



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, May 3, 2022

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

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

CALL TO ORDER

ROLL CALL

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

Alternates: Todd Smith, Jennifer Williams

APPROVAL OF MINUTES

A. Regular Board of Adjustment Meeting held on April 5, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **Case Number(s): BOA#22-100034**

Applicant: Jay Rogers

Agent: N/A

Owner: Jay Rogers

Property Address: 1167 13th Street North

Parcel ID: 179151-0000

Legal Description: Lot 2, Block 56, *Section A Jacksonville Beach*

Current Zoning: RS-2

Motion to 34-337(e)(1)c.2, for a combined side yard setback of 12 feet in lieu of 10

Consider: feet minimum; and 34-337(e)(1)e, for lot coverage of 49% in lieu of 35% maximum to allow for the addition of a paver swimming pool deck and walkway to an existing single-family dwelling

B. **Case Number(s): BOA#22-100035**

Applicant: James R. McConnell

Agent: N/A

Owner: James R. McConnell

Property Address: 537 7th Avenue North

Parcel ID: 176449-0000
Legal Description: Lot 23, Block 6, *Oceanside Park*
Current Zoning: RS-2
Motion to 34-373(d) for an existing driveway setback of zero feet in lieu of 5 feet
Consider: minimum; and 34-337(e)(1)g, for an existing walkway setback of 1 foot in lieu of 2 feet minimum, both measured from the easterly property line, to allow for the replacement of concrete with pavers at an existing single-family dwelling

C. **Case Number(s): BOA#22-100037**

Applicant: Robert G. Bruce
Agent: N/A
Owner: Robert G. Bruce
Property Address: 3306 Ocean Drive
Parcel ID: 181752-0005
Legal Description: All of Lot 4, and parts of Lots 3 and 5, *Harris Place*
Current Zoning: RS-1
Motion to 34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for
Consider: construction of a new swimming pool deck; and 34-373(a) for a gravel driveway in lieu of a paved driveway for a new single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, May 17, 2022. There are four scheduled cases.

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

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

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

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

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

cc: City Manager; City Attorney

**Minutes of Board of Adjustment Meeting
held Tuesday, April 5, 2022, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley (absent)

Board Members: Dan Elmaleh (absent)

Alternates: Todd Smith

Jeff Truhlar

Jennifer Williams

John Moreland

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

APPROVAL OF MINUTES:

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

- March 15, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#22-100020

Applicant: Mr. Jean Bakkes

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

Property Address: 220 5th Avenue South

Parcel ID: 175964-0000

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

Ex-Parte Communication: None.

Applicant: Jean Bakkes, 2009 Marshpoint Road, Neptune Beach, stated the building was constructed before the Land Development Code and didn't currently meet setback requirements, minimum side requirements, or have enough parking as required by the Code.

A discussion ensued regarding the intent of variance for insurance or renovations, the aerial photograph, and parking.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#22-100020, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Amended Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#22 100020, based on the standards for a variance outlined in Section 34-286 of the Land Development Code, under the condition the variance carries with the current structure only.

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

The amended motion was unanimously approved.

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

The original motion, as amended, was unanimously approved.

B. Case Number: BOA#22-100021

Applicant: Mr. Jean Bakkes
Owner: Marshpoint Multi Family One, LLC - Jean Bakkes
Property Address: 207 9th Avenue North
Parcel ID: 174533-0000

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

Ex-Parte Communication: None.

Applicant: Jean Bakkes, 2009 Marshpoint Road, Neptune Beach, stated the building was constructed before the Land Development Code and didn't currently meet setback requirements,

minimum side requirements, or have enough parking as required by the Code. He stated the requested variance addresses the existing non-conformities, similar to the previous application discussed.

Discussion ensued regarding future renovations and intent of variance for insurance purposes.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#22-100021, based on the standards for a variance outlined in Section 34-286 of the Land Development Code, under the condition the variances carry with the current structure only.

Discussion: None

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

The motion was unanimously approved.

C. Case Number: BOA#22-100022

Applicant: Eric Griggs
Owner: For His Ultimate Glory, LLC. - Eric Griggs
Property Address: 134 1st Street South
Parcel ID: 175603-0000

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

Ex-Parte Communication: None.

Applicant: Eric Griggs, 932 1st Street North, Jacksonville Beach, stated the hardship was a nonconforming lot. He noted his attempt to build a multifamily dwelling, but he could not meet the parking requirement.

Public Hearing:

The following spoke in support of the variance:

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

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#22-100022, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

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

The motion was unanimously approved.

D. Case Number: **BOA#22-100023**
Applicant: Tom & Penny Yamamoto
Agent: Daniel Romano
Owner: Kato Maki Trust
Property Address: 902 3rd Avenue North
Parcel ID: 173852-0000

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

Ex-Parte Communication: None.

Applicant: Daniel Romano, 1188 12th Street North, Jacksonville Beach, stated the hardship was a nonconforming lot.

Discussion ensued regarding the footprint and existing structures; it was confirmed the existing footprint would remain, and all structures within five feet would be removed.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#22-100023, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

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

The motion was unanimously approved.

E. Case Number: **BOA#22-100024**
Applicant/Owner: Janet S South
Property Address: 1118 Ruth Avenue
Parcel ID: 179937-0100

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

Ex-Parte Communication: None.

Applicant: Janet South, 1188 Ruth Avenue, Jacksonville Beach, stated the hardship was a substandard lot.

Discussion ensued regarding materials such as pavers and reducing lot coverage to 50%. The Applicant noted the site plan was incorrect; the driveway would not go to the property line.

Mr. Popoli noted, with the current plans and the pool deck, the lot coverage was just over 50%, but it did not include the pavers. The Applicant confirmed the purchased pavers were not permeable.

Public Hearing:

The following spoke in opposition to the variance:

- Ken Phillips, 1066 Ruth Avenue, Jacksonville Beach
- Richard Woody, 1818 Horn Street, Jacksonville Beach

Ms. Gonzales closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#22-100024, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

Discussion ensued regarding future variances for the driveway if the applicant was denied.

Discussion ensued with City Attorney Sandra Robinson about how to make the motion for this item. Mr. Truhlar withdrew his motion. A consensus was reached to allow Mr. Truhlar to withdraw his motion.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#22-100024, based on the standards for a variance outlined in Section

34-286 of the Land Development Code, under the condition the lot coverage would not exceed 50%.

Discussion: None

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

The motion failed 4-1.

Amended Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#22-100024, based on the standards for a variance outlined in Section 34-286 of the Land Development Code, for lot coverage of 50.8% in lieu of 35% maximum; 34- 337(e)(1)g, for accessory structure setbacks of 1 foot, 0 feet, and 4 feet in lieu of 5 feet minimum from the southern, western and eastern property lines to rectify non-conformities of an existing concrete swimming pool deck.

Discussion:

Ms. Gonzalez clarified the amended motion permits the applicant to maintain the lot percentage that she currently had. It would also bring her nonconforming pool deck into conformity.

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

The motion, as amended, was approved.

F. **Case Number:** **BOA#22-100025**
Applicant/Owner: Shaun Guske
Agent: Bob Hamil - Henderson Pools
Property Address: 815 17th Avenue North
Parcel ID: 175211-0000

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

Ex-Parte Communication: None.

Applicant: Bob Hamil, 725 McCullough Circle, Neptune Beach, stated the hardship was a substandard lot.

A brief discussion ensued about the carport referenced in the staff report and the driveway.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to approve BOA#22-100025, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

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

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting was Tuesday, April 19, 2022. There were five scheduled cases.

Mr. Popoli said the committee selected a consultant to start a Land Development Code review. The goal would be to start the process in May 2022 and have public input in Summer 2022. He anticipated the process to take approximately 18 months.

COURTESY OF THE FLOOR TO VISITORS

Rich (no last name provided) asked about the rejection rate of the Board. He also suggested asking whether variances are requested due to the property being used for short-term vacation rentals.

A discussion ensued, explaining it was outside the purview of the Board to inquire about property use and short-term vacation rentals are permitted with the proper permit. The Speaker was referred to City Council.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 8:18 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



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

BOA#22-100034

Zoning: RS-2
RE: 179151-0020
Legal: Lot 2, Block 56, Section A Jacksonville Beach
Address: 1167 13th Street North

Request

Section(s): 34-337(e)(1)c.2, for a combined side yard setback of 12 feet in lieu of 10 feet minimum; and 34-337(e)(1)e, for lot coverage of 49% in lieu of 35% maximum to allow for the addition of a paver swimming pool deck and walkway to an existing single-family dwelling

Existing Conditions

The subject property is comprised of existing nonconforming lots 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 property is 50 feet in width, 102 feet in depth, and 5,100 square feet in area. The lot is both undersized in area and lot width. The exiting home was constructed in 1985. The pool is existing, and was permitted and constructed in 2021. The pool was permitted as a coping only pool. The current lot coverage, based on the provided survey is 37%. The existing screen room attached to the main structure is 5 feet from the north side property line, and the house is 7 feet from the southern property line, leaving a combined side yard setback of 12 feet.

No Previous Variances or Code Enforcement

Staff Analysis

The subject property is currently nonconforming in in width and area. Additionally the existing house with the attached screen house in nonconforming in combined side yard setbacks. The pool was permitted without any decking, and the current lot coverage exceeds the 35% maximum. Staff was unable to determine when the lot exceeded 35%, but it appears to date from before in 2004. The applicant is requesting to add pool deck and a walkway between the existing screen addition and the proposed pool deck, all to be made from pavers. The side yard encroachment is an existing condition of the property, as is the lot coverage at 37%. The proposed pool deck and walkway would meet all required setbacks,.



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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 by nearly 15 feet, and substandard in area by 2,400 square feet.
2. **Special circumstances and conditions do not result from the actions of the applicant**
Staff **does not** find that circumstances are a result of the applicant. The subject property was platted as a substandard lot in 1944. Additionally the existing nonconformities likely predate the Land Development Code.



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

Staff finds that the proposed variance **will not** confer special privileges. The lot currently is at 37% lot coverage, exceeding the minimum for the zoning district. Additionally given the lots small size, if it were a full sized lot the proposed lot coverage would be below the maximum allowed under the zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. At a minimum, the current lot and house have existing nonconformities in side yard setbacks and lot coverage. The additional lot coverage for the pool deck and walkway is a commonly enjoyed feature of many homes in this zoning district.

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 pool deck and walkway. Practically, the minimum variance would be for the side yard setback and the existing lot coverage, both of which are existing nonconformities. To accomplish the goal of the request, the minimum lot coverage required would be 49%.

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#22-100034**

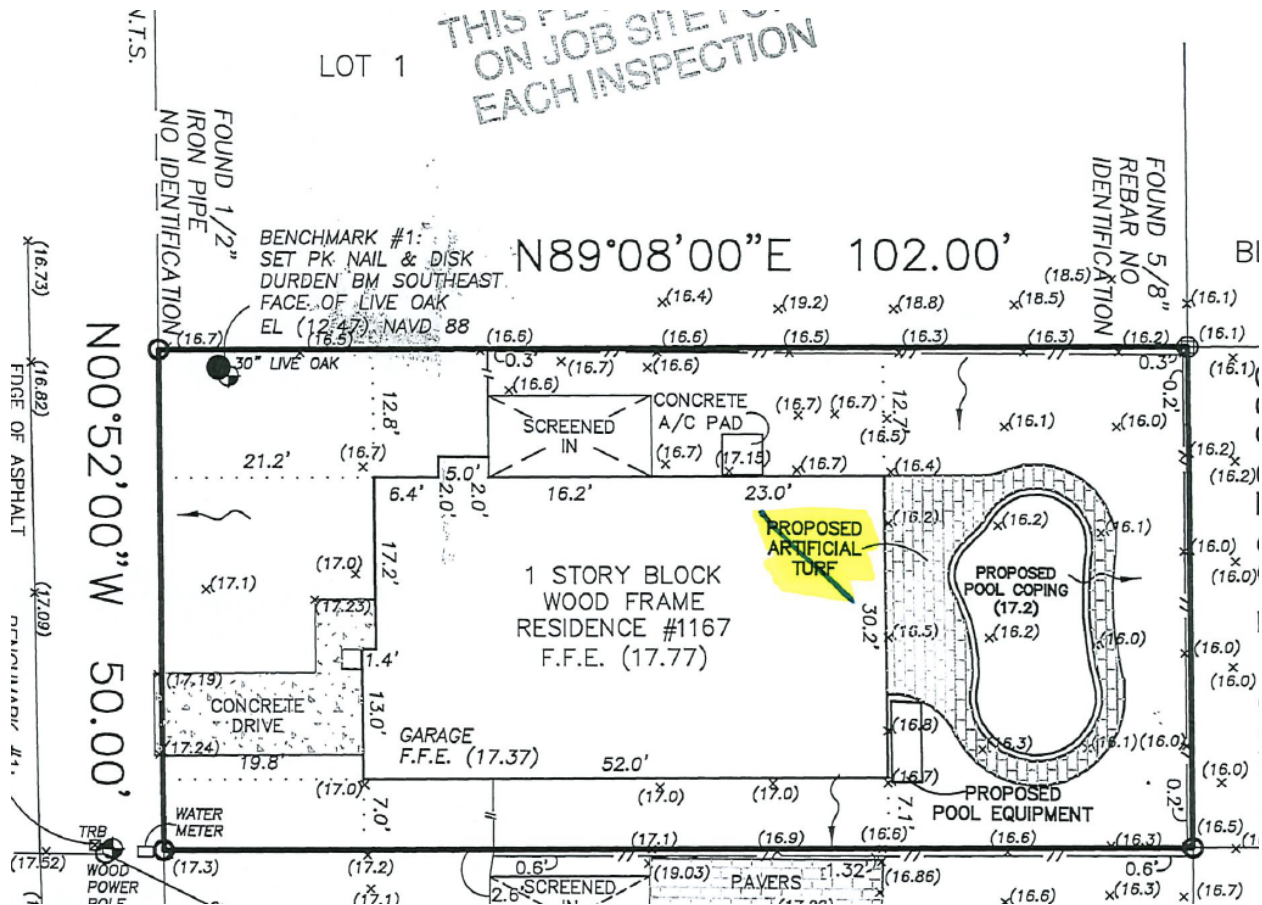
Location Map (property boundaries are representative only)





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

Existing Survey



[illegible]



APPLICATION FOR VARIANCE

BOA NO.

HEARING DATE

22-100034
5.3.22

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 21 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Jay Rogers Telephone: 904 662 7866
Mailing Address: 1167 13th Street N E-Mail: JayRog61@gmail.com
Jax Beach, FL 32250
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: 1167 13th St N, Jax Beach 32250, RE# 179151-0020
Legal description of property (Attach copy of deed): Lot 2, Block 56, Section A
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Want to put in a pool deck + walk to screen porch, install overhang off roof to cover AC + extend out to where porch overhang ends
Change lot density from 37% + 4% to 49%

AFFIDAVIT

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

APPLICANT SIGNATURE

PRINT APPLICANT NAME

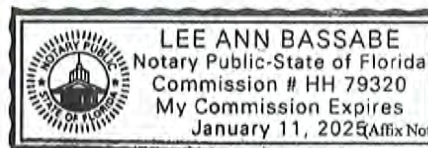
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of March, 2022, by Jay M. Rogers, who is personally known to me or produced FL Drivers License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



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 combined side yard setback of 12 feet in lieu of 10 feet minimum; and 34-337(e)(1)e, for lot coverage of 49% in lieu of 35% maximum to allow for the addition of a paver swimming pool deck and walkway to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 22-100034

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	I have a undersized Lot want to put walkway around pool to screened in porch
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Lot was platted at 50x100
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	other houses on street have a similar Variance
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	See Above
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We need a place to walk around pool
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	Will not affect my neighbors Attached is a letter of Approval who was most affected by pool installation

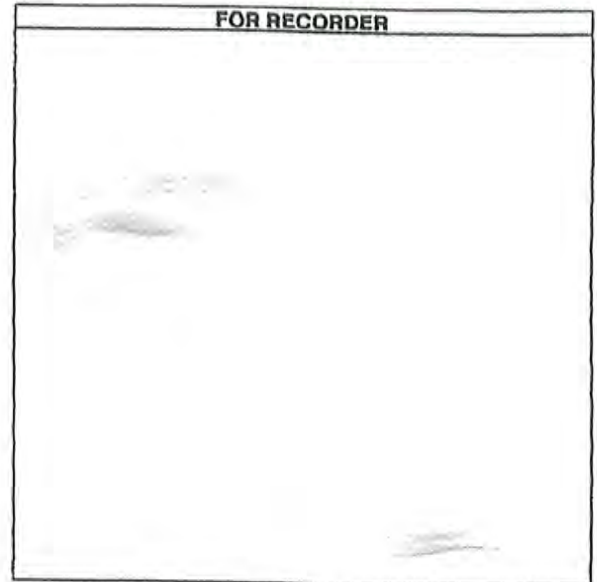
RECEIVED
22.100034
MAR 21 2022

PLANNING & DEVELOPMENT

THIS INSTRUMENT PREPARED BY:
Kelli Watson
WATSON & OSBORNE, P.A.
208 Ponte Vedra Park Drive, Suite 101
Ponte Vedra Beach, Florida 32082

RECORD AND RETURN TO:
Jay M. Rogers -
1167 13th Street North
Jacksonville Beach, Florida 32250

RE PARCEL ID #: 179151-0020
BUYER'S TIN:



WARRANTY DEED

THIS WARRANTY DEED made this 26th day of November, 1997 by Walter A. Rohling and Barbara P. Rohling, his wife, hereinafter called Grantor, and whose address is 538 Laurel Ridge Road, Cleveland, GA 30528 to Jay M. Rogers hereinafter called Grantee and whose address is 1167 13th Street North, Jacksonville Beach, Florida 32250.

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

WITNESSETH:

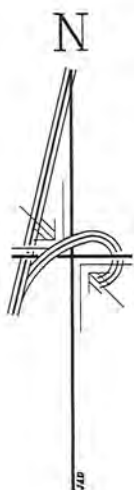
THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz:

Lot 2, Block 56, SECTION 'A' JACKSONVILLE BEACH, according to plat thereof as recorded in Plat Book 18, page 33 of the current public records of Duval County, Florida.

PROPOSED

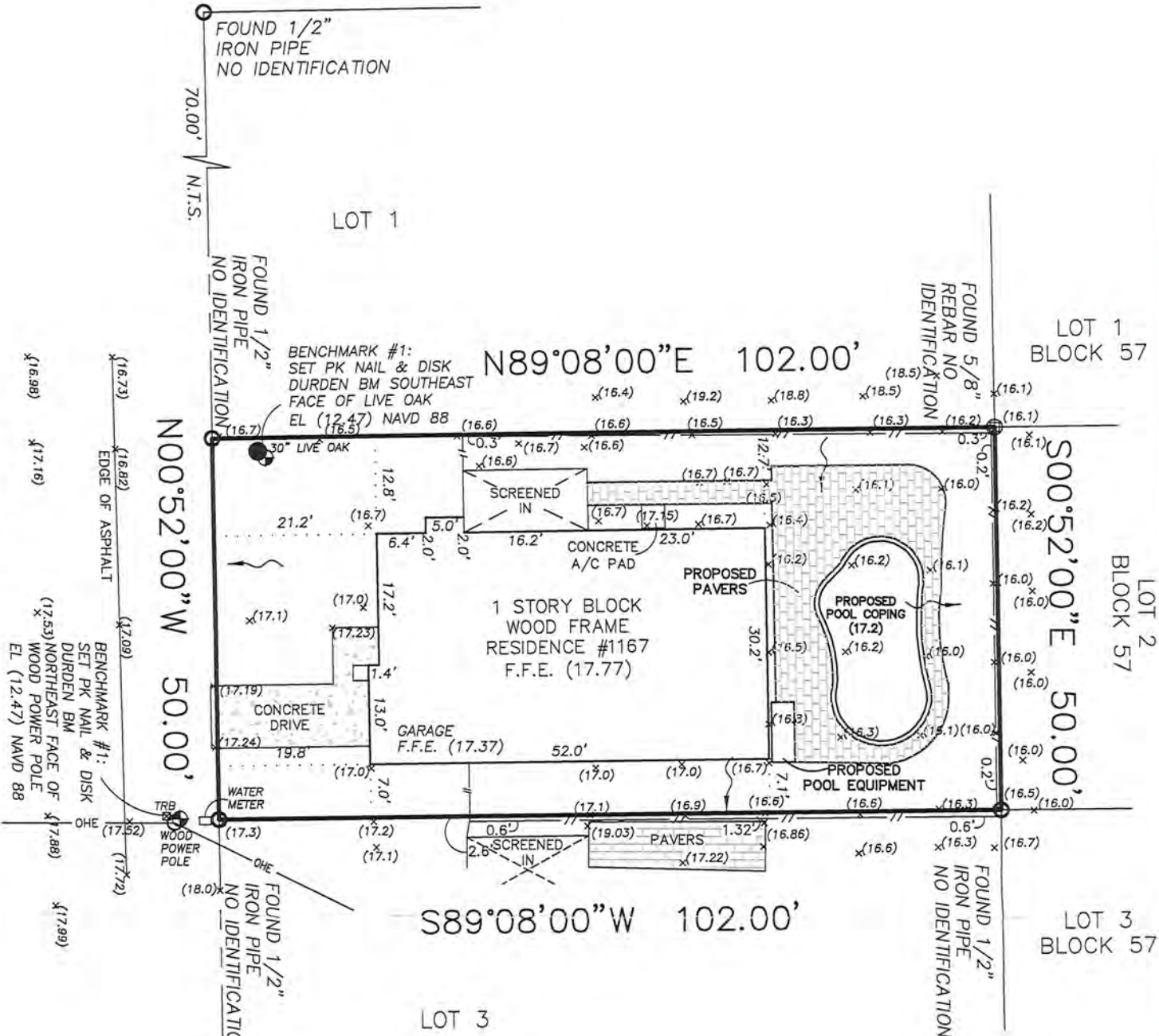
MAP SHOWING SITE PLAN OF:

LOT 2, 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



13TH STREET NORTH
50' RIGHT-OF-WAY

11TH AVENUE NORTH
50' RIGHT-OF-WAY



NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0417-J, REVISED NOVEMBER 2, 2018

BEARINGS BASED ON THE NORTHEAST RIGHT-OF-WAY LINE OF 13TH STREET NORTH AS BEING N 00°52'00" W

ELEVATIONS SHOWN AS THUS (56.00) AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988

TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER CURRENT CONDITIONS. TREE SIZE AND LOCATION ARE MEASURED BY DBH (DIAMETER BREST HEIGHT) APPROXIMATELY 48 INCHES ABOVE GROUND

NO BUILDING RESTRICTION LINE BY PLAT

N.T.S. DENOTES NOT TO SCALE

F.F.E. DENOTES FINISH FLOOR ELEVATION

—//— DENOTES EXISTING DRAINAGE FLOW

OHE DENOTES OVERHEAD ELECTRIC

(M) DENOTES FIELD MEASURED

(P) DENOTES PLAT

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 56 EXCEPT AS NOTED

—//— DENOTES 8' WOOD FENCE EXCEPT AS NOTED

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

EXISTING
IMPERVIOUS CALCULATIONS
LOT AREA = 5,100± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,556±
PORCH/LANAI	131±
CONCRETE	200±
A/C PAD(S)	16±

TOTAL IMPERVIOUS AREA = 1,903±
TOTAL DENSITY = 37.0%

PROPOSED
IMPERVIOUS CALCULATIONS
LOT AREA = 5,100± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,556±
PORCH/LANAI	131±
CONCRETE	200±
A/C PAD(S)	9±
PROPOSED POOL EQUIPMENT	24±
POOL PAVERS	578±

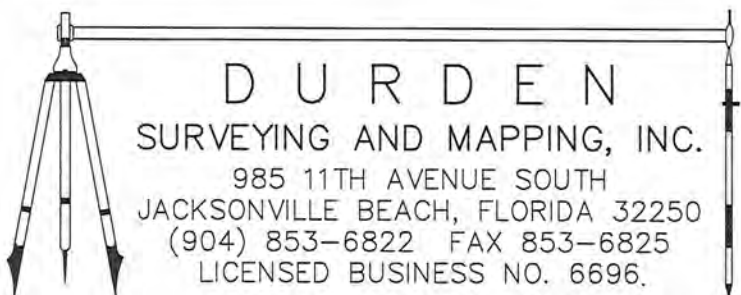
TOTAL IMPERVIOUS AREA = 2,498±
TOTAL DENSITY = 49.0%

RECEIVED
22-100034
APR - 7 2022

CERTIFIED TO:
JAY M. ROGERS

PLANNING & DEVELOPMENT

REVISED 04/05/2022 TO ADJUST ELEVATIONS AND ADD F.F.E.
REVISED 10/18/2021 TO ADJUST ELEVATIONS AND ADD F.F.E.



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

STATE OF
FLORIDA
BRUCE D. DURDEN, JR.
FLORIDA REGISTERED SURVEYOR No. 4707

FIELD: AUGUST 10, 2021

CAD FILE NO. L-2,B-56(1167 13TH STREET NORTH).DWG

SCALE: 1" = 20'

WORK ORDER NUMBER: 21388

B-9993

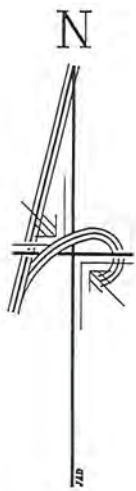
SURVEYOR'S NOTE:

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

EXISTING

MAP SHOWING SITE PLAN OF:

LOT 2, 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



11TH AVENUE NORTH
50' RIGHT-OF-WAY

FOUND 1/2"
IRON PIPE
NO IDENTIFICATION

70.00' N.T.S.

LOT 1

JOB COPY
THIS PLAN MUST BE
ON JOB SITE FOR
EACH INSPECTION

13TH STREET NORTH
50' RIGHT-OF-WAY

N00°52'00"W 50.00'

BENCHMARK #1:
SET PK NAIL & DISK
DURDEN BM SOUTHEAST
FACE OF LIVE OAK
EL (12.47) NAVD 88

BENCHMARK #1:
SET PK NAIL & DISK
DURDEN BM SOUTHEAST
FACE OF LIVE OAK
EL (12.47) NAVD 88

N89°08'00"E 102.00'

LOT 1
BLOCK 57

LOT 2
BLOCK 57

LOT 3
BLOCK 57

S89°08'00"W 102.00'

LOT 3

NOTES:
THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE
RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY,
COMMUNITY No. 120078, MAP/PANEL No. 12031G-0417-J,
REVISED NOVEMBER 2, 2018
BEARINGS BASED ON THE NORTHEAST RIGHT-OF-WAY LINE OF
13TH STREET NORTH AS BEING N 00°52'00" W
ELEVATIONS SHOWN AS THUS (56.00) AND ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988
TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER
CURRENT CONDITIONS. TREE SIZE AND LOCATION ARE MEASURED BY DBH
(DIAMETER BREAST HEIGHT) APPROXIMATELY 48 INCHES ABOVE GROUND
NO BUILDING RESTRICTION LINE BY PLAT
N.T.S. DENOTES NOT TO SCALE
F.F.E. DENOTES FINISH FLOOR ELEVATION
— DENOTES EXISTING DRAINAGE FLOW
OHE DENOTES OVERHEAD ELECTRIC
(M) DENOTES FIELD MEASURED
(P) DENOTES PLAT
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 56 EXCEPT AS NOTED
--- DENOTES 8' WOOD FENCE EXCEPT AS NOTED
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS
OF DUVAL COUNTY, FLORIDA.

EXISTING IMPERVIOUS CALCULATIONS

LOT AREA = 5,100± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,556±
PORCH/LANAI	131±
CONCRETE	200±
A/C PAD(S)	16±

TOTAL IMPERVIOUS AREA = 1,903±
TOTAL DENSITY = 37.0%

PROPOSED IMPERVIOUS CALCULATIONS

LOT AREA = 5,100± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING AREA	1,556±
PORCH/LANAI	131±
CONCRETE	200±
A/C PAD(S)	16±
PROPOSED POOL EQUIPMENT	24±

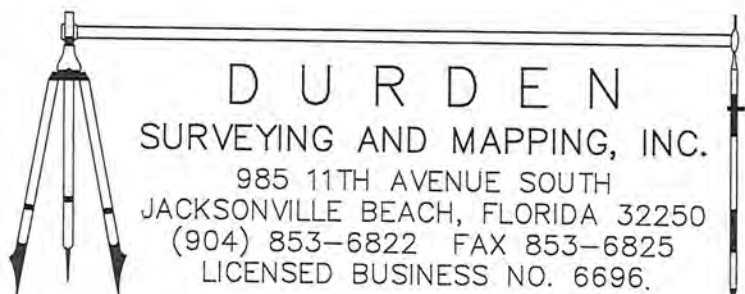
TOTAL IMPERVIOUS AREA = 1,927±
TOTAL DENSITY = 37.8%

LOT 5

LOT 6

CERTIFIED TO:
JAY M. ROGERS

REVISED 10/18/2021 TO ADJUST ELEVATIONS AND ADD F.F.E.



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

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

FIELD: AUGUST 10, 2021
CAD FILE NO. L-2.B-56(1167 13TH STREET NORTH).DWG
SCALE: 1" = 20'
WORK ORDER NUMBER: 21388

B-9993

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

03/20/ 2022

RECEIVED
22-100034
MAR 21 2022

PLANNING & DEVELOPMENT

To Whom it may concern,

My name is Sean Bealer. I live at 1155 13th St. No. I am the next door neighbor of Jay and Cathy Rogers. I have been their neighbor for 8 years. When Jay and Cathy decided to put a pool in. He actually discussed with me their plans and wanted my approval to do so, as it would impact me as well. My fence would have to be removed for several months in order for the pool company and their machines to have access to the Rogers back yard. I did not even have to think about it. I gave my permission as well as whatever they needed to allow access to complete their project and also give my approval for the variance they are requesting.

Regards,

Sean Bealer
Neighbor

A handwritten signature in black ink, appearing to be 'S. Bealer', with a long horizontal stroke extending to the right.



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

BOA#22-100035

Zoning: RS-2
RE: 176449-0000
Legal: Lot 23, Block 6, Oceanside Park
Address: 537 7th Avenue South

Request

Section(s): 34-373(d) for an existing driveway setback of zero feet in lieu of 5 feet minimum; and 34-337(e)(1)g, for an existing walkway setback of 1 foot in lieu of 2 feet minimum, both measured from the easterly property line, to allow for the replacement of concrete pavers at an existing single-family dwelling

Existing Conditions

The subject property is comprised of existing nonconforming lots 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 property is 50 feet in width and 100 feet in depth. The subject structure was built in 1986. The driveway appears original to the structure. The existing driveway was built on the property line, with no setback from the east side of the property. Additionally a walkway to the rear of the structure is built one foot from the side property line.

No Previous Variances or Code Enforcement

Staff Analysis

The applicant is requesting to replace an existing driveway and walkway with new pavers. The house and accessory uses predate the existing code, and appear to be original to the time of construction of the house. The applicant is not seeking to expand the nonconformities, but simply upgrade the materials and get approval for the location so there's no issue in the future with any repairs or maintenance of the driveway.

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:



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

- 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 substandard in width and area, and the existing structure and support accessory uses predate the Land Development Code, and therefore are legal nonconformities.

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 was designed and constructed with the driveway and walkway in their current location and are not a result of actions of the applicant. They simply wish improve the existing driveway and walking in their current location.

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. There are several driveways in the immediate area that also appear to be



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

nonconforming in location. Additionally the driveway is require by the Land Development Code and the applicant is only requesting to improve the driveway in its current location.

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 improvement of the property will have a positive impact on the neighborhood and the strict interpretation of the code would not allow the applicant to improve their property.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The applicant is not requesting to change any nonconformity, and will not further encroach or expand lot coverage through this request.

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#22-100035**

Location Map (property boundaries are representative only)



1. ANGLES AS SHOWN ON THIS SURVEY.



APPLICATION FOR VARIANCE

BOA No. 22-100035HEARING DATE 5.3-22

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 17 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: JAMES R. McConnell Telephone: 904-710-7720
Mailing Address: 537 7th Ave. South, Jacksonville Beach 32250 E-Mail: vpshoulder@shoulder@gmail.com
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Same as above Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 537 7th Ave. South 176449-0000
Legal description of property (Attach copy of deed): Lot 23, Block 6, Plat of Oceanside Park
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
See attachment.

AFFIDAVIT

I, JAMES R. McConnell, 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.

James R. McConnell
APPLICANT SIGNATURE

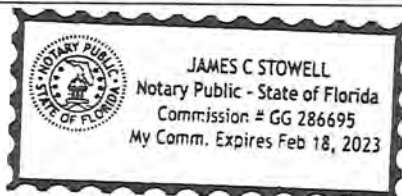
James R. McConnell
PRINT APPLICANT NAME

3/16/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 16th day of MARCH, 2022, by James R. McConnell, who is personally known to me or produced _____ as identification.

James C. Stowell
NOTARY PUBLIC SIGNATURE
JAMES C. STOWELL
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

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

CODE SECTION (S):

34-373(d) for an existing driveway setback of zero feet in lieu of 5 feet minimum; and 34-337(e)(1)g, for an existing walkway setback of 1 foot in lieu of 2 feet minimum, both measured from the easterly property line, to allow for the replacement of concrete with pavers at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100035

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	(See attachment)
Special circumstances and conditions do not result from the actions of the applicant.	Yes	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	

Prepared by:
Marie Gelles
Gibraltar Title Services
4190 Belfort Road, Suite 350
Jacksonville, Florida 32216

File Number: 08-3815D

Record and Return to:
James R. McConnell
537 7th Avenue South
Jacksonville Beach, Florida 32250-5237

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22-100035
APR 15 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this 21 day of April, 2008 A.D. By **Brian A. Bigda and Daniella J. Norwood, husband and wife**, whose post office address is: **237 South Fitzhugh Street, Rochester, New York 14608-2267**, hereinafter called the grantor, to **James R. McConnell and Patty B. McConnell, husband and wife**, whose post office address is: **537 7th Avenue South, Jacksonville Beach, Florida 32250-5237**, hereinafter called the grantee:

(Whenever used herein the terms "grantor" and "grantee" shall be construed to include masculine, feminine, singular or plural as the context permits or requires and shall include the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

08-3815D
②

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

Lot 23, Block 6, OCEANSIDE PARK, according to plat thereof as recorded in Plat Book 8, page 13 of the current public records of Duval County, Florida.

Parcel ID Number: 176449-0000

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.

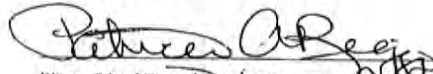
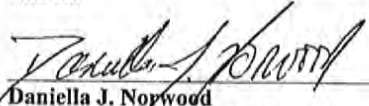
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except covenants, restrictions and easements of record, if any, and taxes accruing subsequent to December 31, 2007.

File Number: 08-3815D

RECEIVED
22-101035
APR 15 2022

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

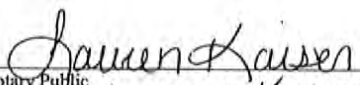
Signed, sealed and delivered in our presence:

 Witness Printed Name <u>Patricia A. Bigda</u> <u>Nancy Magruder</u>	 (Seal) Brian A. Bigda Address: 237 South Fitzhugh Street, Rochester, New York 14608-2267
 Witness Printed Name <u>Patricia A. Bigda</u> <u>Nancy Magruder</u>	 (Seal) Daniella J. Norwood Address: 237 South Fitzhugh Street, Rochester, New York 14608-2267

State of New York

County of Monroe

The foregoing instrument was acknowledged before me this 21 day of April, 2008, by **Brian A. Bigda and Daniella J. Norwood, husband and wife**, who are personally known to me or who have produced drivers license as identification. Passport


 Notary Public
 Print Name: Lauren Kaiser

My Commission Expires: _____

Notary Seal

LAUREN E. KAISER
 Notary Public, State of New York
 Monroe County, #01KA6142730
 Commission Expires 03/20/2010



Variance Request for James and Patty McConnell

537 7th Avenue South, Jacksonville Beach, 32250

Lot 23, Block 6, Plat of Oceanside Park

James: 904-710-7720 Patty: 904-770-0181

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22-100035
MAR 17 2022

PLANNING & DEVELOPMENT

Goal: Our goal is to replace the *existing* cracked concrete driveway and adjacent sidewalk with pavers.

Variance Request: We request a variance that allows us to replace the existing driveway and adjacent sidewalk to the backyard gate with pavers. The existing driveway and sidewalk, which is the original driveway and sidewalk does not meet the current setback requirement of 5 *feet* from our neighbor's property line.

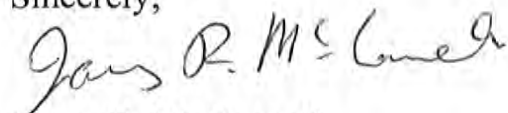
We respectfully request that the current setback and location of the driveway and adjacent sidewalk be allowed for replacement with pavers. The current driveway is cracked and unsightly.

Special Conditions: Our lot is small: 50 X 100 feet.

- Replacing the new driveway and sidewalk with the current setback requirements will totally *distort* our front yard changing the look of our home and property in a negative way.
- Extensive and expensive landscaping would be destroyed
- Our affected neighbor has no objections to our request.

Thank you for considering our variance request.

Sincerely,



James R. McConnell

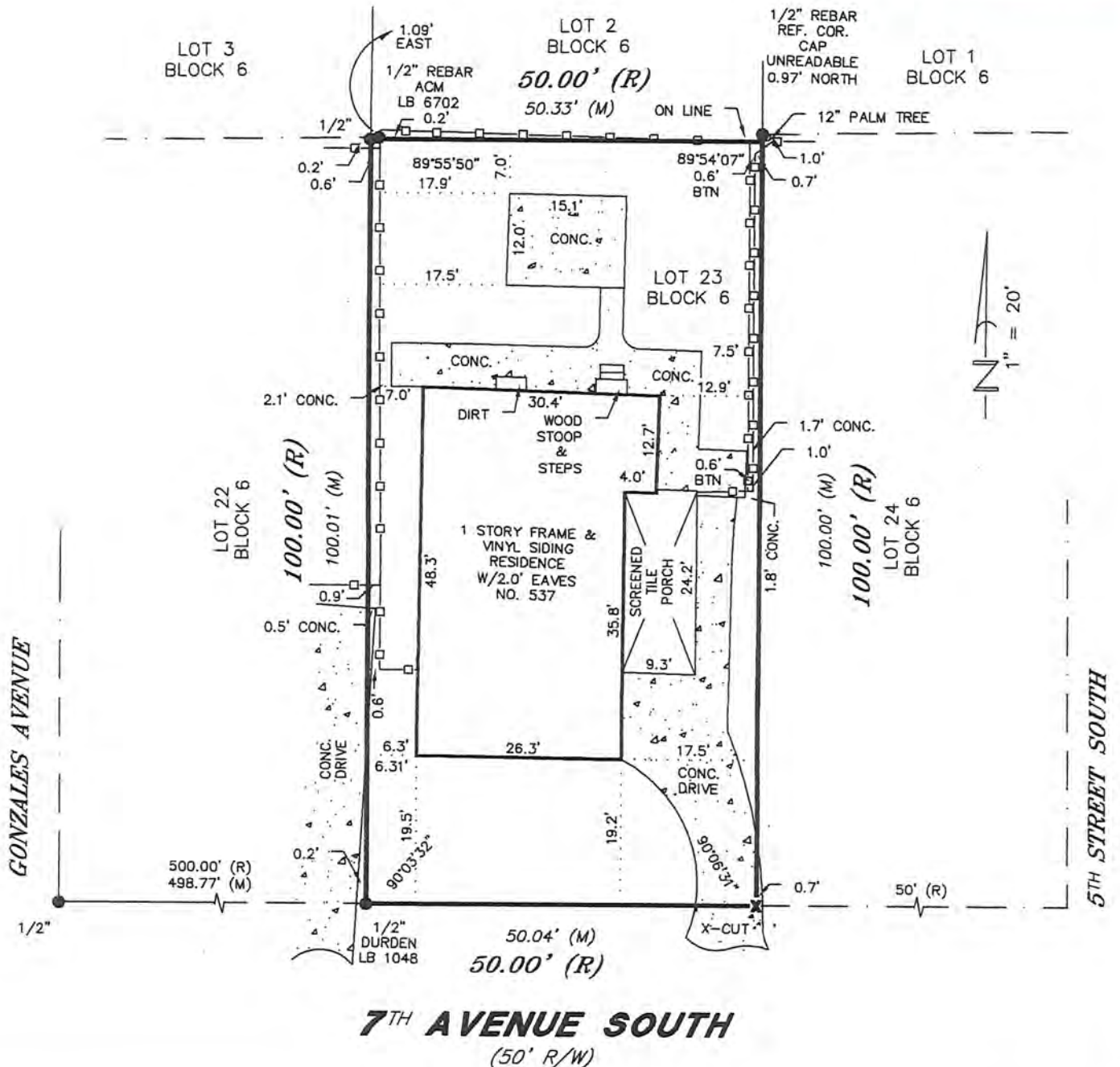
MAP SHOWING BOUNDARY SURVEY OF
LOT 23, BLOCK 6, ACCORDING TO THE PLAT OF
OCEANSIDE PARK

AS RECORDED IN PLAT BOOK 8, PAGE 13 OF THE CURRENT
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: JAMES R. MCCONNELL, PATTY B. MCCONNELL,
FIRST AMERICAN TITLE INSURANCE COMPANY,
GIBRALTAR TITLE SERVICES AND SUNTRUST MORTGAGE, INC.

RECEIVED
02-100035
MAR 17 2022

PLANNING & DEVELOPMENT



FLOOD ZONE "X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN / FLOOD ZONE "X (SHADED)" = AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.



ASSOCIATED SURVEYORS INC.

LAND & ENGINEERING SURVEYS

3846 BLANDING BOULEVARD
JACKSONVILLE, FLORIDA 32210
904-771-6468

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY
DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL
STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER
61G17-6, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.

BY: *Charles B. Hatcher*
CHARLES B. HATCHER... FLORIDA CERTIFICATE NO. 3771
CHARLES L. STARLING... FLORIDA CERTIFICATE NO. 4579
RAYMOND J. SCHAEFER... FLORIDA CERTIFICATE NO. 6132

JOB NO. 54650

DATE 04-21-2008

SCALE: 1" = 20'

DRAFTER S. SPURLING

GENERAL NOTES:

- ANGLES AS SHOWN ON THIS SURVEY.
- STRUCTURE NO. 537 SHOWN HEREON LIES WITHIN FLOOD ZONE X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 2 DATED 04-17-1989.
- THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
- JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
- THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENT, TITLE COVENANTS, B.R.L.'S, RESTRICTIONS, CLOSURES, TAKINGS OR ORDINANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
- UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

LEGEND/ABBREVIATIONS

O = SET IRON PIPE OR REBAR
" = ASSOC. SURVEY OR LB. 5488
● = FOUND IRON PIN OR PIPE (IP)
■ = FOUND CONCRETE MONUMENT (C.M.)
X = CROSS CUT OR DRILL HOLE
(R) = RECORD (M) = MEASURED
R = RADIUS L = ARC LENGTH
O.R.B. = OFFICIAL RECORD BOOK
O.R.V. = OFFICIAL RECORD VOLUME
P.R.M. = PERMANENT REFERENCE MONUMENT
B.R.L. = BUILDING RESTRICTION LINE
E.T. = ELECTRIC TRANSFORMER & PAD
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY
P.C. = POINT OF CURVE COV'D = COVERED
P.T. = POINT OF TANGENCY E.B. = ELECTRIC BOX
P.R.C. = POINT OF REVERSE CURVE
P.C.C. = POINT OF COMPOUND CURVE
(C) = COMPUTED DATA R/W = RIGHT OF WAY
CONC. = CONCRETE B.T. = BUILDING TIE
A/C = AIR CONDITIONER (E.T.) = EAVE TIE
⊠ = WATER METER ⊗ = UTILITY POLE
P.E.Q. = POOL EQUIPMENT → = GUY ANCHOR
-O.U.- = OVER HEAD UTILITIES CH = CHORD
X-X = CHAIN LINK FENCE BTN. = BETWEEN
W-W = WIRE FENCE -O-O- = WOOD FENCE
C & R = COVENANTS & RESTRICTIONS

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



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

BOA#22-100037

Zoning: RS-1
RE: 181752-0005
Legal: Lot 4, Part of Lots 3 & 5, Harris Place
Address: 3306 Ocean Drive South

Request

Section(s): 34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for construction of a new swimming pool deck; and 34-373(a) for a gravel driveway in lieu of a paved driveway for a new single-family dwelling

Existing Conditions

The subject property is comprised of portions of nonconforming lots of record (circa 1937) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The existing lot was created in 2014 by the splitting and recombining of portions of existing lots when the previous home was demolished and a variance request was submitted for side yard setback reductions. The current lot is 43 feet wide and 125 feet deep. Overall lot area is 5,387 square feet. The current owner applied for a variance in 2021 for a north and south side yards to be 7 feet in lieu of the 10 feet required to build a new single family home. The Proposed new home has not yet been constructed.

BOA#21-100137 from side yard setbacks of 7 feet in lieu of 10 required. No Code Enforcement Violations

Staff Analysis

The applicant is requesting lot coverage of 47% in lieu of 35% and a gravel driveway in lieu of a paved driveway. The previous variance did not request lot coverage, but simply setback reduction. The previous variance was approved as a minimal request for a small encroachment on either side. Prior to actual construction, the applicant has now submitted a new variance to allow for more lot coverage for a pool, and in addition to use the lot coverage for the driveway to further maximize their lot coverage for the pool and pool deck by using gravel for the driveway surface. Staff has seen an influx of requests to fill in gravel driveways in recent months, so the likelihood is there that a variance for further lot coverage will be requested in the future. If the driveway were paved, it would increase the total lot coverage to 48% +-. While the lot is substandard, it is not a lot of record, but was created in recent years. The applicant has shown they are capable of building a



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structure within the lot coverage, but now wants to exceed it. It is the position of staff that this is, by definition, self-imposed.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty-five (25) feet.
 - Side yard: Ten (10) feet on each side except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand six hundred (1,600) square feet of conditioned living area and a one (1) car garage. The garage shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

1. **Special conditions and circumstances exist which are peculiar to the parcel of land, building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district;**
Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and area, and is of an irregular shape.
2. **Special circumstances and conditions do not result from the actions of the applicant**



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

Staff **does** find that circumstances are a result of the applicant. The previous variance shows the applicant is capable of building a structure within the lot coverage with the use of a paved driveway. The applicant could reduce the home size to account for additional coverage for a pool. Additionally the applicant has the ability to provide minimum driveway paving.

- 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. There is no compelling hardship to support the request. Granting this variance will allow the applicant to have more lot coverage than other lots in the surrounding area.

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

Staff **does not** find that literal interpretation of the code would deprive the applicant of rights and privileges. The applicant has demonstrated they can build a new house within the lot coverage maximum with a paved driveway. Reducing the home size would free up lot coverage for accessory uses.

- 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 minimum variance previously granted is the minimum needed.

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

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

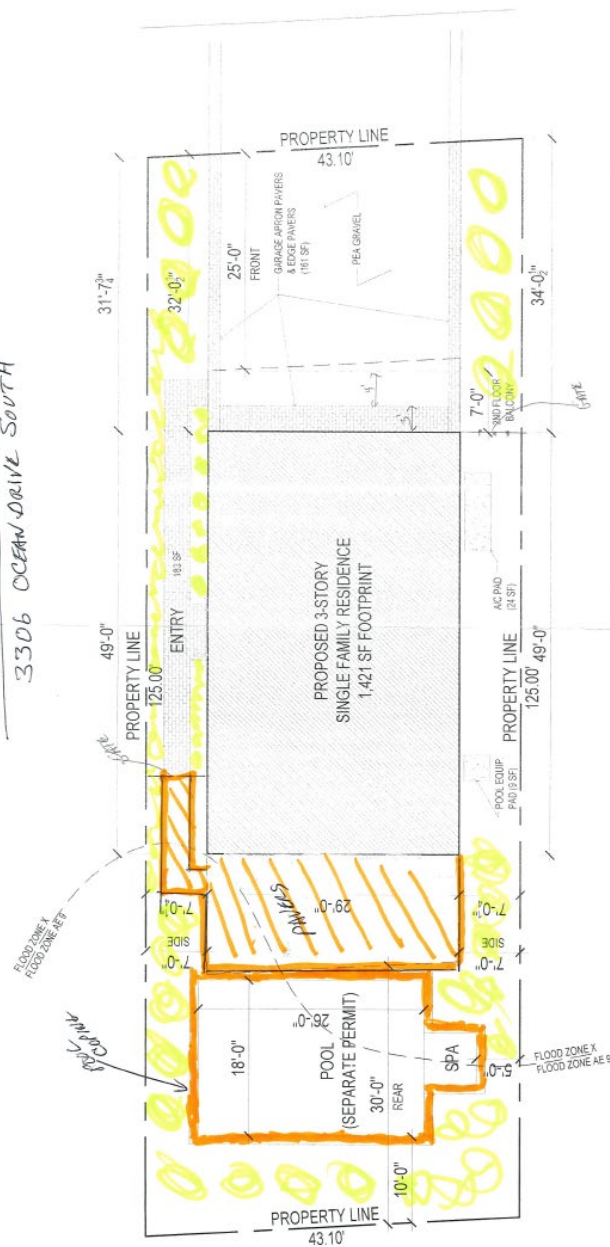
Staff Recommendation

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 **Denial of BOA#22-100035**

Location Map (property boundaries are representative only)



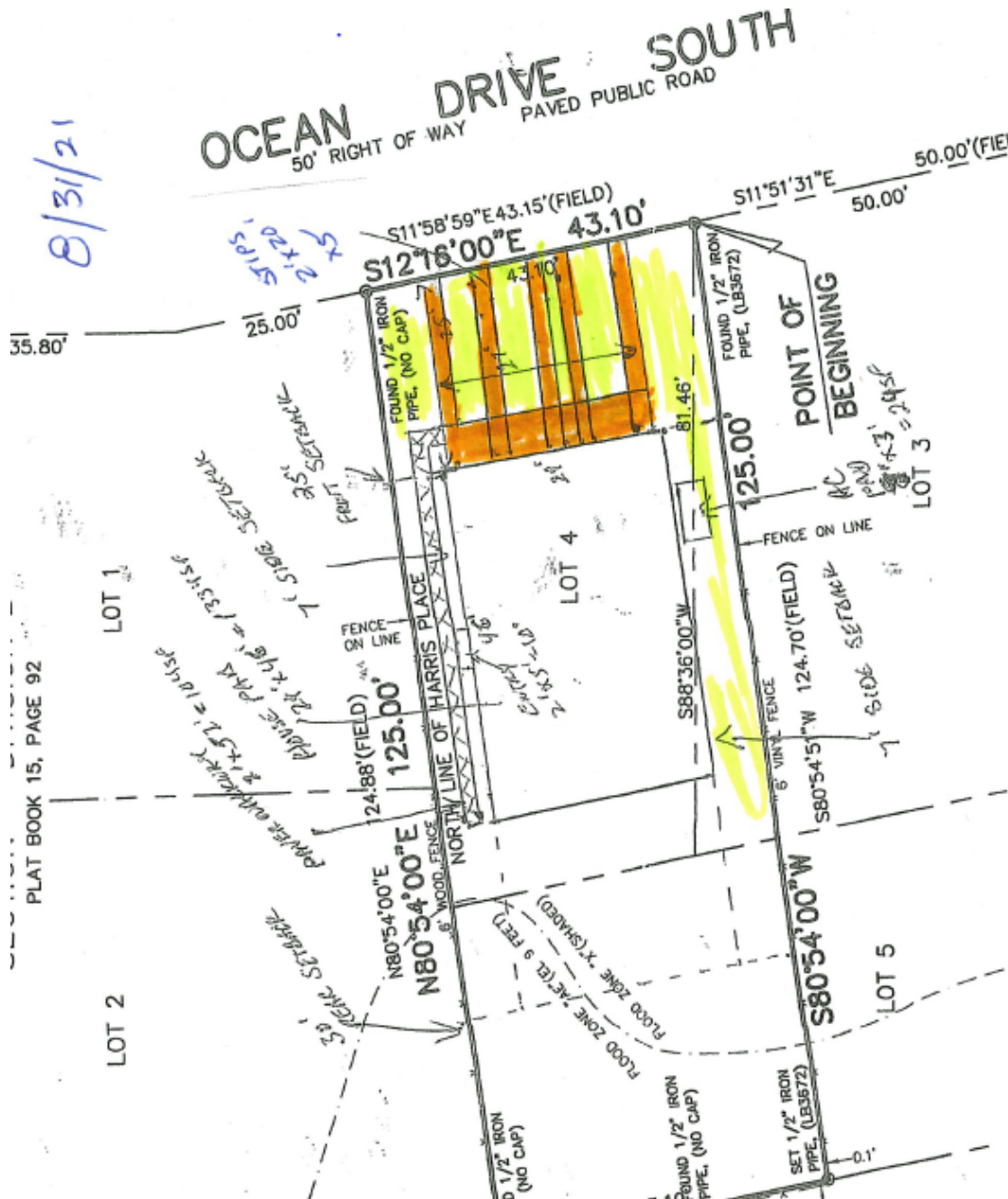
CURRENT SITE PLAN
WITH ADDED COVERAGE
3306 OCEAN DRIVE SOUTH



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22-1000

2/18

Previously Approved Survey





APPLICATION FOR VARIANCE

BOA No. 22-100037
HEARING DATE 5-3-22

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 22 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: ROBERT G. BRUCE Telephone: 904-655-1998
Mailing Address: 3330 OCEAN DRIVE SOUTH E-Mail: ROFINANCIALGROUP
JACKSONVILLE BEACH, FL 32250 10@GMAIL.COM
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: ROBERT & LINDA BRUCE Telephone: SAME
Mailing Address: SAME AS ABOVE 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: 3330 OCEAN DRIVE SOUTH / RE # 181752-0005
Legal description of property (Attach copy of deed): DEED ATTACHED
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

INCREASED COVERAGE TO 46.1% TO BE ABLE TO PUT
IN POOL PAVED AREA & PEA GRAVEL DRIVEWAY IN LIEU OF PAVED DRIVEWAY.

AFFIDAVIT

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

Robert G. Bruce
APPLICANT SIGNATURE

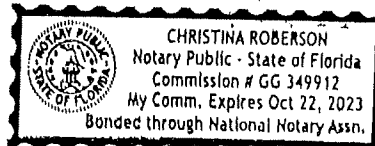
Robert G. Bruce
PRINT APPLICANT NAME

3/22/22
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 MARCH, 2022, by Robert G. Bruce, who is personally known to me or produced Florida Drivers License as identification.

Christina Roberson
NOTARY PUBLIC SIGNATURE
Christina Roberson
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-shaded/AE

CODE SECTION (S):
34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for construction of a new swimming pool deck; and 34-373(a) for a gravel driveway in lieu of a paved driveway for a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. _____

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	PRE-EXISTING NON-CONFORMING LOT 5387 SF 43.1' X 125'
Special circumstances and conditions do not result from the actions of the applicant.	YES	THIS LOT PLUS THE ADJACENT LOT TO THE SOUTH USED TO HAVE A HOUSE ON THE SOUTH LOT & A GARAGE ON THE NORTH LOT & A POOL IN THE REAR. ALL WERE TORN DOWN SOME 15 YEARS AGO & TWO LOTS CREATED
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	ALL LOTS IN THE GENERAL AREA ARE AT LEAST 50' WIDE AND ALL FOR THE MOST PART HAVE COVERAGE WELL IN EXCESS OF 60%. THE 3 HOUSES TO THE SOUTH HAVE 80%+ COVERAGE
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	3306 OCEAN DRIVE IS BOTH NARROWER & DEEPER THAN MOST LOTS NEARBY. IT WILL HAVE AN AREA IN THE BACK PERFECT FOR A NICE SIZE POOL. THE ADDITIONAL COVERAGE WILL ALLOW FOR A PAVED PATIO BETWEEN THE HOUSE AND THE POOL
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	WITHOUT A VARIANCE THERE CAN NOT BE A POOL PAVED AREA FOR THE OWNERS TO ENJOY
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	THIS VARIANCE WILL ALLOW FOR THE COMPLETION OF A HOUSE THAT ENHANCES THE NEIGHBORHOOD. THE HOUSE DIRECTLY WEST OF THIS LOT HAS A POOL & ADJACENT PAVED AREA

Prepared by and Return To:
Jess Arnow
Florida Closing Company, LLC
731 A1A Beach Blvd
Saint Augustine, FL 32080

Order No.: 21-21-0005

For Documentary Stamp Tax purposes the
consideration is \$750,000.00

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22-100037
MAR 22 2022

PLANNING & DEVELOPMENT

APN/Parcel ID(s): 181752-0005

WARRANTY DEED

THIS WARRANTY DEED dated October 18, 2021, by Peter Gloersen, a single man, hereinafter called the grantor, to Robert G. Bruce and Linda P. Bruce, husband and wife, whose post office address is 3330 Ocean Drive S., Jacksonville Beach, FL 32250, hereinafter called the grantee:

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

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in the County of Duval, State of Florida, to wit:

All of Lot 4, and part of Lots 3 and 5, Harris Place, as recorded in Plat Book 15, Page 95 of the current Public Records of Duval County, Florida, all of which is more particularly described as follows: For a Point of Beginning, commence at the Northeast corner of said Lot 3, thence South 80°54'00" West, a distance of 125.00 feet to the West line of Lot 5, the same being the East line of Atlantic Shores Oceanfront Section - Division B, as recorded in Plat Book 15, Page 92 of said Public Records; thence North 12°16'00" West, along last said line, as distance of 43.10 feet to the North line of said Harris Place; thence North 80°54'00" East, along said North line, a distance of 125.00 feet to the west right of way line of Ocean Drive South (Ocean Avenue proposed extension by plat) thence South 12°16'00" East, along said West right of way line of Ocean Drive South, a distance of 43.10 feet to the Point of Beginning.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise 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.

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22-100037
MAR 22 2022

WARRANTY DEED
(continued)

PLANNING & DEVELOPMENT

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:

Kathleen R. Stroud
Witness Signature

Kathleen R. Stroud
Print Name

Tony LaPlata
Witness Signature

Tony LaPlata
Print Name

Peter Gloersen
Peter Gloersen

Address: 10475 Centurion Parkway North, STE 101
Jacksonville, FL 32256

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of October 2021 by Peter Gloersen, a single man, to me known to be the person(s) described in or who has/have produced Drivers License as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.

Kathleen R. Stroud
NOTARY PUBLIC
My Commission Expires: 04/25/2022



Reference 22-100037



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

March 8, 2007

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

RE: BOA 07-100014
~~3318~~ South Ocean Drive, Lot 4
3306

Dear Mr. Christian:

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

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

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

To allow for a new single family dwelling.

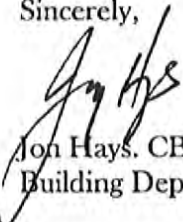
The results of the meeting were:

- *Approved.*

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

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

Sincerely,


Jon Hays, CBO
Building Department



DEPARTMENT OF PLANNING & DEVELOPMENT
CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 3515

Reference



FILE COPY

October 7, 2021

Peter F. Gloersen, MD
10475 Centurion Parkway North
Jacksonville, FL 32256

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22-100037

MAR 22 2022

DEVELOPMENT ORDER FOR VARIANCE

BOA#21-100137

306 Ocean Drive

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

PLANNING & DEVELOPMENT

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, October 5, 2021, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

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

To allow for construction of a new single family dwelling

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

The Board **Approved** the request.

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

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



CONTINUED ON PAGE 2



FILE COPY

Sincerely,

Christian Popoli
Senior Planner

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22-100037

MAR 22 2022

PLANNING & DEVELOPMENT

DISCLAIMER

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



BOA#21-100137

TOTAL ADDITION

3,850 SF (A/C SF)

GARAGE

598 SF

LOT COVERAGE CALCULATION:

LOT COVERAGE CALCULATION PER SURVEY:

LOT AREA: 5,387 SF

35% ALLOWABLE - 5,387 @ 35% = 1,886 SF

BUILDING AREA

1,421 SF

DRIVE WAY PAVER APRON & EDGE

161 SF

A/C PAD

24 SF

POOL EQUIPMENT PAD

9 SF

NORTH PAVER SIDEWALKS

155 SF

SECOND FLOOR BALCONY OVERHANG

116 SF

TOTAL IMPERVIOUS AREA =

1,886 SF

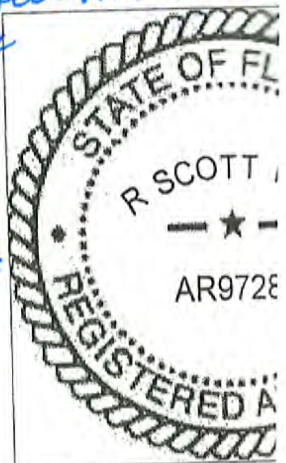
PROPOSED LOT COVERAGE 35%

ADDITIONAL
COVERAGE

110 POOL COPING
40 PAVER WALK EXTENSION
450 POOL PAVER PATIO
600 SF

2,486 SF

46.1%



CONTACT INFO:

ARCHITECT: SCOTT RAE
345 SOUTH ROSCOE BLVD.
PONTE VEDRA BEACH, FL
PH. 727.483.2422

STRUCTURAL ENGINEER:
ALEXANDER GRACE CONSULTING, INC.
460 OSCEOLA AVENUE
JACKSONVILLE BEACH, FL 32250
PH. 904.241.8010

REVISIONS

NO.	DESCRIPTION
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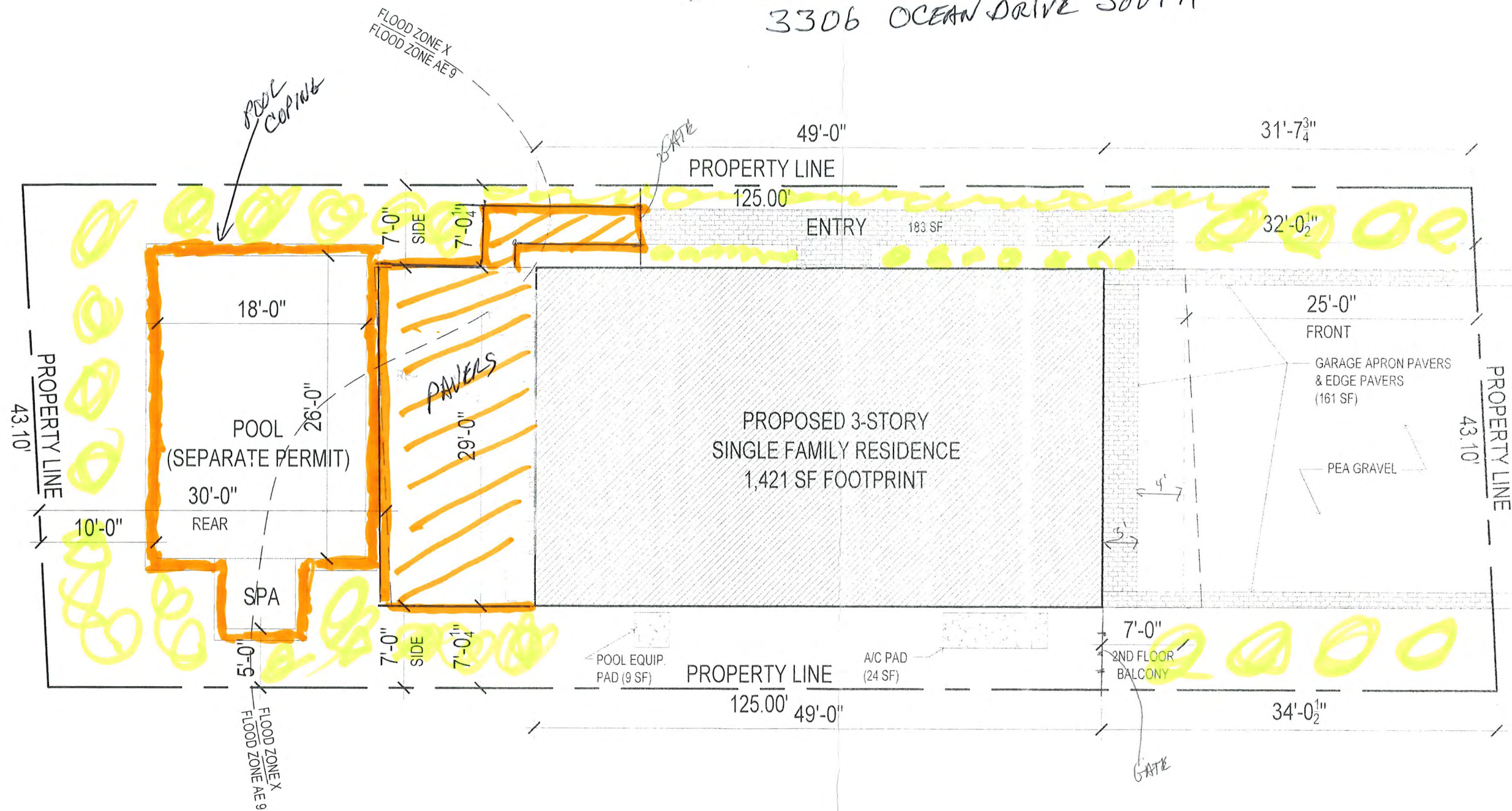
22-100037
MAR 22 2022

PLANNING & DEVELOPMENT

JOB NO.

SHEET NO.

CURRENT SITE PLAN
WITH **ADDED COVERAGE**
3306 OCEAN DRIVE SOUTH



OCEAN DRIVE SOUTH

$$\frac{3}{32}'' = 1'$$

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22-100037
MAR 23 2022

PLANNING & DEVELOPMENT

EXISTING VACANT LOT

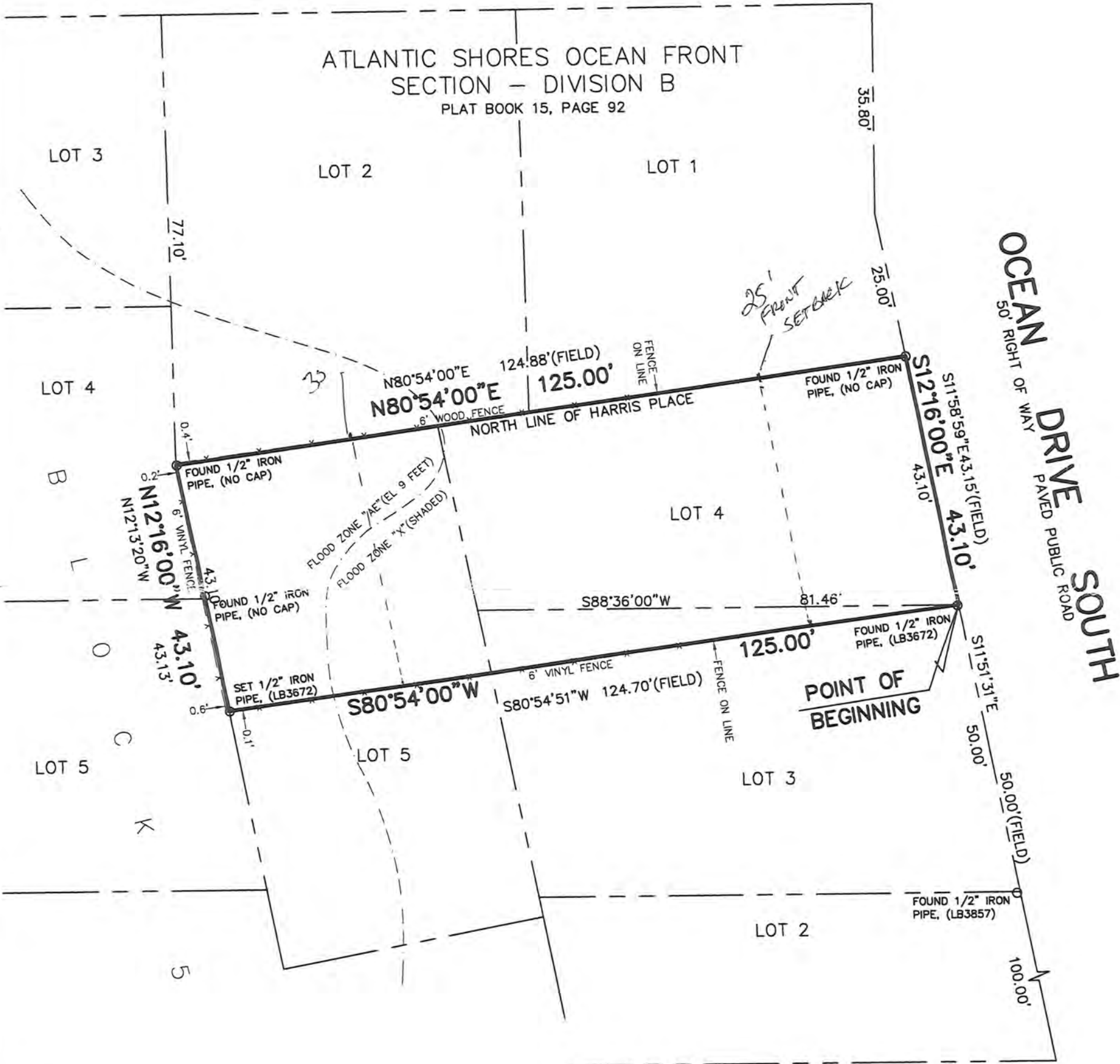
MAP SHOWING SURVEY OF

ALL OF LOT 4, AND PART OF LOTS 3 AND 5, HARRIS PLACE, AS RECORDED IN PLAT BOOK 15, PAGE 95 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALL OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 80°54'00" WEST, A DISTANCE OF 125.00 FEET TO THE WEST LINE OF LOT 5, THE SAME BEING THE EAST LINE OF ATLANTIC SHORES OCEANFRONT SECTION-DIVISION B, AS RECORDED IN PLAT BOOK 15, PAGE 92 OF SAID PUBLIC RECORDS; THENCE NORTH 12°16'00" WEST, ALONG LAST SAID LINE, A DISTANCE OF 43.10 FEET TO THE NORTH LINE OF SAID HARRIS PLACE; THENCE NORTH 80°54'00" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 125.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF OCEAN DRIVE SOUTH (OCEAN AVENUE PROPOSED EXTENSION BY PLAT); THENCE SOUTH 12°16'00" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE OF OCEAN DRIVE SOUTH, A DISTANCE OF 43.10 FEET TO THE POINT OF BEGINNING.

33rd AVENUE SOUTH

50' RIGHT OF WAY PAVED PUBLIC ROAD

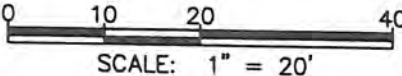
ATLANTIC SHORES OCEAN FRONT
SECTION - DIVISION B
PLAT BOOK 15, PAGE 92



NOTES:

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

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



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

34th AVENUE SOUTH

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

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

RECEIVED
22-100027
MAR 22 2022

PLANNING & DEVELOPMENT

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

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

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

DATE: JUNE 11, 2021
SHEET 1 OF 1