



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, June 21, 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. Request for Successive Application at 3306 Ocean Drive
Case Number(s): BOA#22-100037
Applicant: Robert G. Bruce
Agent: N/A
Owner: Robert & Linda 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
Consider: Originally heard 5/3/22. Requesting a successive application based on the required change in land use, change in intensity of use of twenty-five (25) percent

NEW BUSINESS

- A. **Case Number(s): BOA#22-100033**
Applicant: Salt Air Homes, Inc. - Oliver Kraut
Agent: N/A
Owner: Salt Air Homes, Inc. - Oliver Kraut
Property Address: 715 7th Avenue North
Parcel ID: 174393-0000

Legal Description: Lot 9, Block 88, *Pablo Beach Improvement Company's Plat of Northern Portion of Pablo Beach*

Current Zoning: RS-2

Motion to 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for
Consider: construction of a new single-family dwelling with a rear patio and driveway

B. Case Number(s): BOA#22-100052

Applicant: Nancy Soderberg

Agent: Henry B. Bonar, II - Bonar Engineering

Owner: Nancy Soderberg

Property Address: 3714 Duval Drive

Parcel ID: 181702-0000

Legal Description: All of Lot 2 and the north 35 feet of Lot 3, Block D-6, *Ponte Vedra*

Current Zoning: RS-1

Motion to 34-336(e)(1)c.3, for a rear yard setback of 12 feet in lieu of 30 feet required,
Consider: to attach an existing accessory structure to the primary structure at an existing single-family dwelling

C. Case Number(s): BOA#22-100055

Applicant: Dakota Briggs

Agent: Hunter Faulkner, Jimerson Birr, P.A.

Owner: Jax Homes Investments, LLC.

Property Address: 470 6th Avenue South

Parcel ID: 176331-0010

Legal Description: Lot 9, Block 1, *Oceanside Park*

Current Zoning: RS-2

Motion to 34-337(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet
Consider: minimum; and 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling

D. Case Number(s): BOA#22-100056

Applicant: Jason Hamachek

Agent: N/A

Owner: Jason Hamachek

Property Address: 2025 Waterway Island Lane

Parcel ID: 177729-8045

Legal Description: Lot 10, *Preserve at Waterway Island*

Current Zoning: RS-1

Motion to 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for
Consider: the expansion of an existing driveway, addition of a swimming pool paver deck and construction of an accessory structure at an existing single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, July 5, 2022. There are two scheduled cases.

ADJOURNMENT

NOTICE

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

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

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

In accordance with Section 286.0105, Florida Statutes, 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

RECEIVED

MAY 11 2022

PLANNING & DEVELOPMENT

To: Christian Popoli/Senior Planner

City of Jacksonville Beach

From: Bob Bruce 904-655-1998

Email: rbfinancialgroup@gmail.com

RE: Variance Re-Application

3306 Ocean Drive South

Date: May 11, 2022

June 21

Christian,

Thank you for meeting with me today regarding my property at 3306 Ocean Drive South. I was quite surprised and disappointed that my Application for Variance for Coverage of 47% in lieu of 35% was denied at the Meeting last Tuesday night. I have remodeled and lived in four houses in our general area over the past 22 years so I am very familiar with our neighborhood. In my estimation, very few properties have 35% or lower coverage. If an in-depth survey was done of the area I think that the findings would be that coverages average well over 50%. I guess that is why I was so surprised that my Application was denied since I was only requesting 47% coverage. Also, given that I reported full support of the application by nearby neighbors.

Obviously, the Board Members are the decision makers and I respect that. I heard basically three main questions/concerns. One, if I needed additional coverage why didn't I add that to my Variance meeting last October. The reason, as I mentioned, at that time I had not closed on the purchase until I knew that I would get the side yard variance of 7' so I could build a normal width home. We had not completed our site plan at that time so I did not know if I needed extra Coverage. The other two, the size of the pool paver patio area and the potential problems with gravel washing to the street in heavy rainstorms. I should have been better prepared and had detailed answers to those questions but I did not. I now have those answers: 1). The proposed pool paver patio is 13-1/2' wide and 26' in length, 351 SF, and 2). The front driveway apron to the street is 4-1/2' wide and 28' in length, while the two side concrete strips are 1-1/2' wide and 26' in length.

As mentioned, I spoke with two of the Board Members outside after the Meeting. One is the Vice Chairman and I asked him if I could re-apply and he said that I could if I could demonstrate a 25% or more reduction in my Coverage Request. Since my Request was 12 points higher, if I am understanding correctly, that would mean a Coverage Variance Request no more than 44%. If a gravel driveway is acceptable I can meet that criteria, actually I can reduce to 43% Coverage. Attached is an updated Site Plan showing this revised Coverage along with a Summary Table.

You have indicated that the Board will have to agree to a re-hearing of my case so I will await their decision. I am hopeful that they will allow the re-hearing. Thank you for your time.

Bob Bruce

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MAY 11 2022

3306 OCEAN DRIVE SOUTH
COVERAGE SUMMARY

PLANNING & DEVELOPMENT

Lot Area 43.1' x 125'	5387.5 SF
Coverage @ 35%	1885.6 SF
Coverage @ 47%	2,532.1 SF
Coverage @ 44%	2,370.5 SF
Variance Request @ 43%	2,316.6 SF

NEW COVERAGE SUMMARY

House Pad 29' x 49'	1,421 SF
North Paver Walkway 2-1/2' x 65'	162.5
Entry Paver Area 2' x 6'	12
Front Deck Overhand 7' x 29'	203
Two Driveway Concrete Borders 1-1/2' x 25.5'	76.5
Pool Paver Patio 13-1/2' x 25'	351
AC Pad 4' x 9'	36
Pool Equip. Pad 4' x 8'	<u>32</u>
Total	2,294

COVERAGE 42.6%



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@AOL.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

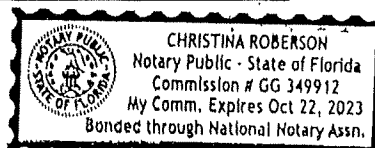
Robert G. Bruce
PRINT APPLICANT NAME

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

RECEIVED
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.

RECEIVED
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 (e) (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.

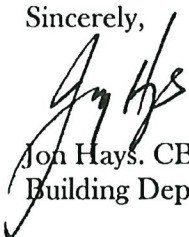
The results of the meeting were:

- *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

RECEIVED
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

RECEIVED

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

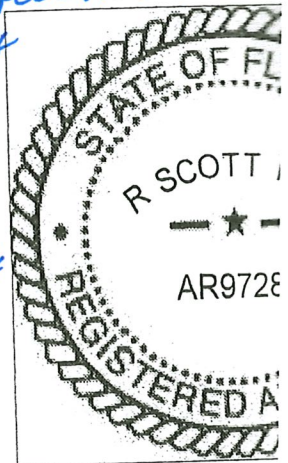
PROPOSED LOT COVERAGE 35%

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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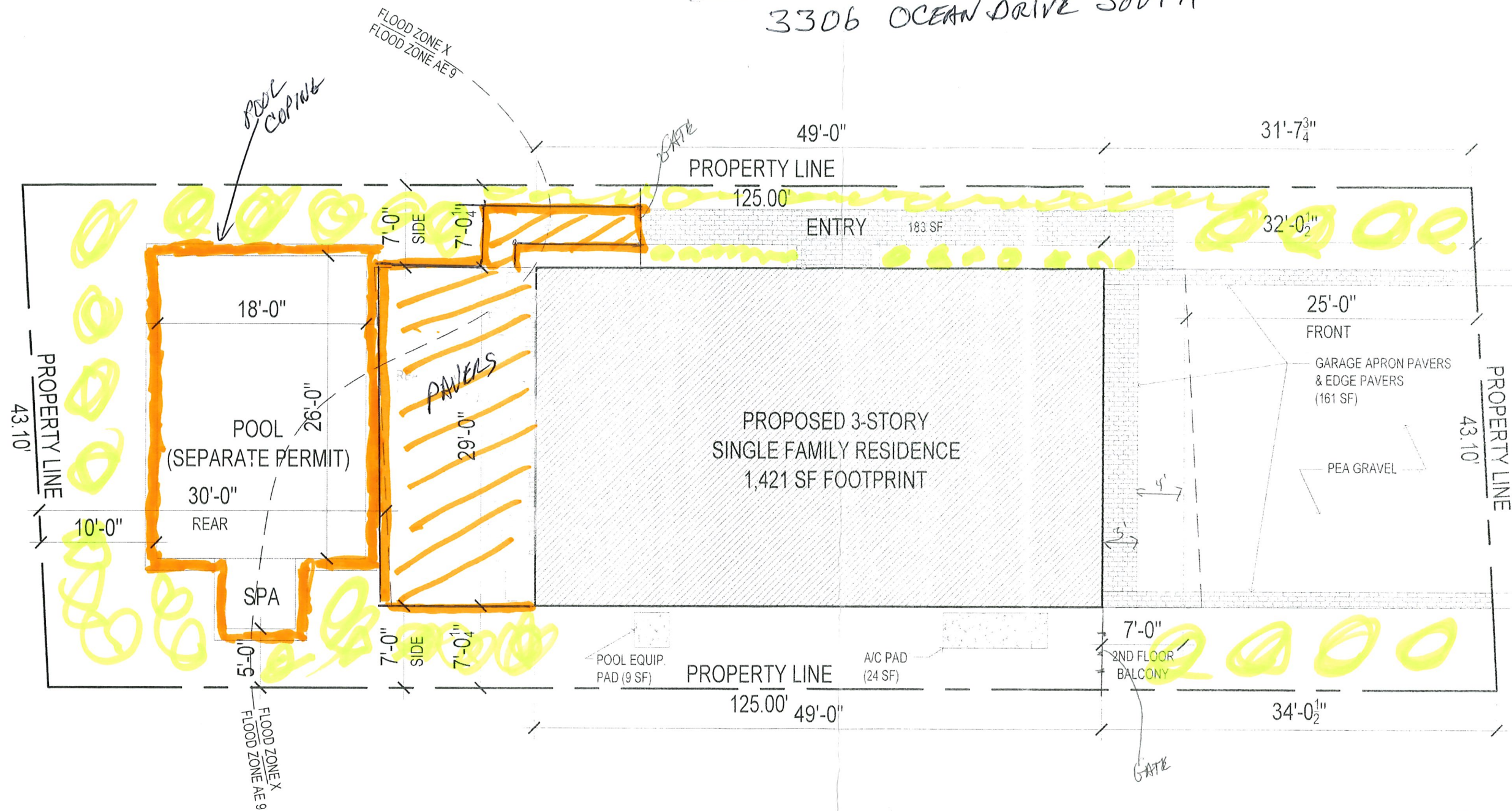
22-100037
MAR 22 2022

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

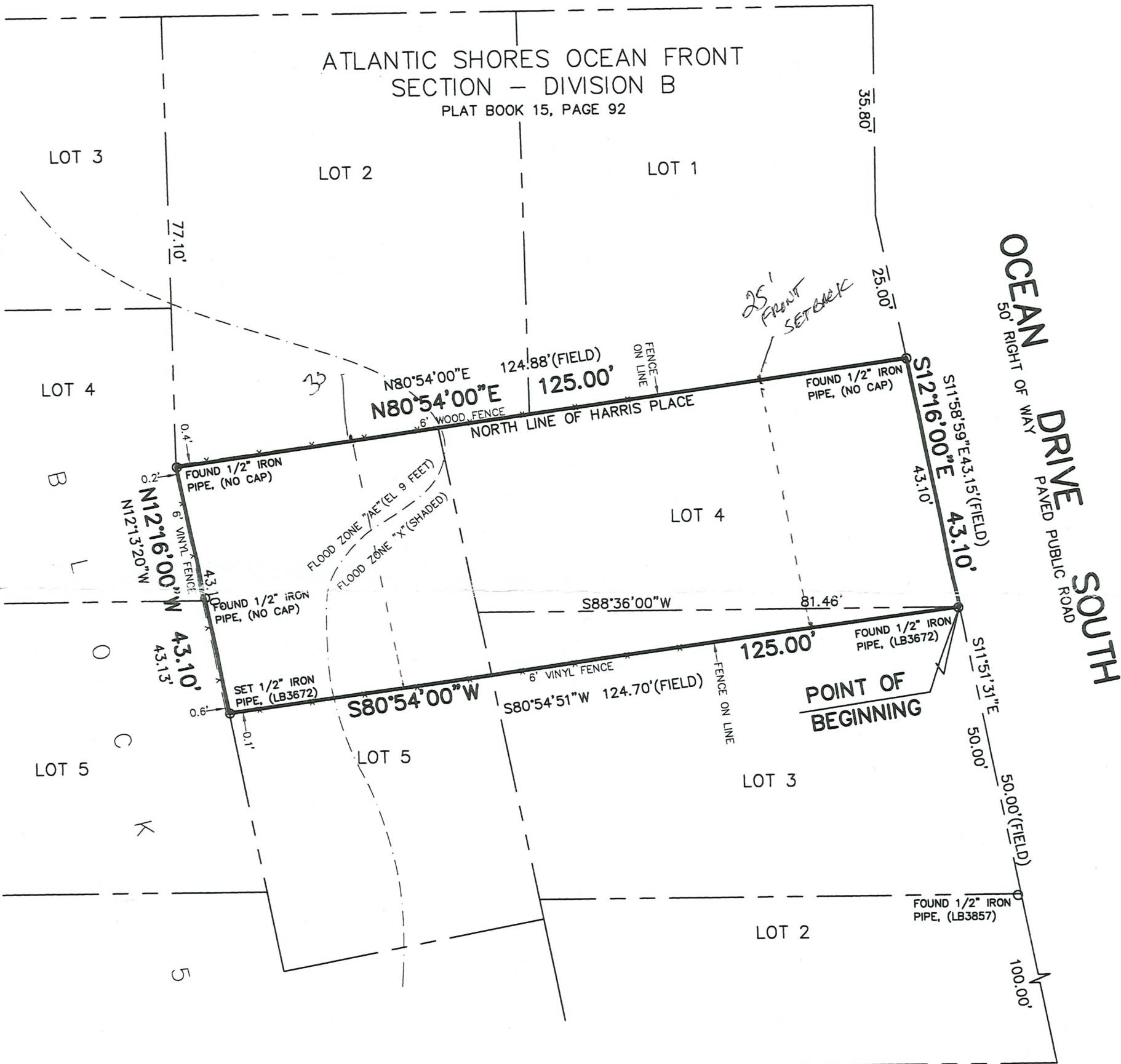
ALL OF LOT 4, AND PART OF LOTS 3 AND 5, HARRIS PLACE, AS RECORDED IN PLAT BOOK 15, PAGE 95 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALL OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 80°54'00" WEST, 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.

0 10 20 40
SCALE: 1" = 20'

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
22-100037
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



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



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

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**



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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.**

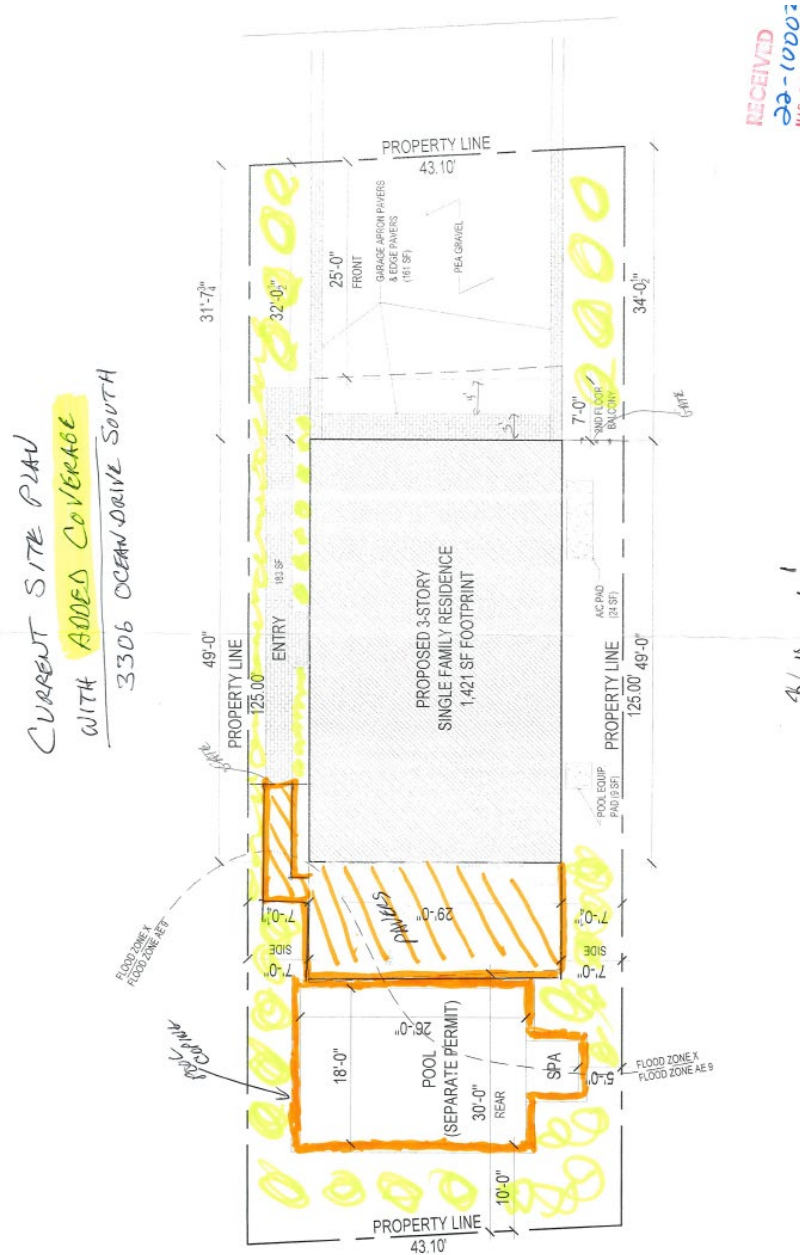
Staff **does** find that the request is consistent with the comprehensive plan. The applicant is not requesting any deviations from the established future land use designation policies and is consistent with the Goals Objectives and Policies of the adopted comprehensive plan.

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)







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

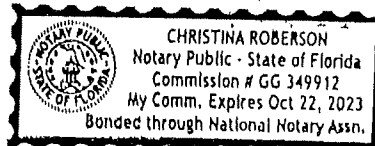
Robert G. Bruce
PRINT APPLICANT NAME

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.

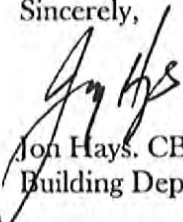
The results of the meeting were:

- *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

RECEIVED
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

RECEIVED

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

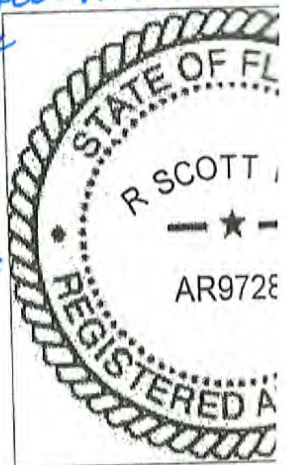
PROPOSED LOT COVERAGE 35%

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
-----	-------------

RECEIVED

22-100037
MAR 22 2022

PLANNING & DEVELOPMENT

JOB NO.

SHEET NO.

3306 OCEAN DRIVE SOUTH



RECEIVED
22-100037
MAR 23 2022

PLANNING & DEVELOPMENT

EXISTING VACANT LOT

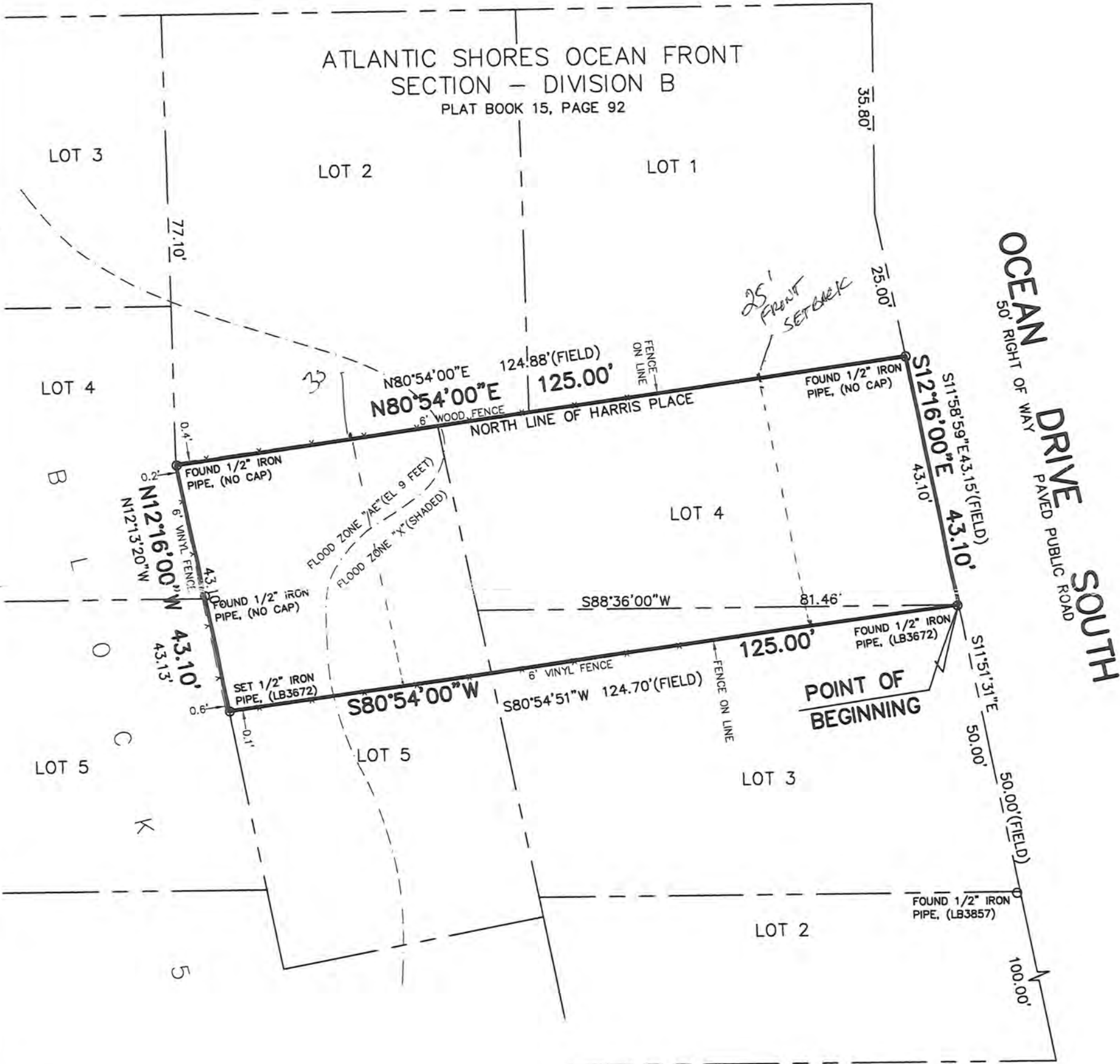
MAP SHOWING SURVEY OF

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

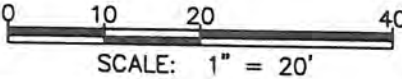
ATLANTIC SHORES OCEAN FRONT
SECTION - DIVISION B
PLAT BOOK 15, PAGE 92



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



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

BOA#22-100033

Zoning: RS-2
RE: 174393-0000
Legal: Lot 9, Block 88, Pablo Beach North
Address: 715 7th Avenue North

Request

Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling with driveway and a rear patio for property addressed 715 7th Avenue North.

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1919) 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, 125 +/- feet in depth, and has a lot area of 6,260 square feet. The lot has an existing home built circa 1955, which will be removed to allow for the construction of the new home and small rear patio area. The proposed home would meet the minimum size requirements for the RS-2 zoning district, as well as the required minimum parking of two spaces inside the garage. The proposed new home would meet all setbacks required in the RS-2 zoning district.

No Previous Variances or Code Enforcement

Staff Analysis

The existing lot is both substandard in size and area. The minimum sized home in RS-2 is 1,200 square feet, not counting the required garage. The proposed house is 2,329 square feet total, with a two car garage, estimated at or near 400 square feet. This means the proposed home will have a footprint of 1600 square feet of living area with the garage deducted. While the code requirement is a minimum for all living space which could include a second story, it is still a reasonable footprint on this sized lot. The house also maintains all the required setbacks with a modest increase in lot coverage. If the lot were a standard sized lot, the requested lot coverage would equal 35.8%



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

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 substandard in width and area with regards to the RS-2 dimensional standards.

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

Staff **does not** find that circumstances are a result of the applicant. The lot is a platted lot of record circa 1919, and is a legal nonconforming lot.



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

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

Staff finds that the proposed variance **will not** confer special privileges. The applicant is requesting to build a new home on a substandard lot. The use of the property for a single family home is the least intense use allowed in this zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The use of the property as a site for a single family home is the highest and best use of the property and granting additional lot coverage would allow the construction of the proposed home. Additionally the developer has proposed a small rear patio, a likely future request.

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 has proposed a minimal increase in lot coverage while respecting all required yard setbacks, and has included a small amenity of a rear patio. The use of pervious materials may reserve lot coverage for future improvements.

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

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



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

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100033**

Location Map (property boundaries are representative only)

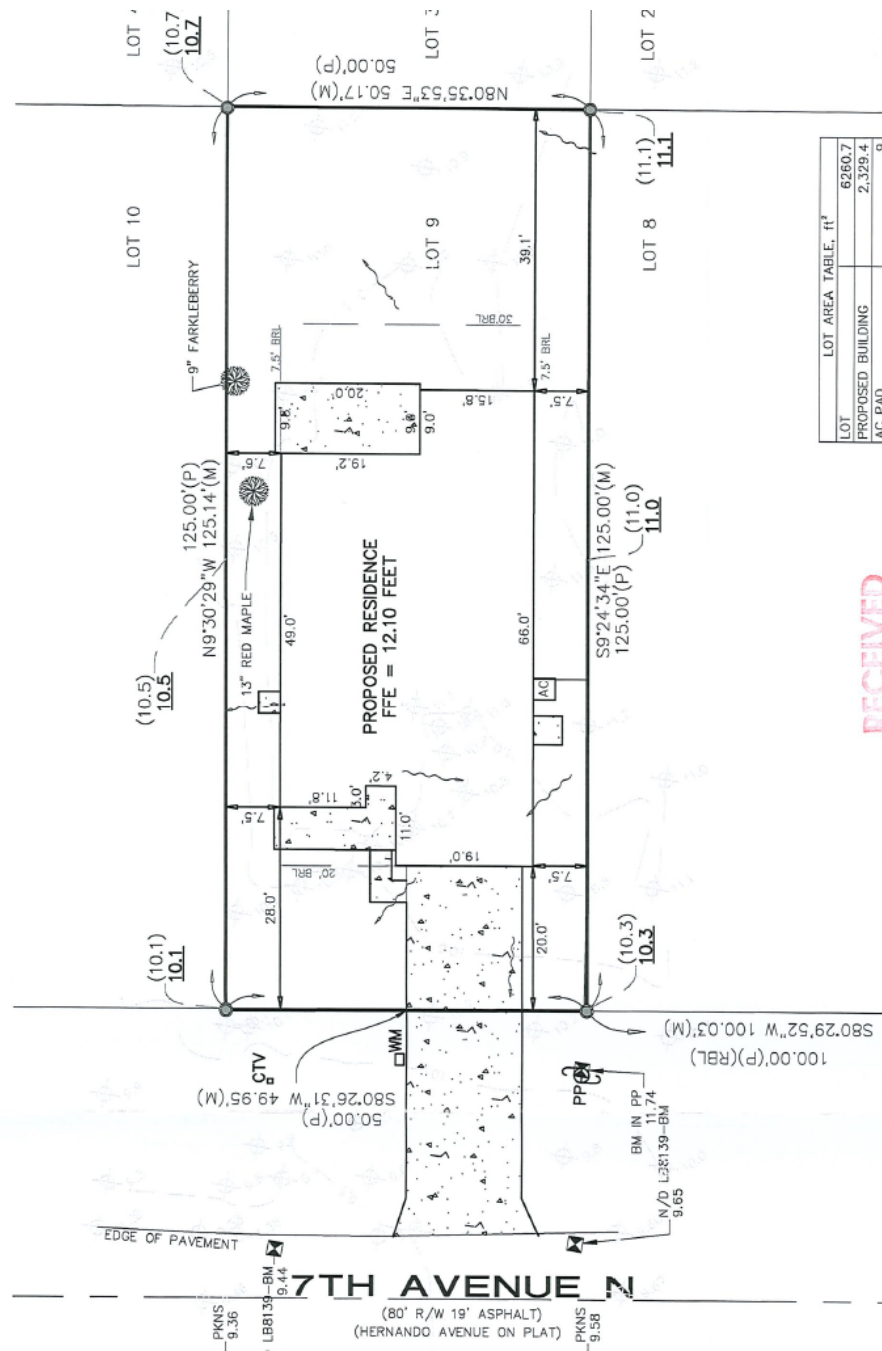


[illegible]



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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA NO. 22-100033

HEARING DATE 5-3-22

5.17.22

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). - To DO
7. Completed application.

MAR 16 2022

10:15

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: SALT AIR HOMES INC. Telephone: 904-333-6607
 Mailing Address: 226 TALLWOOD RD. E-Mail: O. KRAUT@COMCAST.NET.
JAX Bch FL. 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: SAME. 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: 715 7TH AVE N. RE# 174393-0000
 Legal description of property (Attach copy of deed): LOT 9 - BLK 88
 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 43% IN LIEU OF 35% REQUIRED

AFFIDAVIT

I, _____, 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.

Oliver J. Kraut
 APPLICANT SIGNATURE

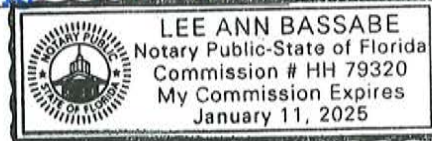
OLIVER J. KRAUT
 PRINT APPLICANT NAME

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 16 day of March, 2022, by Oliver J. Kraut, who is personally known to me or produced FL. Drivers License as identification.

Lee Ann Bassabe
 NOTARY PUBLIC SIGNATURE
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X
 CODE SECTION (S):
34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling with driveway and a rear patio

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100033

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	SUBSTANDARD LOT FOR RS-2 ZONING DISTRICT.
Special circumstances and conditions do not result from the actions of the applicant.	YES	THIS IS A PLATTED LOT OF RECORD PRIOR TO THE CURRENT LAND DEVELOPMENT CODE.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES. THIS WILL NOT GIVE SPECIAL PRIVILEGES	GRANTING THIS VARIANCE WILL BE CONSISTENT WITH OTHER VARIANCES GRANTED TO THE SAME SIZE PARCEL.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	WITH STAYING WITH IN THE SIDE BRL (WHICH ARE SUBSTANDARD) I DO NOT EFFECT THE SIDE NEIGHBORS. - IF LOT WAS CONFORMING I WOULD ONLY BE AT 35.1 % LOT COVERAGE
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	THIS IS THE MINIMUM VARIANCE FOR REASONABLE USE OF THE PARCEL OF LAND.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	THE NEW HOME WOULD BE CONSISTENT WITH NEIGHBORHOOD - THIS WILL NOT ADVERSELY AFFECT ADJACENT LAND.

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CIVIL ACTION NO: 18-2018-CA-008747-XXXX-MA
DIVISION: FC-H

RECEIVED
22-100033
MAR 16 2022

PLANNING & DEVELOPMENT

SPACE FOR RECORDING ONLY F.S. §898.26

FREEDOM MORTGAGE CORPORATION

Plaintiff(s)

vs.

ROY A STARK
UNKNOWN TENANT OWNER 1
UNKNOWN TENANT OWNER 2
UNKNOWN TENANT OWNER 3
ALICIA LUCILLE GANTZ
BRIAN KEITH HILL
KELLIE LYNN ROWE
UNKNOWN SPOUSE OF ROY A STARK
DAVID STARK
UNKNOWN HEIRS IN THE ESTATE OF WARREN RAYMOND
STAR
CLERK OF THE CIRCUIT COURT IN AND FOR DUVAL
COUNTY
STATE OF FLORIDA CO ANGELA B COREY
UNKNOWN HEIRS IN THE ESTATE OF ROY A STARK
STATE OF FLORIDA

Defendant(s)

FILED
DEC 28 2021

DUVAL CLERK OF COURT

CERTIFICATE OF TITLE

The undersigned Clerk of the Court certifies that he executed and filed a Certificate of Sale in this action on Dec 16, 2021 for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Duval County, Florida:

LOT 9, BLOCK 88, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF NORTHERN PORTION OF PABLO BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.
Property Address: 715 7TH AVENUE NORT JACKSONVILLE BEACH, FL 32250

was sold to Salt Air Homes Inc.
whose address is: 228 Tallwood Road, Jacksonville Beach, FL 32250

WITNESS my hand and the seal of the court on Dec 28 2021, as Clerk of the Circuit Court.



JODY PHILLIPS
CLERK OF THE CIRCUIT AND COUNTY
COURTS

BY:

John Swanson

Deputy Clerk

PROPOSED

LEGEND

- BM1 = SITE BENCHMARK
S = SANITARY SEWER MANHOLE
W = WATER BIB
F = FIRE HYDRANT
CIV = CABLE/INTERNET UTILITIES BOX
P = POWER POLE, SERVICE POLE, LIGHT POLE
W = EXISTING WATER METER
W = PROPOSED WATER METER
W = WELL
X = UNNUMBERED X-CUT IN CONCRETE FOUND
▲ = FOUND NAIL/DISC
▲ = FOUND 1/2" IRON ROD YC NO ID
▲ = FOUND CONCRETE MONUMENT
▲ = PRM/BLOCK CORNER FOUND
● = SET 1/2" IRON ROD LB#8139 AT PROPERTY CORNER
● = FOUND 1/2" IRON PIPE WITH NO IDENTIFICATION
+ = EXISTING GROUND ELEVATIONS
T = EXISTING TREE

CHAIN LINK FENCE —○—○—○—
WOOD FENCE —□—□—□—

- A/C = AIR CONDITIONER ON PAD
BOC = BACK OF CURB
BRL = BUILDING RESTRICTION LINE (SETBACK) LINE
DB = DEED BOOK
EP = EDGE OF PAVEMENT
GYA = GUY ANCHOR
JEA = JACKSONVILLE ELECTRIC AUTHORITY
JEA-E = JACKSONVILLE ELECTRIC AUTHORITY - ELECTRIC
JEA-EE = JEA ELECTRICAL EASEMENT
LB = LICENSED SURVEY BUSINESS
LS = LICENSED SURVEYOR
OHV = OVERHEAD WIRE/LINE
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PC = POINT OF CURVATURE
PC = PAIR
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
RBL = REFERENCE BEARING LINE
R/W = RIGHT-OF-WAY LINE
STY = STORY
TBR = TO BE REMOVED
TYP = TYPICAL
(P) = PLAT CALL
(M) = FIELD MEASURED VALUE
(D) = DEED CALL
(C) = CALCULATED VALUE, FROM FIELD MEASUREMENTS
(R) = RECORD VALUE

- = PROPOSED DRAINAGE FLOW
— = EXISTING DRAINAGE FLOW
(10.0) = EXISTING ELEVATION
10.0 = PROPOSED ELEVATION

- ⊗ = TREE TO BE REMOVED
△ = PROPOSED CONCRETE
△ = EXISTING CONCRETE
▨ = COVERED AREA



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

SURVEYOR'S NOTES:

- Legal Description has been furnished by client and/or his/her agents.
- No Title Opinion or Abstract of Matters Affecting the Title or Boundary to the Subject Property have been provided. It is possible that there could exist Deeds of Record, Unrecorded Deeds, Easements (especially any easements/documents recorded AFTER Plat Recordation) or other instruments that could affect this property.
- Measurements hereon are in accordance with U.S. Standard Feet, data acquired with Theodolite and Steel Tape, or with Technologically Superior Equipment utilizing Redundant Techniques.
- MEASURED BEARINGS HEREON ARE BASED ON A FLORIDA DEPARTMENT OF TRANSPORTATION BENCHMARK "BART" AND "KREG", WHICH WERE DERIVED FROM A GLOBAL POSITIONING SYSTEM (GPS) REAL-TIME KINEMATIC (RTK) SURVEY. A SOKKIA GCX3 GPS RECEIVER WAS USED AS A ROVER, RTK CORRECTIONS WERE OBTAINED FROM THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN), COORDINATES OBTAINED FROM THE GPS SURVEY ARE REFERENCE TO NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000).
- Contiguous lots lie in same block, unit, phase, section etc. unless noted.
- Type of Survey: **PLOT PLAN**
- Stated Legal Purpose of Survey: Acquisition, Sale, Mortgage, Permits, Planning.
- No Flood Zone Determination has been made or requested for this property during the course of this Survey.
- This Survey is not intended to Locate any subsurface/underground objects, improvements, foundations or encroachments. Survey reflects above-ground features and improvements only.
- This Survey Does NOT Reflect or Determine Ownership of land or fences.
- This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to Certifyees listed hereon utilizing Survey for purposes listed in item 7 Above. See Note Above Signature Block.
- Construct Improvements to Iron Markers as Described Only. Wooden Stakes/Wire Flogs are NOT Property Corners.
- All Above-ground Evidences of Utilities lie Within their respective easements unless noted.
- Street (s) hereon are centered in R/W unless noted.
- Building Dimensions and their ties to adjacent property or other lines are copied from provided plans.
- Elevations if shown are based on the North American Vertical Datum of 1988.
- Dimensions for the proposed residence shown hereon are from the provided foundation plan.
- See house plans for additional details.
- Plat hereon contains no angles or bearings for comparison to field measured values.
- Current FEMA F.I.R. Maps show property in FLOOD ZONE "X WITH 0.2% ANNUAL CHANCE OF FLOODING", according to flood insurance rate map panel: #12031C0417J, effective on 11/02/2018

Special Note - Liability Notice

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #11 HEREON.

Surveyor's Certification

REPRODUCTIONS OF THIS SKETCH OF SURVEY ARE NOT VALID UNLESS MADE WITH THE EMBOSSED SEAL OF THE SIGNING SURVEYOR.
THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER 54, F.S. (PREVIOUSLY 610-171) PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES, AND WAS DONE UNDER MY SUPERVISION.

04/06/2022

State of Florida Professional Surveyor and Mapper

Signature Date Brandon D. Shugart License No. 7009

LEGAL DESCRIPTION

LOT 9, BLOCK 88, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF
NORTHERN PORTION OF PABLO BEACH, PLAT/MAP BOOK 5, PAGE 66
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

PLOT PLAN SHOWING BOUNDARY SURVEY
AND TOPOGRAPHIC AND TREE

IME CIVIL & SURVEYING, LLC

311 STATE ROAD 16
ST AUGUSTINE, FLORIDA 32084

WWW.IMECIVIL.COM
904-429-7764

Licensed Survey Business #8139
Certificate of Authorization #33025

© Copyright
Do not copy or reproduce without permission.

ADDRESS OF PROPERTY SHOWN HEREON:
FOR: American Classic Homes
AT: 715 N 7th Avenue
Jacksonville Beach, FL 32250

Drawn By: LR/DP
Field Survey Date: 2/09/2022
FB/PG: 4/8

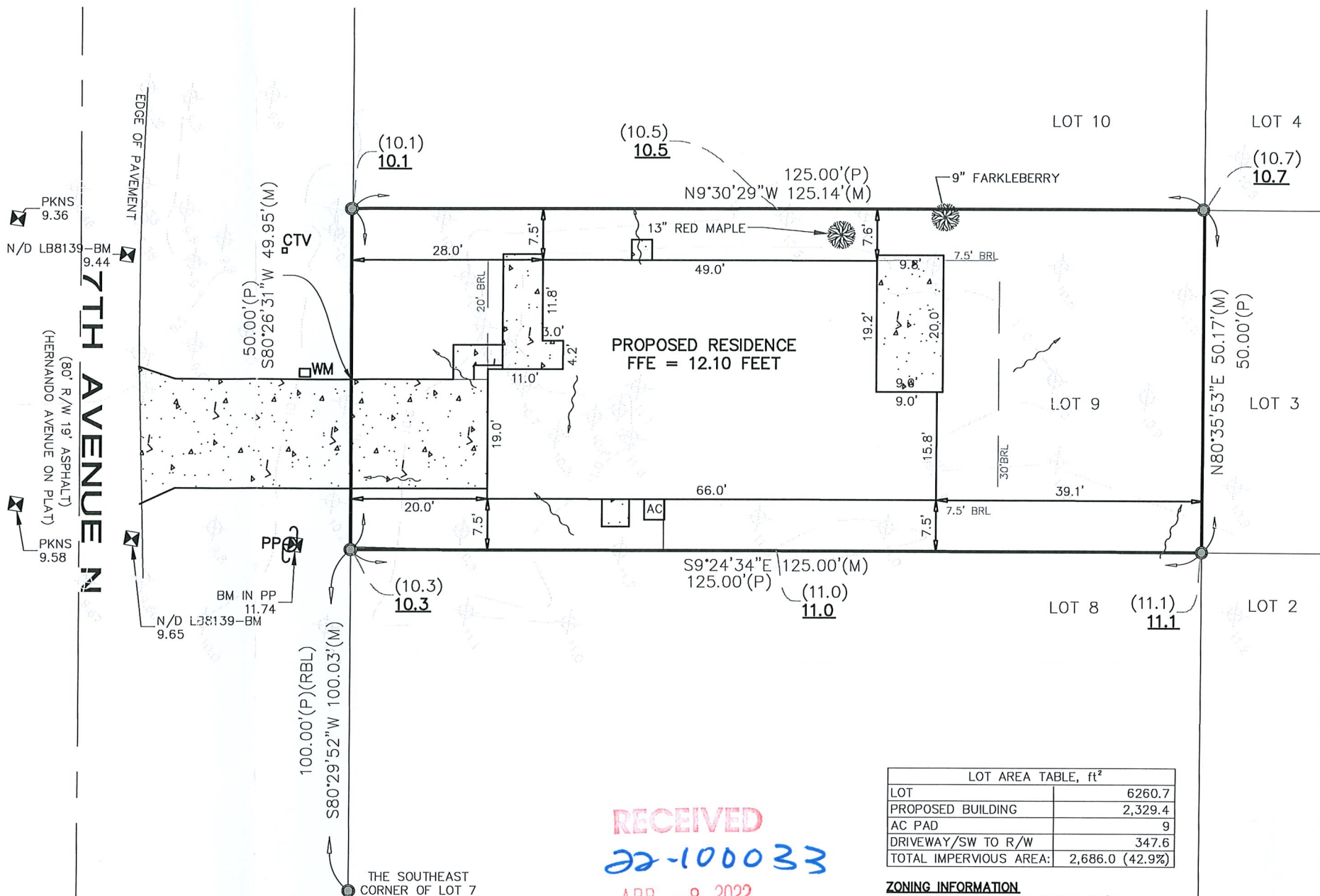
Scale 1" = 20 Feet
Drawing/File #: 013122.3

Additional Information/Certifications:

LOT AREA TABLE, ft ²	
LOT	6260.7
PROPOSED BUILDING	2,329.4
AC PAD	9
DRIVEWAY/SW TO R/W	347.6
TOTAL IMPERVIOUS AREA:	2,686.0 (42.9%)

ZONING INFORMATION

RS-2 FROM PROPERTY APPRAISER'S
WEBSITE. Fifteen (15) feet in total for both
side yards provided that noside yards are
less than five (5) feet, except when the
lot is a corner lot
• FRONT 20'
• SIDE 15'
• REAR 30'



RECEIVED

22-100033

APR - 8 2022

PLANNING & DEVELOPMENT

EXISTING

LEGEND

- BM1 = SITE BENCHMARK
S = SANITARY SEWER MANHOLE
WB = WATER BIB
FH = FIRE HYDRANT
CU = CABLE/INTERNET UTILITIES BOX
PP, SP, LP = POWER POLE, SERVICE POLE, LIGHT POLE
WM = EXISTING WATER METER
PW = PROPOSED WATER METER
W = WELL
X = UNNUMBERED X-CUT IN CONCRETE FOUND
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1/2" IRON ROD YC NO ID = FOUND 1/2" IRON ROD YC NO ID
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EXISTING DRAINAGE FLOW
(10.0) = EXISTING ELEVATION
10.0 = PROPOSED ELEVATION

- TREE TO BE REMOVED
PROPOSED CONCRETE
EXISTING CONCRETE
COVERED AREA



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

SURVEYOR'S NOTES:

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Brandon D. Shugart
STATE OF FLORIDA
Professional Surveyor and Mapper
#7009

03/24/2022
Signature Date

LEGAL DESCRIPTION

LOT 9, BLOCK 88, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF
NORTHERN PORTION OF PABLO BEACH, PLAT/MAP BOOK 5, PAGE 66
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

PLAN SHOWING BOUNDARY SURVEY

IME CIVIL & SURVEYING, LLC

311 STATE ROAD 16
ST AUGUSTINE, FLORIDA 32084

WWW.IMECIVIL.COM
904-429-7764

Licensed Survey Business #8139
Certificate of Authorization #33025

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ADDRESS OF PROPERTY SHOWN HEREON:

FOR: American Classic Homes
AT: 715 N 7th Avenue
Jacksonville Beach, FL 32250

Drawn By: LR/DP
Field Survey Date: 2/09/2022
FB/PG: 4/8

Scale 1" = 20 Feet
Drawing/File #: 013122.3

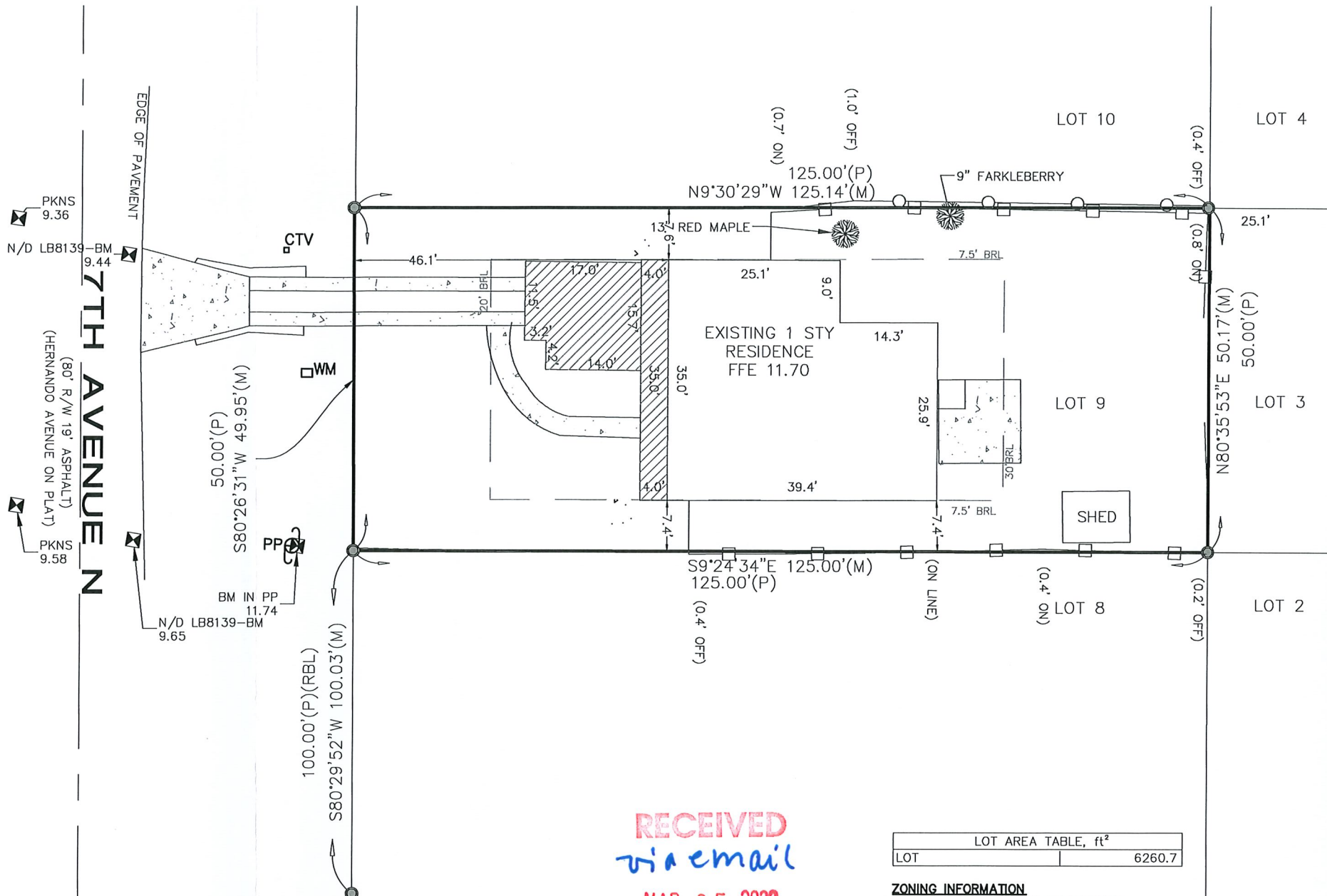
Additional Information/Certifications:

LOT AREA TABLE, ft ²	
LOT	6260.7

ZONING INFORMATION

RS-2 FROM PROPERTY APPRAISER'S WEBSITE. 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

- FRONT 20'
- SIDE 15'
- REAR 30'



RECEIVED
via email

MAR 25 2022

22-100033

PLANNING & DEVELOPMENT



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

BOA#22-100052

Zoning: RS-1
00RE: 181702-0000
Legal: Lot 2 & north 35 ft Lot 3, Block D6, Ponte Vedra
Address: 3714 Duval Drive

Request

Section(s): 34-336(e)(1)c.3, for a rear yard setback of 12 feet in lieu of 30 feet required, to attach an existing accessory structure to the primary structure at an existing single-family dwelling

Existing Conditions

The subject property is a nonconforming lot of record and part of a second lot of record (circa 1937) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. As far back as staff could determine, the two lots have been connected as one property. Combined, the two portions of land measure 105 feet wide and 177 feet deep on the norther property line and 111 feet deep on the southern property line. The property has an area of 11,970 square feet. The subject property was built as a single family home, dated from 1947, with several additions and alterations over its history. There is a detached accessory structure currently under renovation that would include a full bathroom, as showers are not allowed in detached accessory structures as they, along with a food prep area, define what a dwelling unit is. The intent is to use the structure as a guest room, and attaching it would allow it to be an addition to the primary structure.

BOA#17-100090 for Lot Coverage of 47% in lieu of 35% maximum and a Side Yard setback of 1 foot in lieu of 5 feet for additional pave area. BOA#84-2002 for 44% lot covewrage in lieu of 35% maximum for an addition to a single family home.

Staff Analysis

The Property owner is in the process of renovating an accessory structure into additional living space as a guest room. The inclusion of a shower would change the structure from an accessory use to a second primary dwelling. Section 34-41 of the LDC states:

Accessory building means a building which is detached from the main building on the lot and the use of which is subordinate or incidental to that of the main building. For residential districts and land uses, any structure containing a dwelling unit or units shall be considered a principal structure.



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

To avoid conflict with this definition, the applicant has requested to attach the exiting accessory structure to the main home. The request is based on the change of stats from accessory setback of no less than 5 feet, which the accessory structure complied with, to a primary rear yard setback, which by code should be 30 feet, but will now be 12 based on the exiting location of the structure. The area where the breezeway connection will occur is already a paved area, and accounted for in the previously approved 47% lot coverage. The current survey shows the lot coverage at 48%, the two surveys look substantially similar, and it is the opinion of staff that the difference may be attributed to minor variations in measurements. There will not be any practical change to the property other than the roof connection of the two free standing structures.

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 currently has a lot coverage of 47-48%, and both



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structures are existing and would not change with this approval. The applicant cannot add onto the house without seeking a variance for additional lot coverage, and by adding the proposed breezeway, the attachment will not alter the physical state of the property, but will bring the existing noncompliant accessory structure into compliance.

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

Staff **does not** find that circumstances are a result of the applicant. The subject property was granted a previous variance for lot coverage and was allowed to build the accessory structure. The proposed connection would bring the noncompliant accessory structure into compliance by making it part of the primary structure.

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. Typically additions are common to existing single family structures and at this time, the existing accessory use is a nonconforming structure. Approval of this variance would bring it into compliance as an addition vis an accessory structure.

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 exiting accessory structure is nonconforming in nature and to be allowed to complete the renovation, it must either be attached to the home or have the shower removed.

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 renovation to the existing quest house. The approval of this variance would have little impact on the property, as very little physically



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would change. The variance would allow legal use of the guest house as an addition to the main home.

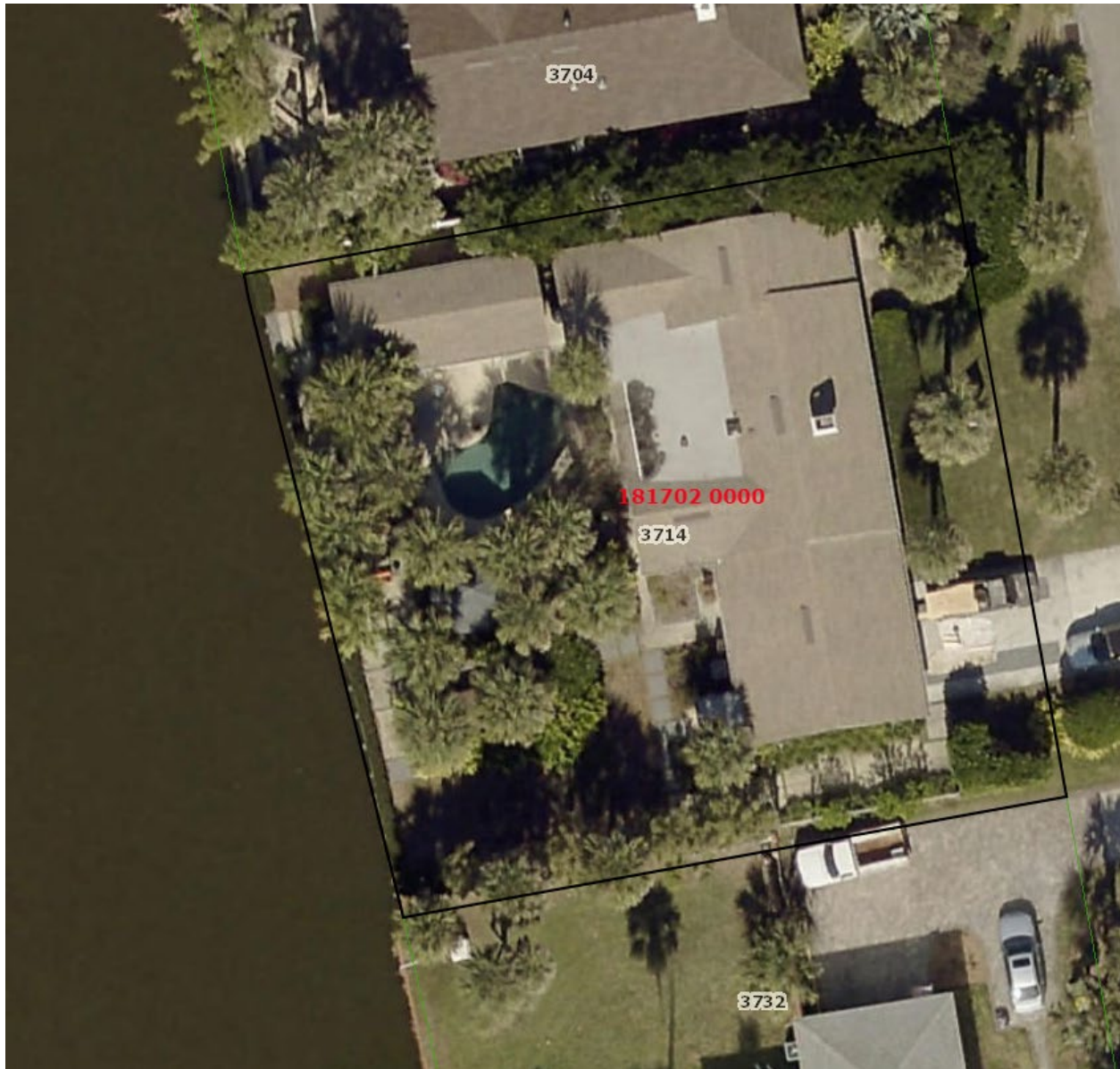
6. **Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.**

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#22-100052**

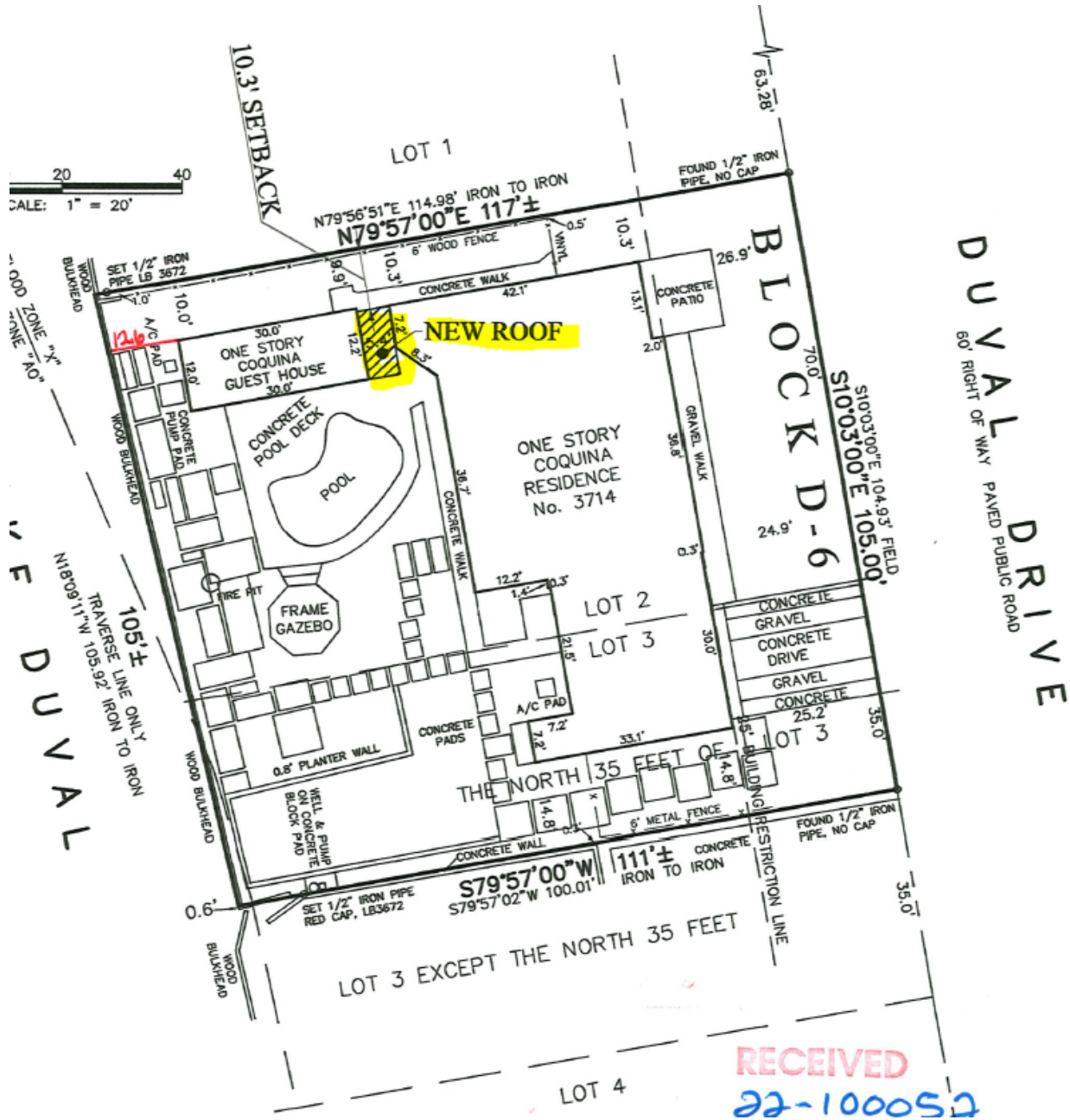
Location Map (property boundaries are representative only)





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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100092

HEARING DATE 6-21-22

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

APR 28 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: NANCY SODERBERG Telephone: 646-591-0912
 Mailing Address: 3714 DUVAL DRIVE E-Mail: nsoderberg00@gmail.com
JACKSONVILLE BEACH, FL 32250
 Agent Name: HENRY B. BONAR, II Telephone: 904-631-8966
 Mailing Address: 4939 MORVEN ROAD E-Mail: hank@bonarengineering.com
JACKSONVILLE, FL 32240
 Landowner Name: NANCY SODERBERG Telephone: 646-591-0912
 Mailing Address: 3714 DUVAL DRIVE E-Mail: nsoderberg00@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: 3714 DUVAL DRIVE DE# 1817020000

Legal description of property (Attach copy of deed):

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

BACK YARD SET BACK of 12 1/2 feet in lieu of 30ft.
After connecting separate structure to main house.

AFFIDAVIT

I, NANCY SODERBERG, 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.

Nancy Soderberg
 APPLICANT SIGNATURE

Nancy Soderberg
 PRINT APPLICANT NAME

April 25, 2022
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25 day of APRIL, 20 22, by NANCY SODERBERG, who is personally known to me or produced _____ as identification.

Amy S. Pilgrim
 NOTARY PUBLIC SIGNATURE
AMY S. PILGRIM
 PRINT NOTARY NAME

AMY S. PILGRIM
 Notary Public, State of Florida
 My Comm. Expires 10/19/2024
 Commission No. HH30064
 (Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-shaded

CODE SECTION (s):

34-336(e)(1)c.3, for a rear yard setback of 12 feet in lieu of 30 feet required, to attach an existing accessory structure to the primary structure at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100052

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.

APR 28 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.	BUILDING WAS CONSTRUCTED PRIOR TO ENACTMENT OF CURRENT CODES AND SPECIFICATIONS.
Special circumstances and conditions do not result from the actions of the applicant.	NO.	
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.	
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 WOULD FINALLY PROVIDE THE MEANS OF USING THE GUEST SUITE FOR ITS INTENDED PURPOSE.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES.	THE SPACE IS CURRENTLY NOT USABLE AS THE THIRD BEDROOM FOR WHICH IT IS BEING TAXED.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES.	THE STRUCTURE PRE-EXISTED CURRENT OWNERSHIP. WE ARE MAKING SURE IT IS BEING USED FOR ITS INTENDED PURPOSE.

This Instrument Prepared by:
Blake F. Deal, III., Esquire
Briley & Deal, LLC
2215 Third Street, South, Suite 101
Jacksonville Beach, Florida 32250
File No. 13-0709

RECEIVED
20-100057

APR 28 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this 5th of December, 2013, by **Dorothy C. McAllister, an unmarried woman conveying non-homestead property**, hereinafter called the grantor, to **Nancy E. Soderberg, an unmarried woman**, whose post office address is: 3714 Duval Drive, Jacksonville Beach, Florida 32250, 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 \$769,500.00, 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 2 and the North 35 feet of Lot 3, Block D6, Ponte Vedra, according to the map or plat thereof, as recorded in Plat Book 15, Page(s) 66, of the Public Records of Duval County, Florida.

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: **181702-0000**

Subject To taxes subsequent to December 31, 2013 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.

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, 2013.

4592524

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:

Ryan N. Wa
Witness Printed Name Ryan N. Wa

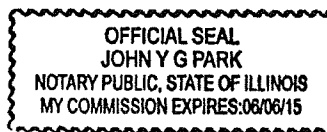
Jesse V. Lohis
Witness Printed Name Jesse V. Lohis

State of Illinois
County of Will

The foregoing instrument was acknowledged before me this 3rd day of December, 2013 by **Dorothy C. McAllister, an unmarried woman**, who is/are personally known to me or who has produced driver's license as identification.

Dorothy C. McAllister (Seal)
Dorothy C. McAllister
Address: 2260 Wild Horse Drive
Aurora, IL 60503

John Y G Park
Notary Public 12-3-13



ATTACH 2 x 4 P.T.W. TRUSSES
TO EXISTING FASCIA

EXISTING ROOF RIDGE

2 x 4 P.T.W. BEAM

2 x 4 P.T.W. BEAM

EXISTING GUEST HOUSE FASCIA

1 x 4 LATH

2 x 4 P.T.W. @ 12" O.C. TRUSSES

2 x 6 P.T.W.
RIDGE BEAM

EXISTING HOUSE WALL

SEE DETAIL TRUSS @ EXISTING HOUSE WALL

ROOF PLAN

18" METAL STRETCH OUT RIDGE

1 x 4 LATH

29 GAUGE METAL ROOF

2 x 6 P.T.W.
RIDGE BEAM

2 x 4 P.T.W. @ 12" O.C. TRUSSES

2 x 4 P.T.W. BEAM

2 x 4 P.T.W. BEAM

(2) 1 x 6 P.T.W.

ROOF SECTION

NOTE: PAINT WHITE

EXISTING HOUSE WALL

COUNTERSINK LAG
BOLTS @ 2'-0" O.C.

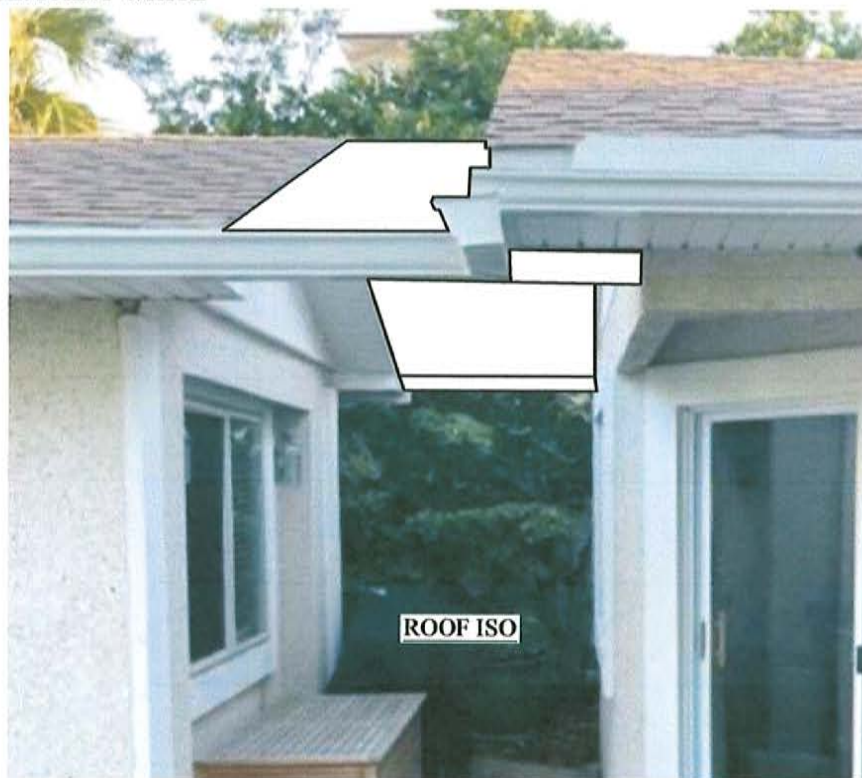
(2) 2 x 4 PRESSURE
TREATED WOOD

TRUSS @ EXISTING HOUSE WALL

RECEIVED

22-100052
APR 28 2022

PLANNING & DEVELOPMENT

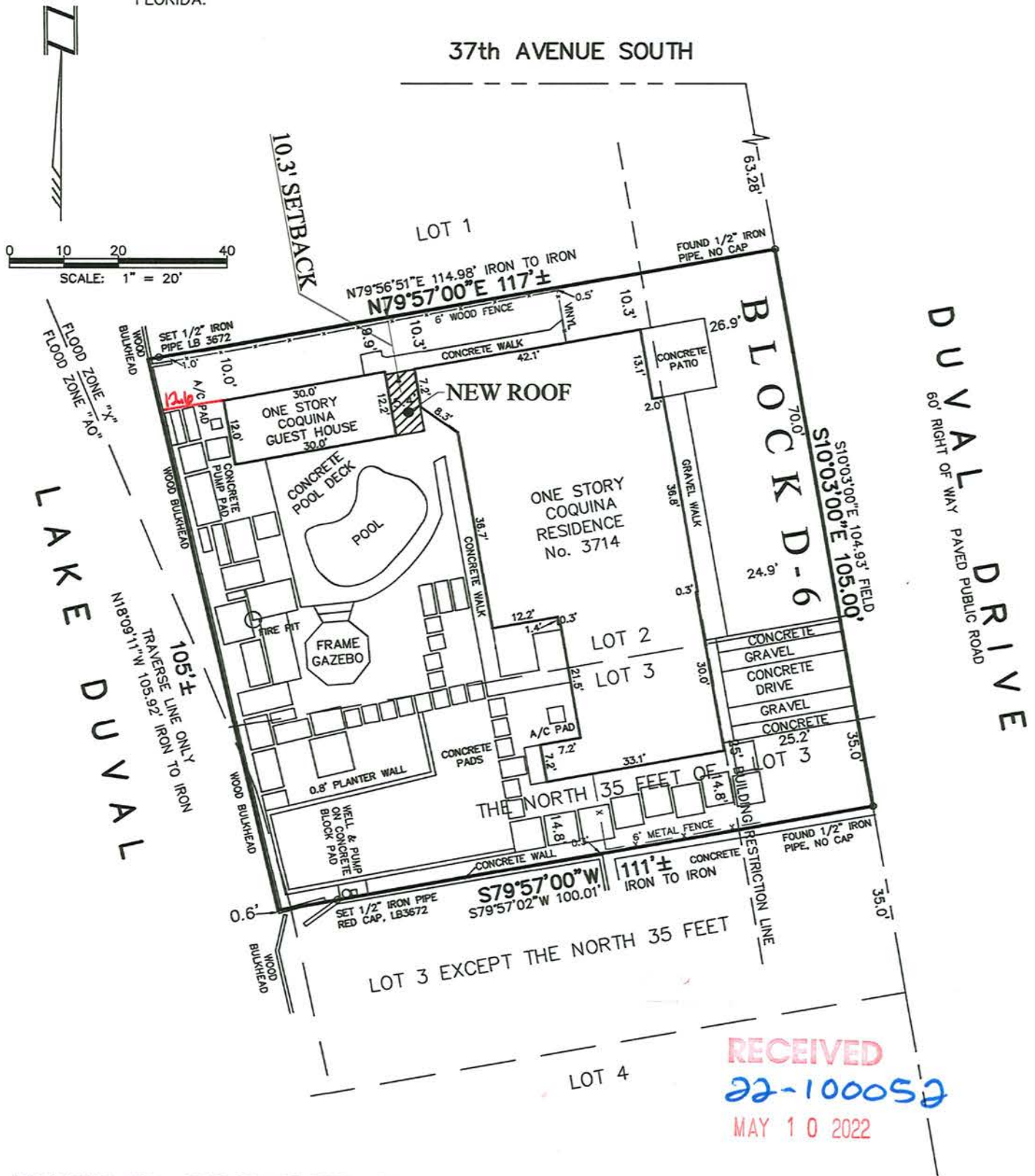


ROOF ISO

Proposed.

MAP OF SURVEY

ALL OF LOT 2 AND THE NORTH 35 FEET OF LOT 3, BLOCK D-6, PONTE VEDRA, AS RECORDED IN PLAT BOOK 15, PAGES 66 AND 66A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF KEVIN APPLE.

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

IMPERVIOUS AREA: 5695 SQUARE FEET: 48%
LOT AREA: 11970
THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% CHANCE ANNUAL FLOODPLAIN) AS DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" PANEL NUMBER 12031C0419H REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.
NOTES:
THIS IS A BOUNDARY SURVEY.
BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF DUVAL DRIVE AS BEING S10°03'00"E AS PER PLAT, AS SHOWN HEREON.
BUILDING RESTRICTION LINE AS PER PLAT.

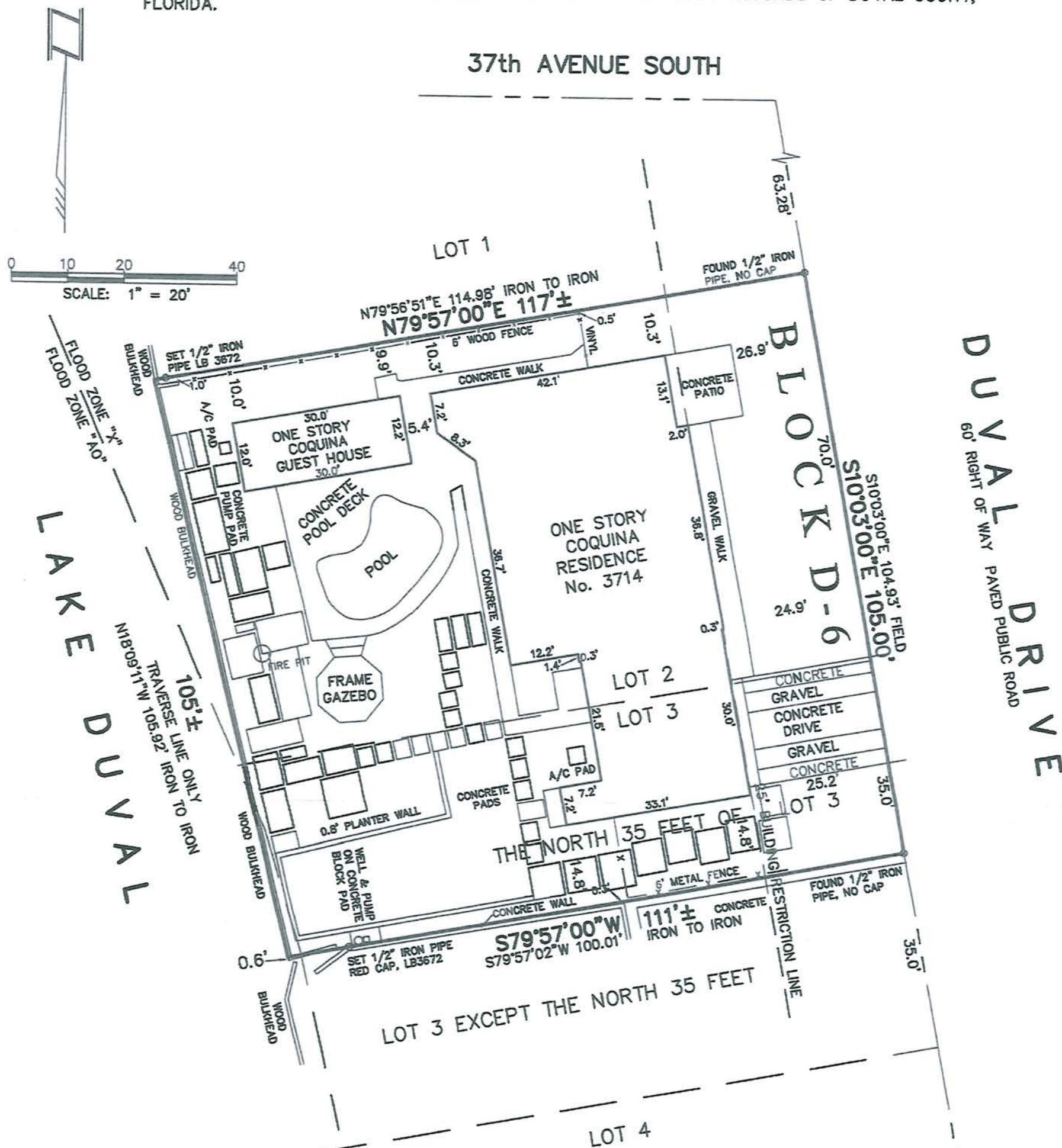
"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

CHECKED BY: _____	BOATWRIGHT LAND SURVEYORS, INC. 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550	DATE: _____
DRAWN BY: AC		MAY 9, 2018
FILE: 2018-763		SHEET 1 OF 1

EXISTING

MAP OF SURVEY

ALL OF LOT 2 AND THE NORTH 35 FEET OF LOT 3, BLOCK D-6, PONTE VEDRA, AS RECORDED IN PLAT BOOK 15, PAGES 66 AND 66A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



IMPERVIOUS AREA: 5695 SQUARE FEET: 48%
LOT AREA: 11970
THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% CHANCE ANNUAL FLOODPLAIN) AS DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" PANEL NUMBER 12031C0419H REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

NOTES:

THIS IS A BOUNDARY SURVEY.
BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF DUVAL DRIVE AS BEING S10°03'00"E AS PER PLAT, AS SHOWN HEREON.
BUILDING RESTRICTION LINE AS PER PLAT.

THIS SURVEY WAS MADE FOR THE BENEFIT OF KEVIN APPLE.

RECEIVED

22-100252

APR 28 2022

PLANNING & DEVELOPMENT

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

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: AC
FILE: 2018-763

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

DATE SURVEYED: MAY 9, 2018
SHEET 1 OF 1



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

BOA#22-100055

Zoning: RS-2
RE: 176331-0010
Legal: Lot 9, Block 1, Oceanside Park
Address: 470 6th Avenue South

Request

Section(s): 34-337(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Existing Conditions

The subject property is a legal 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 property is 49.85 feet in width and 100 feet deep, with an area of 4,996 square feet. The subject lot has been utilized as the rear yard of 457 7th Avenue South. Currently there is a small accessory structure along the southern property line of 470 that served 457 7th Avenue South. The lot is in the RS-2 zoning district which is a single family only zoning district. This property lies on the edge of the RS-2 zoning district and immediately across the street from the RM-1 zoning district to the north.

No previous variances, no open code cases or permits.

Staff Analysis

The existing lot is substandard in both size and area. The lot is 4,996 square feet in area, while the RS-2 standards are 7,500 square feet minimum, so the lot is roughly 2,500 square feet short of the minimum lot size for this zoning district. The applicant has requested 43% lot coverage and a 10 foot reduction in rear yard setback. The applicant is proposing to use the minimum driveway configuration to lower lot coverage, while still providing for a modest covered rear porch. The rear porch and associated roof is the portion of the home that would encroach into the rear yard setback by 10 feet, but the main house is built within the setbacks. Surrounding properties are all single family in nature. Single family is the highest and best use for this property. The inclusion of a rear patio provides a rear yard amenity, which a number of recent projects failed to do, leaving the new owner the need for additional variances to add backyard amenities.



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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 subject property is substandard in width and area. The lot is nearly one third smaller than the required minimum lot area.
2. **Special circumstances and conditions do not result from the actions of the applicant**
Staff **does not** find that circumstances are a result of the applicant. The lot is a nonconforming lot platted in 1922, and has most recently been used a large back yard of the home to the south.



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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 request would be less than the maximum lot coverage, if the applicant owned a standard sized lot.

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 use of the property as a site for a single family home is the highest and best use of the property and granting additional lot coverage would allow the use of the property as a single family home with typical 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 proposed lot coverage would be the smallest variance necessary to construct the requested new single family home. The rear porch would require rear yard setback reductions.

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.



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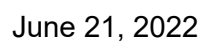
Staff Recommendation

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#22-100055**

Location Map (property boundaries are representative only)



6TH (R/W VARIES) AVENUE SOUTH



6th Avenue South

PROPOSED RESIDENCE
STEM WALL FOUNDATION
Single Family Dwelling
2600SF two story

LOT 9
#470
FEE = 11.00 FEET

EXISTING BUILDING
LOT 16
#457

LOT 10
#476

LOT 15
#467

LOT 17
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APPLICATION FOR VARIANCE

BOA No. 22-100055
HEARING DATE 6-21-22

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

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

APPLICANT INFORMATION

Applicant Name: Dakota Briggs **Telephone:** (904) 544-2285
Mailing Address: 4449 Hudnall Rd **E-Mail:** dakota@achllc.net
Jacksonville FL, 32207
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: 470 6TH AVE S RE#176331 0010
Legal description of property (Attach copy of deed): See 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).
Variance: for a rear yard of 20' in lieu of 30' and for 43% lot coverage in lieu of 30% lot coverage maximum

AFFIDAVIT

I, Dakota Briggs, 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

Dakota Briggs

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 3rd day of May, 2022 by Dakota Briggs, who is personally known to me or produced _____ as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Lesa Duncan
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: AE/X-shaded
CODE SECTION (S):
34-337(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

22-10055

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.	Y	Lot is a non-conforming lot of record
Special circumstances and conditions do not result from the actions of the applicant.	Y	lot of record non-conforming
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Y	neighboring parcel has less then 30' set back, therefore this would not grant a special privilege that is not already on surround parcel
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Y	Neighboring parcels have less then required set backs in the rear of the parcels
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Y	I am asking for the minimum to build the single family home
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.	Y	building will still be 20' from back property line. This is an open deck and is not enclosed



THIS INSTRUMENT PREPARED BY AND RETURN TO:
Title America Real Estate Closings
10448 Old Saint Augustine Road
Jacksonville, FL 32257
904.262.6400w
FILE: 44580

Parcel ID#: 176331-0000
SALE PRICE: \$425,000.00

Doc # 2022091931, OR BK 20220 Page 1603,
Number Pages: 2
Recorded 04/12/2022 01:56 PM,
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$2975.00

RECEIVED
22-100055
MAY - 4 2022

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 11th day of April, 2022 by

2974 SHELBY DR LLC, a Florida Limited Liability Company,

whose post office address is 2573 Loretto Road, Jacksonville, FL 32223, herein called the Grantor, to

JAX HOMES INVESTMENTS, LLC, a Florida Limited Liability Company,

whose post office address is 4449 Hudnall Road, Jacksonville, FL 32207, 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)

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

Lot 9, Block 1, OCEANSIDE PARK according to plat thereof recorded in Plat Book 8, Page 13 of the current Public Records of Duval County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2022 and thereafter.

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

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

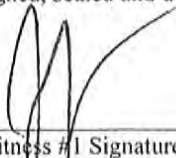
AND, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons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

RECEIVED
22-100055
MAY - 4 2022

PLANNING & DEVELOPMENT

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

Signed, sealed and delivered in the presence of:



Witness #1 Signature

John Gullett

Witness #1 Printed Name

2974 SHELBY DR LLC,
a Florida Limited Liability Company

By: 

Trevor M. Moody, Manager



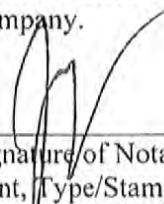
Witness #2 Signature

Constance Gullett

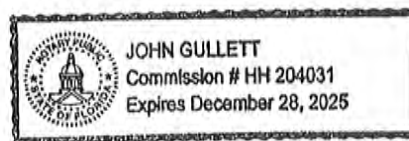
Witness #2 Printed Name

STATE OF **FL**
COUNTY OF **Duval**

The foregoing instrument was acknowledged before me by means of (☒) physical presence or () online notarization this 11 day of April, 2022 by Trevor M. Moody Manager of 2974 SHELBY DR LLC, a FL Limited Liability Company, on behalf of the Limited Liability Company.



Signature of Notary Public **John Gullett**
Print, Type/Stamp Name of Notary



Personally known: _____
OR Produced Identification: ☒

Type of Identification Produced: Driver License



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

Detail by Entity Name

Florida Limited Liability Company
JAX HOMES INVESTMENTS, LLC

Filing Information

Document Number L19000065555
FEI/EIN Number 83-4694697
Date Filed 03/07/2019
State FL
Status ACTIVE

Principal Address

4449 HUDNALL ROAD
JACKSONVILLE, FL 32207

Mailing Address

4449 HUDNALL ROAD
JACKSONVILLE, FL 32207

Registered Agent Name & Address

WATSON, JEFFREY T
12058 SAN JOSE BOULEVARD
SUITE 401
JACKSONVILLE, FL 32223

Authorized Person(s) Detail

Name & Address

Title MGR

Briggs, DAKOTA L
4449 HUDNALL ROAD
JACKSONVILLE, FL 32207

Annual Reports

Report Year	Filed Date
2020	01/28/2020
2021	02/08/2021
2022	04/06/2022

Document Images

RECEIVED
22-100055
JUN 13 2022
via email 6/13/22
PLANNING & DEVELOPMENT

City of Jacksonville Beach Planning & Development
Attn: Lee Ann Bassabe
11 N. 3rd Street
Jacksonville Beach, FL 32250

RE: Variance Application BOA#22-100055; 470 6th Ave. S,

Ms. Bassabe,

This letter confirms that Hunter Faulkner of Jimerson Birr, P.A. shall serve as my authorized agent for the above-referenced Variance Application to be heard at the Board of Adjustment meeting on June 21, 2022.

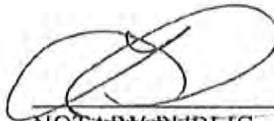
Please let me know if there are any questions.

Sincerely,

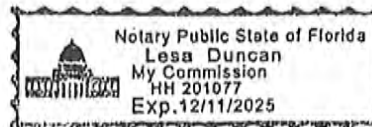

Dakota Briggs, as Manager of
Jax Homes Investments, LLC

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of June 2022, by Dakota Briggs, as Manager of Jax Homes Investments, LLC, on behalf of the company, ☒ who is personally known to me or ☐ who has produced _____ as identification.



NOTARY PUBLIC



PROPOSED

LEGEND

- XBVI = SITE BENCHMARK
S = SANITARY SEWER MANHOLE
WB = WATER BIB
FH = FIRE HYDRANT
CTV = CABLE/INTERNET UTILITIES BOX
PP, SP, LP = POWER POLE, SERVICE POLE, LIGHT POLE
EW = EXISTING WATER METER
PW = PROPOSED WATER METER
W = WELL
X = UNNUMBERED X-CUT IN CONCRETE FOUND
▲ = FOUND NAIL/DISC
▲ = FOUND 1/2" IRON ROD LB#6702
▲ = FOUND CONCRETE MONUMENT
▲ = PRM/BLOCK CORNER FOUND
▲ = FOUND 1/2" IRON ROD LB#6219
● = FOUND 1/2" IRON PIPE WITH NO IDENTIFICATION
+ = EXISTING GROUND ELEVATIONS
T = EXISTING TREE

CHAIN LINK FENCE
6' WOOD FENCE

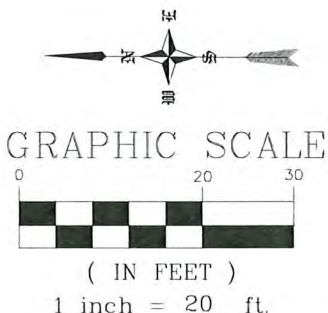
- A/C = AIR CONDITIONER ON PAD
BOC = BACK OF CURB
BRL = BUILDING RESTRICTION LINE (SETBACK) LINE
DB = DEED BOOK
EP = EDGE OF PAVEMENT
GYA = GUY ANCHOR
JEA = JACKSONVILLE ELECTRIC AUTHORITY
JEA-E = JACKSONVILLE ELECTRIC AUTHORITY - ELECTRIC
JEA-EE = JEA ELECTRICAL EASEMENT
LB = LICENSED SURVEY BUSINESS
LS = LICENSED SURVEYOR
OHW = OVERHEAD WIRE/LINE
ORB = OFFICIAL RECORDS BOOK
PC = POINT OF CURVATURE
PG = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PRM = PERMANENT REFERENCE MONUMENT
PSM = PROFESSIONAL SURVEYOR AND MAPPER
RBL = REFERENCE BEARING LINE
R/W = RIGHT-OF-WAY LINE
STY = STORY
TR = TRANSFORMER
TYP = TYPICAL
(P) = PLAT CALL
(M) = FIELD MEASURED VALUE
(D) = DEED CALL
(C) = CALCULATED VALUE, FROM FIELD MEASUREMENTS
(R) = RECORD VALUE

SURVEYOR'S NOTES:

- Legal Description has been furnished by client and/or his/her agents.
- No Title Opinion or Abstract of Matters Affecting the Title or Boundary to the Subject Property have been provided. It is possible that there could exist Deeds of Record, Unrecorded Deeds, Easements (especially any easements/documents recorded AFTER Plot Recordation) or other instruments that could affect this property.
- Measurements hereon are in accordance with U.S. Standard Feet, data acquired with theodolite and steel tape, or with Technologically Superior Equipment utilizing Redundant Techniques.
- Bearings hereon are based on: RBL AS SHOWN OR STATED HEREON.
- MEASURED BEARINGS HEREON ARE BASED ON A FLORIDA DEPARTMENT OF TRANSPORTATION BENCHMARK "BART" AND "KREG", WHICH WERE DERIVED FROM A GLOBAL POSITIONING SYSTEM (GPS) REAL-TIME KINEMATIC (RTK) SURVEY. A SOKKIA GCX3 GPS RECEIVER WAS USED AS A ROVER, RTK CORRECTIONS WERE OBTAINED FROM THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN), COORDINATES OBTAINED FROM THE GPS SURVEY ARE REFERENCE TO NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000).
- Contiguous lots lie in same block, unit, phase, section etc. unless noted.
- Type of Survey: **PLOT PLAN**
- Stated Legal Purpose of Survey: Acquisition, Sale, Mortgage, Permits, Planning.
- No Flood Zone Determination has been made or requested for this property during the course of this Survey.
- This Survey is not intended to Locate any subsurface/underground objects, improvements, foundations or encroachments. Survey reflects above-ground features and improvements only.
- This Survey Does NOT Reflect or Determine Ownership of land or fences.
- This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to Certificates listed hereon utilizing Survey for purposes listed in item 7 Above. See Note Above Signature Block.
- Construct Improvements to Iron Markers as Described Only. Wooden Stakes/Wire Flags are NOT Property Corners.
- All Above-ground Evidences of Utilities lie Within their respective easements unless noted.
- Street (s) hereon are centered in R/W unless noted.
- Building Dimensions and their ties to adjacent property or other lines are copied from provided plans.
- Elevations if shown are based on the North American Vertical Datum of 1988.
- Dimensions for the proposed residence shown hereon are from the provided foundation plan.
- See house plans for additional details.
- Plot hereon contains no angles or bearings for comparison to field measured values.
- Current FEMA F.I.R. Maps show property in FLOOD ZONE "AE EL. 9" AND "X 0.2%", according to flood insurance rate map panel: #12031C0417J, effective on 11/02/2018.

- Wavy line = PROPOSED DRAINAGE FLOW
Dashed line = EXISTING DRAINAGE FLOW
(10.0) = EXISTING ELEVATION
10.0 = PROPOSED ELEVATION
X in circle = TREE TO BE REMOVED
Triangle with dot = PROPOSED CONCRETE
Triangle = EXISTING CONCRETE
Hatched area = COVERED AREA

ZONING INFORMATION
JRS-2 FROM PROPERTY
APPRaiser's WEBSITE
• FRONT 20'
• SIDE 7.5'
• REAR 30'



Special Note - Liability Notice

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #11 HEREON.

Surveyor's Certification

REPRODUCTIONS OF THIS SURVEY OR ANY PART THEREOF ARE NOT VALID UNLESS SIGNED WITH THE EMBOSSED SEAL OF THE SIGNING SURVEYOR.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER 5J-17 (FORMERLY 610-17), PURSUANT TO CHAPTER 122.027 FLORIDA STATUTES, AND WAS DONE UNDER MY SUPERVISION.

Brandon D. Shugart
STATE OF FLORIDA
Professional Surveyor and Mapper
License No. 7009
Signature Date 04/22/2022

LEGAL DESCRIPTION

LOT 9, BLOCK 1, OCEANSIDE PARK
PLAT/MAP BOOK 8, PAGE 13
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
PLOT PLAN SHOWING BOUNDARY SURVEY
AND TOPOGRAPHIC AND TREE

IME CIVIL & SURVEYING, LLC

311 STATE ROAD 16
ST AUGUSTINE, FLORIDA 32084
WWW.IMECIVIL.COM
904-429-7764

Licensed Survey Business #8139
Certificate of Authorization #33025

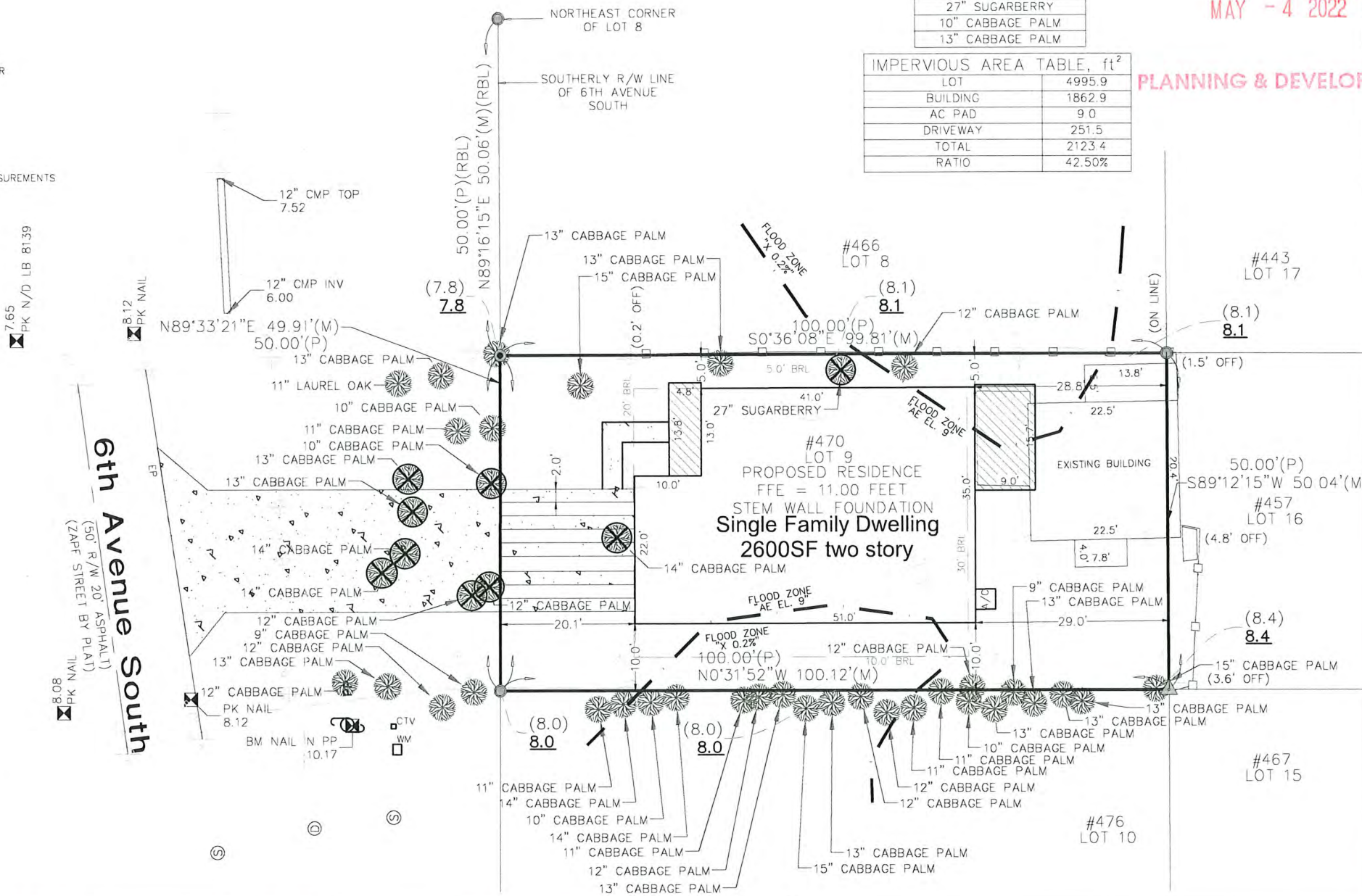
Copyright
Do not copy or reproduce without permission.

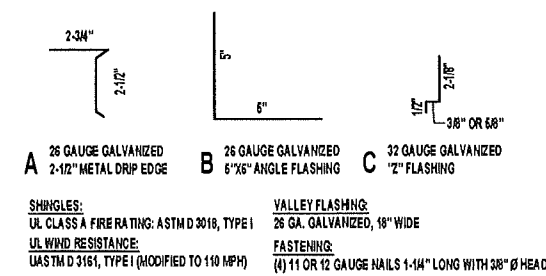
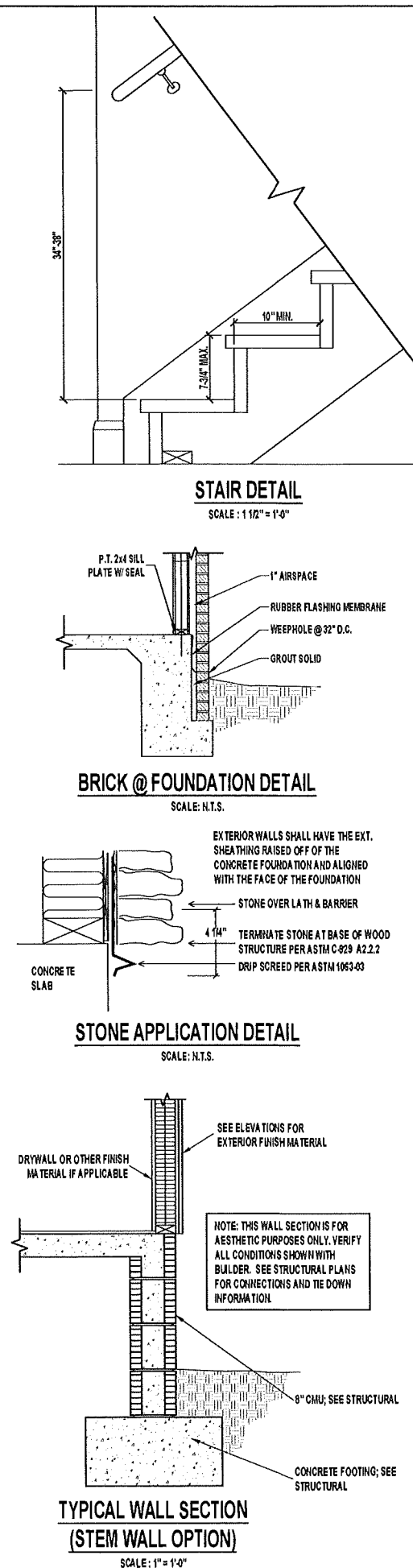
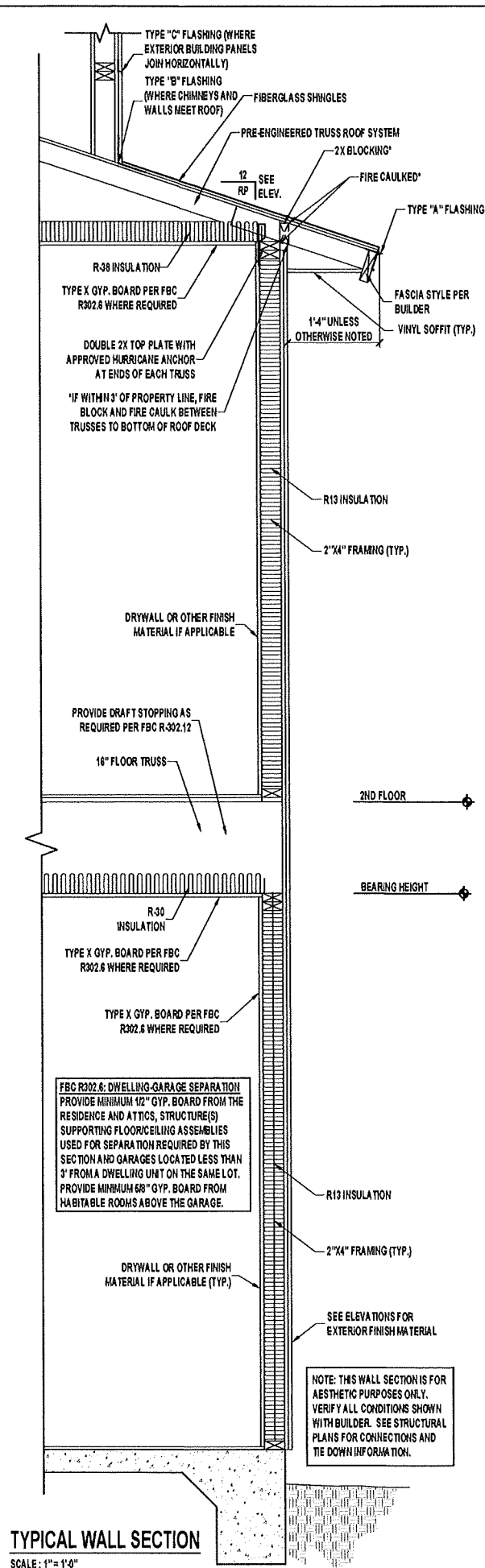
TREE REMOVAL SUMMARY	
12" CABBAGE PALM	
12" CABBAGE PALM	
13" CABBAGE PALM	
14" CABBAGE PALM	
14" CABBAGE PALM	
14" CABBAGE PALM	
27" SUGARBERRY	
10" CABBAGE PALM	
13" CABBAGE PALM	

IMPERVIOUS AREA TABLE, ft ²	
LOT	4995.9
BUILDING	1862.9
AC PAD	9.0
DRIVEWAY	251.5
TOTAL	2123.4
RATIO	42.50%

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22.100095
MAY - 4 2022

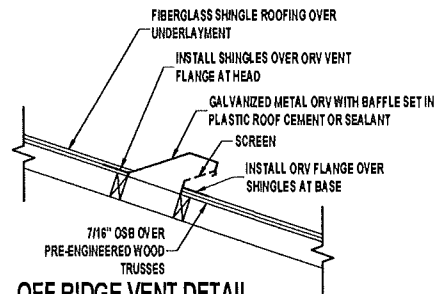
PLANNING & DEVELOPMENT





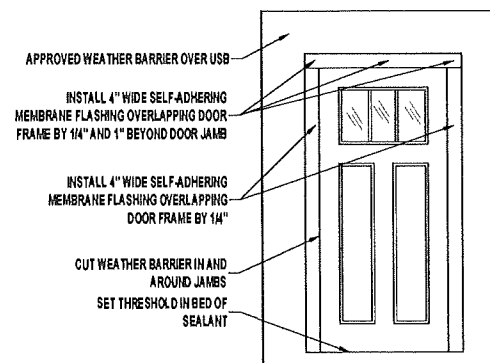
FLASHING DETAILS AND SHINGLE INFORMATION

SCALE : 3" = 1'-0"



OFF RIDGE VENT DETAIL

NOT TO SCALE



DOOR FLASHING INSTALLATION AND DETAIL

SCALE: N.T.S.

GENERAL NOTES:

1. PARKING BUMPER (IF REQUIRED) MUST BE INSTALLED BEFORE C.O.
2. 5/8" TYPE "X" GYP. BOARD REQUIRED ON CEILING OF GARAGE WHERE HABITAT SPACE IS ABOVE PER FBC R302.6.
3. HVAC PENETRATING RATED ASSEMBLIES TO COMPLY WITH FBC R302.6.
4. UNDER STAIR PROTECTION TO COMPLY WITH FBC R302.7 (IF ACCESSIBLE).

GUARDRAIL NOTE:

DEPENDENT ON FIELD CONDITIONS, DIMENSIONS MAY VARY BUT MUST COMPLY WITH FLORIDA BUILDING CODES R312.1 FOR GUARDRAIL REQUIREMENTS AND OPENINGS.
*HEIGHT SHALL BE 36" MIN. WHEN PORCH, BALCONY OR RAISED FLOOR EXCEEDS 30" ABOVE FLOOR OR GRADE AND SHALL BE 34" ON OPEN SIDES OF STAIRS THAT EXCEED 30" OR MORE ABOVE FLOOR OR GRADE.

* OPENINGS SHALL HAVE INTERMEDIATE RAILS OR CLOSURES WHICH DO NOT ALLOW PASSAGE OF SPHERE 4" OR GREATER IN DIAMETER. REQUIRED GUARD RAILS ON THE SIDES OF STAIR TREADS SHALL NOT ALLOW SPHERE GREATER THAN 4-3/8" IN DIAMETER TO PASS THROUGH.

HANDRAIL NOTE:

*HEIGHT: MUST BE BETWEEN 34-38" MEASURED VERTICALLY FROM SLOPED PLANE.

* CONTINUITY: HANDRAIL MUST BE CONTINUOUS THROUGH FULL LENGTH OF FLIGHT FROM POINT DIRECTLY ABOVE HIGHEST RISER TO POINT DIRECTLY ABOVE LOWEST RISER. HANDRAIL ENDS SHOULD TERMINATE IN NEWEL POSTS OR SAFETY TERMINAL OR RETURN TO WALL. HANDRAILS SHALL BE ALLOWED TO BE INTERRUPTED BY NEWEL POSTS.

*SIZE: SHALL HAVE OUTSIDE DIAMETER BETWEEN 1-1/4"-2" IF CIRCULAR. SHALL HAVE BETWEEN 4-6" PERIMETER IF NOT CIRCULAR.

STAIR NOTE:

DEPENDENT ON FIELD CONDITIONS, DIMENSIONS MAY VARY BUT MUST COMPLY WITH FLORIDA BUILDING CODES R311.7.6 FOR TREAD DEPTH, RISER HEIGHTS AND STAIR WIDTHS.

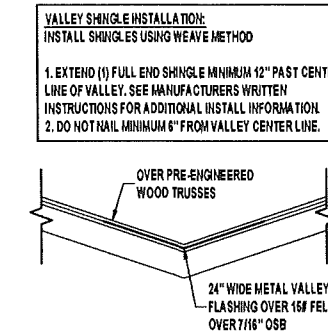
TREADS: 10" MINIMUM DEPTH WITH NO MORE THAN 3/8" DIFFERENCE BETWEEN LONGEST AND SHORTEST

*WIDTH: 36" MINIMUM CLEAR WIDTH ABOVE HANDRAIL AND 31-1/2" BELOW HANDRAIL.



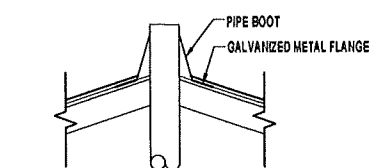
APPROVED CORROSION-RESISTANT FLASHING SHALL BE APPLIED SINGLE-FASHION IN SUCH A MANNER TO PREVENT ENTRY OF WATER INTO THE WALL CAVITY OR PENETRATION OF WATER TO THE BUILDING STRUCTURAL FRAMING COMPONENTS. THE FLASHING SHALL EXTEND TO THE SURFACE OF THE EXTERIOR WALL FINISH. APPROVED ANTI-CORROSION RESISTANT FLASHING SHALL BE INSTALLED AT ALL OF THE FOLLOWING LOCATIONS:

1. AT THE INTERSECTION OF CHIMNEYS OR OTHER MASONRY CONSTRUCTION WITH FRAME OR STUCCO WALLS, WITH PROJECTING LIPS ON BOTH SIDES UNDER STUCCO COPINGS.
2. UNDER AND AT THE ENDS OF MASONRY, WOOD OR METAL COPINGS AND SILLS.
3. CONTINUOUSLY ABOVE ALL PROJECTING WOOD TRIM.
4. WHERE EXTERIOR PORCHES, DECKS OR STAIRS ATTACH TO A WALL OR FLOOR ASSEMBLY OR WOOD FRAME CONSTRUCTION.
6. AT ALL WALL AND ROOF INTERSECTIONS.
6. AT BUILT IN GUTTERS.



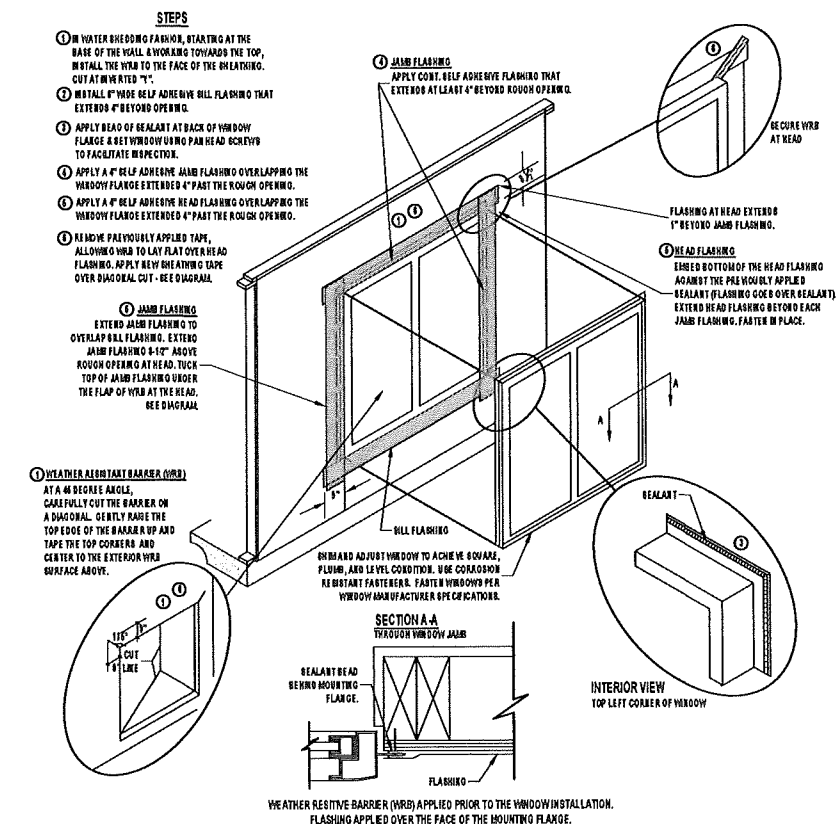
VALLEY FLASHING DETAIL

NOT TO SCALE



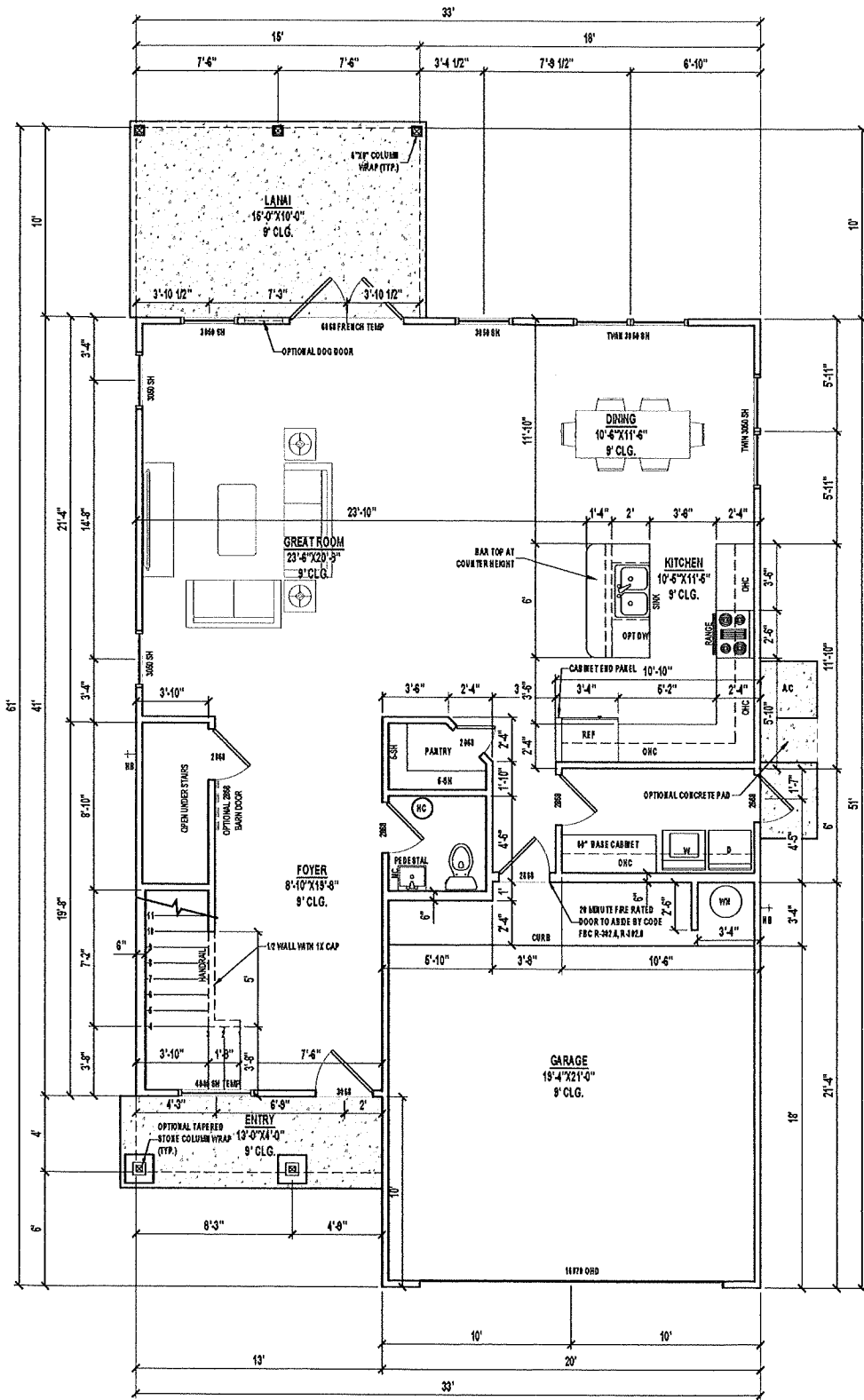
PLUMBING STACK FLASHING DETAIL

NOT TO SCALE



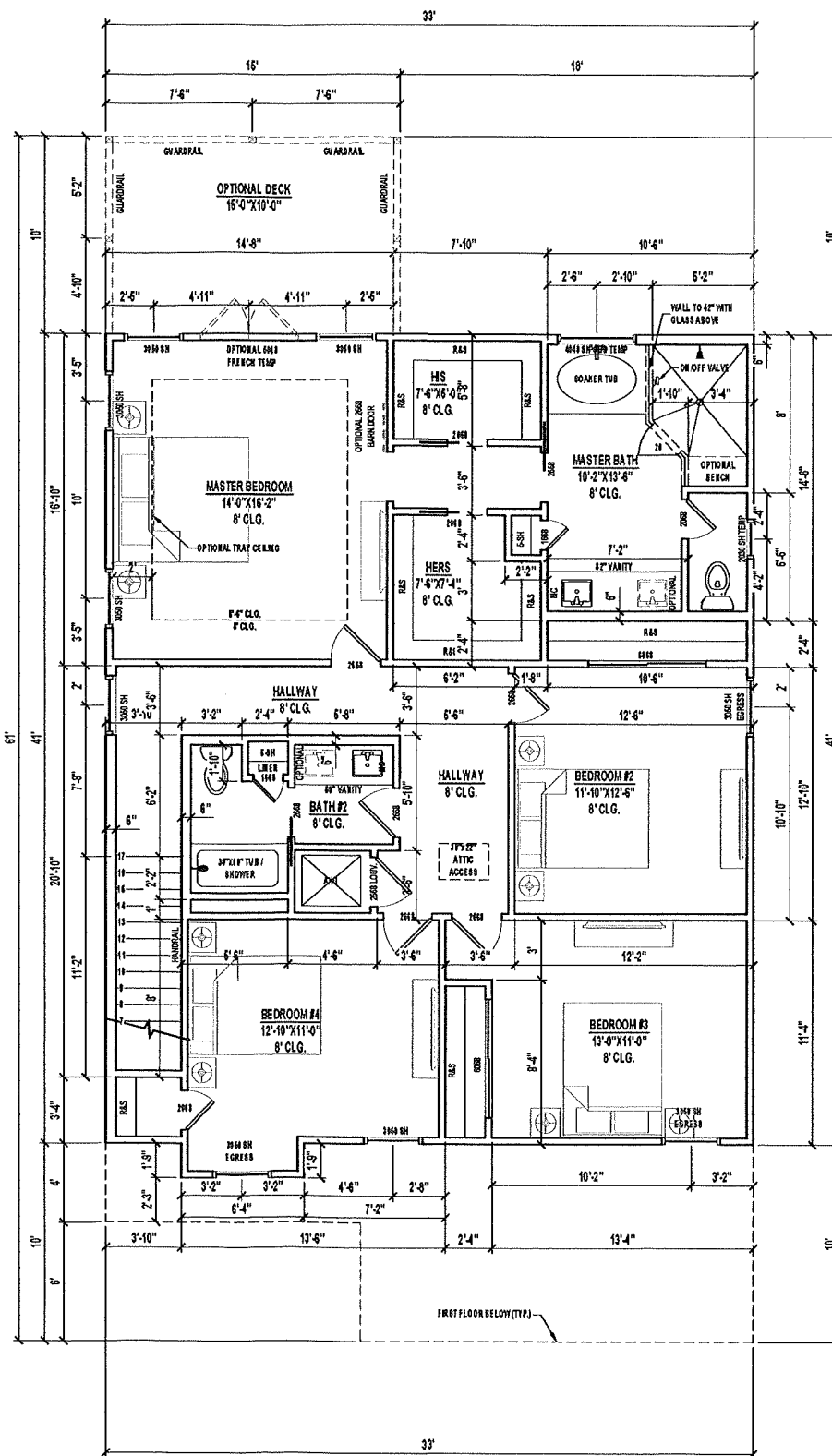
WINDOW INSTALLATION

SCALE: N.T.S.



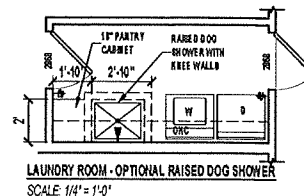
1ST LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"



2ND LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"



BUILDING AREAS	
1ST FLOOR HEATED AREA	1,136 SF
2ND FLOOR HEATED AREA	1,364 SF
TOTAL	2,500 SF
GARAGE	417 SF
FRONT ENTRY	62 SF
LANAI	160 SF
TOTAL UNDER ROOF	3,119 SF
OPTIONAL DECK	160 SF

CONDITIONED SPACE = 21,136 CF

- NOTES:
- IF SHOWER HAS GLASS ENCLOSURE, SAFETY GLAZING REQUIRED PER FBC R-308.4.6.
 - PROVIDE TEMPERED GLASS AS REQUIRED.
 - CONTRACTOR MUST VERIFY ALL DIMENSIONS.

NOTE:
A FOUNDATION SURVEY SHALL BE PERFORMED AND A COPY OF THE SURVEY SHALL BE ON THE SITE FOR THE BUILDING INSPECTORS USE PRIOR TO FRAMING INSPECTION.

DRAWING INDEX

SHEET NUMBER	SHEET NAME
A1.1	1ST AND 2ND LEVEL FLOOR PLANS
A1.2	FOUNDATION AND ROOF PLANS
A1.3	1ST AND 2ND LEVEL ELECTRIC PLANS
A2.1	ELEVATIONS
A2.2	ELEVATIONS
A3.1	DETAIL SHEET

CODE INFORMATION

BUILDING CODE: 2020 FLORIDA BUILDING CODE RESIDENTIAL 7TH ADDITION
2020 FLORIDA BUILDING CODE PLUMBING
2020 FLORIDA BUILDING CODE MECHANICAL
2017 NEC
CURRENT JAX BEACH LAND DEVELOPMENT CODE
CONSTRUCTION TYPE: 6B
OCCUPANCY CLASS: R3

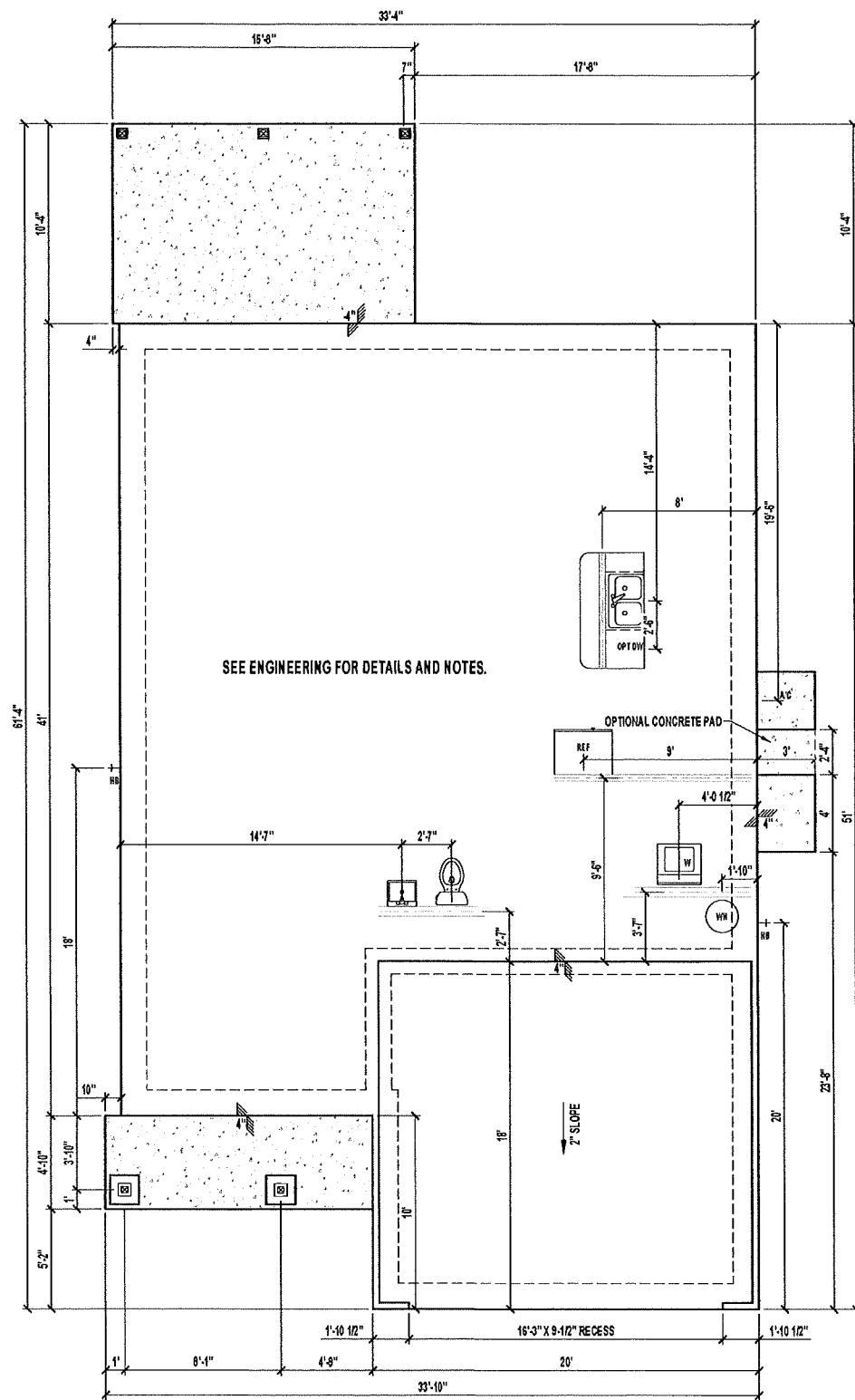
Date: 06-25-21
Scale: AS SHOWN
Job: 2500R-9/8
Sheet: A1.1

AMERICAN CLASSIC HOMES, LLC
4550 St. Augustine Road
Jacksonville, FL 32207
(904) 351-0308
© 2021 AMERICAN CLASSIC HOMES, LLC

Shields CAD Services
243 Tarasoa Drive | Jacksonville, FL 32225
Phone : (904) 241-1540
Website: www.shieldscad.com | Email: bilshields@gmail.com

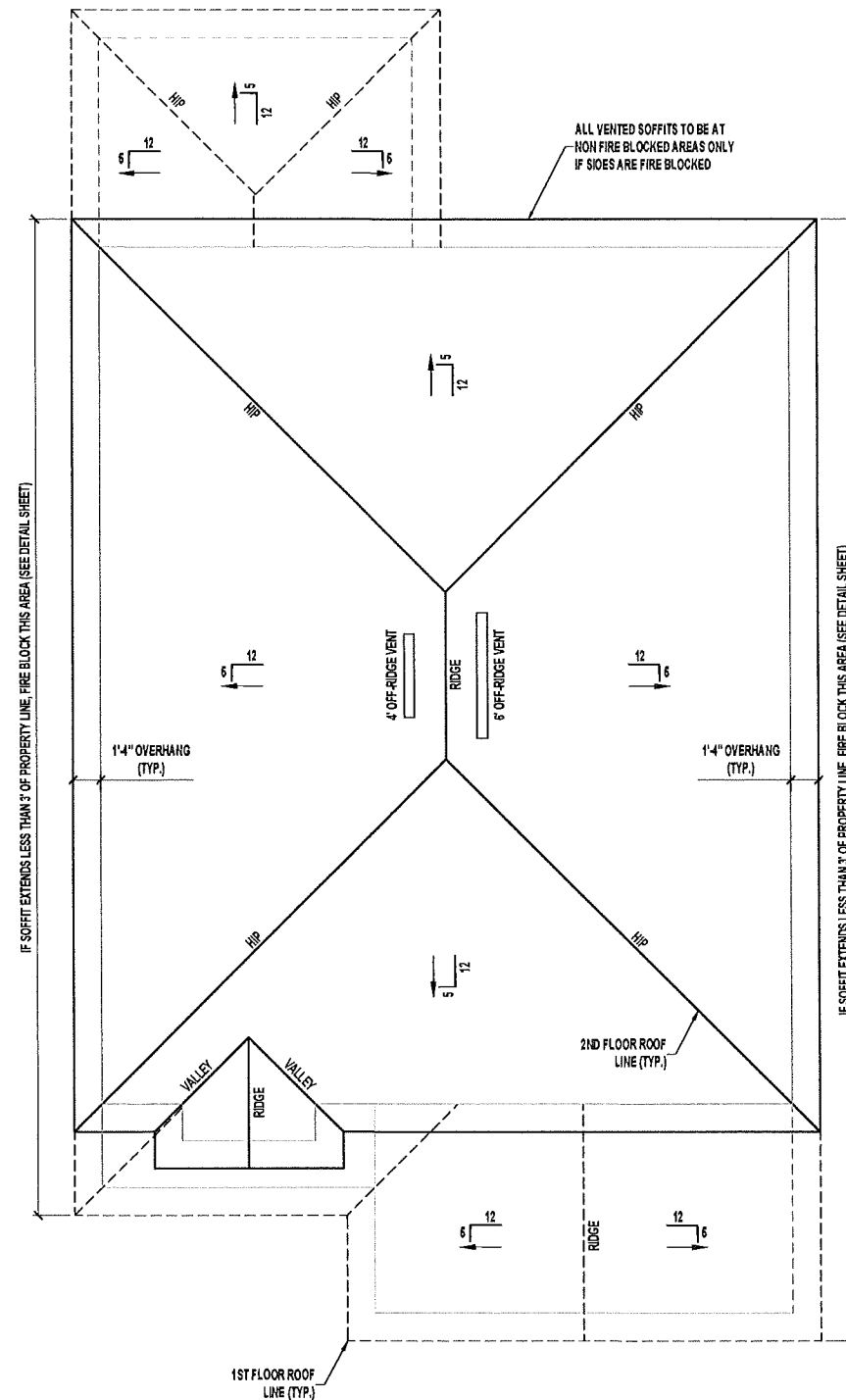
2 STORY RESIDENCE
JACKSONVILLE, FL

1ST AND 2ND LEVEL FLOOR PLANS



FOUNDATION PLUMBING PLAN

SCALE: 1/4" = 1'-0"



ROOF PLAN

SCALE: 1/4" = 1'-0"

VENT CALCULATIONS

VENTED SOFFIT

VENTILATED ATTIC AREA: 1,364 SQ. FT.

$$1,364 / 300 = 4.55 \text{ SQ. FT.}$$

4.55 SQ. FT. X 144 = 655 SQ. IN. TOTAL NET FREE VENT AREA

655 X 50% = 327.5 SQ. IN. NET FREE

$$\text{SOFFIT REQUIREMENT} = 6.55 \text{ SQ. IN. NET FREE PER LF}$$
$$327.5 / 6.55 = 50 \text{ LF VENTED SOFFIT REQUIRED}$$

OFF-RIDGE VENTS

VENTILATED ATTIC AREA: 1,364 SQ. FT.

$$1,364 / 300 = 4.55 \text{ SQ. FT.}$$

4.55 SQ. FT. X 144 = 655 SQ. IN. TOTAL NET FREE VENT AREA

655 X 50% = 327.5 SQ. IN. NET FREE

(1) 6" OFF-RIDGE VENT REQUIRED (216 SQ. IN. EACH)

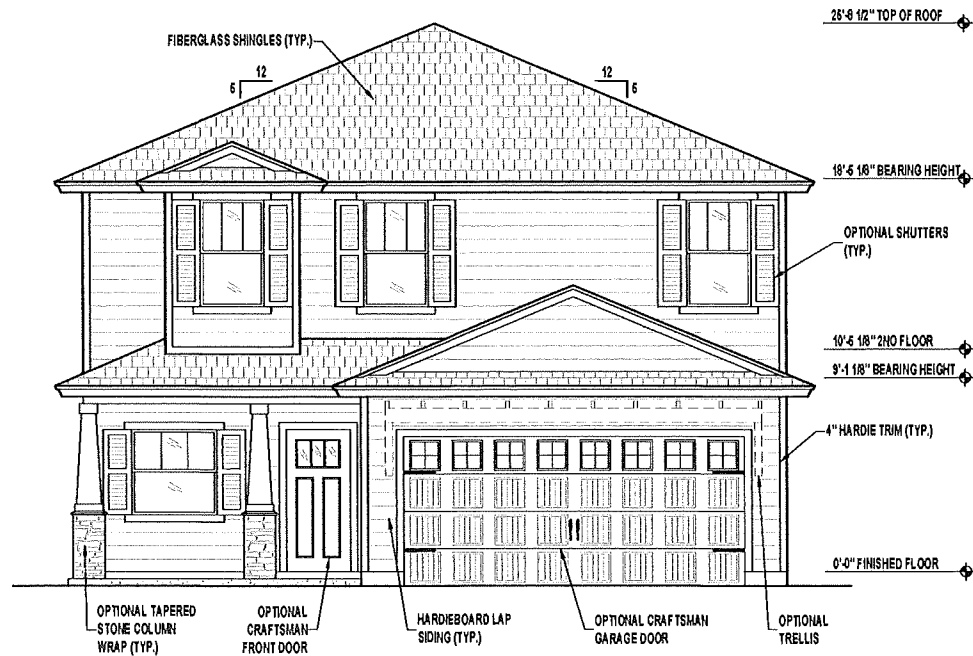
(1) 4" OFF-RIDGE VENT REQUIRED (144 SQ. IN. EACH)

Revisions	No.	By	Date
			
Date	06-25-21		
Scale	AS SHOWN		
Job	2500R-9/8		
Sheet	A1.2		



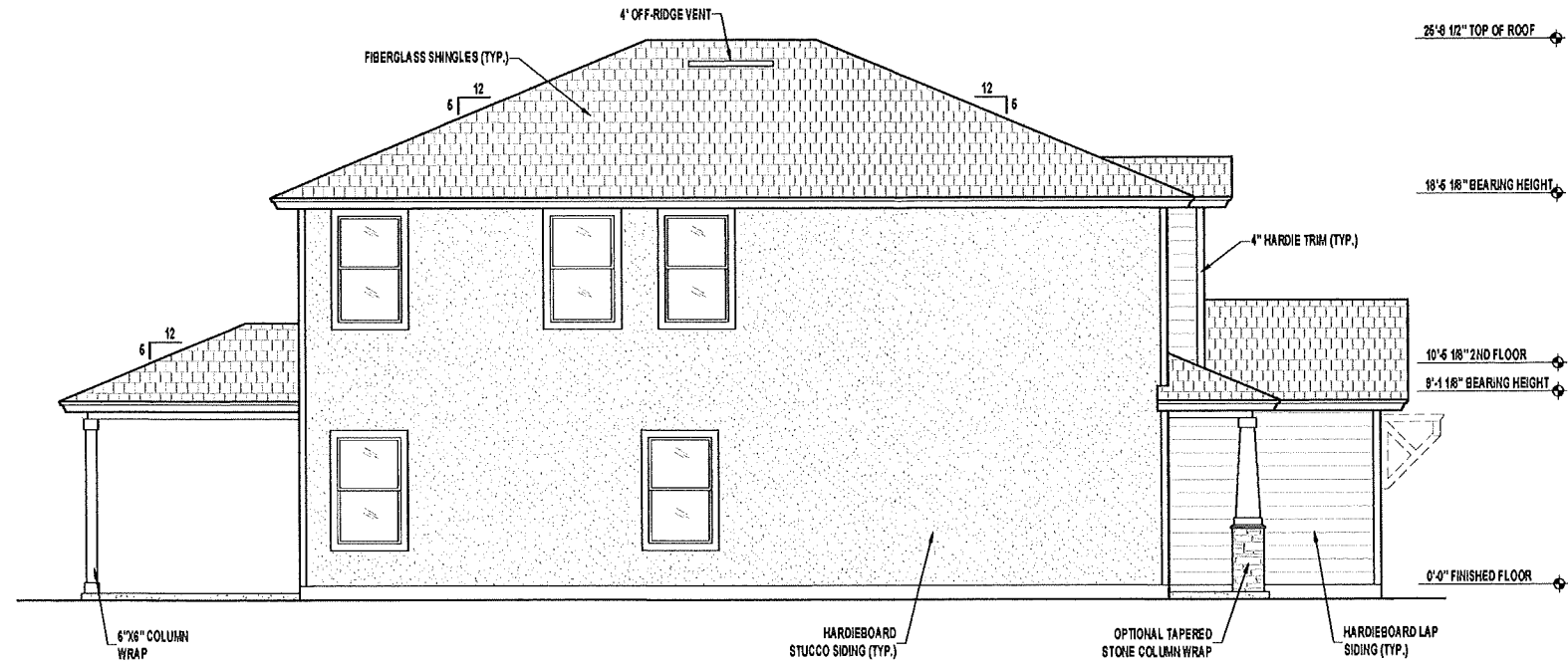
NOTES:

1. ELECTRICAL LAYOUT MUST MEET STATE AND LOCAL CODES. ELECTRICIAN TO VERIFY.
2. ALL FIXTURES TO BE CFL OR LED.
3. ALL OUTLETS THAT ARE NOT GFI TO BE AFCI PROTECTED.



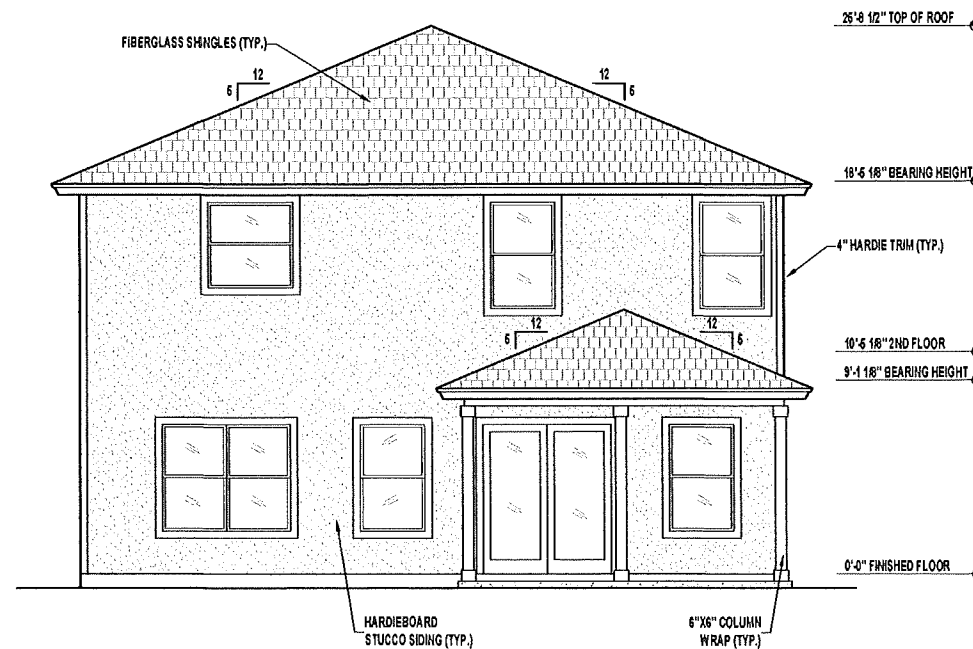
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: OPTIONAL HARDIEBOARD SHAKE OR BRICK FINISH.



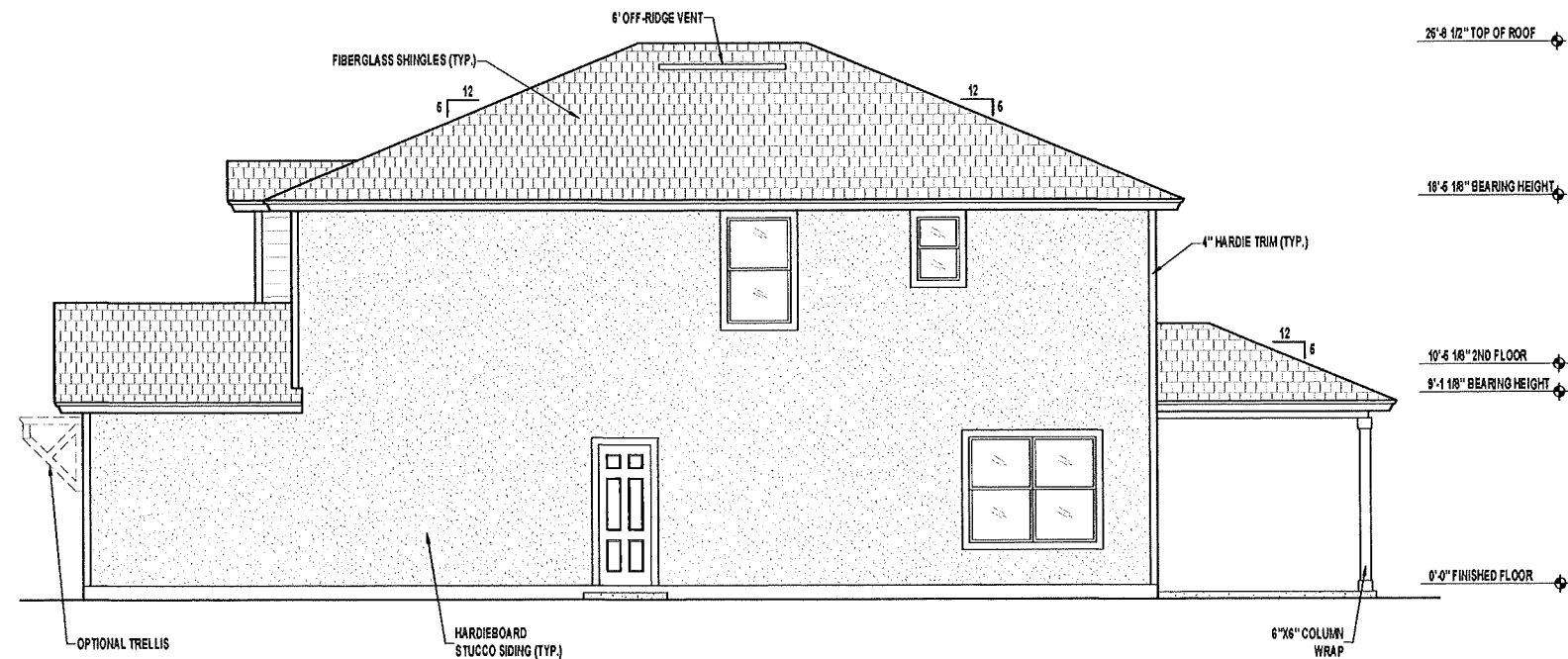
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: OPTIONAL HARDIEBOARD LAP SIDING, HARDIEBOARD SHAKE OR BRICK FINISH.



REAR ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: OPTIONAL HARDIEBOARD LAP SIDING, HARDIEBOARD SHAKE OR BRICK FINISH.



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

NOTE: OPTIONAL HARDIEBOARD LAP SIDING, HARDIEBOARD SHAKE OR BRICK FINISH.

2 STORY RESIDENCE
JACKSONVILLE, FL

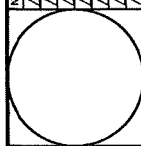
Shields CAD Services

243 Tarraa Drive | Jacksonville, FL 32225
Phone : (904) 241-1540
Website: www.scjjax.com | Email: billshields@gmail.com

AMERICAN CLASSIC HOMES, LLC

4550 St. Augustine Road
Jacksonville, FL 32207
(904) 351-0308

No.	Revisions	Date	By



Date: 06-25-21
Scale: AS SHOWN
Job: 2500R-9/8
Sheet:

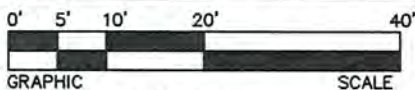
A2.1

EXISTING

RECEIVED
22-100055
MAY - 9 2022

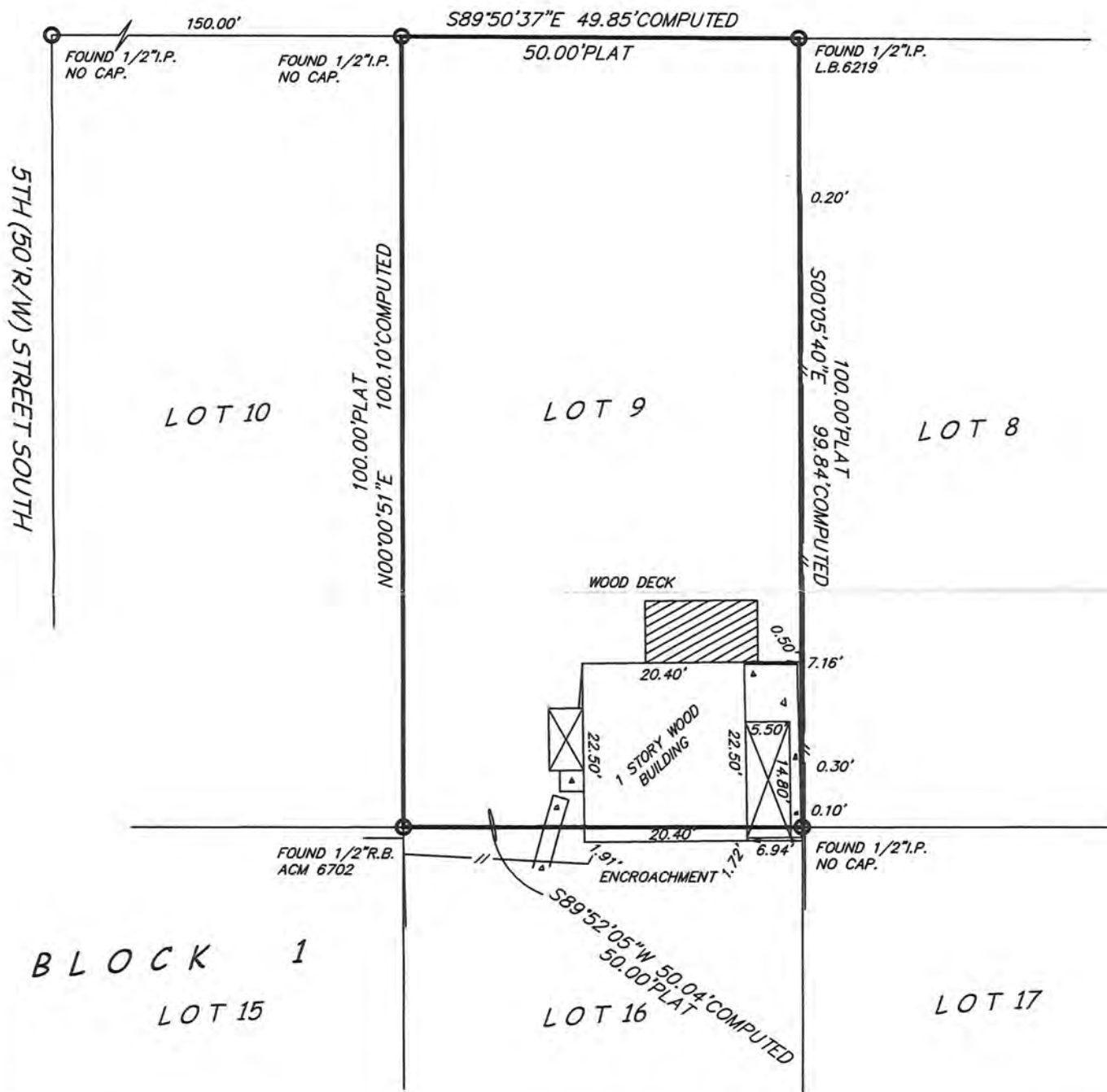
PLANNING & DEVELOPMENT

MAP SHOWING BOUNDARY SURVEY OF
LOT 9, BLOCK 1, 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 ESTABLISHED FROM PLAT BOOK 8 PAGE 13.
2. BEARING OF S 89°50'37"E 6TH AVE SOUTH HELD FIXED.
3. FIELD WORK 03-14-2022

6TH (R/W VARIES) AVENUE SOUTH



ANTHONY PAUL O'NEIL

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

I HEREBY CERTIFY TO : NICHOLAS & ZACHARY PRESTI UNITED WHOLESALE MORTGAGE, LLC

WESTCOR LAND 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 AE PANEL 12031C0417J 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 IF 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 EXIST.—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 RNG.—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 SIGNATURE AND EMBOSSED SEAL

☒ DENOTES CONCRETE MONUMENT
☒ DENOTES IRON PIPE
SET—DENOTES SET 5/8"x 18"
REBAR L.S.5684

DATE SIGNED 03-16-2022
Anthony P. O'Neil
ANTHONY PAUL O'NEIL PSM 5684

SYMBOLS:
— x — CHAIN LINK FENCE
— // — WOOD OR METAL FENCE
— w — WIRE FENCE
— w — RAIL FENCE
— / — ELECTRIC LINE
— ○ — UTILITY POLE
— (W) — WELL
— [] — ASPHALT
— [X] — OVERHEAD
— [] — CONCRETE



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

BOA#22-100056

Zoning: RS-1
00RE: 177729-8045
Legal: Lot 10, Preserve at Waterway Island
Address: 2025 Waterway Island Lane

Request

Section(s): 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for the expansion of an existing driveway, addition of a swimming pool paver deck and construction of an accessory structure at an existing single-family dwelling

Existing Conditions

The subject property is a nonconforming lot (circa 2014) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject lot was platted in 2014. The lot is 84.35 feet in width, and 185.27 feet in depth on the north property line and 167.83 feet in depth on the south property line. The property has a lot area of 15,121 square feet. The property has a 10 foot drainage easement in the rear. The existing home and all improvements currently cover 35% of the lot. The applicant recently installed a coping only pool.

No previous variances, no open code cases or permits.

Staff Analysis

The subject lot is slightly narrower than required by code. RS-1 zoning district dimensional standards call for a lot of 90 feet in width, and in this case the lot is roughly 84 feet in width. The lot area is over 5,000 square feet larger than the minimum lot size for the RS-1 zoning district. There is a key difference worth noting in the definition of nonconforming lot and nonconforming lot of record. The LDC states: *Sec. 34-624. - Nonconforming lots of record. Where a lot or parcel of land has an area or frontage which does not conform to the standards of the LDC, but it was a lot of record on the effective date of the LDC, such lot or parcel of land may be developed, provided the minimum yard standards for the zoning district in which it is located are met.*

As this lot was platted in 2014, and not prior to the adoption of the current LDC, it is not a lot of record, and is not given the same deference. In this case the nonconformity comes down to 6 feet in width, which is a minor nonconformity and has no bearing on the request, as the request is for lot coverage, not setbacks.



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

There is no nonconformity with respect to lot area, as the lot is oversized compared to the minimum lot area for the RS-1 district.

Minimum Dimensional Standards

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

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject lot is substandard in width, as it is 6 feet narrower than the required 90 feet. However the lot is over the required minimum lot size by 5,000+ square feet, making it conforming in lot area.

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. Though the property is slightly smaller in width, the lot area is over 5,000 square feet



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above the minimum lot size of 10,000 square feet. This would give the applicant the ability to have more lot area available for coverage than the average lot in the RS-1 district. The desire to cover 41% of the lot is not based on a 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. Having an oversized lot allows the applicant more flexibility in design, layout and general size of their home and other amenities as compared to those who have a lot that meets the minimum size. Requesting additional lot coverage beyond 35% would further grant special privilege to the applicant.

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 subject lot is roughly 5,000 square feet larger than the minimum lot in the RS-1 district. With the minimum being 10,000 square feet, and the total lot area for the subject property being 15,121. The applicant has no hardship with relation to area and lot coverage, but does in fact have an advantage.

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 pool deck and driveway. The expansion of the lot coverage proposed would be the minimum necessary to accomplish the proposed site 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



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#22-100056**

Location Map (property boundaries are representative only)



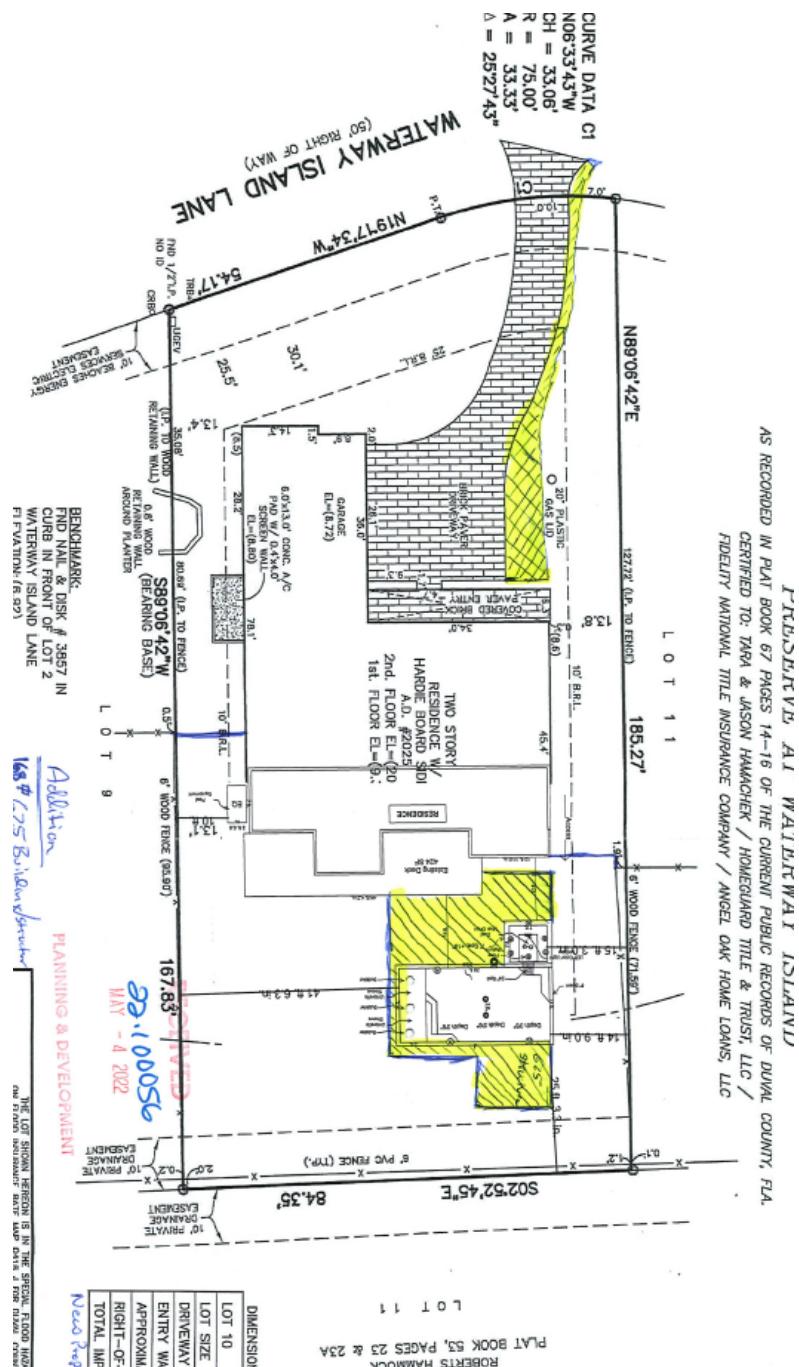


City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Existing Survey



June 21, 2022





APPLICATION FOR VARIANCE

BOA No.

HEARING DATE

22-100056

6-21-22

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.

MAY - 4 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Jason Hamachek Telephone: (727) 692-2882
 Mailing Address: 2025 Waterway Island Ln E-Mail: Jasonhamachek@gmail.com
Jacksonville Beach FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Jason Hamachek Telephone: _____
 Mailing Address: 2025 Waterway Island Ln E-Mail: _____
Jacksonville Beach FL 32250

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

VARIANCE DATA

Street address of property and Real Estate Number: 2025 Waterway Island Lane, Lot 10
 Legal description of property (Attach copy of deed): Single Family Residence
 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).
Increase of impervious lot coverage from 35% to 41.5% to accomodate pool deck on existing pool.
addition of 625 accessory structure to backyard, and expansion of driveway to enable ability to park in garage

AFFIDAVIT

I, Jason P. Hamachek, 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

Jason P. Hamachek

PRINT APPLICANT NAME

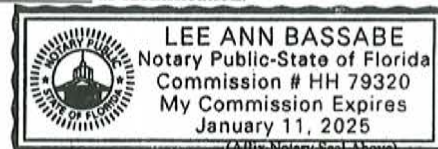
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3rd day of May, 2022, by Jason P. Hamachek, 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-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (s):
34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for the expansion of an existing driveway, addition of a swimming pool paver deck and construction of an accessory structure at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No.

22-100056

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.

MAY - 4 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	Lot size is 84'W and not the 90'W standard for RS1 zoning. Back of property also accomodates a neighborhood drainaige swale
Special circumstances and conditions do not result from the actions of the applicant.	YES	Home was purchased from builder/investor and current homeowners did not decide on initial home build footprint which meets 35% lot coverage threshold and thus does not currently allow for addition of pool deck. House was purchased under the belief from seller that a pool + deck could be installed
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 homes on Waterway Island have been granted variance to exceed > 35% lot coverage. Additionally, the homes on west side / marsh side of Waterway Island enjoy the benefit of the lot coverage calculation taking into consideration unbuildable marsh land and thus have limitless ability to add impervious 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	Depth of lot is constricted by drainage swale and width is 6' short of RS1 zone requirement
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	Additional 6.5% needed for a total of 41.5% impervious lot coverage
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	Addition of 625 accessory structure, slip resistant paver deck, and small driveway expansion will not produce excess storm water that could not be captured on the property or by existing storm water / flood mitigation mechanisms (pumps, tanks) that have been installed on Waterway Island Lane

Prepared by and record & return to:
HomeGuard Title & Trust, LLC
12646 San Jose Boulevard, Suite 105
Jacksonville, Florida 32223
File Number: JV200321

RECEIVED
22-100056
MAY - 4 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this November 13, 2020 A.D. By **Bella Riva Development LLC, a Florida limited liability company**, whose address is: 1180 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082, hereinafter called the grantor, to **Tara Hamachek and Jason Hamachek, wife and husband**, whose address is: 2025 Waterway Island Ln., Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable 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 10, Preserve at Waterway Island, according to the map or plat thereof, as recorded in Plat Book 67, Page(s) 14, 15 and 16, of the Public Records of Duval County, Florida.

Parcel ID Number: **177729-8045**

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, easements and reservations of record, if any, but such reference shall not act to re-impose same, and taxes accruing subsequent to December 31, 2019.

Prepared by and record & return to:
HomeGuard Title & Trust, LLC
12646 San Jose Boulevard, Suite 105
Jacksonville, Florida 32223
File Number: JV200321

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 _____

**Bella Riva Development, LLC, a Florida limited liability
company**

_____(Seal)
By: Joel Cooper
Its Manager

Witness Printed Name _____

State of Florida
County of _____

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this ____ day of November, 2020, by Joel Cooper, the Manager of Bella Riva Development LLC, a Florida limited liability company, on behalf of the company, who is/are personally known to me or who has produced a valid drivers license as identification.

Notary Public
Print Name: _____

My Commission Expires: _____

PROPOSED

MAP SHOWING BOUNDARY SURVEY OF LOT 10 AS SHOWN ON MAP OF PRESERVE AT WATERWAY ISLAND

AS RECORDED IN PLAT BOOK 67 PAGES 14-16 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.
CERTIFIED TO: TARA & JASON HAMACHEK / HOMEGUARD TITLE & TRUST, LLC /
FIDELITY NATIONAL TITLE INSURANCE COMPANY / ANGEL OAK HOME LOANS, LLC

HAMACHEK

12-10-12



Epic Pools, Inc.

1820 State Rd. 13 N, Suite 3
St. Johns, FL 32259
(O) 904-417-5100
www.epicpool.com
info@epicpool.com

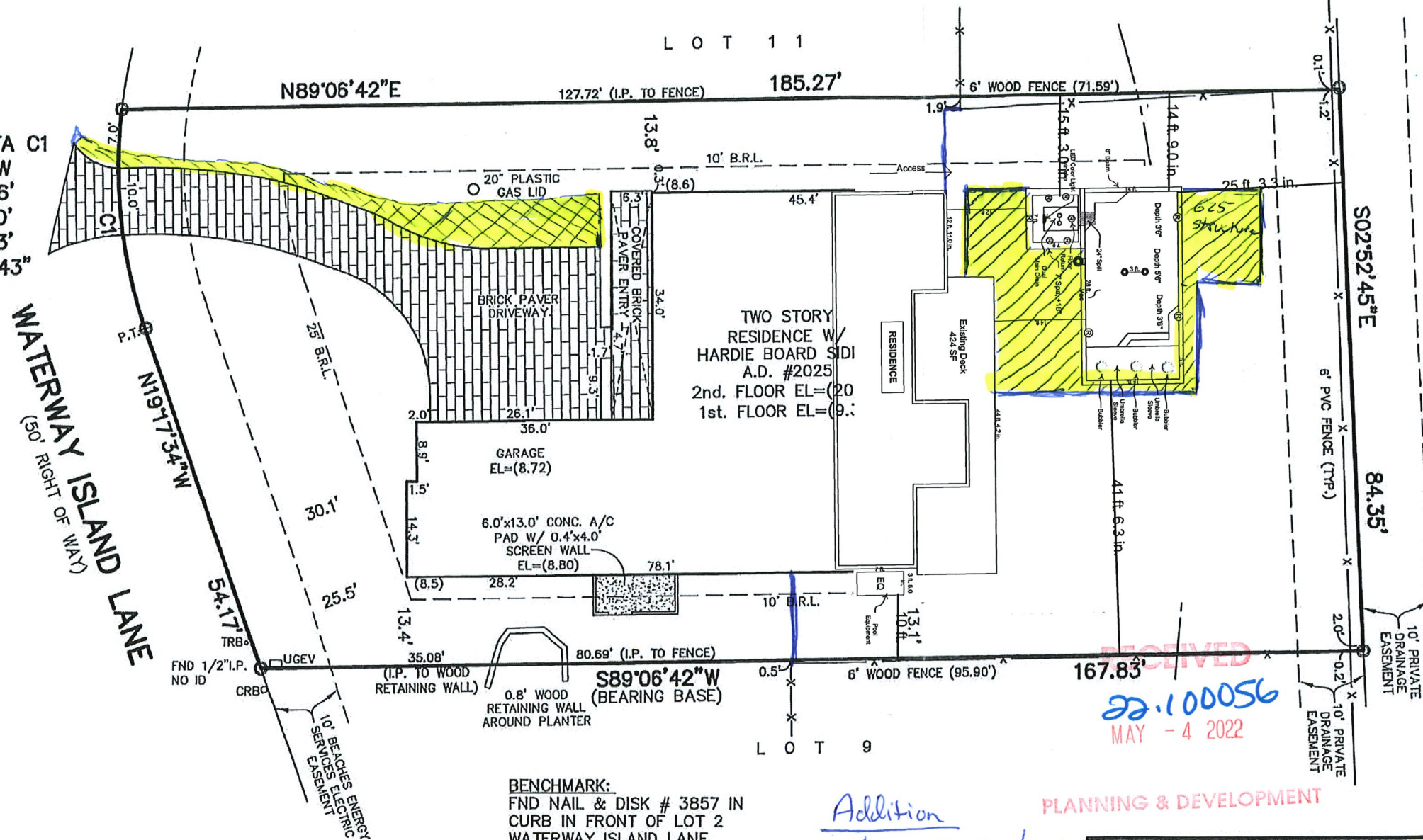
Hamachek Family
2025 Waterway Island Lane
Jacksonville, FL 32250

POOL: 392 SF / 84 LF
SPA: 49 SF / 28 LF
2 3/8" Coping Only
NO DECK

ROBERTS HAMMOCK
PLAT BOOK 53, PAGES 23 & 23A

LOT 11

CURVE DATA C1
N06°33'43"W
CH = 33.06'
R = 75.00'
A = 33.33'
Δ = 25°27'43"



DIMENSIONS SHOWN HEREON ARE PER FINAL SURVEY

LOT 10	
LOT SIZE	15,121± SQ. FT.
DRIVEWAY TO R/W	1,197± SQ. FT.
ENTRY WALK	0± SQ. FT.
APPROXIMATE SIDEWALK	0± SQ. FT.
RIGHT-OF-WAY LENGTH	87.51 FT.
TOTAL IMPERVIOUS COVERAGE	5,283± SQ. FT. 35%

New Proposed Total - 6,236 sqft 41.3%

BENCHMARK:
FND NAIL & DISK # 3857 IN
CURB IN FRONT OF LOT 2
WATERWAY ISLAND LANE
ELEVATION: (6.92)

ELEVATIONS SHOWN HEREON
REFER TO NGVD OF 1929

LEGEND

- DENOTES FOUND 1/2" IRON PIPE; LB #3672 UNLESS OTHERWISE NOTED
- TRB - DENOTES TELECOM RISER BOX
- CRB - DENOTES CABLE RISER BOX
- UGEV - DENOTES UNDERGROUND ELECTRIC VAULT

NOTE:

SIDE/FRONT BUILDING TIES ARE TO THE FOUNDATION.

FINAL; W.O.# 185695; 10-27-2020 (FIELD)
FOUNDATION, F.F.E.; W.O.# 178308; 12-04-19 (FIELD)
LOT & HOUSE STAKE OUT (GOOD-SET F.F.E.); W.O.# 177775; 11-13-19 (FIELD)
BOUNDARY & TOPOGRAPHIC SURVEY; W.O.# 175039; 08-06-19 (FIELD)

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN
ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PLANNING & DEVELOPMENT

Addition
168 # 625 Building/structure
519 # Paver Pool Decking
266 # Driveway
Total 953 #

UNDERGROUND ENCROACHMENTS NOT LOCATED
THE LOT SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONES "X" & "AE" (EL 6) AS SHOWN
ON FLOOD INSURANCE RATE MAP 0416 J FOR DUVAL COUNTY, FLORIDA, F.I.R.M. INDEX DATE 11-02-18

ALL AMERICAN SURVEYORS OF FLORIDA, INC.
LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA 32217-1504 (278-0088) - LICENSED LAND BUSINESS NO. 3857

Legend

(TYP.) = TYPICAL
FND. = FOUND
CONC. = CONCRETE
MON. = MONUMENT
I.P. = IRON PIPE
I.R. = IRON ROD
CH = CHORD
ARC LENGTH
RAD. = RADIAL
CALC. = CALCULATED
DEED = DEED
PLAT = PLAT
RADIAL = RADIAL
CEN. LINE = CENTER LINE
R/W = RIGHT-OF-WAY
(A) = FENCE
(W) = WITNESS

P.R.M. = PERMANENT REFERENCE MONUMENT
P.T. = POINT OF TANGENCY
P.C. = POINT OF CURVE
P.R.C. = POINT OF REVERSE CURVE
P.E.C. = POINT OF COMPOUND CURVE
B.L. = BUILDING RESTRICTION LINE
F.P.M. = FLORIDA POWER & LIGHT
A/C = AIR CONDITIONER
I.D. = IDENTIFICATION
N.V.D. = NATIONAL GEODETIC VERTICAL DATUM
N.A.V.D. = NORTH AMERICAN VERTICAL DATUM
N.T.S. = NOT TO SCALE
P.I. = POINT OF INTERSECTION
EW = EDGE OF WATER
TOB = TOP OF BANK
LB = LICENSED BUSINESS

THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027, CHAPTER 680.17-6, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL

JAMES D. HARRISON, JR., No. 2847
MICHAEL A. GARRETT, No. 6643 11/10/2020

FLORIDA REGISTERED SURVEYOR AND MAPPER

SCALE 1"=20'

DATE 05-18-19

ALL AMERICAN SURVEYORS OF FLORIDA, INC.

EXISTING

MAP SHOWING BOUNDARY SURVEY OF LOT 10 AS SHOWN ON MAP OF PRESERVE AT WATERWAY ISLAND

AS RECORDED IN PLAT BOOK 67 PAGES 14-16 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.
CERTIFIED TO: TARA & JASON HAMACHEK / HOMEGUARD TITLE & TRUST, LLC /
FIDELITY NATIONAL TITLE INSURANCE COMPANY / ANGEL OAK HOME LOANS, LLC

HAMACHEK



Epic Pools, Inc.

1820 State Rd. 13 N, Suite 3
St. Johns, FL 32259
(O) 904-417-5100
www.epicpool.com
info@epicpool.com

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CURVE DATA C1
N06°33'43"W
CH = 33.06'
R = 75.00'
A = 33.33'
Δ = 25°27'43"

WATERWAY ISLAND LANE
(50' RIGHT OF WAY)

10' BEACHES ENERGY
SERVICES ELECTRIC
EXISTING

LEGEND

- DENOTES FOUND 1/2" IRON PIPE; LB #3672 UNLESS OTHERWISE NOTED
- TRB - DENOTES TELECOM RISER BOX
- CRB - DENOTES CABLE RISER BOX
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NOTE:

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REFER TO NGVD OF 1929

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ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

RECEIVED
22-100056
MAY - 4 2022

PLANNING & DEVELOPMENT

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LOT SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONES "X" & "AE" (EL 6) AS SHOWN
ON FLOOD INSURANCE RATE MAP 0418 J FOR DUVAL COUNTY, FLORIDA, F.I.R.M. INDEX DATE 11-02-18

ALL AMERICAN SURVEYORS OF FLORIDA, INC.
LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA 32211-5904/279-0088 - LICENSED LAND BUSINESS NO. 3857

Legend

(TYP.) - TYPICAL	P.R.M. - PERMANENT REFERENCE
(FND.) - FOUND	MONUMENT
(CONC) - CONCRETE	P.T. - POINT OF TANGENCY
(MON.) - MONUMENT	P.C. - POINT OF CURVE
(IRON) - IRON PIPE	P.R.C. - POINT OF REVERSE CURVE
(L.P.) - L.P. ROD	P.C.C. - POINT OF COMPOUND CURVE
(CHD) - CHD	B.R.L. - BUILDING RESTRICTION LINE
(A/C) - AIR CONDITIONER	F.P.A.L. - FLORIDA POWER & LIGHT
(CALC) - CALCULATED	A/C - AIR CONDITIONER
(DEED) - DEED	I.D. - IDENTIFICATION
(PLAT) - PLAT	N.G.V.D. - NATIONAL GEODETIC VERTICAL DATUM
(RADIAL) - RADIAL	N.A.V.D. - NORTH AMERICAN VERTICAL DATUM
(CEN) - CENTER LINE	H.T.S. - NOT TO SCALE
(R/W) - RIGHT-OF-WAY	P.I. - POINT OF INTERSECTION
(FENCE) - FENCE	EN - EDGE OF WATER
(W) - WITNESS	T.O.B. - TOP OF BANK
	LB - LICENSED BUSINESS

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UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT
THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT
THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL
STANDARDS SET FORTH BY THE FLORIDA BOARD OF
PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO
CHAPTER 472.027 / CHAPTER 61017-6, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL

JAMES D. HARRISON, JR., No. 2847
MICHAEL A. GARRETT, No. 6643 11/10/2020

FLORIDA REGISTERED SURVEYOR AND MAPPER

SCALE 1"=20'

DATE 05-18-19

ALL AMERICAN SURVEYORS OF FLORIDA, INC.

Ref 22-100056

LeeAnn Bassabe

From: Jack Lehman <jilehman2033@gmail.com>
Sent: Saturday, June 11, 2022 10:15 AM
To: Planning Division
Cc: Jason Hamachek
Subject: BOA#22-100056

RECEIVED
via email
JUN 13 2022

PLANNING & DEVELOPMENT

We would like to go on record as supporting the variance request of Mr. Hamachek to expand the lot coverage.

We are their next door neighbors and appreciate the improvements that they have already made and are planning to make.

With the swales at the back of the lots (ours and theirs) and the way the water drains off it would not seem to pose a problem to increase the areas of coverage by 7% over the current allowance.

Sincerely,

John I. and Susan M. Lehman
2033 Waterway Island Lane, Jacksonville Beach, FL 32250