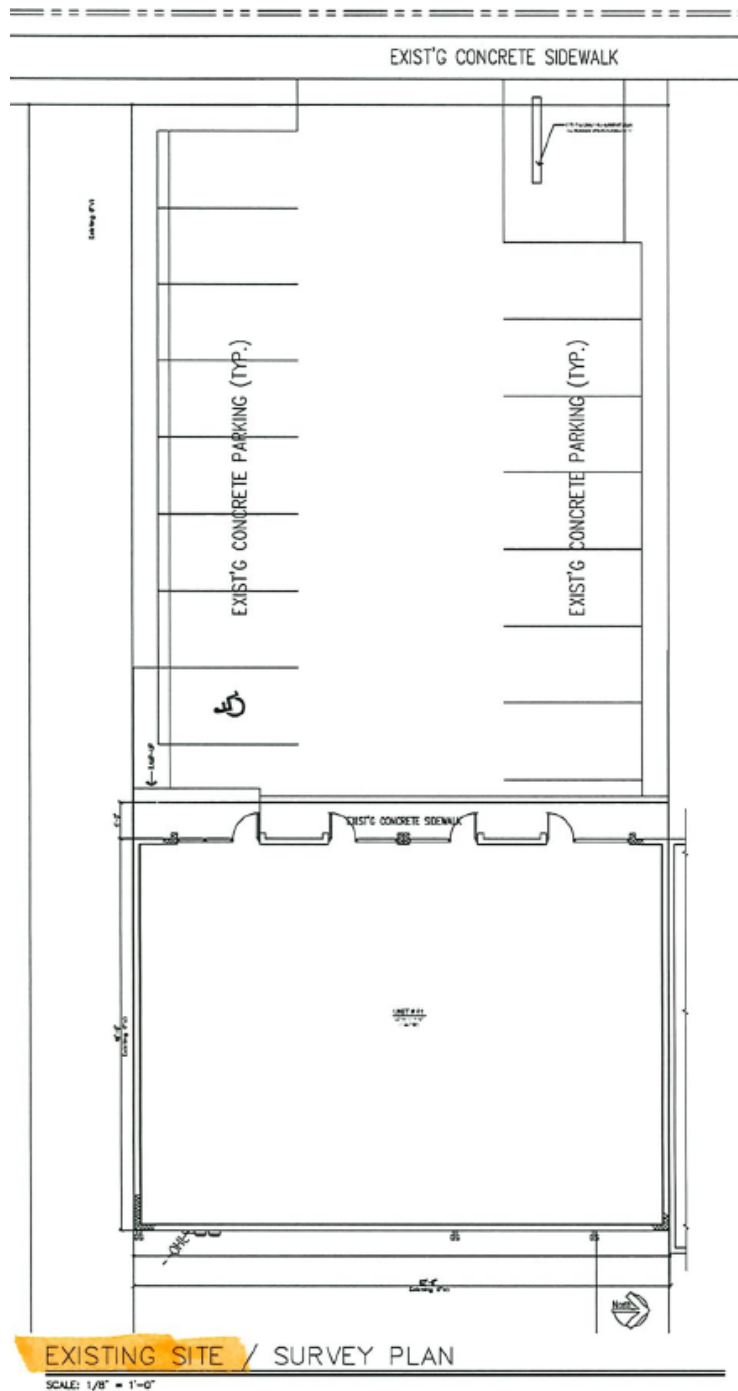
Location Map (property boundaries are representative only)





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Existing Survey



[illegible]

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



APPLICATION FOR VARIANCE

BOA NO.

22-100037

HEARING DATE

4.19.22

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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PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Sarah Rocco owner of 1415 3rd St Telephone: 904.416.0069
 Mailing Address: 1873 Green St. Jacksonville, FL 32205 E-Mail: sarah.rocco@gmail.com
 Agent Name: Michael Byrd Telephone: 904.509.3937
 Mailing Address: _____ E-Mail: mabyrd55@live.com
 Landowner Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1415 3rd St. N. Jacksonville, BEACH, FL 32250
 Legal description of property (Attach copy of deed): 174681-0000
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
See attached cover letter

AFFIDAVIT

I, SARAH ROCCO, 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.

Sarah Rocco
 APPLICANT SIGNATURE

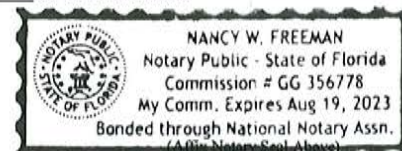
SARAH ROCCO
 PRINT APPLICANT NAME

3/8/22
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 8th day of MARCH, 2022, by SARAH ROCCO, who is personally known to me or produced _____ as identification.

Nancy W. Freeman
 NOTARY PUBLIC SIGNATURE
NANCY W. FREEMAN
 PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):
 34-373, for 12 parking spaces in lieu of 30 required to allow for the conversion of an existing commercial retail space to a salon

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

21-100031

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.

MAR - 8 2022

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.	No	I believe there to be other parcels of land in Jacksonville Beach with similar conditions and cuircumstances.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The building was used formerly as a single tenant building yet while maintaining 4 seperate units from a zoning standpoint.
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	This is all acknowledged.
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	I do believe that this proposed space being converted into multi use will be a huge additive to Jacksonville Beach and if not accepted, deprive 1415 3rd St of rights commonly enjoyed by other parcels of land in the same zoing district.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	As the building sits, the parking allotment doesn't allow room for the 4 units to have sufficent parking.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	This is all correct. We are restriping the current allotted space to allow for the parking space variance requested. Also by making it ADA compliant, this will allow for everything to be up to code.

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Prepared by and return to:
Ruth K. McDonald
Hathaway & Reynolds, PLLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: 2021-1078

Doc # 2021341040, OR BK 20076 Page 407
Number Pages: 2
Recorded 12/29/2021 02:33 PM
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$6853.00

PLANNING & DEVELOPMENT

(Space Above This Line For Recording Data)

Special Warranty Deed

SR

This Special Warranty Deed made this 24 day of December, 2021, between Gloria Schmidt, whose post office address is 55 San Juan Drive, Ponte Vedra Beach, FL 32082, and Amy's Turn, Inc., a Florida Corporation, whose post office address is 55 San Juan Drive, Ponte Vedra Beach, FL 32082, grantor, and 1415 3rd St LLC, a Florida Limited Liability Company, whose post office address is 2873 Green Street, Jacksonville, FL 32205, grantee:

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

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

Lot 6 and the West 35 feet of the South 1/2 of Lot 4, Block 143, Pablo Beach Improvement Company's Plat being a replat of part of the 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.

Together with the North 6 foot of the 12 foot alley closed by Ordinance No. 7400, authenticated December 5, 1988.

Together with a non-exclusive easement for drainage as set out in Grant of Easement recorded February 11, 1985 in Official Records Book 5914, page 2000, of the current public records of Duval County, Florida.

Parcel Identification Number: 174681-0000

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

To Have and to Hold, the same in fee simple forever.

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

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 claiming by, under, or through grantor, but against none other.

The property conveyed by this Special Warranty Deed is not the homestead of the grantor under the laws or constitution of the State of Florida, in that neither she nor anyone for whose support she is responsible resides or has ever resided on or adjacent thereto.

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

Two Different Witnesses have signed below (the Notary may be one of the Witnesses) and neither the Notary
nor any Witness, is related to the Signor or has a beneficial interest in the property described above.

Signed, sealed and delivered in our presence:

Ruth K. McDonald
Witness 1 Signature
Ruth K. McDonald
Witness 1 Printed Name
Nolan Winarchick
Witness 2 Signature
Nolan Winarchick
Witness 2 Printed Name

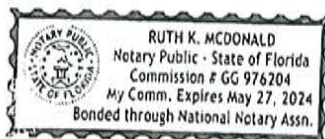
Gloria Schmidt
Gloria Schmidt

Amy's Turn, Inc., a Florida corporation

By: Gloria G. Schmidt, PRESIDENT
Gloria G. Schmidt, President

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of (X) Physical Presence or () Online Notarization, this
16th day of December, 2021, by Gloria Schmidt, individually and as President of Amy's Turn, Inc., a Florida
corporation, on behalf of the corporation, who () is personally known to me or (X) has produced
A valid FL Driver's License as identification.



Ruth K. McDonald
NOTARY PUBLIC
Printed Name Ruth K. McDonald
My Commission Expires May 27 2024



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

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Detail by Entity Name

Florida Limited Liability Company
1415 3RD ST LLC

Filing Information

Document Number L21000522003
FEI/EIN Number NONE
Date Filed 12/10/2021
State FL
Status ACTIVE

Principal Address

2873 GREEN ST JACKSONVILLE, FL 32205
JACKSONVILLE, FL 32205

Mailing Address

2873 GREEN ST JACKSONVILLE, FL 32205
JACKSONVILLE, FL 32205

Registered Agent Name & Address

NORTHWEST REGISTERED AGENT LLC
7901 4TH ST N STE 300
ST. PETERSBURG, FL 33702

Authorized Person(s) Detail

Name & Address

Title AMBR

ROCK INVESTMENT HOLDINGS COMPANY LLC
30 N GOULD STREET SUITE N
SHERIDAN, WY 82801

Annual Reports

No Annual Reports Filed

Document Images

[12/10/2021 -- Florida Limited Liability](#) [View image in PDF format](#)

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 DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 10-27-2021 PLANNING & DEVELOPMENT

Employer Identification Number:
87-3286721

Form: SS-4

Number of this notice: CP 575 G

ROCK INVESTMENT HOLDINGS COMPANY
LLC
SARAH ROCCO SOLE MBR
2873 GREEN STREET
JACKSONVILLE, FL 32205

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 87-3286721. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is ROCK. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

RE: 1415 3rd St N

March 7, 2022

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22-100031
MAR - 8 2022

To Whom It May Concern,

Attached is an application for a variance request for the parking allotment of the property formerly known as Amy's Turn. I, Sarah Rocco have taken ownership of the building and look forward to improving the overall space by bringing the exterior to a modern design similar to projects that are found on many new neighboring businesses and plazas. My desire is to create a joint workspace with salon lofts/suites.

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I am requesting a few variances and they are as follows:

1. I am requesting a variance to reduce the required parking spaces for 15 salon suites, down to 12 parking spaces and 1 handicap parking space = 13 parking spaces allowing for a dumpster as well. I will be seeking out the minimum requirement for a dumpster or can with the Public Works division.
2. I am also requesting a variance to reduce the green space area on the Northside of the building to allow for a 5ft sidewalk connecting the building to the street sidewalk, per ADA Code and accessibility. I am requesting that the green space requirement not be increased, due to the request for the sidewalk.
3. I am requesting to maintain the existing monument for signage and to redesign it.
4. I am requesting to install a fence on the Southside of the building along the property line that will not extend past the first parking space and will not obstruct the view from the road.

This concludes my variance requests. Thank you.

3 RD STREET, NORTH
(80' RIGHT OF WAY)

3 RD STREET, NORTH
(80' RIGHT OF WAY)

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21-100031
MAR - 8 2022

PLANNING & DEVELOPMENT



MICHAEL A. BYRD, NCARB, AIA
Architects Planners Interior Designers
5800 Beach Blvd., Suite 203 - 144
Jacksonville, Florida 32207
(904) 509-3937 AR - 09647

AS-BUILTS FOR EXISTING BUILDING
FOR 1415 3rd STREET, NORTH, LLC @
1415 3rd STREET, NORTH
JACKSONVILLE BEACH, FLORIDA 32250
SITE SURVEY / SITE PLAN & NOTES

SEAL :

As-built drawings are to be used for construction of the project. Any changes to the drawings must be approved by the architect. The architect is not responsible for the accuracy of the as-built drawings.			
REVISIONS :			
DATE	BY	REASON	APPROVED
11-23-2021	MB	MB	MB
EXAMINATION NO. : #P21-041			

SHEET NO.
C-01
2 OF 0

EXISTING SITE / SURVEY PLAN

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

NEW SITE PLAN

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

