



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, July 19, 2022

6:00 PM

Council Chambers

MEMORANDUM TO:

Members of the City of Jacksonville Beach Board of Adjustment

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

CALL TO ORDER

ROLL CALL

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

Alternates: Todd Smith, Jennifer Williams

APPROVAL OF MINUTES

A. Regular Board of Adjustment Meeting held on June 21, 2022

B. Regular Board of Adjustment Meeting held on July 5, 2022

CORRESPONDENCE

OLD BUSINESS

A. **Case Number(s): BOA#22-100044**

Applicant:

Agent:

Owner: First Coast Womens Services, Inc. - Judy Weber

Property Address: 224 3rd Street North

Parcel ID: 173791-0000

Legal Description: Lot 2, Block 24, *Atlantic Park*

Current Zoning: C-1

Motion to 34-377 for no additional parking spaces in lieu of (7) seven spaces required

Consider: to allow for the use of the second floor for support offices for a medical use on the first floor of an existing commercial building

NEW BUSINESS

A. **Case Number(s): BOA#22-100069**

Applicant: Mr. Atanas Malinov

Agent: N/A

Owner: Mr. Atanas Malinov

Property Address: 1685 Lower 4th Avenue North

Parcel ID: 178012-0000

Legal Description: Lot 2, Block 8, *Pine Grove Unit No. 4*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)e, for lot coverage of 39% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1.6 feet for an existing shed in lieu of 5 feet required from the rear property line to rectify an existing nonconformity and allow for construction of a new swimming pool and paver pool deck at an existing single-family dwelling

B. **Case Number(s): BOA#22-100070**

Applicant: Kristen Vanderlinde

Agent: N/A

Owner: Kristen Vanderlinde

Property Address: 143 34th Avenue South

Parcel ID: 181548-0000

Legal Description: the Westerly 40.4 feet of Lot 15 and the Easterly portion of Lots 13 and 14, lying Easterly of a line which lies 65.0 feet Easterly of and Parallel to the Westerly line of said Lots 13 and 14, Block 6, *Atlantic Shores Ocean Front Section Division "B"*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side-yard setback of 8' on either side in lieu of 10 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling, swimming pool with paver deck, and accessory structure

C. **Case Number(s): BOA#22-100071**

Applicant: Matthew Filer

Agent: N/A

Owner: Matthew Filer

Property Address: 1526 Bentin Drive South

Parcel ID: 178803-0000

Legal Description: Lot 3, Block 3, *Bentin Estates*

Current Zoning: RS-1

Motion to Consider: 34-336(e)(1)d, for no garage in lieu of a required one-car garage to allow for an addition and renovation of an existing single-family dwelling

D. **Case Number(s): BOA#22-100072**

Applicant: Stuart Palmer

Agent: Michael S. Griffith - Pillar Construction

Owner: Stuart Palmer

Property Address: 19 9th Avenue North

Parcel ID: 174521-0000

Legal Description: the Southerly 7 feet of the Easterly 50 feet of Lot 9, and the Easterly 50 feet of Lot 10, Florida Land Investment Company's Replat of Block 101, *Pablo Beach North*

Current Zoning: RM-2 (RS-3 standards)

Motion to Consider: 34-338(e)(1)c.1, for a front yard setback of 2 feet in lieu of 20 feet minimum;

Consider: and 34-339(e)(1)e, for lot coverage of 62% in lieu of 35% maximum to allow for the expansion of an existing 2nd floor front balcony at an existing single-family dwelling

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Tuesday, August 2, 2022. There are four 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

**Minutes of Board of Adjustment Meeting
held Tuesday, June 21, 2022, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

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

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh

Alternates: Todd Smith

Jeff Truhlar (absent)

John Moreland

Jennifer Williams

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

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS:

A. Case Number: BOA#22-100037

Applicant: Robert G. Bruce
Owner: Robert & Linda Bruce
Property Address: 3306 Ocean Drive
Parcel ID: 181752-0005

City of Jacksonville Beach Land Development Code Section(s): Originally heard May 3, 2022. Request for a successive application based on the required change in land use, change in intensity of use of twenty-five (25) percent.

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

Applicant: Robert Bruce, 3330 Ocean Drive South, Jacksonville Beach, stated the hardship was a nonconforming lot. Mr. Bruce submitted a site plan [on file].

Public Hearing:

The following spoke in support of the variance:

- Beverly Tremel, 3023 Ocean Drive South, Jacksonville Beach

The following submitted a group letter [on file] in support of the variance:

- Al and Terry Chipperfield, 22 3rd Avenue South, Jacksonville Beach
- Donnie Perdue, 3318 Ocean Drive South, Jacksonville Beach
- Don and Ann Casey, 3311 Ocean Drive South, Jacksonville Beach

- Sutton and Debbie McGehee, 3403 Ocean Drive South, Jacksonville Beach
- Kevin and Tamara Keegan, 3324 Ocean Drive South, Jacksonville Beach
- Steve and Beverly Tremel, 3023 Ocean Drive South, Jacksonville Beach
- Randy and Pat DeLoach, 59 34th Avenue South, Jacksonville Beach
- Lonnie Margol, 3475 Ocean Drive South, Jacksonville Beach

The following submitted an email [on file] in support of the variance:

- Harry and Deena Davis, 3315 1st Street South, Jacksonville Beach
- Gerry Williamson, 3211 Ocean Drive South, Jacksonville Beach
- Eli and Jackie George, 39 33rd Avenue South, Jacksonville Beach

Mr. Popoli clarified the Board was voting on a motion to reconsider.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve the reconsideration of BOA#22-100037 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Owen Curley, Dan Elmaleh, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

NEW BUSINESS:

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

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling with a rear patio and driveway.

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

Applicant: Oliver Kraut, 226 Tallwood Road, Jacksonville Beach, stated the hardship was a substandard lot.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100033 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – Owen Curley, Dan Elmaleh, John Moreland, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

B. Case Number: BOA#22-100052

Applicant/Owner: Nancy Soderberg
Agent: Henry B. Bonar, II - Bonar Engineering
Property Address: 3714 Duval Drive
Parcel ID: 181702-0000

City of Jacksonville Beach Land Development 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.

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

Applicant: Nancy Soderberg, 3714 Duval Drive, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

The following submitted a letter [on file] on the variance:

- Aiko Ko, 3818 Duval Drive, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100052 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – Dan Elmaleh, John Moreland, Owen Curley, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

C. Case Number: BOA#22-100055

Applicant: Dakota Briggs

Agent: Hunter Faulkner, Jimerson Birr, P.A.
Property Address: 470 6th Avenue South
Parcel ID: 176331-0010

City of Jacksonville Beach Land Development 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.

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

Agent: Hunter Faulkner, 1 Independent Drive, Suite 1400, Jacksonville, stated the hardship was a nonconforming lot which was substandard in width and area.

A discussion ensued about a rear accessory structure.

Public Hearing:

The following submitted an email [on file] in opposition to the variance:

- Irene Morcos and Michael Hopkins, 467 7th Avenue South, Jacksonville Beach

Mr. Faulkner addressed the email submitted.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100055, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion continued about the accessory structure.

Roll Call Vote: Ayes – Dan Elmaleh, John Moreland, Owen Curley, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

D. Case Number: BOA#22-100056

Applicant/Owner: Jason Hamachek
Property Address: 2025 Waterway Island Lane
Parcel ID: 177729-8045

City of Jacksonville Beach Land Development 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.

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

Applicant: John Hamachek, 2025 Waterway Island Lane, Jacksonville Beach, stated the hardship was a nonconforming lot. Mr. Hamachek submitted a site plan [on file].

A discussion ensued about the lot coverage and fencing.

Public Hearing:

The following spoke in opposition to the variance:

- Tony Davenport, 55 Tallwood Road, Jacksonville Beach. Mr. Davenport provided a copy of a handout to the Board.

The following submitted an email in support of the variance:

- John and Susan Lehman, 2033 Waterway Island Lane, Jacksonville Beach

The following spoke in support of the variance:

- Travis Smith, 2009 Waterway Island Lane, Jacksonville Beach
- John Pouk, 2002 Waterway Island Lane, Jacksonville Beach

Mr. Hamachek acknowledged Mr. Davenport's concerns.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100056, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – Owen Curley, Todd Smith, Alexi Gonzalez
Nays – John Moreland, Dan Elmaleh

The motion passed 3-2.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, July 5, 2022, at 6:00 P.M. There are two scheduled cases.

Mr. Popoli noted a special meeting would be held on Tuesday, July 12, 2022.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 8:22 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT

**Minutes of Board of Adjustment Meeting
held Tuesday, July 5, 2022, at 6:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 6:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh (absent)

Jeff Truhlar

John Moreland

Alternates: Todd Smith

Jennifer Williams (absent)

Senior Planner Christian Popoli and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

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

- June 7, 2022

CORRESPONDENCE: None

OLD BUSINESS:

A. Case Number: BOA#22-100044

Applicant/Owner: First Coast Women's Services, Inc. - Judy Weber

Property Address: 224 3rd Street North

Parcel ID: 173791-0000

City of Jacksonville Beach Land Development Code Section(s): 34-377 for no additional parking spaces in lieu of (7) seven spaces required to allow for the use of the second floor for support offices for a medical use on the first floor of an existing commercial building.

Senior Planner Christian Popoli stated the applicant requested an additional deferral due to the previous applicant withdrawing their contract.

Motion: It was moved by Mr. Curley, and seconded by Mr. Truhlar, to defer BOA#22-100044 to the next scheduled meeting.

In a voice vote, the motion passed unanimously.

NEW BUSINESS:

A. Case Number: BOA#22-100063

Applicant/Owner: Tyrone Robinson

Agent: Bob Hamil - Henderson Pools

Property Address: 1457 Eastwind Drive North

Parcel ID: 179459-3020

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)e, for lot coverage of 44% in lieu of 35% maximum; and 34- 373(d) for a driveway setback of zero '0' feet in lieu of 5 feet minimum along the southern property line, to allow for construction of a new swimming pool and pool deck and rectify existing driveway non-conformities at an existing single-family dwelling.

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

Applicant: Rebecca and Tyrone Robinson, 1457 Eastwind Drive North, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

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

Motion: It was moved by Mr. Curley, and seconded by Mr. Truhlar, to approve BOA#22-100063 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, John Moreland, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

B. Case Number: BOA#22-100064
Applicant/Owner: Edward W. Lane
Property Address: 115 34th Avenue South
Parcel ID: 181555-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a side-yard setback of 6 feet in lieu of 10 feet minimum; 34-336(e) (1)e, for lot coverage of 43% in lieu of 35% maximum; and 34-373(f), for no paved access to the garage in lieu of paved wheel strips all to allow for construction of a new swimming pool deck, exterior stairs, and a non-standard driveway design at an existing single-family dwelling.

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

Applicant: Edward Lane, 115 34th Avenue South, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

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

Motion: It was moved by Mr. Curley, and seconded by Mr. Truhlar, to approve BOA#22-100064 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Owen Curley, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, July 12, 2022, at 6:00 P.M. to address the Special Magistrate's findings for condos at 22 10th Avenue South.

Mr. Popoli noted the Height Limit Community Open House would be held on July 11, 2022, at 5:30 P.M.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 6:29 P.M.

Submitted by: Lauren Loria
Administrative Assistant

The minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



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BOA#22-100069

Zoning: RS-1
RE: 178012-0000
Legal: Lot 12, Block 8 Pine Grove Unit 4
Address: 1685 Lower 4th Avenue North

Request

Section(s): 34-336(e)(1)e, for lot coverage of 39% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1.6 feet for an existing shed in lieu of 5 feet required from the rear property line to rectify an existing nonconformity and allow for construction of a new swimming pool and paver pool deck at an existing single-family dwelling

Existing Conditions

The subject property is legal a nonconforming lot of record (circa 1946) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The existing single family home, built in 2019, and all existing accessory uses, combine to equal 35% lot coverage currently. The subject lot is 75 feet in width, 107 feet in depth, with a total area of 8,245 square feet. The home was purchased in 2022 by the current owner. There is currently a small shed in the rear of the property which is located only 1.6 feet from the rear property line. This is an existing nonconformity.

No previous variances, no active code cases.

Staff Analysis

The current lot is substandard in both width and overall lot area. The exiting home does meet all required setbacks, though the shed in the rear is closer to the rear property line then required by code. The lot is only 75 feet in width and roughly 1,700 square feet smaller than the minimum lot size. The applicant is requesting 39% lot coverage, which when extrapolated to a full sized lot, would only constitute 32% lot coverage. The intent of the request is to both rectify the exiting shed setback nonconformity, as well as allow for the construction of a new pool and associated pool deck. Though not clearly indicated on the site plan, the pool will only have a coping of 8 inches, meaning the rear setback for the pool will meet the minimum 5 foot accessory use setback required by code.



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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 the existing shed is a nonconformity with regards to setbacks.

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 homeowner purchased the property with the existing nonconforming shed and the lot is a platted lot of record that is substandard in both area and width when platted in 1941.



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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. At a minimum, the existing nonconformity would not confer any special privilege. The modest increase in lot coverage would also allow for the continued use and investment in an existing home through improvements and additions, a common right enjoyed by other homeowners in the zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing home has nonconformities that must be rectified for the existing and contained use and reinvestment in the home. The ability to add onto the house is a common right enjoyed by homeowners in the RS-1 district, and the undersized lot creates a real hardship to achieve that goal.

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 construct the new pool and pool deck as well as address existing nonconformities. The request includes both rectifying existing nonconforming accessory use setbacks, and also adding only 4% lot coverage increase, as the existing home and improvements to the lot total 35% currently.

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.

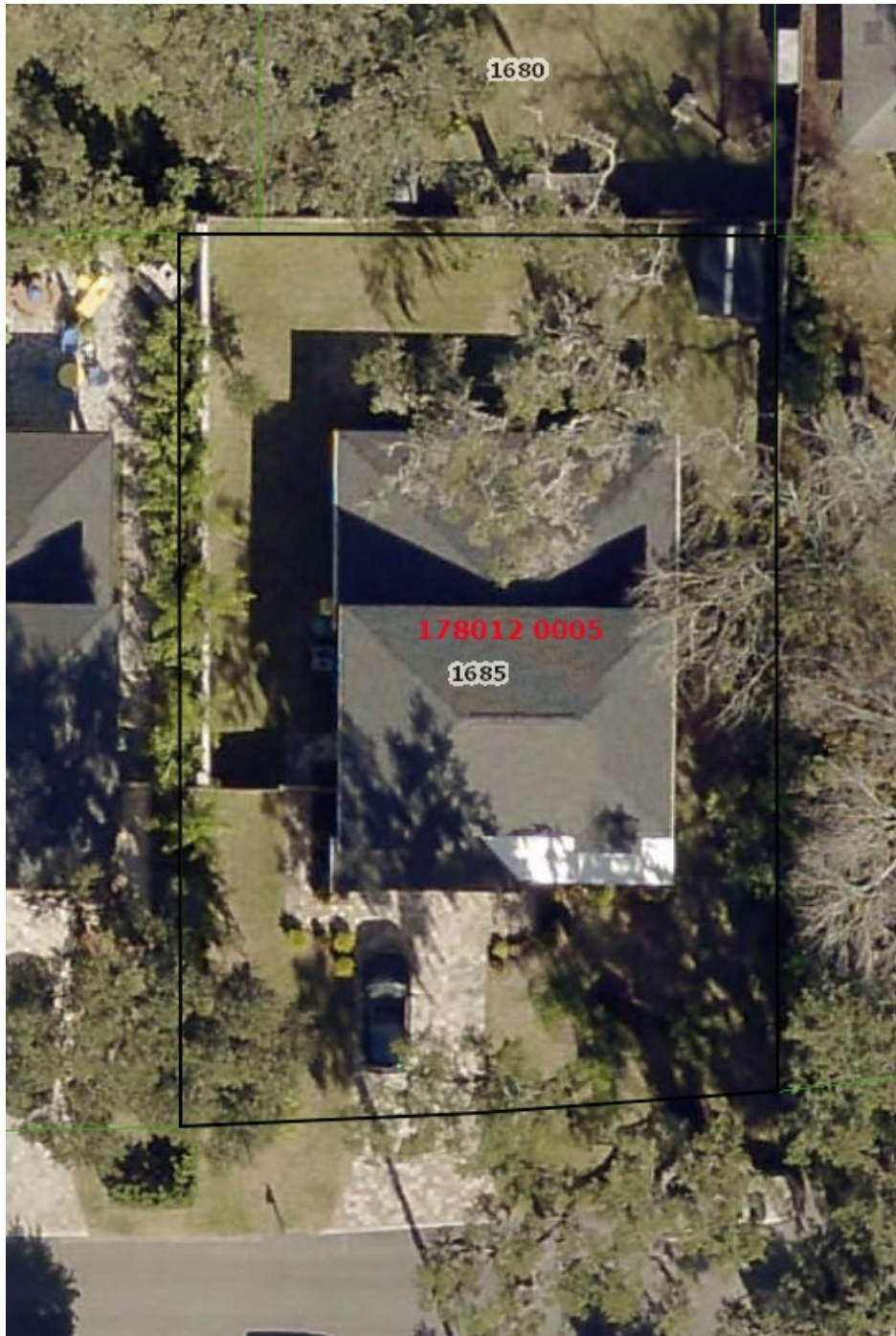


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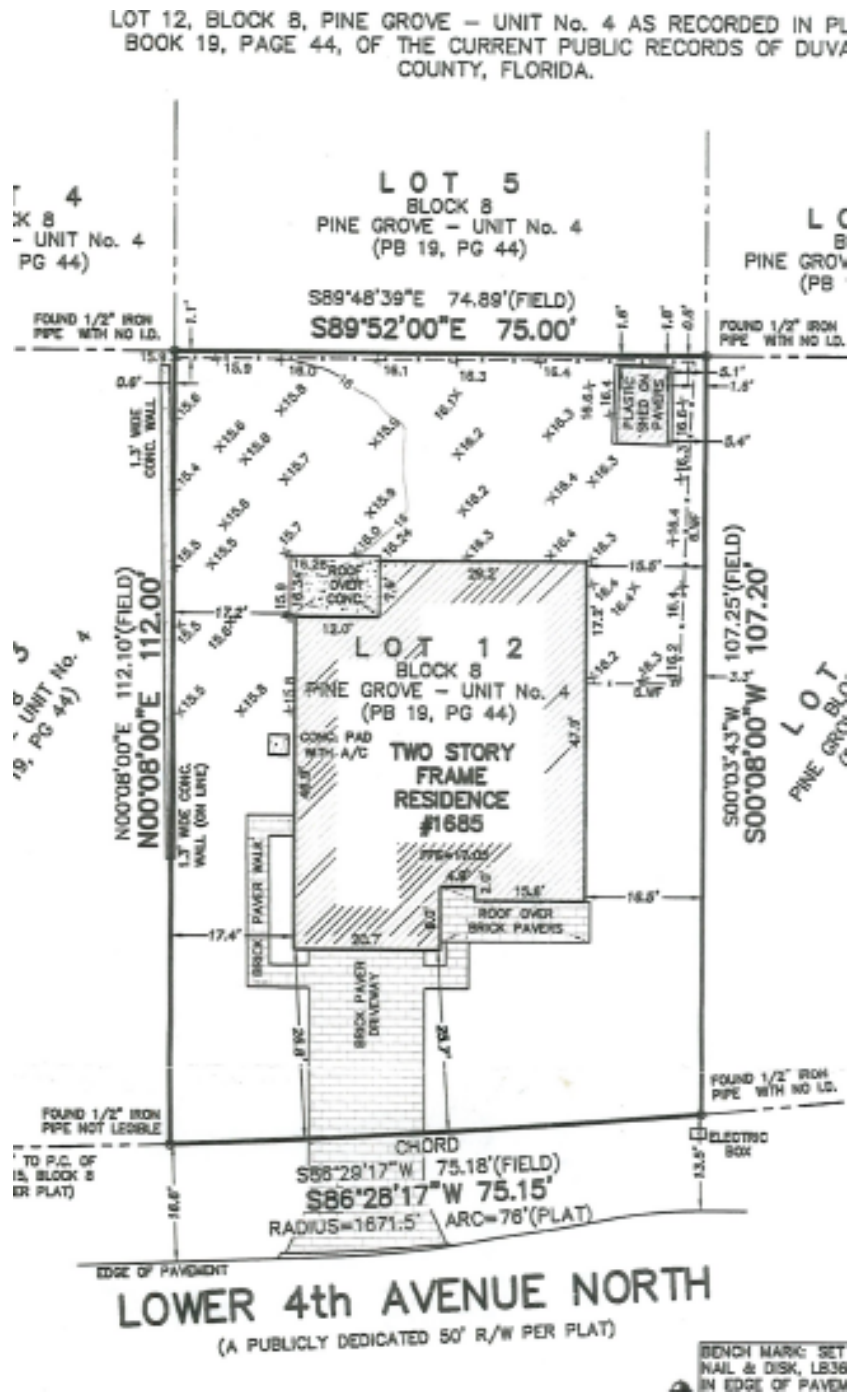
Staff Recommendation

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#22-100069**

Location Map (property boundaries are representative only)



Existing Survey





APPLICATION FOR VARIANCE

BOA No.

22-100069

HEARING DATE

7.19.22

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

REQUIRED DOCUMENTATION

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

RECEIVED

JUN - 1 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: ATANAS MALINOV Telephone: 2035500073
 Mailing Address: 15551 Donnington Dr E-Mail: amalinov@gmail.com
Charlotte NC 28277
 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: 1685 Lower 4th Ave N
 Legal description of property (Attach copy of deed): single family
 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).

- backyard pavers lot coverage do install pool deck lot coverage of 39%
- accessory setback 4' 8"

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.

APPLICANT SIGNATURE

PRINT APPLICANT NAME

DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of June, 2022, by Atanas Malinov, who is personally known to me or produced North Carolina Driver License as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME

CHANDRA MEDFORD
 Commission No. GG 283199
 Expires December 21, 2022
 Notary Public State of Florida

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION:

RS-1

FLOOD ZONE:

X

CODE SECTION (s):

34-336(e)(1)e, for lot coverage of 39% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of 1.6 feet for an existing shed in lieu of 5 feet required from the rear property line to rectify an existing nonconformity and allow for construction of a new swimming pool and paver pool deck at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100069

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	Lot is too small
Special circumstances and conditions do not result from the actions of the applicant.	Correct	I bought the house with this lot & coverage
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	No special privileges adding a small paved deck
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	Neighbors have pools & decks
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	deck is small from house to pool
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	No adverse effects on adjacent parcels



SUNBELT
TITLE AGENCY

RECEIVED
22-100069
JUN - 1 2022

Prepared by: Neil Chand
Sunbelt Title Agency
Return to: 1715 N. Westshore Blvd., Suite 190
Tampa, FL 33607
File Number: 1770422-01133

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Warranty Deed

This Indenture, made this 10th day of March, 2022, between Thomas C. Amond III and Christine M. Amond, Husband and wife, whose post office address is 1685 Lower 4TH Ave N Jacksonville Beach, FL 32250 hereinafter called the Grantor, and Atanas Malinov and Maria Malinova husband and wife, and Dora Malinova a single woman, whose post office address is: 15551 Donnington Drive Charlotte, NC 28277, hereinafter called the Grantee.

(Wherever used herein the terms "Grantor" and "Grantee" include the parties to this instrument and their heirs, legal representatives and assignees of individuals, and assigns of corporations.)

Witnesseth: the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged by these presents does grant, bargain and sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situated in Duval County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to: Restrictions, limitations, conditions, reservations, covenants and easements of record, if any, all applicable zoning ordinances, and taxes for the current year and all subsequent years.

Together with all the tenements, hereditament and appurtenances thereto belonging or in otherwise appertaining.

To Have and to Hold the same in fee simple forever and the Grantor hereby covenants with said Grantee that it 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 that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of any and all persons whomsoever.

In Witness Whereof the Grantor has caused these presents to be executed in his/her/their/its name, and if Grantor is a corporation, its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

This Deed so requires, the use of any gender shall be deemed to include the use of the singular shall include the plural.

and delivered in our presence:

Barbara Venier

Witness: (Signature)

Print Name: Barbara Venier

David Venier

Witness: (Signature)

Print Name: David Venier

State of Texas

County of Bastrop

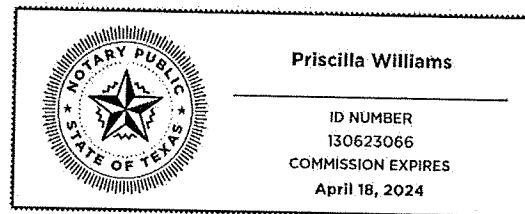
The Foregoing Instrument was acknowledged before me by means of [] physical presence or [✓] online notarization, this 6th day of January 2022 by Christine M Amond, who: [] is personally known to me or [✓] produced DRIVER LICENSE as identification.

Notary Public:

Signature: Priscilla Williams

Print Name: Priscilla Williams

My commission expires: 04/18/2024



Notarized online using audio-video communication

1685 Lower 4th Avenue N Jacksonville Beach, FL 32218
File No: 1770421-10849

EXHIBIT "A"

Lot 12, Block 8, PINE GROVE – UNIT NO. 4, according to the plat thereof, recorded in Plat Book 178012 of the Public Records of Duval County, Florida.

Parcel Identification Number: 178012-0005

PROPOSED

MAP SHOWING SURVEY OF

LOT 12, BLOCK 8, PINE GROVE - UNIT No. 4 AS RECORDED IN PLAT
BOOK 19, PAGE 44, OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.

LOT 4
BLOCK 8
PINE GROVE - UNIT No. 4
(PB 19, PG 44)

LOT 5
BLOCK 8
PINE GROVE - UNIT No. 4
(PB 19, PG 44)

LOT 6
BLOCK 8
PINE GROVE - UNIT No. 4
(PB 19, PG 44)

FOUND 1/2" IRON
PIPE WITH NO I.D.

S89°48'39"E 74.89'(FIELD)
S89°52'00"E 75.00'

FOUND 1/2" IRON
PIPE WITH NO I.D.

PROPOSED POOL
EQUIPMENT PAD
DISTANCE TO
POOL = 23 FT

NOTE: SETBACK DISTANCES ARE
MEASURED FROM WATERS EDGE

NEW POOL

NEW DECK

TWO STORY
FRAME
RESIDENCE
#1685

ROOF OVER
BRICK PAVERS

BRICK PAVER
DRIVEWAY

0 10 20 40
SCALE: 1" = 20'

LEGEND:

WF DENOTES WOOD FENCE
PB DENOTES PLAT BOOK
PG DENOTES PAGE
LB DENOTES LICENSED BUSINESS
PC DENOTES POINT OF CURVATURE
CONC. DENOTES CONCRETE

RECEIVED
22-100069
JUN - 1 2022

PLANNING & DEVELOPMENT

LOWER 4th AVENUE NORTH
(A PUBLICLY DEDICATED 50' R/W PER PLAT)

CHORD
S86°29'17"W 75.18'(FIELD)
S86°28'17"W 75.15'
RADIUS=1671.5' ARC=76'(PLAT)

BENCHMARK: SET MAG
NAIL & DISK, LB3672
IN EDGE OF PAVEMENT
ELEVATION = 16.93'
(NAVD 1988 DATUM)

NOTES:

- THIS IS A BOUNDARY AND LIMITED TOPOGRAPHIC SURVEY.
- BEARINGS ARE BASED ON THE WEST LINE LOT 12, BLOCK 8, BEING NORTH 00°08' EAST, AS PER PLAT.
- BENCHMARK USED IS SET MAG NAIL AND DISK AT EDGE OF PAVEMENT, HAVING AN ELEVATION OF 16.93, AND WAS ESTABLISHED BY GPS OBSERVATION USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND RUNNING TRIMBLE VRS SOFTWARE IN N.A.V.D. 1988 DATUM.
- THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.

LOT COVERAGE CALCULATIONS

LOT AREA = 8,245 SF
HOUSE = 2,237 SF (27%)
DRIVEWAY = 430 SF (5%)
WALKWAYS & STOOPS = 134 SF (2%)
EQUIPMENT PADS = 8 SF (<1%)
SHED = 92 SF (1%)
TOTAL EXISTING IMPERVIOUS = 2,901 SF (35%)
NEW POOL COPING & DECK = 330 SF (4%)
NEW EQUIPMENT PAD = 24 SF (<1%)
TOTAL ADDED IMPERVIOUS = 354 SF (4%)
TOTAL PROPOSED IMPERVIOUS = 3,255 SF (39%)

PROFESSIONAL
ENGINEER
ERICH E. REICHLE
No. 50642
STATE OF FLORIDA

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

THIS SURVEY IS NOTED
ATANAS MANOV & MARIA MALINOV.
JASON D. BARTWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING and MAPPING BUSINESS No. TB 1870

ERICH E REICHLE, PE
(904) 728-3454
13106 WEXFORD HOLLOW RD N
JACKSONVILLE, FL 32224



SITE PLAN

A NEW RESIDENCE POOL FOR
THE MALINOV FAMILY
1685 LOWER 4TH AVENUE NORTH
JACKSONVILLE BEACH, FL 32250

REVISIONS:
1.

CHECKED BY: ER
DRAWN BY: ER
DATE: 5/21/2022
SCALE: 1" = 25'

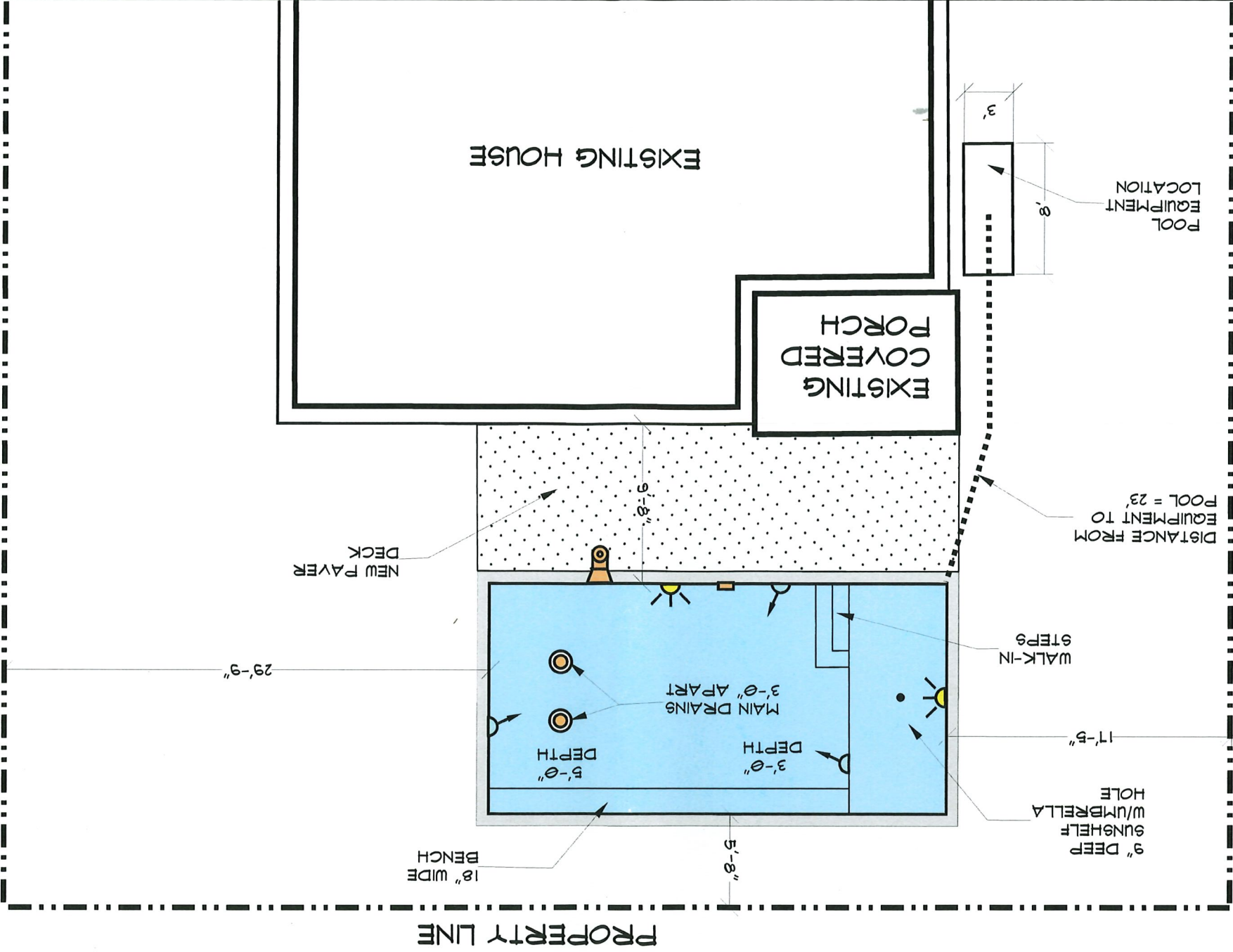
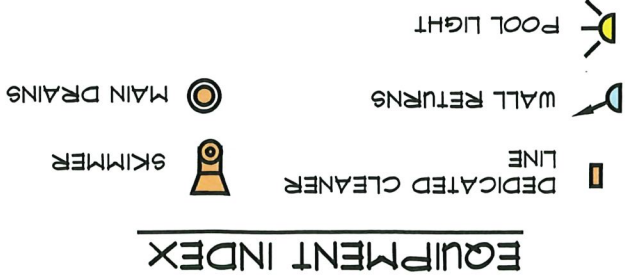
SHEET
C1.0

GENERAL NOTES:

- 1. ALL WORK SHALL CONFORM TO:
 - * FLORIDA BUILDING CODE - 1TH EDITION (2020)
 - * 2017 NATIONAL ELECTRIC CODE
- 2. CONSTRUCTION TYPE: I (NON-COMBUSTIBLE)
- 3. OCCUPANCY CLASS: GROUP R3
- 4. SPRINKLER SYSTEM TO BE REMOVED FROM POOL, DECK, U/G PLUMBING RUN, & POOL EQUIPMENT AREAS PRIOR TO LAYOUT
- 5. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS
- 6. POOL EQUIPMENT LOCATION & U/G PLUMBING RUN SUBJECT TO VARIATION. PENDING UNFORESEEN SITE CONDITIONS. LOCATION CANNOT BE MOVED CLOSER TO POOL WITHOUT REVISED TDH CALCS.
- 7. SEE OWNER FOR CONSTRUCTION ACCESS
- 8. OWNER TO PROVIDE POOL BARRIER TO MEET THE REQUIREMENTS OF FLORIDA BUILDING CODE 450.11

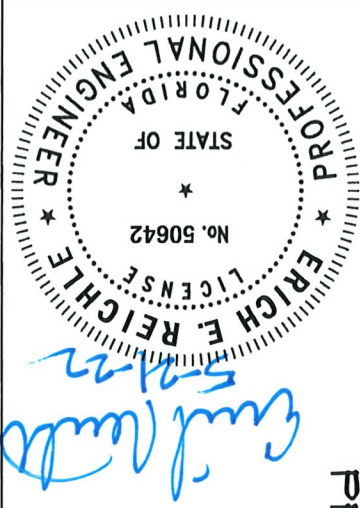
SHOTCRETE CHECKLIST:

- ☐ 1. LIGHT NICHE(S) INSTALLED & STRAIGHT
- ☐ 2. STEEL RISERS FOR GROUNDING
- ☐ 3. SPA JETS ARE AT 90 DEGREE ANGLE TO BENCH AFTER SHOT (IF APPLICABLE)
- ☐ 4. BENCHES & STEPS ARE CORRECT LOCATIONS, WIDTHS & LENGTHS
- ☐ 5. RAISED BEAM HEIGHTS MATCH PLANS (IF APPLICABLE)
- ☐ 6. CORRECT DEPTHS
- ☐ 7. CONCRETE EQUIPMENT PAD POURED (IF APPLICABLE)



POOL DATA	
POOL AREA	392 SF
POOL PERIMETER	84 LF
DECK AREA	256 SF
POOL VOLUME	9,449 GAL

PLANNING & DEVELOPMENT

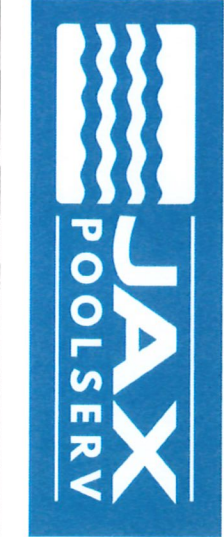


A NEW RESIDENCE POOL FOR THE MALINOV FAMILY
1685 LOWER 4TH AVENUE NORTH
JACKSONVILLE BEACH, FL 32250

REVISIONS:
1.

CHECKED BY: ER
DRAWN BY: ER
DATE: 5/21/2022
SCALE: 1/8" = 1'

SHEET
C1.1

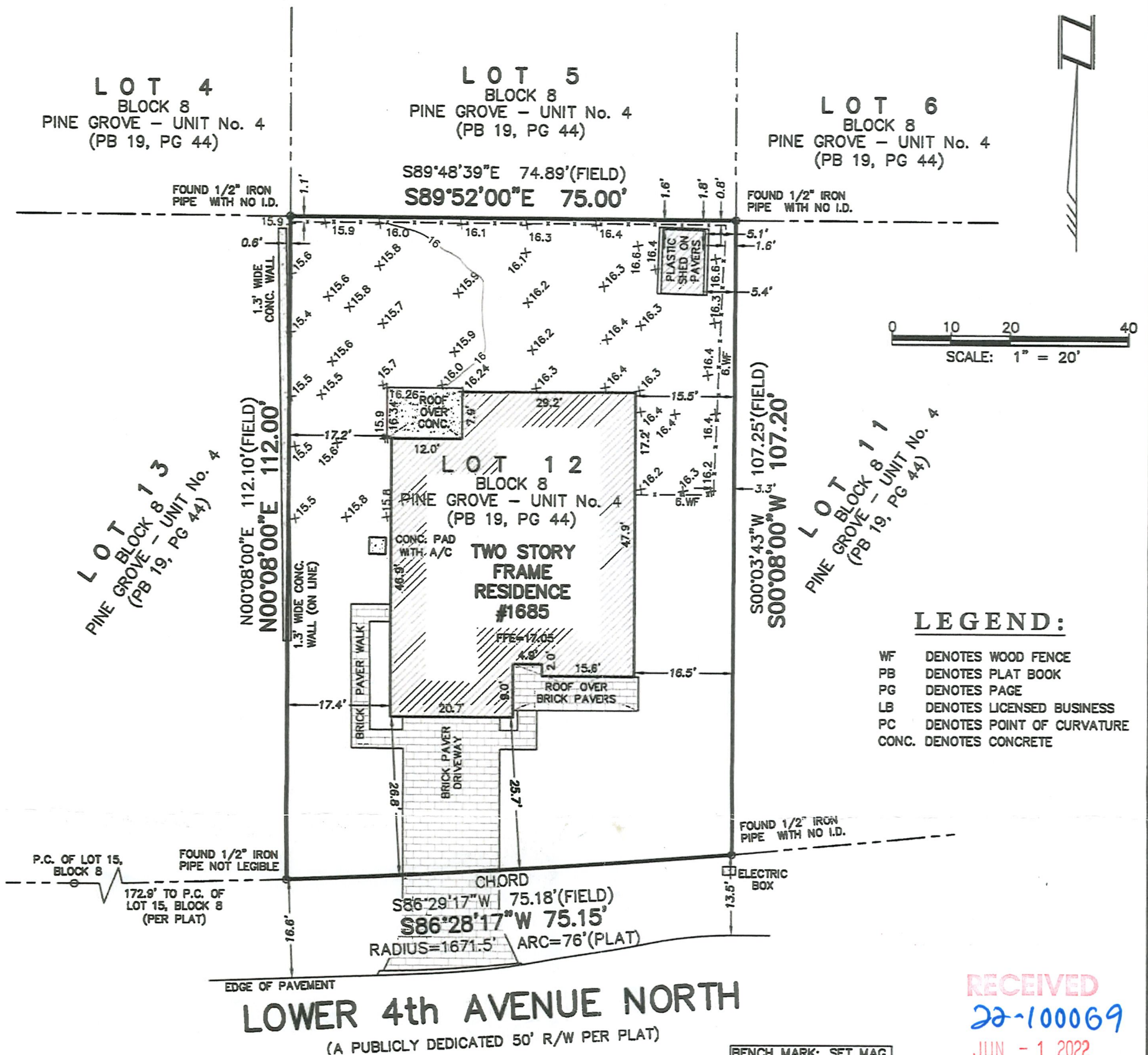


ERICH E REICHEL, PE
13106 WEXFORD HOLLOW RD N
JACKSONVILLE, FL 32224

EXISTING

MAP SHOWING SURVEY OF

LOT 12, BLOCK 8, PINE GROVE - UNIT No. 4 AS RECORDED IN PLAT
BOOK 19, PAGE 44, OF THE CURRENT PUBLIC RECORDS OF DUVAL
COUNTY, FLORIDA.



LEGEND:

WF DENOTES WOOD FENCE
PB DENOTES PLAT BOOK
PG DENOTES PAGE
LB DENOTES LICENSED BUSINESS
PC DENOTES POINT OF CURVATURE
CONC. DENOTES CONCRETE

NOTES:

1. THIS IS A BOUNDARY AND LIMITED TOPOGRAPHIC SURVEY.
2. BEARINGS ARE BASED ON THE WEST LINE LOT 12, BLOCK 8, BEING NORTH 00°08' EAST, AS PER PLAT.
3. BENCHMARK USED IS SET MAG NAIL AND DISK AT EDGE OF PAVEMENT, HAVING AN ELEVATION OF 16.93, AND WAS ESTABLISHED BY GPS OBSERVATION USING SPECTRA PRECISION SP80 L1/L2 EQUIPMENT AND RUNNING TRIMBLE VRS SOFTWARE IN N.A.V.D. 1988 DATUM.
4. THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE; THEREFORE THE UNDERSIGNED MAKES NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT OF WAYS, SETBACK LINES, AGREEMENTS, RESERVATIONS, OR OTHER SIMILAR MATTERS.
5. NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
6. NO BUILDING RESTRICTION LINES, AS PER PLAT.
7. THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0416J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

LOT COVERAGE CALC:

TOTAL LOT AREA = 8,241 Sq.ft.

RESIDENCE = 2012 Sq.ft.
FRONT PORCH = 132 Sq.ft.
REAR PORCH = 109 Sq.ft.
BRICK DRIVE = 433 Sq.ft.
PLASTIC SHED PAD = 91 Sq.ft.
BRICK WALKS = 134 Sq.ft.
A/C PAD & WALL = 19 Sq.ft.

TOTAL IMPERVIOUS AREA = 2,930 Sq.ft.

TOTAL LOT COVERAGE 35.55%

THIS SURVEY IS CERTIFIED TO:
ATANAS MALINOV & MARIA MALINOV.

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

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

CHECKED BY: _____
DRAWN BY: RLR
FILE: 2022-0398

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

DATE: APRIL 18, 2022
SHEET 1 OF 1



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

BOA#22-100070

Zoning: RS-1
RE: 181548-0000
Legal: Lot 15, Block 6, Atlantic Shores
Address: 143 34th Avenue South

Request

Section(s): 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side-yard setback of 8' on either side in lieu of 10 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling, swimming pool with paver deck, and accessory structure

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1941) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The lot is currently roughly 60 feet in width and 124 feet in depth. The overall lot area is 7,472 square feet. The intent of the request is to construct a new single family home with associated accessory uses. As of the 2019 survey there was a previous single family home on the site. Based on the provided lot coverage calculations, the previous / current home and all amenities current occupies 35.75% lot coverage. The current / previous house met the front yard setback, but was nonconforming in the side yard setbacks, sitting at roughly the same location as the proposed house.

No Previous variances, no active code cases.

Staff Analysis

The proposed new home would be built on the site of the former home. The proposed home design includes a three story home, with a two car garage and associated driveway. Additionally the plans call for a rear paver deck and associated pool, and an accessory pool house. The subject lot is narrower than the required 90 feet in width, and the previous house had side yard setbacks of roughly 8 feet on either side. A reduction in side yard setbacks is warranted, considering the lot width and the nonconforming condition of the previous structure. While the new home could conceivable meet the lot coverage requirement, the lot is substandard in area by roughly 2,500 square feet. The proposed lot coverage would be roughly 29% if the lot met the minimum 10,000 square foot lot size. Given the lot



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

depth, there is no true hardship to warrant the front yard setback reduction, and aside from the house immediately adjacent to the west, all the houses along this street appear to have a common front setback of 25 feet.

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.

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 that is substandard in both area and width when platted in 1941.



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 proposed lot coverage and side yard setbacks can be tied to specific defects in the property and therefore would not confer special privilege but rather accommodate development in a manner that consistent with the limits for a full sized lot. There is no noted hardship for the front yard setback.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. As previously noted, the lot coverage and side yard setbacks would be reasonable accommodations for the deficiencies in the subject lot, but the front yard setback is not tied to any hardship and further may have a negative impact on the adjacent properties to the east, by being more forward into the front yard setback.

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 construct a new single family home as designed. As designed the lot coverage and side yard setbacks are consistent with the restrictions of the platted lot, however, there is no compelling reason to grant the front yard setback reduction and therefore should not be considered part of the minimum request.

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

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



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#22-100070, condition the denial of the front yard setback of 20 feet in lieu of 25 feet.**

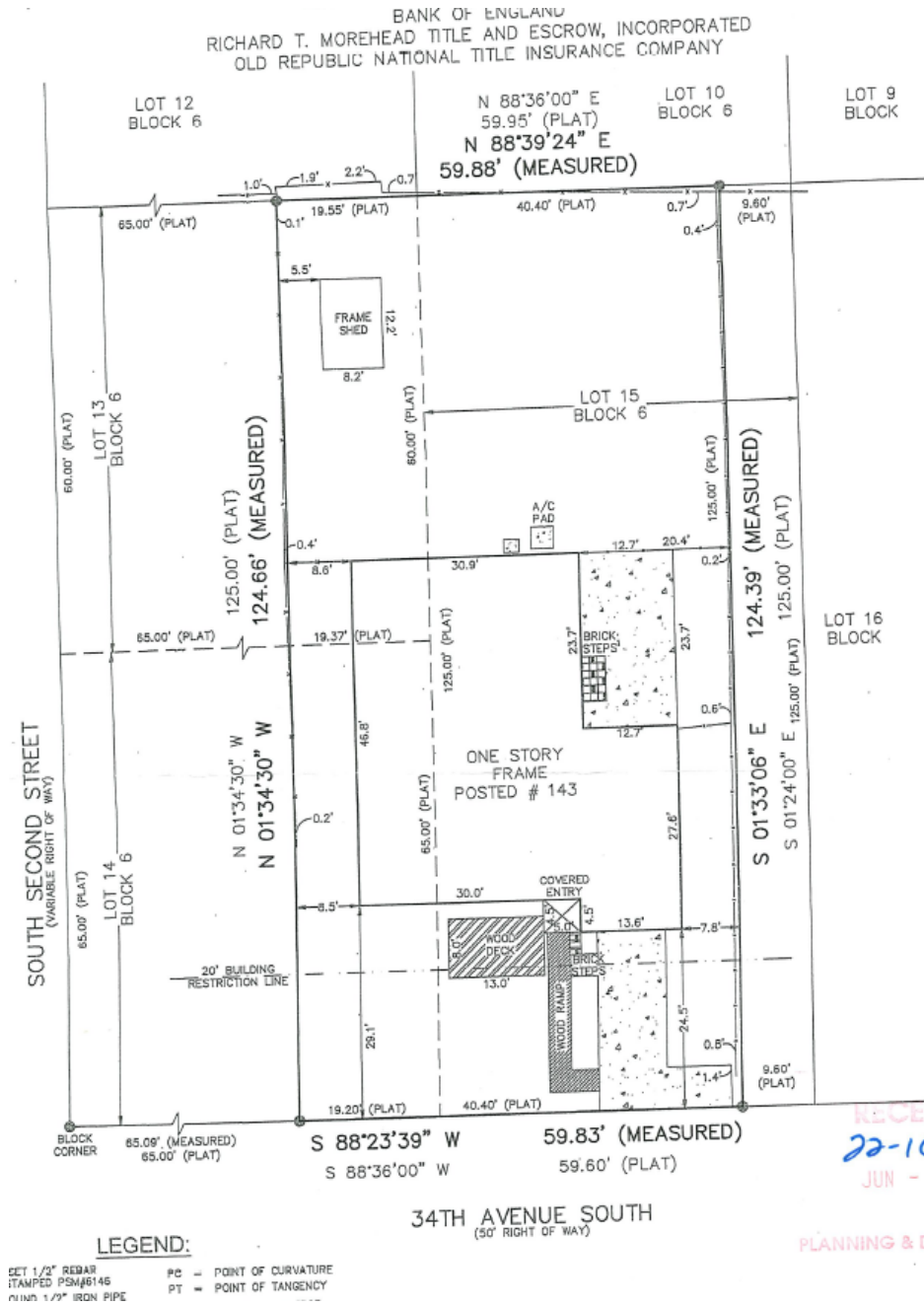
Location Map (property boundaries are representative only)



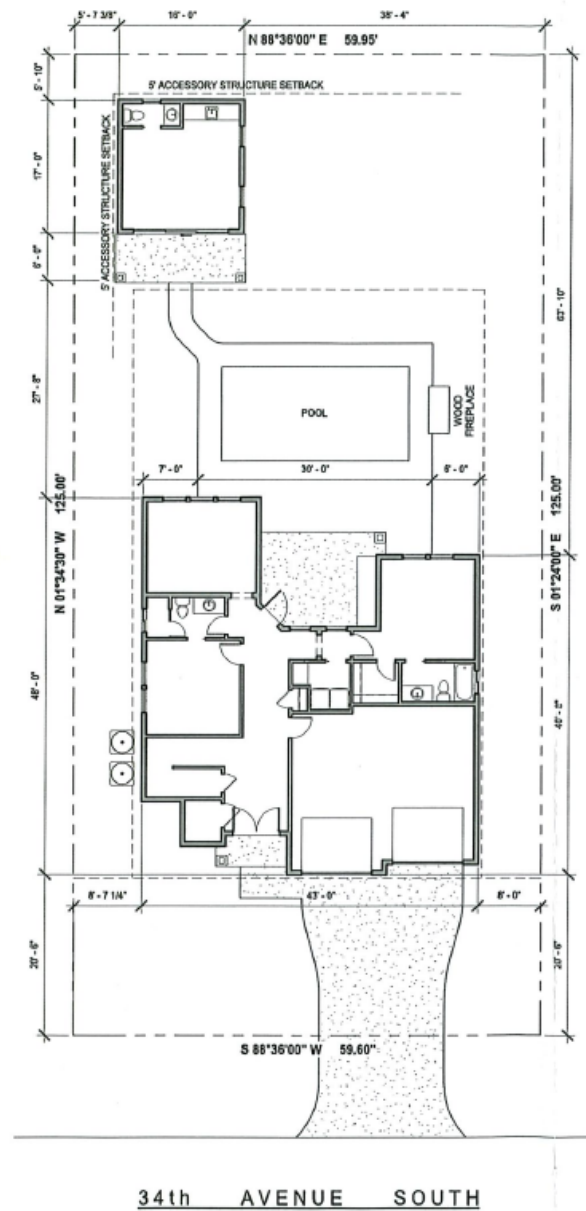


City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100070
HEARING DATE 7.19.22

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

REQUIRED DOCUMENTATION

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

JUN - 1 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Kristen Vanderlinde **Telephone:** 904-476-3025
Mailing Address: 1092 Ponte Vedra Blvd 32082 **E-Mail:** sledhouse22@gmail.com
Agent Name: N/A **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: same as applicant **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: 143 34th Avenue South, Jacksonville Beach 32250
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). We are requesting a variance for lot coverage to 40%
side yard setback of 8 feet on both sides

AFFIDAVIT

I, Kristen Vanderlinde, 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.

Kristen Vanderlinde
APPLICANT SIGNATURE

Kristen Vanderlinde
PRINT APPLICANT NAME

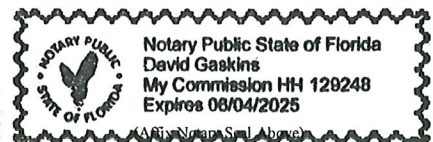
5/24/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 24th day of MAY, 2024, by Kristen Vanderlinde, who is personally known to me or produced FUDCH US3651367 5030 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: X-shaded

CODE SECTION (S):

34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side-yard setback of 8' on either side in lieu of 10 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling, swimming pool with paver deck, and accessory structure

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 22-100070

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The current lot size is too small to build our family home. We are a family of 5 and my parents will move in at some point due to health reasons. We are seeking a variance to 4% ^{40%} lot coverage. <i>The lot is also too narrow</i>
Special circumstances and conditions do not result from the actions of the applicant.	no yes	We are unaware of any special circumstances caused by us.
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 yes	The granting of this variance will not confer any special privileges to us. Based upon information, we understand several homes in the neighborhood have variances of at least 4% ^{40%} and in some cases up to 49%.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	Literal interpretation and enforcement of this code would deprive us of rights commonly enjoyed by parcels of land in the same zoning district and would be an unnecessary hardship.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	^{40%} The request for the 4% percent variance is the minimum variance to build our 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.	Yes	<i>with</i> Granting this variance will be generally consistent with the policies of the comprehensive plan and this Code. The granting of the variance will not have an adverse affect on the adjacent land.

Prepared by:
Beth Murphy
Richard T. Morehead Title & Escrow, Inc.
444 Third Street
Neptune Beach, Florida 32266

RECEIVED
22-100070
JUN - 1 2022

File Number: 19B2889

PLANNING & DEVELOPMENT

14137783
\$330000.00

General Warranty Deed

Made this March 17, 2020 A.D. By **John Lang Tabb, a single person**, whose post office address is: 533 12th Ave. N., Jacksonville Beach, Florida 32250, hereinafter called the grantor, to **Kristen M. Van der Linde and Peter P. Sledzik, wife and husband**, whose post office address is: 1092 Ponte Vedra Boulevard, Ponte Vedra Beach, Florida 32082, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable 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:

The Westerly 40.4 feet of Lot 15 and the Easterly portion of Lots 13 and 14, lying Easterly of a line which lies 65.0 feet Easterly of and parallel to the Westerly line of said Lots 13 and 14, Block Six (6), Atlantic Shores Ocean Front Section Division "B", a subdivision according to the plat thereof recorded at Plat Book 17, Page 22, in the Public Records of Duval County, Florida.

Parcel ID Number: 181548-0000

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2019.

This instrument is being executed pursuant to Power of Attorney from John L. Tabb to Kathryn Elizabeth Tabb Tomory, dated December 10, 2019, and being recorded simultaneously herewith

Prepared by:
Beth Murphy
Richard T. Morehead Title & Escrow, Inc.
444 Third Street
Neptune Beach, Florida 32266

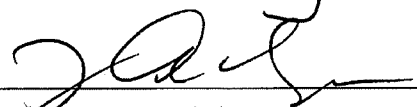
File Number: 19B2889

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 Tracey Paulsen

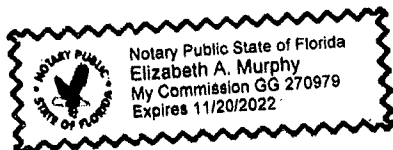


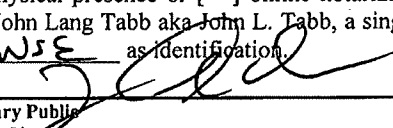
Witness Printed Name ELIZABETH A. MURPHY

John Lang Tabb
By: Kathryn Elizabeth Tabb Tomory (Seal)
John Lang Tabb aka John L. Tabb
By: Kathryn Elizabeth Tabb Tomory, as his Attorney-in-Fact
Address: 533 12th Ave. N., Jacksonville Beach, Florida 32250

State of Florida
County of Duval

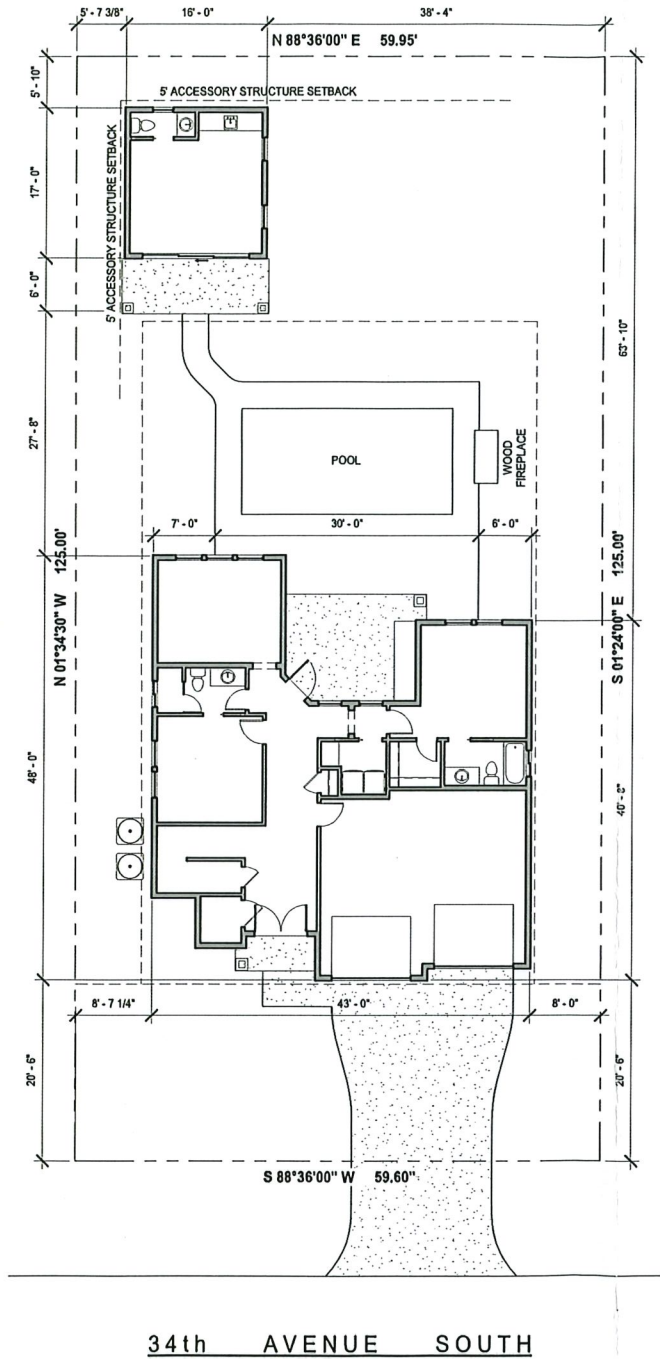
The foregoing instrument was acknowledged before me by means of X physical presence or [] online notarization this 17th day of March, 2020, by Kathryn Elizabeth Tabb Tomory, as Attorney-in-Fact for John Lang Tabb aka John L. Tabb, a single person, who is/are personally known to me or who has produced DRIVERS LICENSE as identification.





Notary Public
Print Name: _____
My Commission Expires: _____

PROPOSED



1 SITE PLAN
S01 1" = 10'-0"

SITE PLAN
for
THE SLEDZIK-VANDERLINDE RESIDENCE
at
143 34th AVENUE SOUTH
in
JACKSONVILLE BEACH, FLORIDA

RECEIVED
22-100070
JUN - 1 2022

PLANNING & DEVELOPMENT

LOT COVERAGE CALCULATIONS - NEW

TOTAL LOT	7472	100%
HOUSE FOOTPRINT	1808	24.20%
CABANA	384	5.14%
DRIVE / WALK	374	5.01%
POOL DECK	427	5.71%
POOL	288	3.85%
GREEN SPACE	4191	56.09%
PERVIOUS IMPERVIOUS	4191	56.09%
	3281	43.91%

LOT COVERAGE CALCULATIONS - EXISTING

TOTAL LOT	7472	100%
HOUSE FOOTPRINT	2088	27.95%
SHED	102	1.37%
CONCRETE DRIVE	273	3.65%
BRICK WALK	41	0.55%
WOOD RAMP	66	0.88%
WOOD DECK	101	1.35%
GREEN SPACE	4801	64.25%
PERVIOUS IMPERVIOUS	4801	64.25%
	2671	35.75%

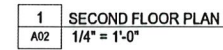
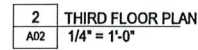


REVISIONS	ISSUE DATE
	MAY 24, 2022
DRAWING PHASE	
PRELIMINARY	
PERMIT	

UPERIOR HOME DESIGNS
OFFICE - 904-223-7544 MOBILE - 904-553-3367
BRIAN@SUPERIORHOMEDESIGNS.NET

SLEDZIK-VANDERLINDE RESIDENCE
143 34th AVENUE SOUTH
JACKSONVILLE BEACH, FLORIDA

5/19/2022 8:56:26 AM



PLANNING & DEVELOPMENT

© COPYRIGHT 2022

NOT FOR CONSTRUCTION
JOB # - 221XX

AWARD WINNING HOME DESIGNS SINCE 1987

DRAWING PHASE	ISSUE DATE
☒ PRELIMINARY	MAY 19, 2022
☐ PERMIT	

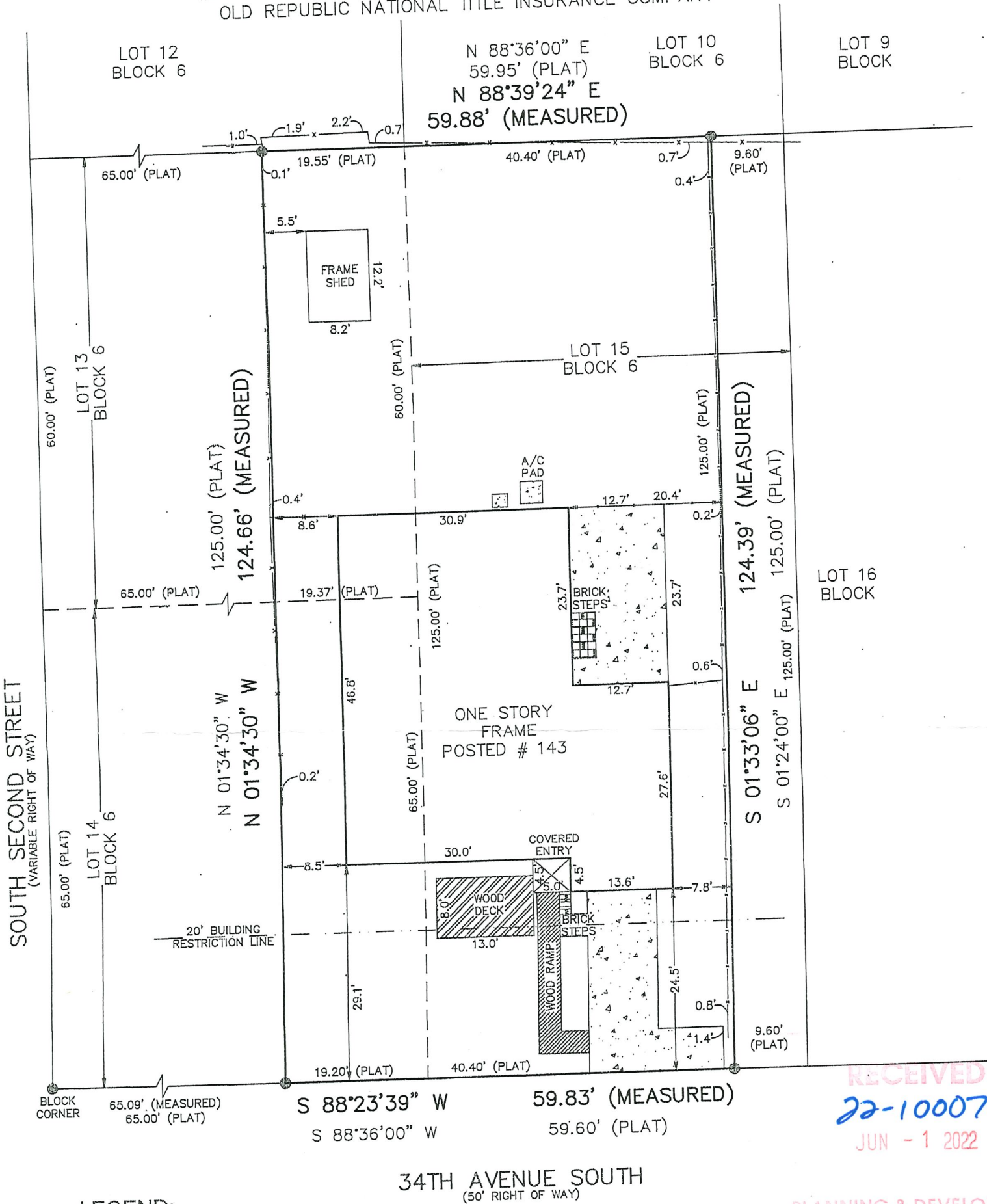
EXISTING

MAP SHOWING BOUNDARY SURVEY OF

THE WESTERLY 40.4 FEET OF LOT 15 AND THE EASTERLY PORTION OF LOTS 13 AND 14, LYING EASTERLY OF A LINE WHICH LIES 65.0 FEET EASTERLY OF AND PARRALLEL TO THE WESTERLY LINE OF SAID LOTS 13 AND 14, BLOCK SIX (6), ATLANTIC SHORES OCEAN FRONT SECTION DIVISION "B", A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED AT PLAT BOOK 17, PAGES 22, IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

JEFFREY BROWN AND AMANDA BROWN
BANK OF ENGLAND
RICHARD T. MOREHEAD TITLE AND ESCROW, INCORPORATED
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY



LEGEND:

- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- X- = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- = CONCRETE

Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

Richard T. Morehead
Title and EsCrew, Inc
444 THIRD STREET
NEPTUNE BEACH, FLORIDA, 32266
(904)-247-5147 ~ FAX (904)-247-6087

REVISIONS

DATE	DESCRIPTION

SCALE: 1" = 20'

NOTES:

- BEARINGS ARE BASED ON THE PLAT BEARING OF N 01°34'30" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "SHADED X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: NOVEMBER 02, 2018, COMMUNITY NUMBER: 120077 PANEL 049 J.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Raymond Thompson
RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA
LICENSE BUSINESS NO. 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS



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

BOA#22-100071

Zoning: RS-1
RE: 178803-0000
Legal: Lot 3, Block 3, Bentin Estates
Address: 1526 Bentin Drive South

Request

Section(s): 34-336(e)(1)d, for no garage in lieu of a required one-car garage to allow for an addition and renovation of an existing single-family dwelling

Existing Conditions

The subject property is legal a nonconforming lot of record (circa 1959) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The subject lot is 85 feet in width and 100 feet in depth with an overall area of 8,460 square feet. The subject lot currently has an existing single family home built on it, constructed in 1964. The home currently has a single car carport, and currently meets all setbacks and lot coverage. The applicant is proposing to renovate the existing home and add an addition onto the house by enclosing the existing car port.

No previous variances, no active code cases.

Staff Analysis

The subject lot is a legal nonconforming lot of record with a historically constructed home. The current home is conforming, meeting all required yard setbacks and lot coverage. The applicant wishes to expand the house with a new addition. The applicant is requesting relief from the requirement for a car port, and will provide additional driveway space to ensure adequate parking for two vehicles. The increase in lot coverage for the new driveway will result in the property increasing from 28% coverage to 31%. The request appears to be the least intensive variance to allow for the expansion of the living space of the home.

Minimum Dimensional Standards

- Minimum lot area: Ten thousand (10,000) square feet.
- Minimum lot width: Ninety (90) feet at the building line and a minimum of thirty-five (35) feet at the street.



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

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

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and area. The existing house is conforming to the dimensional standards of the code currently

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 that is substandard in both area and width when platted in 1959. The existing home was constructed in 1964.

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. Additions and renovations of existing homes allow for reinvestment in existing housing stock and is not a special privilege but furthers the goals of the comprehensive plan.



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

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The existing home would likely require some relief from the code if an addition were added to the existing home that would expand the footprint, and would result in a variance request regardless. Reinvestment and expansion of existing structures is a common right enjoyed by other owners in the same zoning district.

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

Staff **does** find that the requested variances are the minimum variance needed. The request is the least intensive request that will not result in excessive lot coverage or encroachment into any required yard setback. Further the applicant is proposing additional driveway improvement to allow the existing home to continue to meet the parking requirements for a single family 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.

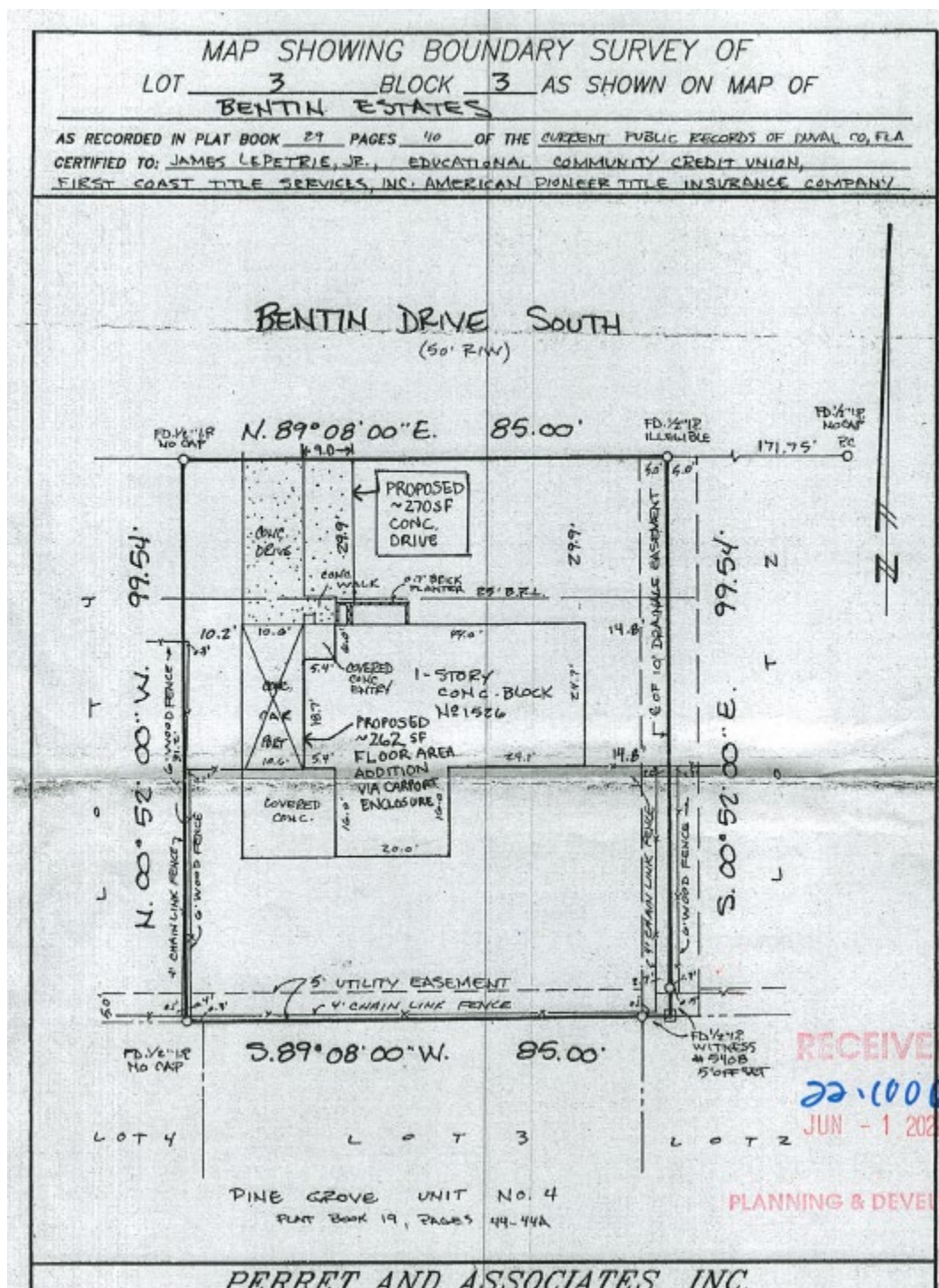
Staff Recommendation

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#22-100071.**

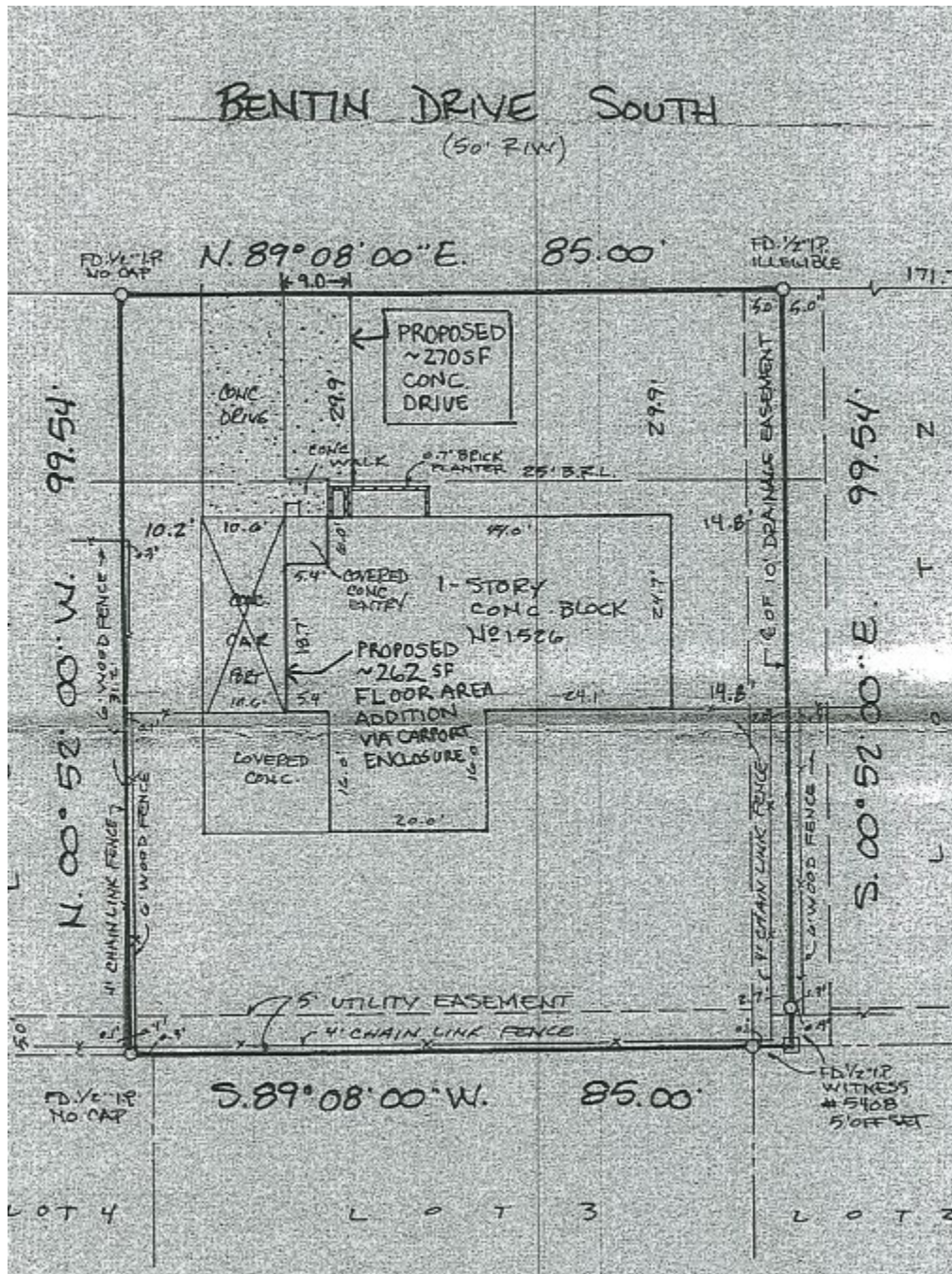
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100071
HEARING DATE 7-19-22

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

REQUIRED DOCUMENTATION

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

JUN - 1 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Matthew Filer **Telephone:** (757) 597-3137
Mailing Address: 1526 Bentin Dr S. **E-Mail:** mattfiler8@gmail.com
Jacksonville Beach, FL 32250
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Matthew Filer **Telephone:** (757) 597-3137
Mailing Address: 1526 Bentin Dr S. **E-Mail:** mattfiler8@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: 1526 Bentin Dr S. / 178803-0000
Legal description of property (Attach copy of deed): Lot 3, Block 3, BENTIN ESTATES, according to plat thereof, recorded in Plat Book 29, Page 40 Duval Co, FL
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).
Exemption of One (1) car garage required by single family dwelling units in RS-1.

AFFIDAVIT

I, Matthew Filer, 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.

Matthew Filer
APPLICANT SIGNATURE

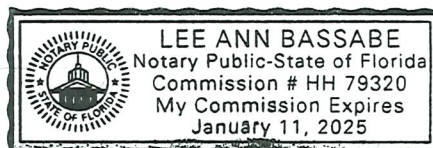
Matthew Filer
PRINT APPLICANT NAME

06/01/2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of June, 2022, by Matthew A. Filer, who is personally known to me or produced Drivers License - Florida as identification.

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



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X

CODE SECTION (S):
34-336(e)(1)d, for no garage in lieu of a required one-car garage to allow for an addition and renovation of an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100071

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The parcel of land and 1-story building are currently nonconforming to the zoning code as it does not currently have a garage and does not meet the zoning requirement of RS-1 to have at least 1,600 sf of floor area. An addition is proposed to enclose the carport and increase above the minimum 1,600 sf. However, due to the property's size and building layout, there is a hardship to both increase the floor area of the building and add a garage.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Applicant recently purchased the property in it's current state with no unpermitted actions by the applicant.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Granting of the variance will not give any special privilege to the applicant. Applicant wishes to improve on the property and bring the building floor area up to the current zoning code standards. Currently 10 out of the 22 houses on Bentin Dr S do not have garages, thus this is not a special case in the neighborhood.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Because the property is currently nonconforming, literal interpretation and enforcement of the one car garage requirement in the code, limiting property improvements, would be an unnecessary hardship of the applicant
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	An additional driveway is proposed in the site plan to ensure the off-street parking requirements are met and the variance requested is the minimum variance needed to make possible the reasonable improvement of enclosing the carport to add floor area to the current building.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting of the variance will allow the property to be improved and increase compliance with the current code by adding floor area to meet minimum requirements.

RECEIVED
22-100071
JUN - 1 2022

Prepared By and Return To:
J. Riley Williams, PLC
2141 Park Street
Jacksonville, FL 32204

PLANNING & DEVELOPMENT

Order No.: 22-0728-12

Property Appraiser's Parcel I.D. (folio) Number:
178803-0000

WARRANTY DEED

THIS WARRANTY DEED dated April 28, 2022, by 2974 Shelby Dr, LLC, a Florida limited liability company, whose post office address is 2573 Loretto Rd, Jacksonville, FL 32223, (the "Grantor"), to Matthew A Filer, a single man, whose post office address is 1526 S. Bentin Drive, Jacksonville Beach, Florida, 32250 (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 that certain land situated in County of DUVAL, State of Florida, viz:

Lot 3, Block 3, BENTIN ESTATES, according to plat thereof, recorded in Plat Book 29, Page 40, of the current public records of Duval County, Florida.

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

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

TO HAVE AND TO HOLD the same in Fee Simple forever.

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

LOT COVERAGE CALCS

$$\begin{aligned}\text{LOT AREA TOTAL} &= (85.00')(99.54') \\ &= 8460.90 \text{ SF OR } 0.19 \text{ ACRE}\end{aligned}$$

$$\text{CURRENT HOUSE} = 1507.78 \text{ SF}$$

$$\begin{aligned}\text{CURRENT CONC. PARKING/PATIO} &= (256 \text{ SF}) + (261.82 \text{ SF}) + (316.94 \text{ SF}) \\ &= 834.76 \text{ SF}\end{aligned}$$

$$\text{CURRENT LOT COVERAGE} = \frac{(1507.78 + 834.76 \text{ SF})}{8460.90 \text{ SF}} \times 100\%$$

$$= 27.69\%$$

PROPOSED

$$\begin{aligned}\text{ADDITIONAL CONC. DRIVE} &= (9.0')(30.0') \\ &= 270 \text{ SF}\end{aligned}$$

PROPOSED CARPORT ENCLOSURE = 0 SF CHANGE OF IMPERVIOUS AREA

$$\text{PROPOSED LOT COVERAGE} = \frac{(1507.78 + 834.76 + 270 \text{ SF})}{8460.90 \text{ SF}} \times 100\%$$

$$= 30.88\% < 35\% \text{ MAX LOT COVERAGE}$$

RECEIVED

22-100071

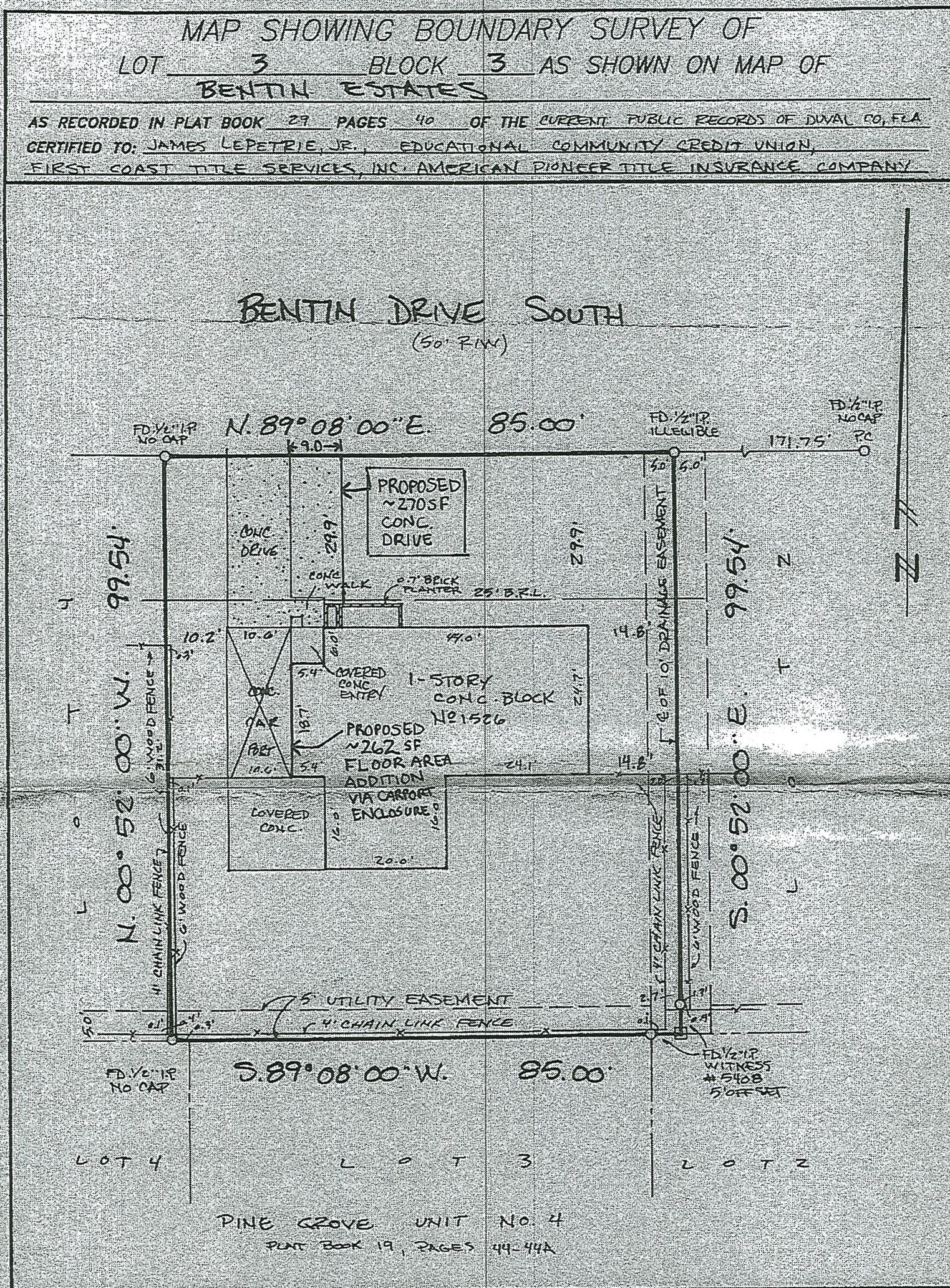
JUN - 1 2022

PLANNING & DEVELOPMENT

PROPOSED.

JUN - 1 2022

PLANNING & DEVELOPMENT



PERRET AND ASSOCIATES, INC.

1614 ATLANTIC UNIVERSITY CIRCLE, JACKSONVILLE, FLORIDA, 32207 PHONE: (904) 805-0030 FAX: (904) 805-9888

GENERAL NOTES:

- (1) BEARINGS SHOWN HEREON ARE BASED ON N. 89° 08' 00" E. FOR THE SOUTH R/W LINE OF BENTIN DRIVE SOUTH
- (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS
- (3) UNDERGROUND ENCROACHMENTS AND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
- (4) THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL 12007B-0001D, DATED 8-15-89

P.C. POINT OF CURVATURE
P.T. POINT OF TANGENCY
P.R.C. POINT OF REVERSE CURVE
P.C.C. POINT OF COMPOUND CURVE
P.O.C. POINT ON CURVE
B.R.L. BUILDING RESTRICTION LINE
C. CENTER LINE
I.P. IRON PIPE
FD. FOUND

LEGEND

R. RADIUS
Δ. DELTA (INTERIOR ANGLE)
A. ARC LENGTH
C. CHORD
CB. CHORD BEARING
A/C. AIR CONDITIONER
CONG. CONCRETE
R/W. RIGHT-OF-WAY
O.R.V. OFFICIAL RECORDS VOLUME

SCALE 1" = 20'

9-14-2002

DATE OF FIELD SURVEY

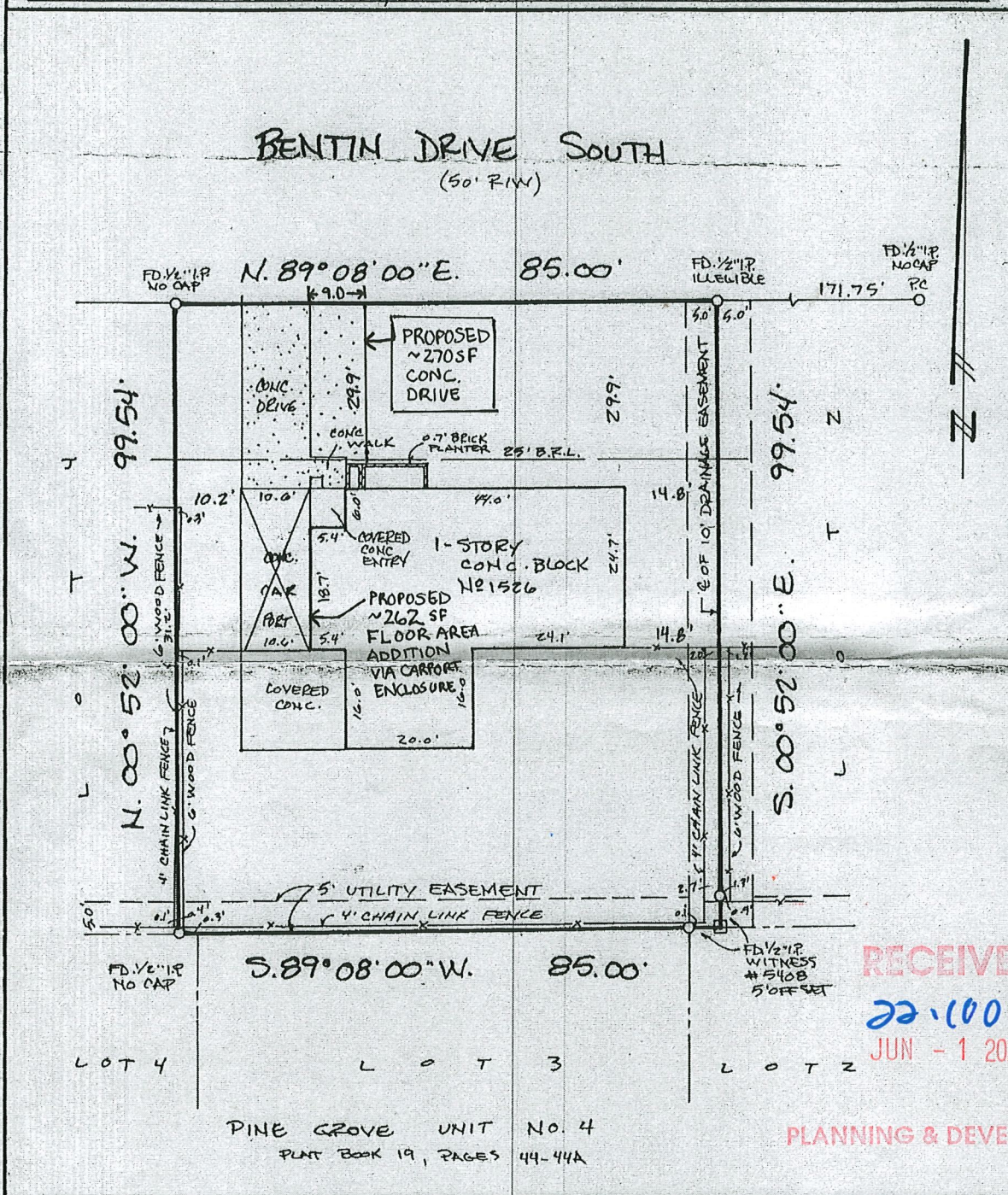
Nathan E. Perret
NATHAN E. PERRET, FLA. CERT. NO. 5732
CARL S. COURSON, FLA. CERT. NO. 3129



EXISTING.

MAP SHOWING BOUNDARY SURVEY OF
LOT 3 BLOCK 3 AS SHOWN ON MAP OF
BENTIN ESTATES

AS RECORDED IN PLAT BOOK 29 PAGES 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL CO, FLA
CERTIFIED TO: JAMES LEPETRIE, JR., EDUCATIONAL COMMUNITY CREDIT UNION,
FIRST COAST TITLE SERVICES, INC. AMERICAN PIONEER TITLE INSURANCE COMPANY



PERRET AND ASSOCIATES, INC.

1614 ATLANTIC UNIVERSITY CIRCLE, JACKSONVILLE, FLORIDA, 32207 PHONE: (904) 805-0030 FAX: (904) 805-9888

GENERAL NOTES:

- (1) BEARINGS SHOWN HEREON ARE BASED ON N. 89° 08' 00" E. BE THE SOUTH R/W LINE OF BENTIN DRIVE SOUTH
- (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS
- (3) UNDERGROUND ENCROACHMENTS AND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
- (4) THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL 120078-0001D, DATED 8-15-89

P.C. POINT OF CURVATURE
P.T. POINT OF TANGENCY
P.R.C. POINT OF REVERSE CURVE
P.C.C. POINT OF CONJUGATE CURVE
P.O.C. POINT ON CURVE
B.R.L. BUILDING RESTRICTION LINE
C. CENTER LINE
I.P. IRON PIPE
FD. FOUND

LEGEND

R. RADIUS
Δ. DELTA (INTERIOR ANGLE)
ARC. ARC LENGTH
CHORD CHORD
CHORD BEARING
AIR. AIR CONDITIONER
CONC. CONCRETE
R/W. RIGHT-OF-WAY
O.R.V. OFFICIAL RECORDS VOLUME

SCALE 1" = 20'

9-14-2002

DATE OF FIELD SURVEY

Nathan E. Perret
NATHAN E. PERRET, FLA. CERT. NO. 5732
CARL S. COURSON, FLA. CERT. NO. 3129



LB ~ 0715



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

BOA#22-100072

Zoning: RM-2 (RS-3 Standards)
RE: 174521-0000
Legal: South 7 Feet of the East 50 feet of Lot 9, East 50 Feet Lot 10, Block 101, Pablo Beach North
Address: 19 9th Avenue North

Request

Section(s): 34-338(e)(1)c.1, for a front yard setback of 2 feet in lieu of 20 feet minimum; and 34-339(e)(1)e, for lot coverage of 62% in lieu of 35% maximum to allow for the addition of a front balcony at an existing single-family dwelling

Existing Conditions

The subject property is a reconfiguration of portions of two legal nonconforming lots of record (circa 1919) located in the Medium Residential future land use category. The property is currently zoned Residential Multifamily: RM-2. The property use currently developed with one single family home on portions of both lots. The subject property is 50 feet in width and 60 feet in depth, with an overall lot area of 3,000 square feet. The lot is substandard in width and area. The subject site has a single family home, built in 2014, with an approved variance to allow for the reduction in front and rear setbacks as well as lot coverage.

Previous Variance: BOA#05-100344 for a front setback of 10 feet, a rear setback of 10 feet and 52% lot coverage, no active Code Enforcement

Staff Analysis

The subject property is roughly half the area of the minimum lot size required for a single family in RM-2 of 6,000 square feet. The current variance was granted to 52% lot coverage with a 10 foot front yard setback. The current lot coverage is closer to 60%, and this appears to be due to the fact that the original plans for the home called for a driveway made up of paver strips. Based on the best available date, it appears that sometime between 2017 and 2019 the driveway strips were filled in, resulting in the additional lot coverage. The lot is so small that minor additions of square feet of lot coverage dramatically affect the total percentage. The proposed balcony extension would impact the lot coverage, but only by roughly 1% based on the site plan. This is because the balcony will be predominantly over the existing driveway. Only a small portion of the balcony will be over bare ground. The extended balcony will reduce the front setback from 10 feet to 2 feet. While this may



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seem excessive, the front property line is nearly 30 feet from the edge of pavement. Additionally, the neighboring property at 1003 1st street fronts on 1st street and not 9th avenue, and received a variance for a side yard setback of 7.5 feet, so in essence they are currently closer to 9th avenue north than the subject property.

Minimum Dimensional Standards

- Minimum lot area: Six thousand (6,000) square feet.
- Minimum lot width: Sixty (60) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. Garages or carports shall not be included as part of the single family dwelling unit's minimum square footage.\
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- 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 property is half the size of a conforming lot.



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

Staff **does not** find that circumstances are a result of the applicant. The lot is a preexisting condition as is the home built in 2014. Previous changes to the lot coverage predate the current applicant.

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

Staff finds that the proposed variance **will not** confer special privileges. The applicant is requesting to build a balcony extension, and will result in only a small addition of lot coverage and front yard setback that will practically be similar to the home to the immediate west.

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. Based on the lot size, and the size of the existing home, the only practical direction for expansion of the house is towards the street into the front yard. Additions and renovations are rights commonly enjoyed by single family homes within this zoning district.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the extension of the balcony. The lot coverage increase over the current lot coverage is roughly 1%. The existing lot coverage already exceeds the previous variance. Additionally the front yard setback would only be on the second story and would be similar to the adjacent home to the west.

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

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



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

Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100072**

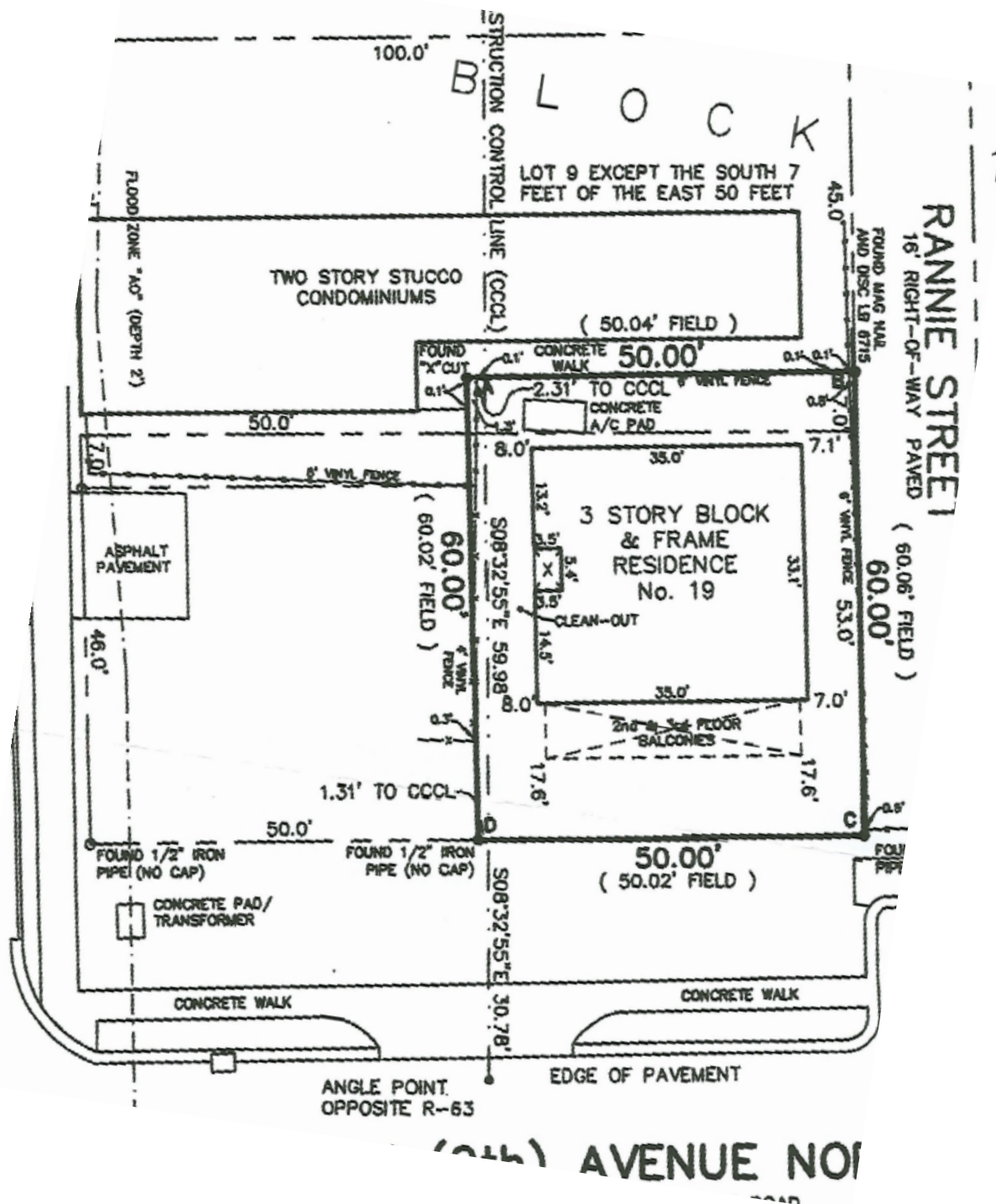
Location Map (property boundaries are representative only)





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

Existing Survey



Block 101

THREE STORY FRAME POSTED # 19

50.00' (DEED)
N 79°36'21" E
49.69' (MEASURED)

50.00' (PLAT)

60.00' (DEED)
N 09°24'11" W
59.44' (MEASURED)

60.24' (MEASURED)
60.00' (DEED)

50.05' (MEASURED)
S 80°31'31" W
50.00' (DEED)

S 09°45'00" E

9TH AVENUE NORTH

RANNIE STREET
 (16' RIGHT OF WAY)

4' SIDEWALK

5' SIDEWALK

BACK OF CURB

EDGE OF PAVEMENT

PAVERS

EXISTING 2ND AND 3RD FLOOR COVERED BALCONY

PROPOSED 2ND FLOOR BALCONY

A/C PAD ON WOOD DECK

3.5' COVERED ENTRY

ELECTRIC VAULT

WATER METER

LB 6715

0.3%
(39%)
(4%)
(10%)
(0.8%)
(1%)
(8%)
(1%)
(62%)



APPLICATION FOR VARIANCE

BOA No. 22-100072
HEARING DATE 7.19.22

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

REQUIRED DOCUMENTATION

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

JUN - 2 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Stuart Palmer **Telephone:** (408) 529-6891
Mailing Address: 19 9th Ave N. **E-Mail:** stuart@silveradosw.com
Jax Beach Fl. 32250
Agent Name: Michael S Griffith (Pillar Construction) **Telephone:** (904) 545-4993
Mailing Address: 3167 St Johns Bluff Rd. N. #205 Jax, Fl. 32246 **E-Mail:** Shawn@PillarFl.com
Landowner Name: Stuart Palmer **Telephone:** (408) 529-6891
Mailing Address: 19 9th Ave N. **E-Mail:** Stuart@silveradosw.com
Jax 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: 19 9th Ave N. RE# 174521-0000
Legal description of property (Attach copy of deed): 7-20 28-2S-29E .07 R/P PT PABLO BEACH NORTH S 7FT OF E 50FT LOT 9, E 50FT LOT 10 BLK 101
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Front yard set back of 5ft ILO 7.2ft
Lot coverage of 62% ILO 52%

AFFIDAVIT

I, Stuart Palmer, 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.

DocuSigned by:

Stuart Palmer

Stuart Palmer

6/2/2022

APPLICANT SIGNATURE

PRINT APPLICANT NAME

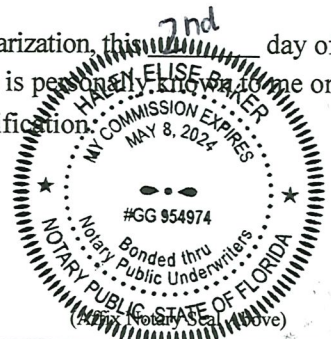
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 2nd day of June, 2022, by Stuart Palmer, who is personally known to me or produced FL DL # P456-792-04-218-0 as identification.

Hally Baker
NOTARY PUBLIC SIGNATURE

Hally Baker
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2(RS-3 standards)

FLOOD ZONE: X

CODE SECTION (S):
34-338(e)(1)c.1, for a front yard setback of 2 feet in lieu of 20 feet minimum; and 34-339(e)(1)e, for lot coverage of 62% in lieu of 35% maximum to allow for the expansion of an existing 2nd floor front balcony at an existing single-family dwelling

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JUN - 2 2022

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PLANNING & DEVELOPMENT

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100072

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	This property has special conditions and circumstances which exist and are peculiar to the parcel of land building or structure, which we believe are not applicable to other parcels of land, structures or buildings in the same zoning district. Our home at 19 9th ave N. had a variance due to initial lot size, at initial Build time. The adjacent home on the corner of 9th ave N. and 1st st. has a 5ft set back (Variance) on the side yard which is the same frontage of 19 9th ave n. as their front yard. Our request is to be able to match this set back which will allow for the uncovered 2nd floor porch extension.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We believe the special circumstances and conditions do not result from the actions of us as applicants.
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	We believe our request would not be contrary to the public interest when owing to special circumstances or conditions. We do not believe our request would effect the LDC nor would result in undue and unnecessary hardship.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	We believe the current layout is a hardship and our request would allow for more functional use of our homes balcony for beach views, breezes without impeding the enjoyment or rights of others within the zoning district
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We believe our request is the minimal amount needed for reasonable use, due to special circumstances or conditions of the lot size.
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	We believe our request for the balcony extension and th coverage request will NOT affect the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.

Prepared by and return to:
Nolan Winarchick
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: **21-1052**

Doc # 2021049340, OR BK 19601 Page 2117,
Number Pages: 2
Recorded 02/24/2021 03:00 PM,
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL
COUNTY
RECORDING \$18.50
DEED DOC ST \$9800.00

RECEIVED

22-100072
JUN - 2 2022

PLANNING & DEVELOPMENT

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this **23rd day of February, 2021**, between **Dana G. Leonard and Shelley S. Leonard, husband and wife**, whose post office address is **1758 Beach Avenue, Atlantic Beach, FL 32233**, grantor, and **Stuart Lee Koren Palmer and Natalie Koren Palmer, husband and wife**, whose post office address is **19 9th Avenue North, Jacksonville Beach, FL 32250**, grantee:

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

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

The Southerly 7 feet of the Easterly 50 feet of Lot 9, and the Easterly 50 feet of Lot 10, Florida Land Investment Company's Replat of Block 101 & 111, Pablo Beach North, according to the map or plat thereof, as recorded in Plat Book 7, Page(s) 20, of the Public Records of Duval County, Florida.

Parcel Identification Number: 174521-0000

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

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

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

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

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

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR OR HAS A BENEFICIAL INTEREST IN THE SALE OF THE PROPERTY DESCRIBED IN THIS WARRANTY DEED.

Signed, sealed and delivered in our presence:

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

Dana G. Leonard
Dana G. Leonard
Shelley S. Leonard
Shelley S. Leonard

State of **Florida**
County of **St. Johns**

The foregoing instrument was acknowledged before me by means of (☒) Physical Presence or (☐) Online Notarization, this **23rd day of February, 2021**, by **Dana G. Leonard and Shelley S. Leonard, husband and wife**, who (☐) are personally known to me or (☒) have produced **A Valid FL Driver's License** as identification.



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

RECEIVED
22-100072
JUN - 2 2022

PLANNING & DEVELOPMENT

DocuSign Envelope ID: 8FFCB739-EF99-4879-96E3-9D8876165444



Agent Authorization Affidavit:

Property Owner Date: 6/3/2022

RE: Agent Authorization for the following site location: 19 9th Ave N. Jacksonville Beach FL 32250

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Pillar Construction (Michael Shawn Griffith) to act as agent to file application(s) for Stuart Palmer for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

DocuSigned by:
By Stuart Palmer
895EEE1E2B4E4FB...
Print Name: Stuart Palmer
Owner of
Its: Record

By _____
Print Name: _____

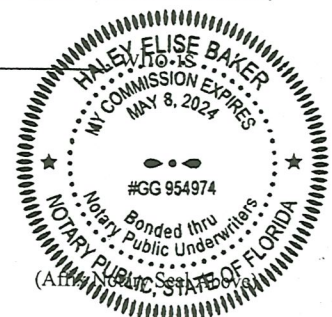
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 2nd day of June, 20 22, by Stuart Palmer personally known to me or produced as identification.

NOTARY PUBLIC SIGNATURE Haley Baker

PRINT NOTARY NAME Haley Baker



Ref BOA# 22-100072



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

December 21, 2005

Dorsey Sweat
19 North 9th Avenue
Jacksonville Beach, FL 32250

RE: BOA 05-100344
19 North 9th Avenue

Dear Mr. Sweat:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on December 20, 2005 to consider your variance application.

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

- 34-338 (e)(1) c.1, for a front yard of 10 feet in lieu of 20 feet required,
- 34-338 (e)(1) c.3, for a rear yard of 10 feet in lieu of 30 feet required and
- 34-338 (e)(1) e, for 52% lot coverage in lieu of 35% maximum

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

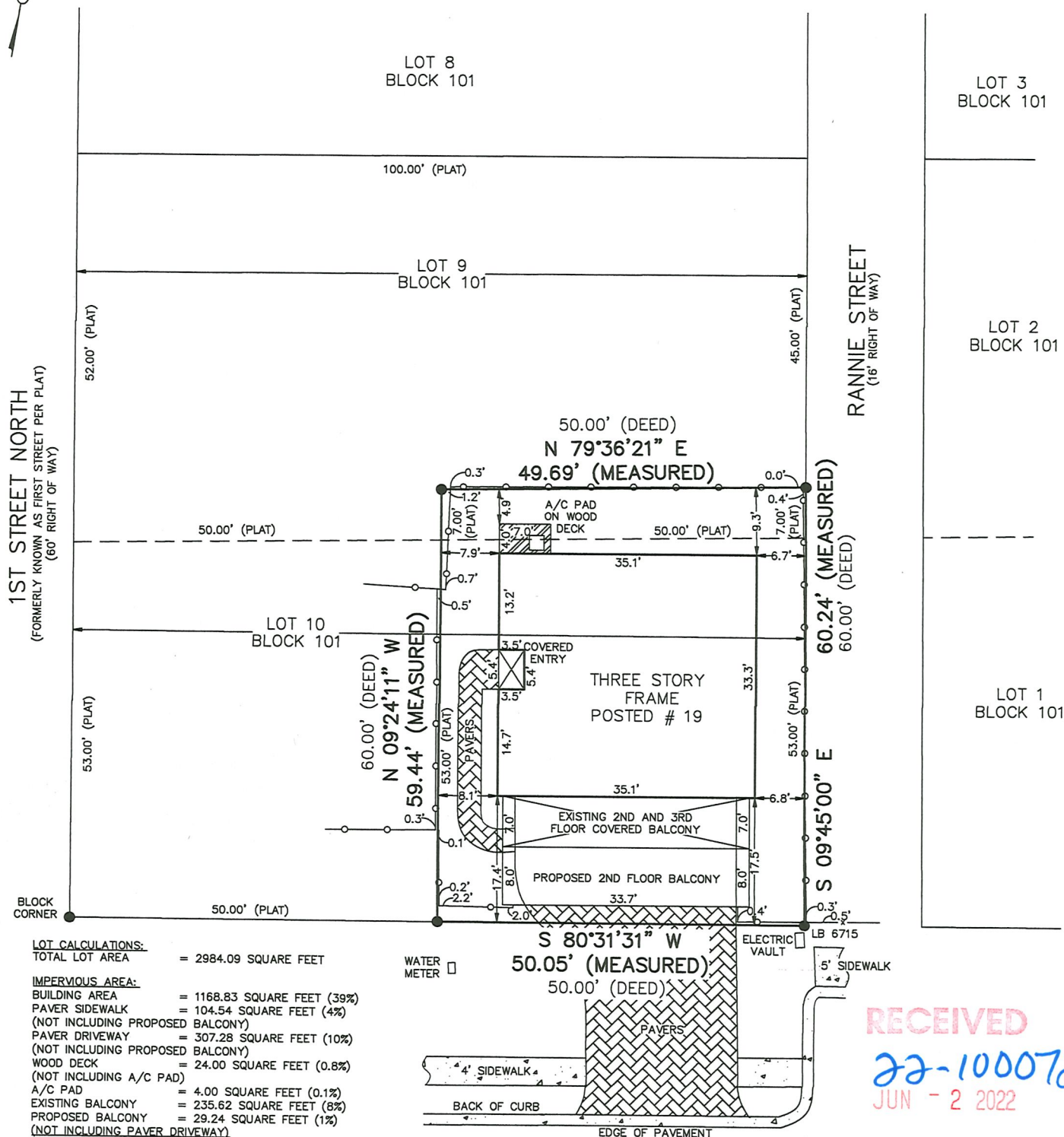
PROPOSED

MAP SHOWING BOUNDARY SURVEY OF

LEGAL PROVIDED BY CLIENT:

THE SOUTHERLY 7 FEET OF THE EASTERLY 50 FEET OF LOT 9, AND THE EASTERLY 50 FEET OF LOT 10, FLORIDA LAND INVESTMENT COMPANY'S REPLAT OF BLOCK 101 & 111, PABLO BEACH NORTH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 7, PAGE 20, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:



LOT CALCULATIONS:
TOTAL LOT AREA = 2984.09 SQUARE FEET
IMPERVIOUS AREA:
BUILDING AREA = 1168.83 SQUARE FEET (39%)
PAVER SIDEWALK = 104.54 SQUARE FEET (4%)
(NOT INCLUDING PROPOSED BALCONY)
PAVER DRIVEWAY = 307.28 SQUARE FEET (10%)
(NOT INCLUDING PROPOSED BALCONY)
WOOD DECK = 24.00 SQUARE FEET (0.8%)
(NOT INCLUDING A/C PAD)
A/C PAD = 4.00 SQUARE FEET (0.1%)
EXISTING BALCONY = 235.62 SQUARE FEET (8%)
PROPOSED BALCONY = 29.24 SQUARE FEET (1%)
(NOT INCLUDING PAVER DRIVEWAY)
TOTAL IMPERVIOUS AREA = 1873.51 SQUARE FEET (62%)

LEGEND:

- = PLASTIC FENCE
- x— = WOOD FENCE
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- = SET 1/2" REBAR STAMPED PSM#6146
- A/C = AIR CONDITIONER

NOTES:

- BEARINGS ARE BASED ON THE ASSUMED BEARING OF S 09°45'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X", AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2018, COMMUNITY NUMBER 120078, PANEL 0417 J.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS

DATE	DESCRIPTION
2-17-22	SITE PLAN
6-02-22	ADD EDGE OF PAVEMENT

JOB # 43338-B DATE OF FIELD SURVEY: 02-16-22

SCALE: 1" = 20'

Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

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

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS

MAP SHOWING SURVEY OF

[illegible]

NOTES

1. THIS IS A BOUNDARY SURVEY.
2. NO BUILDING RESTRICTION LINES PER PLAT.
3. NORTH PROTRACTED FROM PLAT.
4. INTERIOR ANGLES PER FIELD SURVEY AS FOLLOWS:
A = 90°03'58"
B = 89°54'44"
C = 90°02'57"
D = 89°58'21"
5. COASTAL CONSTRUCTION CONTROL LINE SHOWN PER DRAWING No. D2012-930 BY THIS FIRM.

THE PROPERTY SHOWN HEREON LIES IN FLOOD
ZONE "AO" (DEPTH 2') AS DETERMINED FROM
THE FLOOD INSURANCE RATE MAP, NUMBER
12031C0417H, REVISED JUNE 3, 2013 FOR
DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF
TROY G. BRADLEY and DAWN M. BRADLEY;
WELLS FARGO BANK, N.A.; WESTCOR LAND TITLE
INSURANCE COMPANY; AND TITLE AMERICA REAL
ESTATE CLOSINGS, INC.

22-100072
JUN - 7 2022

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

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

CHECKED BY: _____
DRAWN BY: SWC
FILE: 2014-1195

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

DATE: OCTOBER 22, 2014
SHEET 1 OF 1

B204-1195