



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Regular Meeting Agenda

Board of Adjustment

Tuesday, August 16, 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 July 19, 2022

CORRESPONDENCE

OLD BUSINESS

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

Applicant: Robert Lynn, Future Financial Holdings, LLC

Agent: Lara Diettrich, Diettrich Planning LLC

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 medical use on the first floor of an existing commercial building

NEW BUSINESS

A. **Case Number(s): BOA#22-100080**

Applicant: Amy L. Frank

Agent: N/A

Owner: Amy L. Frank

Property Address: 125 Owen Avenue

Parcel ID: 179933-0000

Legal Description: Lots 6 & 7, Block 11, *Williams Coastal Boulevard Heights*

Current Zoning: RS-2

Motion to 34-337(e)(1)e, for lot coverage of 57% in lieu of 35% maximum to allow for

Consider: construction of a rear patio and cabana at an existing single-family dwelling

B. **Case Number(s): BOA#22-100081**

Applicant: Robert G. Bruce

Agent: N/A

Owner: Robert G. Bruce

Property Address: 3306 Ocean Drive

Parcel ID: 181752-0005

Legal Description: All of Lot 4 and parts of Lots 3 and 5, *Harris Place*

Current Zoning: RS-1

Motion to 34-336(e)(1)e, for lot coverage of 44% in lieu of 35% maximum; and 34-

Consider: 373(a)5, for no paved driveway in lieu of a paved driveway, to allow for construction of a new single-family dwelling and swimming pool with a patio

C. **Case Number(s): BOA#22-100083**

Applicant: Stephanie Crichton

Agent: Bob Hamil - Henderson Pool Service

Owner: Stephanie Crichton

Property Address: 3300 1st Street South

Parcel ID: 181542-0000

Legal Description: Lot 4, Block 6, *Atlantic Shores*

Current Zoning: RS-1

Motion to 34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for

Consider: construction of a new swimming pool and patio attached to an existing single-family dwelling

D. **Case Number(s): BOA#22-100084**

Applicant: Sandifer Design Build

Agent: N/A

Owner: Rachel G. Grage

Property Address: 23 30th Avenue South

Parcel ID: 181636-0000

Legal Description: Lot 5, Block 6, *Perry & Perry's Replat of Atlantic Shores Ocean Front Section Division "C"*

Current Zoning: RS-1

Motion to 34-336(e)(1)e, for lot coverage of 58% in lieu of 35% maximum; 34-

Consider: 336(e)(1)c.1, for a front yard setback of 10 feet in lieu of 25 feet minimum; and 34-336(e)(1)c.2, for a corner side-yard setback of 5 feet in lieu of 10 feet minimum to allow for construction of a new two story uncovered deck attached to an existing single-family dwelling

E. **Case Number(s): BOA#22-100085**

Applicant: 0 2nd Street Acquisition, LLC. - Steven Wacaster

Agent: N/A
Owner: 0 2nd Street Acquisition, LLC. - Steven Wacaster
Property Address: '0' 2nd Street South
Parcel ID: 176317-0000
Legal Description: the South half of Lots 11 and 12, Block 153, *Pablo Beach South*
Description:
Current Zoning: C-1
Motion to Consider: 34-373(a)(1), for three compact parking spaces of 8 feet in width in lieu of 9 feet in width; and 34-377, for 11 parking spaces and one bicycle parking area in lieu of 28 spaces required to allow for construction of a new professional office building

F. **Case Number(s): BOA#22-100086**

Applicant: Michael Gruber
Agent: N/A
Owner: Michael Gruber
Property Address: 1175 1st Avenue North
Parcel ID: 177725-0010
Legal Description: Lot 33, Block 3, *Pine Grove Unit No. One*
Current Zoning: RS-1
Motion to Consider: 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot in lieu of 5 feet required to allow for construction of a new accessory shed

PLANNING DEPARTMENT REPORT

- A. The next scheduled meeting is Wednesday, September 7, 2022. There are six 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, July 19, 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 (absent)

John Moreland

Alternates: Todd Smith

Jennifer Williams (absent)

Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Callie Rayeski 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 21, 2022
- July 5, 2022

CORRESPONDENCE: None

Ms. Gonzalez noted applicants would need three of the four Board members to vote in favor for approval. A consensus was reached to offer any applicant a deferral based on the number of Board members in attendance

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

Mr. Popoli provided background information. He requested a deferral until September 7, 2022.

NEW BUSINESS:

A. Case Number: BOA#22-100069

Applicant/Owner: Mr. Atanas Malinov

Property Address: 1685 Lower 4th Avenue North

Parcel ID: 178012-0000

City of Jacksonville Beach Land Development 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

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

Applicant: Atanas Malinov, 1685 Lower 4th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming and undersized 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#22-100069 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, John Moreland, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

B. Case Number: **BOA#22-100070**
Applicant/Owner: Kristen Vanderlinde
Property Address: 143 34th Avenue South
Parcel ID: 181548-0000

City of Jacksonville Beach Land Development 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

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

Applicant: Kristen Vanderlinde, 143 34th Avenue South, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about the front yard setback. Ms. Vanderlinde stated they would agree with staff recommendations and withdraw their request for the front yard setback variance.

Public Hearing:

Scott Carnes, 153 34th Avenue South, Jacksonville Beach, spoke in opposition to the side-yard setback.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#22-100070 and to deny a front yard setback of 20' 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, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

C. **Case Number:** BOA#22-100071
Applicant/Owner: Matthew Filer
Property Address: 1526 Bentin Drive South
Parcel ID: 178803-0000

City of Jacksonville Beach Land Development 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

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

Applicant: Matthew Filer, 1526 Bentin Drive 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, seconded by Mr. Smith, to approve BOA#22-100071 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, John Moreland, Todd Smith, Alexi Gonzalez

The motion passed unanimously.

D. **Case Number:** BOA#22-100072
Applicant/Owner: Stuart Palmer
Agent: Michael S. Griffith - Pillar Construction
Property Address: 19 9th Avenue North
Parcel ID: 174521-0000

City of Jacksonville Beach Land Development 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

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

Applicant: Stuart Palmer, 19 9th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot, narrow size and setback of the balcony.

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#22-100072 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, John Moreland, Todd Smith, Alexi Gonzalez
The motion passed unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, August 2, 2022, at 6:00 P.M. There are four scheduled cases.

COURTESY OF THE FLOOR

Jen Grey, 23 30th Avenue South, Jacksonville Beach, asked about the process of presenting her future application.

Ms. Robinson reminded the board that Courtesy of the Floor is not designed for discussions.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 6:39 P.M.

Submitted by: Callie Rayeski
Administrative Assistant

The minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



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

BOA#22-100044

Zoning: C-1
RE: 173791-0000
Legal: Lot 2, Block 24 Atlantic Park Replat
Address: 224 3rd Street North

Request

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 to a medical use on the first floor at an existing commercial building

Existing Conditions

The subject property is comprised of a lot of record, (circa 1924) located in the Limited Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The subject property is comprised of a property measuring 62.5 feet in width and 100 feet in depth, with an area of 6250 square feet. The property is currently occupied by a commercial structure with adjoining parking in the rear. The building has most recently been used for a medical clinic, on the first floor. The existing parking area has mostly undefined parking spaces. The proposed site plan would allow for seven regulation sized parking spaces, one of which would be an ADA design space. This meets the number of required spaces based on the previous variance at a one space to 300 square foot ratio. Additionally the updates to the building would include a required fire exit staircase from the second story, which intrudes into the parking area. The proposed request would eliminate the need for additional parking for the second floor, which has gone unused for some time. The applicant is proposing to bring the second floor back into use as office space for the employees.

BOA#10-100115 For no additional Parking in lieu of 4 spaces for 2200 square feet of first floor office space converted to medical office (parking standard from 1/200 from 1/300), BOA#11-95, for a 1 foot parking setback in lieu of 5 foot required for 54 feet of parking along the north property line.

Staff Analysis

The subject property is currently occupied by a structure built in 1946 according to the property appraiser's data. The renovations to the structure will require some updates and accommodations to address issues with building and fire code. These updates will include the new proposed fire stairs on the rear of the structure. These



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stairs intrude into the parking area and reduce the ability of the applicant to provide additional parking, though practically, it reduces the potential parking by only one space. The applicant has changed from the previous applicant, though the request is the same and the property owner has remained the same. The new applicant is proposing to use the building for general office use, which, for the purposes of this variance, would apply to the second story, as the first story has already been granted a variance for parking previously. The previous variance allowed the property to use the general office standard in lieu of the medical office standard for parking, a 1/300 square foot ratio, vs a 1/200 ratio. This resulted in 7 spaces required, and the applicant has shown they can offer that in the submitted site plan. Additionally, though they cannot be counted as legal spaces for LDC determination, there are three on street spaces along 3rd Street North, and at least 5 on street spaces along 2nd Avenue North, in the immediate vicinity. As the overall intensity would be reduced from medical use to general office throughout the structure, the demand should also be less for the actual parking need.

Minimum parking standards

- Business Office: One (1) space per three hundred (300) sq. ft. of floor area.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The site is built out and maximizes the existing available land for parking and building. There is no physical space to add any additional parking, additionally the requirements for egress stairs reduces the opportunity to provide any additional parking. The structure and site conditions predate the current LDC.

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

Staff **does not** find that circumstances are a result of the applicant. The structure was built in 1946. The most recent use of the property has been



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medical in nature. The upgrades for fire code compliance are required and impact the ability to provide additional parking.

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

Staff finds that the proposed variance **will not** confer special privileges. A majority of the historic commercial structures and sites along 3rd Street North are similar in size and lack of parking. The allowed continued use of historic commercial structures is a goal of the Comprehensive Plan.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The property was approved for a parking variance for the downstairs use in 2010. The use of the upstairs of an existing commercial structure is a reasonable use of the land, and preventing the use of the upstairs is an undue hardship considering there is no ability to meet the additional parking demands on site.

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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. Based on the available uses allowed in the C-1 zoning district, office use is one of the least intensive use for parking demand and the requested reduction is the minimum variance necessary to allow for the use of the upstairs of the existing structure.

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. Further the reuse of existing commercial structures is furthering the goals of the 2030 Comprehensive Plan.

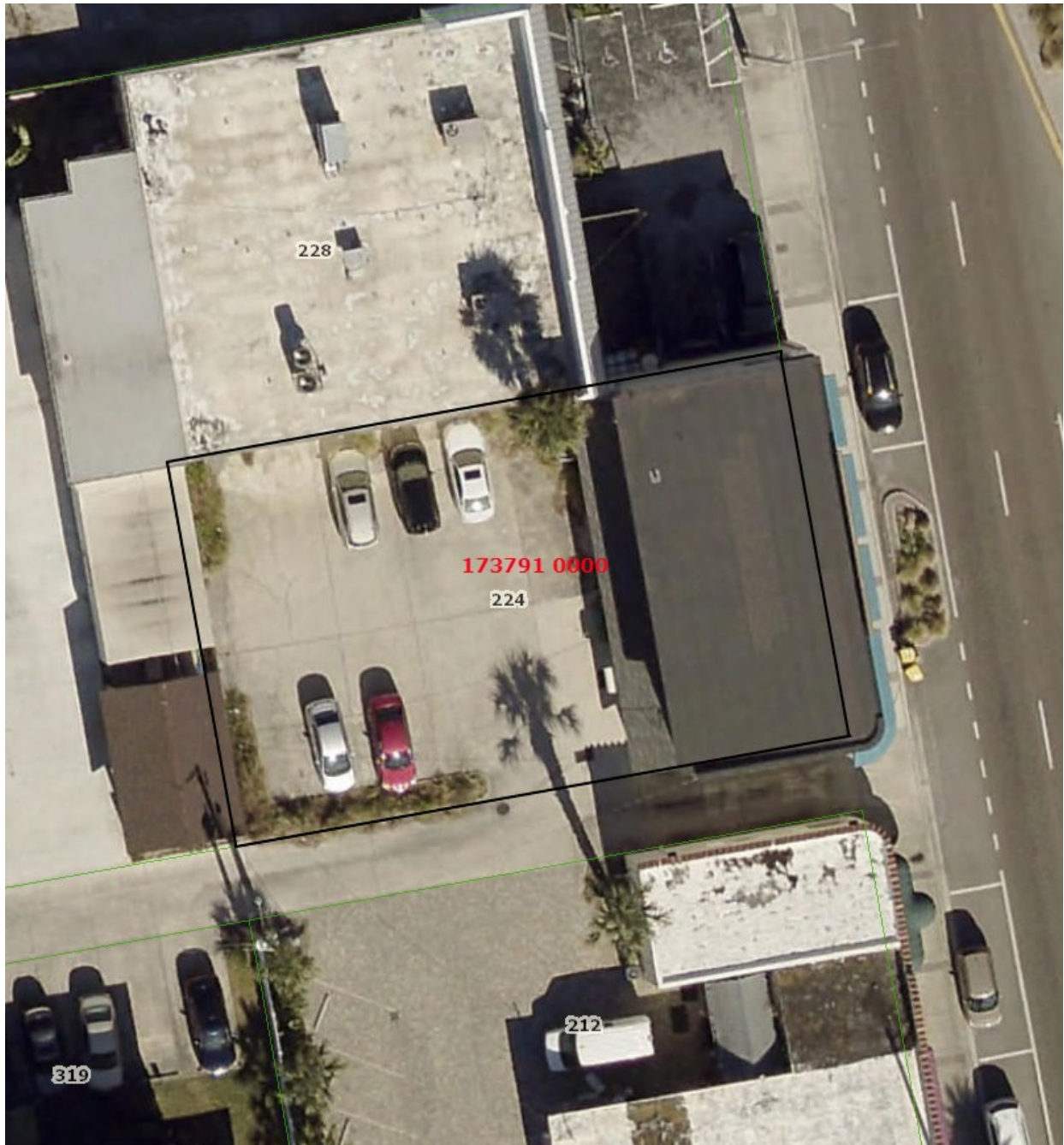


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Staff Recommendation +

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#22-100044**

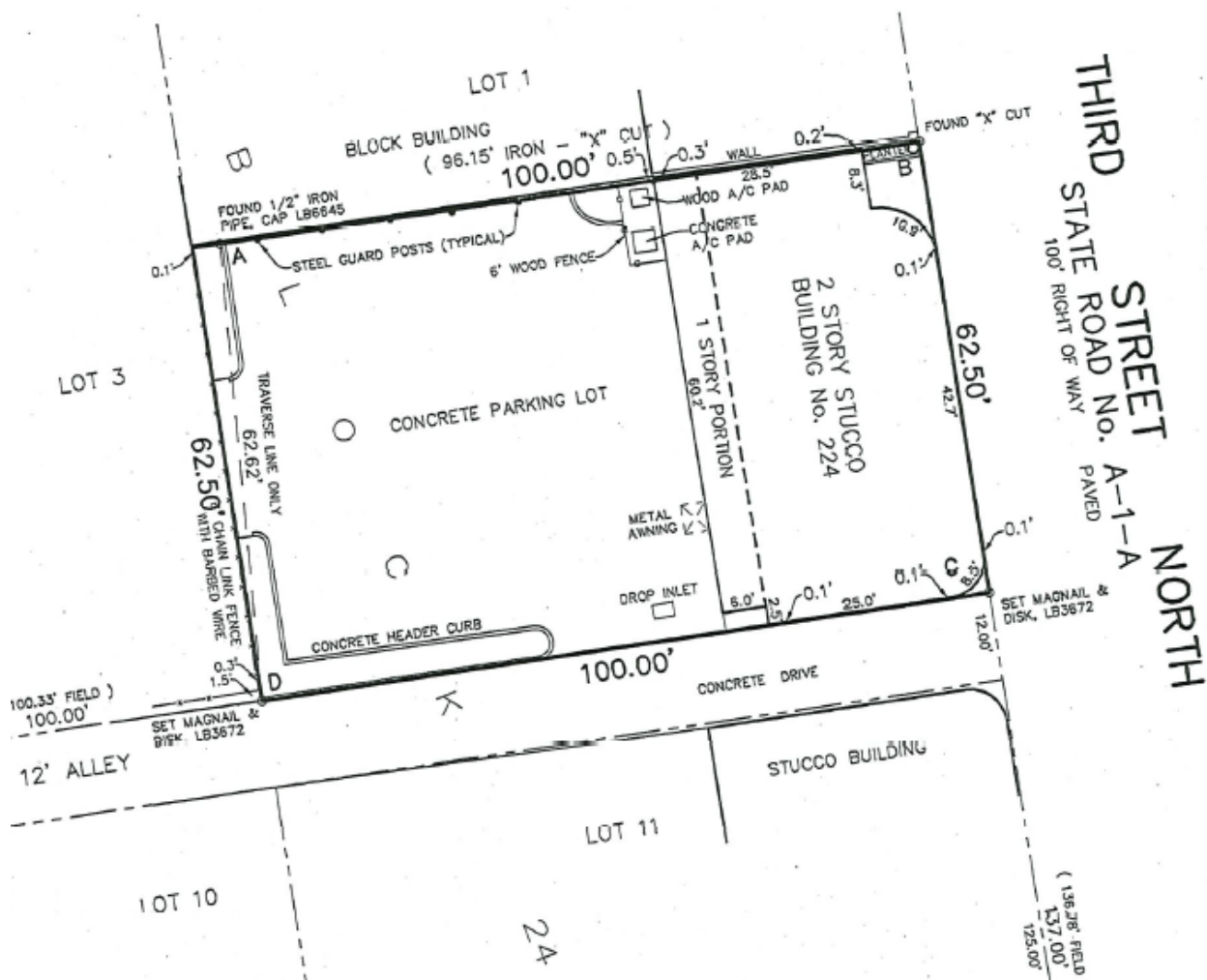
Location Map (property boundaries are representative only)





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Existing Survey



FLORIDA ACCESSIBILITY ACT PARKING SIGN

NEW CONCRETE WHEELCHAIR RAMP

PROPOSED ADA PARKING SIGN

8'-0" WHEELCHAIR

5'-0" WHEELCHAIR

NEW BOLLARDS (TYP.)

NEW STAIRS

NEW PLATFORM LIFT

CONCRETE HEADER CURB

1 STORY PORTION

2 STORY STUCCO BUILDING

PROPERTY LINE

1 SITE PLAN
AS SHOWN



APPLICATION FOR VARIANCE

BOA No. 22-100044

HEARING DATE 9.20.22

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

REQUIRED DOCUMENTATION

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

APPLICANT INFORMATION

Applicant Name: Robert Lynn, Future Financial Holdings, LLC **Telephone:** (904) 624-3125
Mailing Address: 1549 Landing Lane **E-Mail:** robert@future.loans
Neptune Beach, Florida 32266
Agent Name: Lara K. Diettrich, Diettrich Planning, LLC **Telephone:** (904) 501-6622
Mailing Address: 1332 Avondale Avenue **E-Mail:** laradiettrich@gmail.com
Jacksonville, Florida 32205
Landowner Name: Judy Weber/First Coast Women's Services, Inc. **Telephone:** (904) 703-5264
Mailing Address: 11215 San Jose Blvd., Jacksonville, FL 32223 **E-Mail:** jweber@fcwsprc.org

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: 224 North Third Street, Jacksonville Beach, FL 32250 (RE# 173791-0000)
 Legal description of property (Attach copy of deed): 9-15-33-2S-29F Atlantic Park R/P Lot 2, Blk 24
 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).
 Seeking a Variance for relief of the parking requirements per the Ordinance Code's one per three hundred (1/300) for business office. The previous Certified Use of the first floor was medical office and the second was not contemplated. The site currently has 7 spaces, seeking relief from adding six (6) additional spaces.

AFFIDAVIT

I, Lara K. Diettrich, 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 2ND day of AUGUST, 20 22, by LARA K DIETRICH, who is personally known to me or produced FL DRIVER'S LICENSE as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



DANIEL TAPIA
 NOTARY PUBLIC - STATE OF FLORIDA
 COMMISSION # HH 65693
 My Commission Expires December 9, 2024

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: _____

CODE SECTION (S): _____

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 22-100044

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. AUG - 3 2022

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 structure was built in 1946 with off-street parking in the rear providing for six (6) regular spaces and one (1) ADA space. The Ordinance Code was not in effect at the time of the construction of the subject structure that was intended and still is for general business use.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The Applicant proposes to use the building for its original intended use, general business. However, the use years ago was change to medical office/clinic; therefore, requiring a change of use and Variance for relief from the parking regulations.
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	The Applicant is not seeking any other relief other than from the parking regulations for the subject property.
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	The Applicant proposes to use the structure as intended for general business. The strict application of the Code would deny rights commonly enjoyed by surrounding businesses.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The Applicant has exhausted the space to provide for the most parking allowable and will be making improvements to the structure to meet fire and safety code requirements, as well as others internally.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The Applicant is keeping within the spirit of the GOPs of the Comprehensive Plan and will not create adverse impacts to the surrounding area.

Prepared by:
Fred L. Ahern, Jr.
Buschman, Ahern, Persons & Bankston,
2215 S. Third Street, Suite 101
Jacksonville Beach, Florida 32250
File Number: 10-0077

RECEIVED
22-100044
APR 11 2022

PLANNING & DEVELOPMENT

Corporate Warranty Deed

This Indenture, made this 24th day of September, 2010, between **224 N. Third, L. C., a Florida limited liability company**, whose post office address is: **2120 First Street, South, Jacksonville Beach, FL 32250**, Grantor and **First Coast Women's Services, Inc., a Florida non profit corporation**, whose post office address is: **11215 San Jose Boulevard, Jacksonville, FL 32223**, Grantee.

Witnesseth, that the said Grantor, for and in consideration of the sum of \$325,000.00, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of **Duval**, State of Florida, to wit:

Lot 2, Block 24, **ATLANTIC PARK**, a subdivision according to the plat thereof recorded at Plat Book 9, Page 15, in the Public Records of Duval County, Florida.

Parcel Identification No.: 173791-0000

Subject to taxes subsequent to December 31, 2009, covenants, restrictions and easements of record, if any.

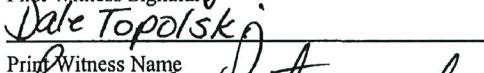
And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized managing member the day and year first above written.

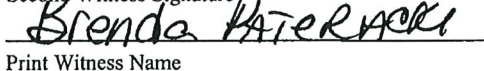
Signed and Sealed in Our Presence:

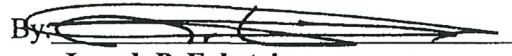
224 N. Third, L. C., a Florida limited liability company


First Witness Signature


Print Witness Name


Second Witness Signature


Print Witness Name

By: 
Joseph P. Eckstein,
Its General Manager

RECEIVED

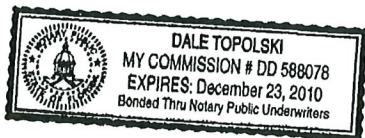
22-100044

APR 11 2022

State of Florida
County of Duval

PLANNING & DEVELOPMENT

The foregoing instrument was acknowledged before me this 24 day of September, 2010, by Joseph P. Eckstein, as General Manager of 224 N. Third, L. C., a limited liability company existing under the laws of the State of Florida, on behalf of the company, who is personally known to me or has produced a driver's license as identification.



Dale Topolski
Notary Public

Notary Seal

RECEIVED

22-100044

APR 11 2022

PLANNING & DEVELOPMENT

Owner Authorization

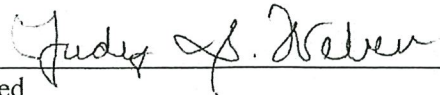
City of Jacksonville Beach
Planning and Development Department
11 North 3rd Street
Jacksonville, Florida 32250

Re: Owner Authorization for 224 3rd St N, Jacksonville Bch, FL 32250 (RE# 173791-0000)

Ladies and Gentlemen:

You are hereby advised that First Coast Women's Services Inc hereby authorize and empower Ian A. Brown, to act as agent for Eric Mott to file an application for zoning variance and such other entitlements as may be required 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 as submitted to the Jacksonville Beach Planning and Development Department.

First Coast Women's Services Inc



Signed

Name: Judy S. Weber

Title: CEO

(The remainder of this page intentionally left blank)

Reference



September 10, 2010

Scott Gay
P.O. Box 50338
Jacksonville Beach, FL 32240

RECEIVED

22-100044

APR 11 2022

RE: BOA #10-100115
224/226 3rd Street North

PLANNING & DEVELOPMENT

Dear Mr. Gay:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Wednesday, September 8, 2010 to consider your variance application.

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

- 34-377, for no additional parking in lieu of four (4) spaces required to convert 2,200 square feet of office space in an existing professional office building from professional office (1/300) use to medical/dental (1/200) office use.

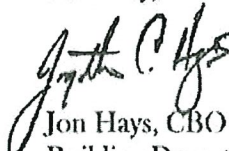
The results of the meeting were:

- Approved

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

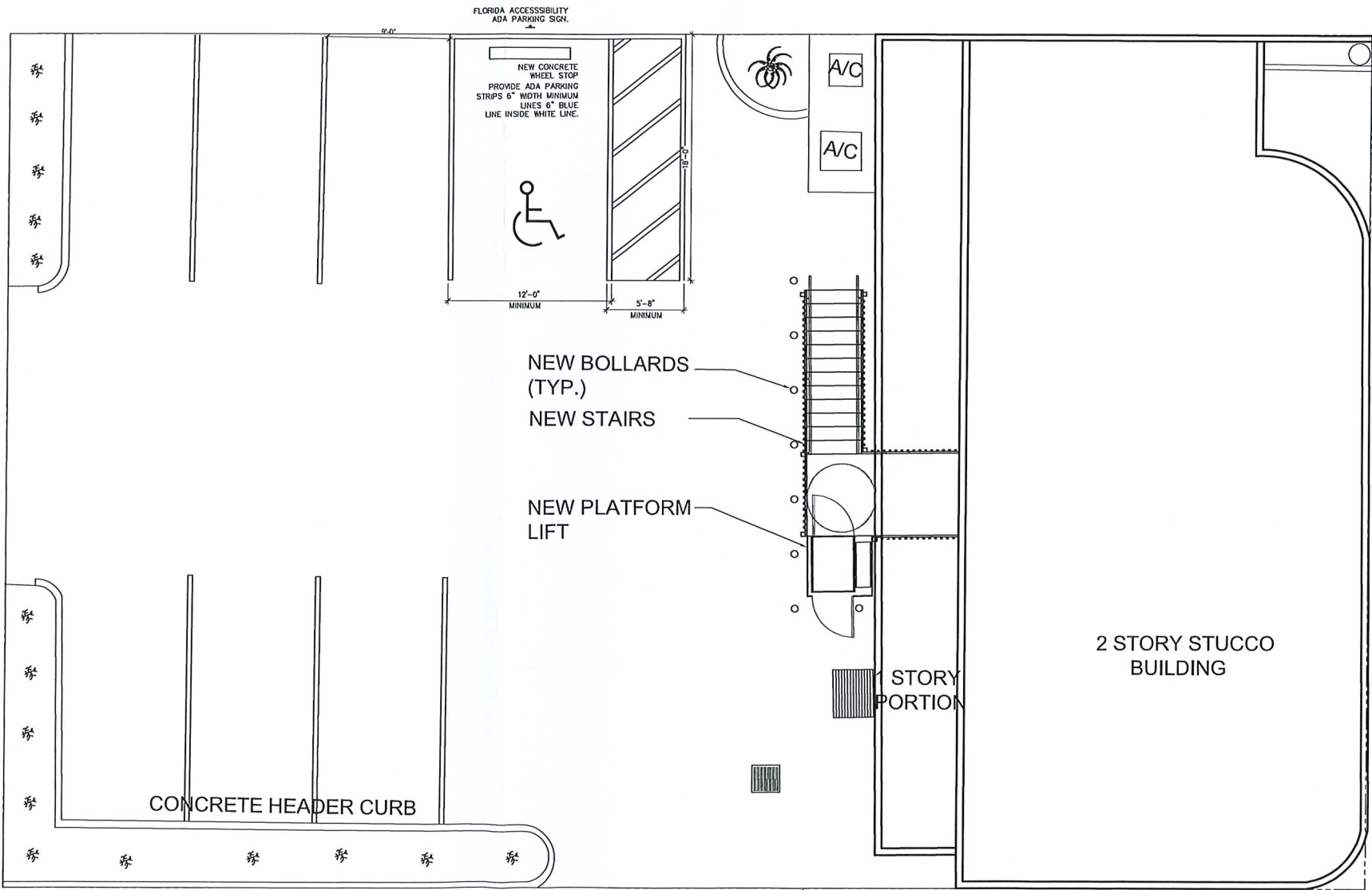
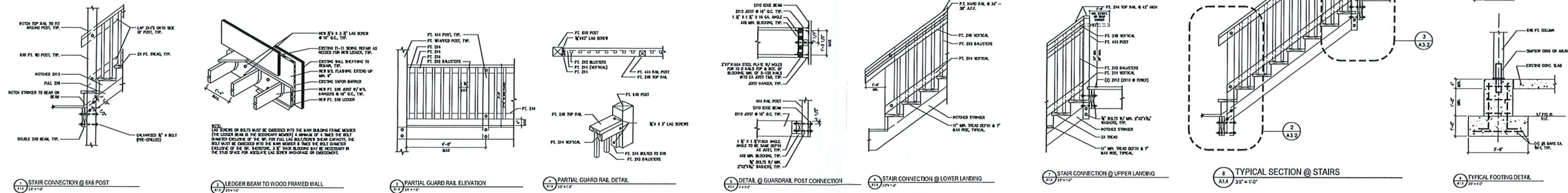
Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6235.

Sincerely,


Jon Hays, CBO
Building Department

cc: 224 N. Third, LLC

PROPOSED



RECEIVED
22-100044
APR 11 2022
PLANNING & DEVELOPMENT

1 SITE PLAN
A0.1 1" = 5'-0"

PROPERTY LINE



ARCHITECTURE-INC
JAA ARCHITECTURE INC.
2716 ST. JOHNS AVE.
JACKSONVILLE, FL 32205
P: (904) 379-5108
E: JOHN@JAAARCHITECTURE.COM
LIC. AR92748

THIS DOCUMENT, ALONG WITH ASSOCIATED DOCUMENTS, IS AN INSTRUMENT OF DESIGNER'S SERVICE FOR THE EXCLUSIVE USE AT THE PROJECT TITLED HEREIN. INFORMATION DERIVED FROM THIS DOCUMENT, AND/OR ASSOCIATED DOCUMENTS, MAY NOT BE USED FOR OTHER WORKS (OR PROJECTS) WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE DESIGNER.

TO THE BEST OF THE ARCHITECT'S KNOWLEDGE, THE PLANS AND SPECIFICATIONS COMPLY WITH THE APPLICABLE MINIMUM BUILDING CODES AND THE APPLICABLE FIRE SAFETY STANDARDS AS DETERMINED BY THE LOCAL AUTHORITY IN ACCORDANCE WITH THIS SECTION AND CHAPTER 633, FLORIDA STATUTES. TO THE BEST OF THE ARCHITECT'S KNOWLEDGE, THE SPACE HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE FLORIDA BUILDING CODE 7TH EDITION 2020 AND THE 7TH EDITION OF THE FLORIDA FIRE PREVENTION CODE BASED ON NFPA, 1 FIRE CODE 2018 EDITION & NFPA 101 LIFE SAFETY CODE 2018 EDITION.

"TENANT IMPROVEMENT"
FIRST COAST
WOMEN'S SERVICES
224 3RD STREET N.
JACKSONVILLE BEACH, FLORIDA

THIS ITEM HAS BEEN DIGITALLY SEALED BY JOHN ALLWARD, ARCHITECT, ON 04/1/2022. USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES. APPROVED CONSTRUCTION DOCUMENTS ON SITE SHALL BEAR THE "APPROVED" SEAL FROM THE AIA.

REVISIONS		
#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		



04.1.2022

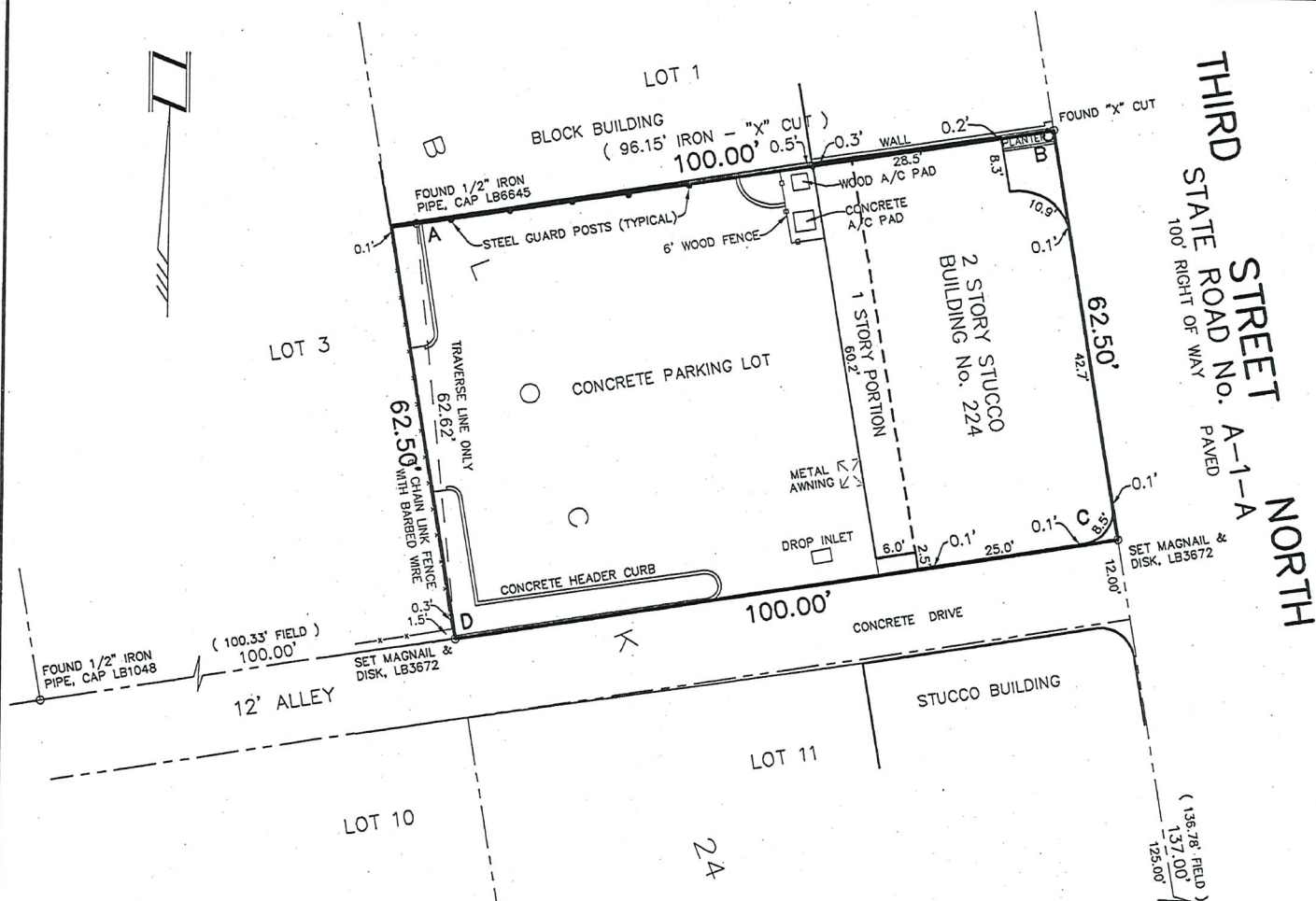
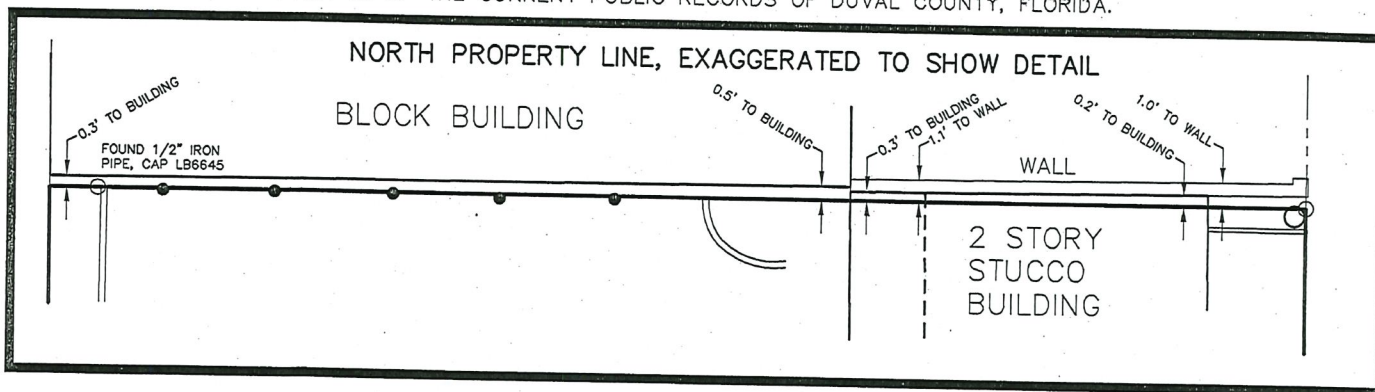
22-018.00

A1.4

PERMIT SET

MAP SHOWING SURVEY OF

LOT 2, BLOCK 24, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9,
PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES

1. THIS IS A BOUNDARY SURVEY.
2. NO BUILDING RESTRICTION LINES PER PLAT.
3. NORTH PROTRACTED FROM PLAT OF ATLANTIC PARK.
4. INTERIOR ANGLES AS MEASURED AT MONUMENTATION:
A = 93°32'44"
B = 89°58'34"
C = 90°01'32"
D = 86°27'10"

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 500 YEAR FLOOD PLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 120078 0001 D, REVISED APRIL 17, 1989 FOR THE CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA.

FIRST AVENUE NORTH
FORMERLY DICKERSON AVENUE
80' RIGHT OF WAY

THIS SURVEY WAS MADE FOR THE BENEFIT OF
FIRST COAST WOMEN'S SERVICES, INC.; OLD
REPUBLIC NATIONAL TITLE INSURANCE COMPANY;
and BUSCHMAN, AHERN, PERSONS & BANKSTON.

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

PLANNING & DEVELOPMENT

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

REVISED CERTIFICATIONS -
SEPTEMBER 7, 2010

REVISED TO SHOW DETAIL -
SEPTEMBER 3, 2010

CHECKED BY: _____
DRAWN BY: _____ SWC
FILE: 2010-0516

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

DATE: AUGUST 18, 2010
SHEET 1 OF 1

B2010-514



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

BOA#22-100080

Zoning: RS-2
RE: 179933-0000
Legal: Lot 6 & 7, Block 11, Williams Coastal Boulevard Heights.
Address: 1125 Owen Ave

Request

Section(s): 34-337(e)(1)e, for lot coverage of 57% in lieu of 35% maximum to allow for construction of a rear patio and cabana at an existing single-family dwelling

Existing Conditions

The subject property is a legal nonconforming lot of record (circa 1925) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-2. The subject property is 50 feet in width and 115 feet in depth, with an overall lot area of 5,750 square feet. The subject property is actually composed of two lots of record, each 25 feet in width and 115 feet in depth. The subject property was granted a variance in 2000, with a number of other lots in the surrounding area, as one large variance to address lot coverage. The lot coverage was approved at 45% to allow the construction of the existing house. Subsequent to the sale of the house, a second variance was granted to allow the addition of a rear wood deck. That variance allowed up to 51% lot coverage, but tied to a grade level wood deck only. The applicant is seeking to add improvement to the back yard to replace the wooden deck with a paved area and a covered pavilion. In the application the applicant has broken down the lot coverages into sections, for the purpose of demonstrating how the coverage will be proportioned to each specific improvement.

BOA#100-2000, to allow for 45% lot coverage for the construction of a single family home. BOA#87-2001, for 51% lot coverage to allow for construction of a grade level wooden deck addition to a single family home. No active code enforcement.

Staff Analysis

The subject property is substandard in width and overall area for the RS-2 zoning district. The lot is 1,750 square feet too small for the zoning district. The applicant purchased the house at 45% lot coverage based on the previous variance granted to the developer. If the lot had been a conforming size in lot area, the developer would have constructed the house alone at 35%. The previous variance for the deck allowed 51% lot coverage. Applied to a conforming lot, that would equate to



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

39% lot coverage. The proposed 57% lot coverage, again extrapolated out to a 7,500 square foot lot would add only one percent, equating 40% lot coverage. Worth noting, with a lot area of 5,750, 1% lot coverage is only 57.5 square feet. The house is otherwise conforming to setbacks, and the proposed pavilion is designed to meet all required accessory structure setbacks.

Minimum Dimensional Standards

- Minimum lot area: Seven thousand five hundred (7,500) square feet.
- Minimum lot width: Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.
- Minimum yards:
 - Front yard: Twenty (20) feet.
 - Side yard: Fifteen (15) feet in total for both side yards provided that no side yards are less than five (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.
 - Rear Yard: Thirty (30) feet.
- Floor area: A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single family dwelling unit's minimum square footage.
- Maximum lot coverage: Thirty-five (35) percent.
- Height: Thirty-five (35) feet.
- Accessory structures: All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and area with regards to the RS-2 dimensional standards. The subject property is comprised of two



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

legal nonconforming lots of record. Additionally the house was constructed at 45% lot coverage. Finally the approved variance for rear yard improvements is tied to a very specific design that lacks flexibility.

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

Staff **does not** find that circumstances are a result of the applicant. The subject property is two platted lots of record circa 1925. The property is substandard in both width and area. Additionally the developer built the house at 45% lot coverage. Additionally the previous variance limited the flexibility of design to a material that is prone to rot and requires a higher level of maintenance.

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 add flexibility to their rear yard improvements over what was previously approved and limited to a wooden deck, in the process they are requesting to add additional amenities in the form of a roofed area for shade. These are similar amenities that are built throughout the zoning district with similar square footages.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The current approved variance limits the applicant to a single type of material and a specific footprint. Many variances have been granted for lot coverage and setbacks that didn't specifically limit material unless it was tied to lot coverage calculation such as pervious material.

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 accomplish the proposed design. The overall increase in lot coverage is minimal, but the percentage is artificially inflated by the reduced size of the lot, even compared to other nonconforming lots in the same zoning district. At a



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

minimum the board should grant the ability to allocate the already approved lot coverage to different designs and materials.

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#22-100080**

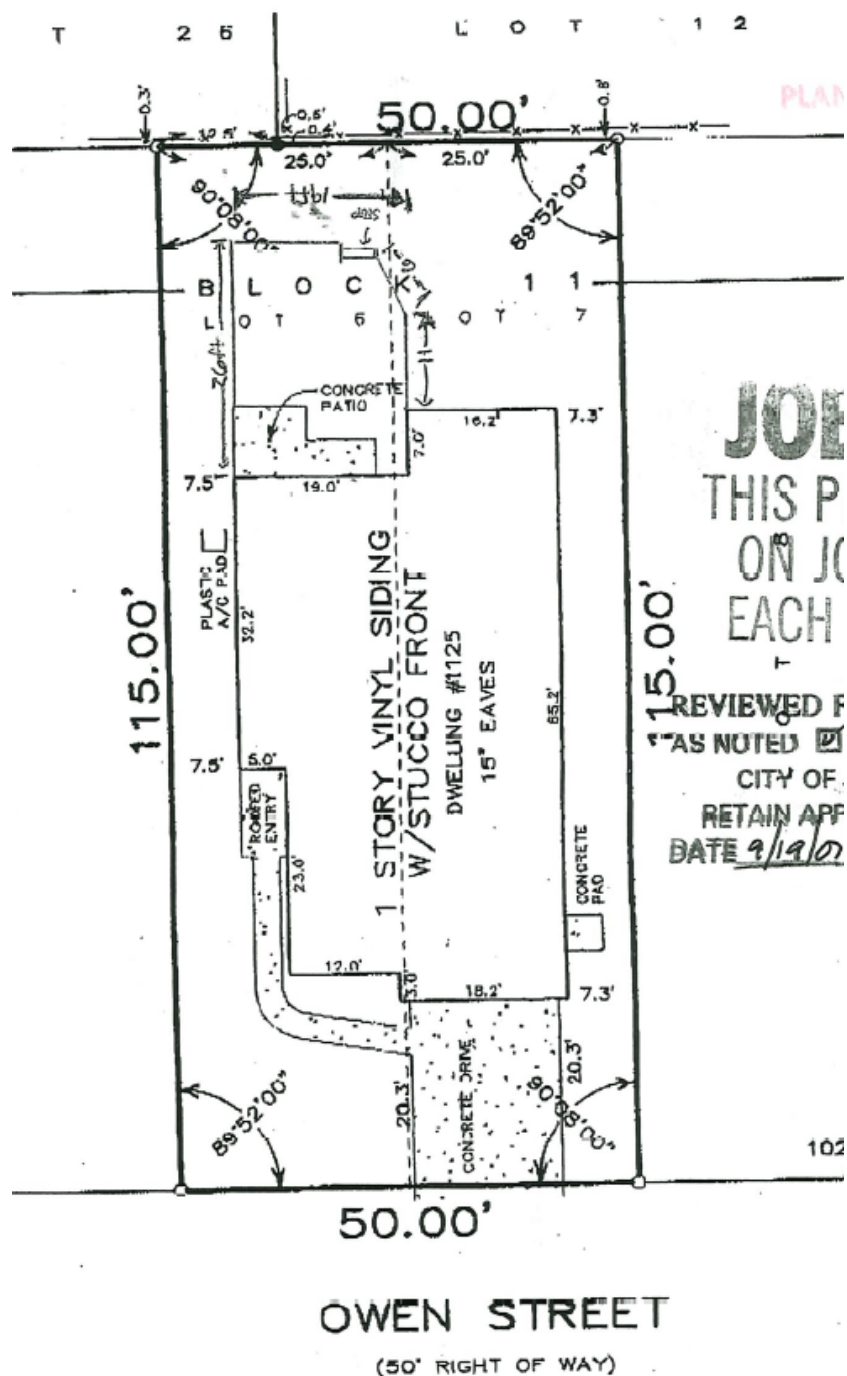
Location Map (property boundaries are representative only)





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

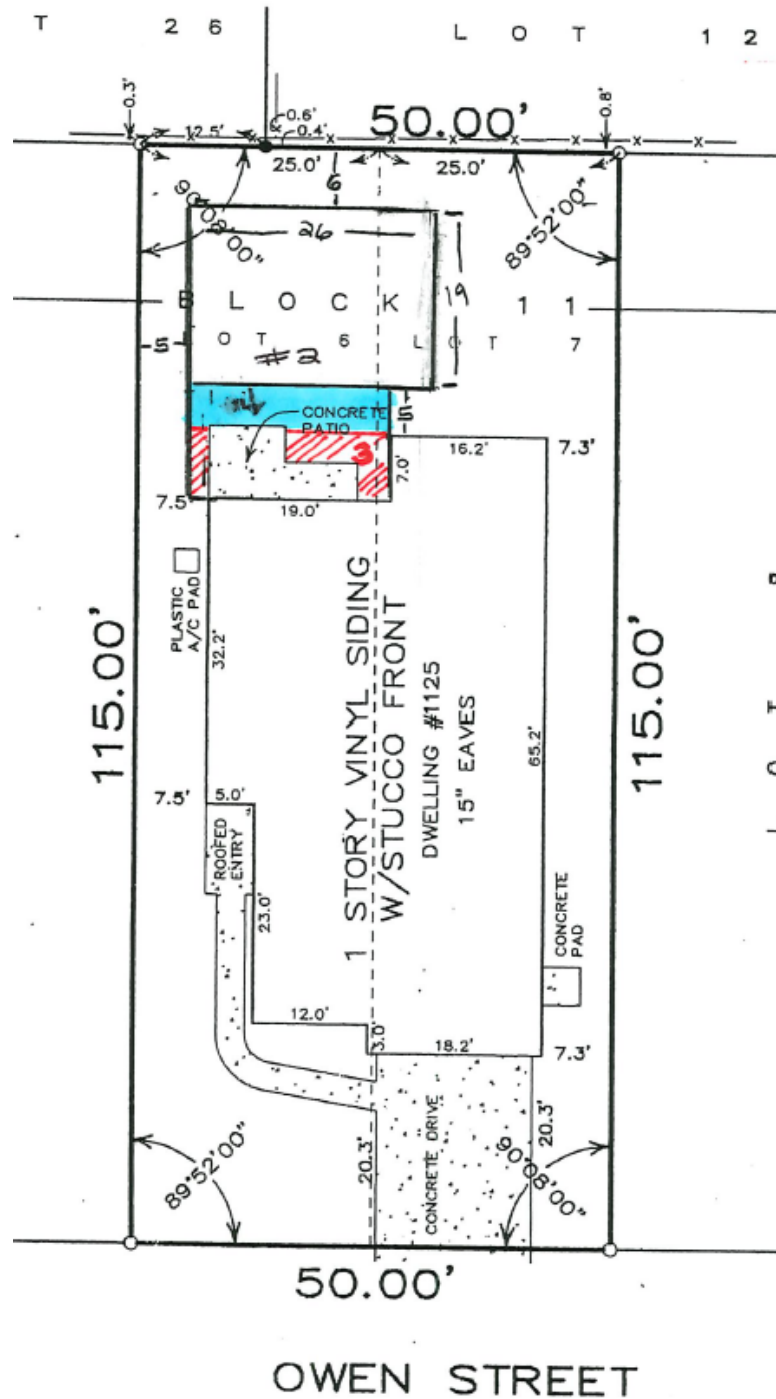
Existing Survey





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

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100080

HEARING DATE 8/16/22

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 23 2022

APPLICANT INFORMATION

Applicant Name: Amy L. Frank **Telephone:** 904-422-0466
Mailing Address: 1125 OWEN AVE **E-Mail:** amyfranka@gmail.com
Jax Beach, FL 32250
Agent Name: A/A **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____
Landowner Name: Amy L. Frank **Telephone:** _____
Mailing Address: same as above **E-Mail:** _____

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

VARIANCE DATA

Street address of property and Real Estate Number: 1125 Owen Ave, Jacksonville Beach, FL
Legal description of property (Attach copy of deed): Lots 6&7, Block 11, Williams Coastal Blvd
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
See attached sheet 179933-0000

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

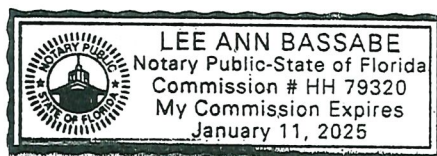
Amy L. Frank
PRINT APPLICANT NAME

6/23/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of June, 2020, by Amy L. Frank, who is personally known to me or produced Florida Drivers License as identification.

[Signature]
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-2

FLOOD ZONE: X

CODE SECTION (s):
34-337(e)(1)e, for lot coverage of 57% in lieu of 35% maximum to allow for construction of a rear patio and cabana at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100080

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
#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.	yes	see attached sheet
#2	Special circumstances and conditions do not result from the actions of the applicant.	yes	see attached sheet
#3	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	see attached sheet
#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 hardship.	yes	see attached sheet
#5	Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	see attached sheet
#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.	yes	

Variance Application Standards and Conditions

Standard #1

- Small lot 5750'
 - Regular size lot in my zone is 7500'
 - My lot almost 24% smaller than most
- My house, driveway, sidewalk, etc take up my full allowable lot coverage of 45%
- Due to the change of grade & elevation of my house will need to transition out of house due to 12" drop
- Current wood deck has rotted & warped and screws have rusted and are stripped causing boards to lift and create a tripping hazard (see photos)
- Snakes, rats and other critters living under wood deck
- Add privacy in back yard (see photos)

Standard #2

- No shade in backyard. Existing arbor/pergola did not provide shade due to it not being a solid roof and being slotted. Did not provide protection from the elements.
- Grading of yard/elevation of house
- My lot is smaller than neighboring lots
- Existing variance of 51% needed to have any type of outdoor living space

Standard #3

- Pavillion (shade & protection from elements)
- Want same backyard usage options as neighbors
- Due to elevations will need to be able to tie Pavillion area and steps/landing area out of back door together
- Not asking to do more than what neighbors around me have already done (paver decks, pavilions, pools, pool decking, pergolas, fire pits, screened in porches (see photo)

Standard #4

- By me not doing a pool I am being negatively impacted
- I could rebuild wood deck however that does not solve anything. Would still have rats & snakes living under my deck, my small 6 lb dog can get stuck under the deck, cost to maintain a wood deck, wood boards would still lift and rot over time, lumber prices and availability, no shade or protections for the elements.

Standard #5

- Change material restriction of existing variance (deck falling apart, costly up keep & a maintenance nightmare)
- Additional lot coverage is a minimal ask of less than 360'
- Not able to do an addition onto house due to hip roof & rear setbacks so a dis-attached structure is my only option for shade
- Improve property overall appearance and value

THIS INSTRUMENT PREPARED BY:

Deborah W. Taylor
Blankenship Law Firm, P. A.
2716 St. Johns Avenue
Jacksonville, Florida 32205

RECORD AND RETURN TO:

Blankenship Law Firm, P. A.
2716 St. Johns Avenue
Jacksonville, Florida 32205

RE PARCEL ID #:
BUYER'S TIN: _____

01070811

2pp
10.80

1223.00

Book 10105 Page 1520

Incl 2001199412
Book: 10105
Pages: 1520 - 1521
Filed & Recorded
08/10/2001 02:41:08 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 1,223.60
RECORDING \$ 9.00

RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT

**CORPORATE
WARRANTY DEED**

THIS INDENTURE made this 31st day of July, 2001 by Bestcon, Inc., a valid Florida Corporation, hereinafter called Grantor, and whose address is 2440 South Beach Parkway, Jacksonville Beach, FL 32250 to Amy L. Frank, an unmarried woman, hereinafter called Grantee, and whose address is 1125 Owen Avenue, Jacksonville Beach, Florida 32250.

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

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee the following described land situate, lying and being in the County of Duval, State of Florida to wit:

Lots 6 and 7, Block 11, WILLIAMS COATAL BOULEVARD HEIGHTS, according to the plat thereof recorded in Plat Book 10, page 19 of the current public records of Duval County, Florida.

SUBJECT TO taxes accruing subsequent to December 31, 2000.

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

AND the said Grantor hereby covenants that it is lawfully seized of said land in fee simple and fully warrants the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in our presence:

Karen L Beck
Witness Printed Signature

Bestcon, Inc.
by Paul W. Nichols
Paul W. Nichols, its President

Notary Public, State and County Aforesaid

Heide Wolfgang
Notary Printed Signature

(Serial No., if any)

 **HEIDI WOLFGRAM**
NOTARY PUBLIC - STATE OF FLORIDA
MY COMMISSION EXPIRES DEC. 28, 2003
COMMISSION NO. CC497712

City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

September 19, 2001

Amy Frank
1125 Owen Ave.
Jacksonville Bch FL 32250

RE: Case No. # BOA 87-2001
1125 Owen Ave.

RECEIVED
22-100080
JUN 23 2022

PLANNING & DEVELOPMENT

Dear Ms. Frank:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:30 p.m. on **September 18, 2001** to consider your variance application.

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

- Section 34-337 (e)(1) e., for 51% in lieu of 45% maximum to allow for a grade-level deck addition to an existing single family home.

The results of the meeting were:

- Approved as amended; provided the deck is of wood construction that allows percolation between decking.

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

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

Sincerely,

Jonathan Hays
Jonathan Hays, CBO
Building Code Official

Attachment(s)

JCH/EB

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Amy Frank
1125 Owen Ave
Jacksonville Bch
FL 32250

2. Article Number (Copy from service label)

7099 3400 0000 1883 7742

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Amy L Frank* B. Date of Delivery *9/23/01*

C. Signature *[Signature]*

☒ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Description of Requested Variance:

1. **Remove material restriction** (wood construction) on existing variance dated 09/18/2001.
 2. **Additional lot coverage of 2.6%**
 - To have adequate usable shaded space for outdoor living area.
 - Proposed pavilion size 22' x 15' plus 2' of overhangs on all sides.
 - Current variance allows 389 sf (6% lot coverage). Asking for 494 sf to have rectangle shape decking under pavilion to match footprint.
 - New location will not be over lapping existing concrete patio.
 3. **Additional lot coverage of 1%**
 - For steps and landing area out of house due to house elevation being raised.
 - This would square off existing "Concrete Patio" (to 7' x 21' = 147') (material TBD)
 4. **Additional lot coverage of 1.84%**
 - To tie the outdoor living space/pavilion and steps/landing area together to maximize usage of space and design due to elevations. (21' x 5' = 105')
- 09/19/2001 Variance was approved for 51% (389 sq ft)
 - Asking for an additional 5.44% lot coverage (2.6% + 1% + 1.84%)

*I don't want the above lot coverage tied to any particular site plan as will be determined based on final variance approval.

PROPOSED IMPROVEMENTS

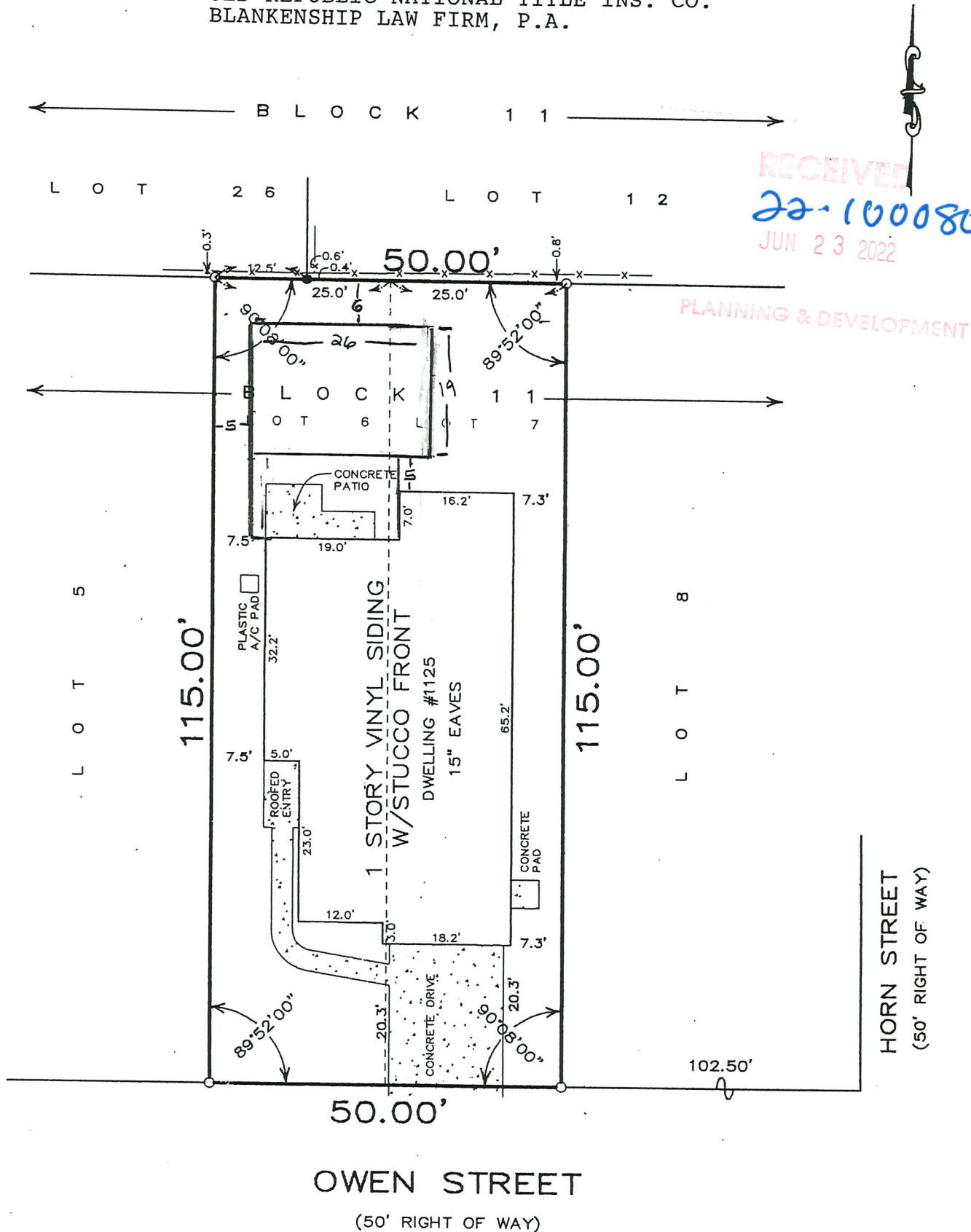
MAP SHOWING BOUNDARY SURVEY OF LOTS 6 & 7, BLOCK 11, AS SHOWN ON MAP OF WILLIAMS COASTAL BOULEVARD HEIGHTS.

AS RECORDED IN PLAT BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR: BESTCON, INC.

NOTE: ALL LOT NUMBERS SHOWN REFER TO ABOVE MENTIONED BLOCK 11, WILLIAMS COASTAL BOULEVARD HEIGHTS.
NOTE: NORTH ARROW SHOWN IS ASSUMED FROM THE ABOVE MENTIONED PLAT.

CERTIFIED TO: AMY L. FRANK
GMAC MORTGAGE CORPORATION
OLD REPUBLIC NATIONAL TITLE INS. CO.
BLANKENSHIP LAW FIRM, P.A.



FINAL SURVEY: 7-27-2001

NOTE: FOUND ALL IRONS

I HEREBY CERTIFY THAT THIS SURVEY, PERFORMED UNDER MY RESPONSIBLE DIRECTION MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLORIDA STATUTES), AND FURTHER CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN.

NOTE: THE LOT SURVEYED HEREON APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM THE FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 120078-00020, DATED 4-17-89.

CLARSON AND ASSOCIATES, INC.
1643 NALDO AVE., JACKSONVILLE, FL., 32207

SURVEYED DECEMBER 27, 1999.

SCALE: 1" = 20'

FIELD BOOK 653 PAGE 62
671 23

REGISTERED SURVEYOR NO. 4487, FLORIDA
JOSE A. HILL JR.

SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL

LEGEND:

- FOUND CONCRETE MONUMENT
- 1/2" FOUND IRON LB 3080
- 1/2" SET IRON - LB 1704
- B.R.L. BUILDING RESTRICTION LINE
- Δ CENTRAL ANGLE
- R RADIUS
- L ARC LENGTH
- CH CHORD
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- P.R.C. POINT OF REVERSE CURVE
- P.C.C. POINT OF COMPOUND CURVE
- FD. FOUND
- R/W RIGHT-OF-WAY
- O.R.V. OFFICIAL RECORDS VOLUME
- J.E.A. JACKSONVILLE ELECTRIC AUTHORITY
- X- 6' WOOD FENCE (WITH TIES TO FACE)

Requested Variance Breakdown
of Proposed Improvements

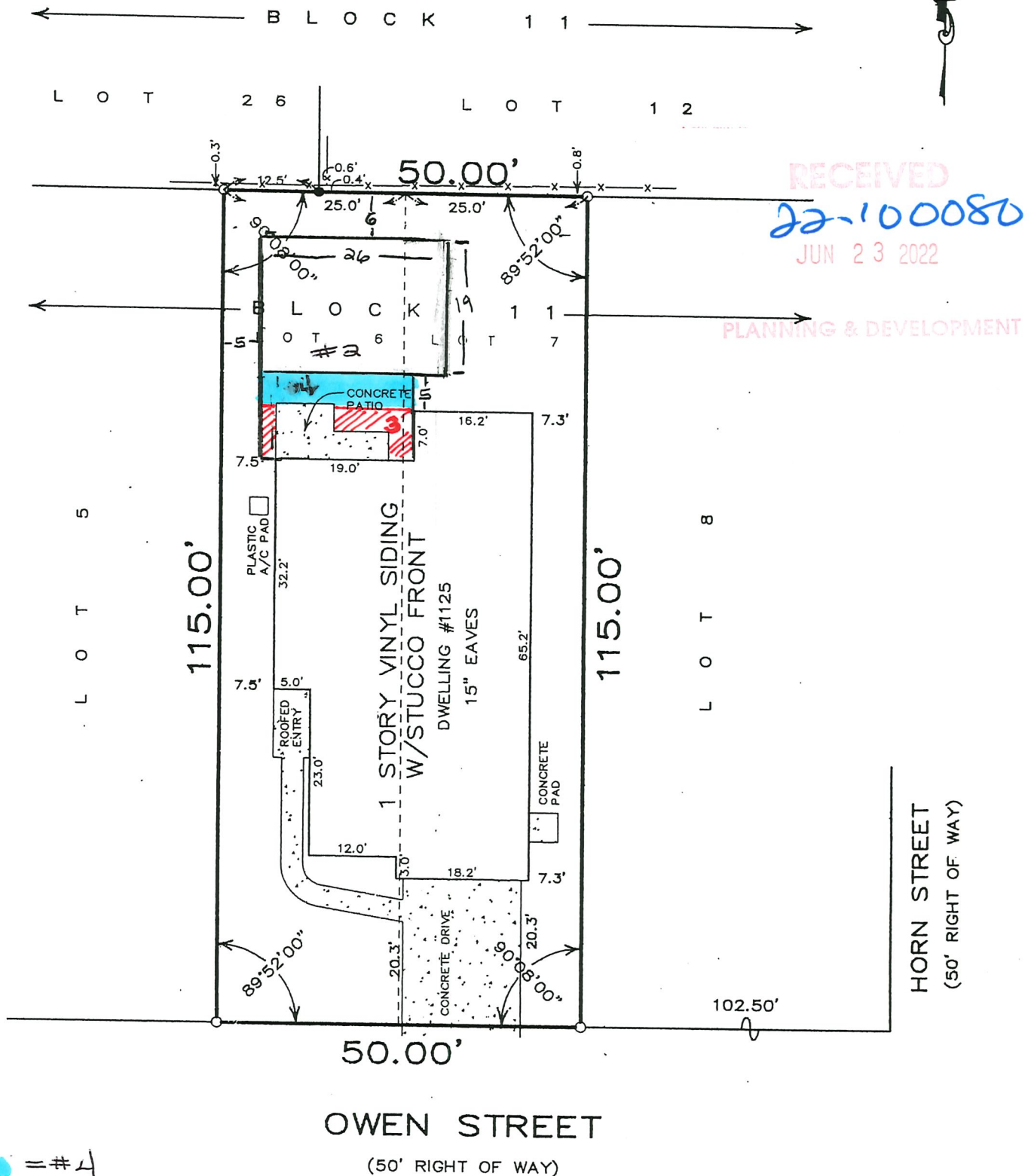
MAP SHOWING BOUNDARY SURVEY OF LOTS 6 & 7, BLOCK 11,
AS SHOWN ON MAP OF WILLIAMS COASTAL BOULEVARD HEIGHTS.

AS RECORDED IN PLAT BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR: **BESTCON, INC.**

NOTE: ALL LOT NUMBERS SHOWN REFER TO ABOVE MENTIONED BLOCK 11, WILLIAMS COASTAL BOULEVARD HEIGHTS.
NOTE: NORTH ARROW SHOWN IS ASSUMED FROM THE ABOVE MENTIONED PLAT.

CERTIFIED TO: AMY L. FRANK
GMAC MORTGAGE CORPORATION
OLD REPUBLIC NATIONAL TITLE INS. CO.
BLANKENSHIP LAW FIRM, P.A.



FINAL SURVEY: 7-27-2001

NOTE: FOUND ALL IRONS

I HEREBY CERTIFY THAT THIS SURVEY, PERFORMED UNDER MY RESPONSIBLE DIRECTION MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLORIDA STATUTES), AND FURTHER CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN.

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CLARSON AND ASSOCIATES, INC.
1643 NALDO AVE., JACKSONVILLE, FL., 32207

SURVEYED DECEMBER 27, 1999.

SCALE: 1" = 20'

FIELD BOOK 653 PAGE 62
671 23

JOSE A. HILL JR.
REGISTERED SURVEYOR NO. 4487, FLORIDA

SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL

LEGEND:

- FOUND CONCRETE MONUMENT
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- X- 6' WOOD FENCE (WITH TIES TO FACE)



RECEIVED
22-100080
JUN 23 2022

PLANNING & DEVELOPMENT

Example of what pavilion and decking would look like in my backyard.
This also illustrates why it would be beneficial to have the same patio ground
cover consistently. (See 2 photos showing elevation change)



RECEIVED
22-100080
JUN 23 2022

PLANNING & DEVELOPMENT

Pavilion in neighbors yard.
I am wanting to build something similar for my shaded outdoor space.

A photograph of a backyard with a swimming pool in the foreground. To the left is a light-colored house with a grey roof and a large window. To the right is a white pavilion with a blue roof, containing outdoor furniture. The area is landscaped with plants and has string lights hanging over the pool.

Neighbors backyard with pool & pavilion.
I am just wanting a dis-attached pavilion similar to this one.

RECEIVED
22-100080
JUN 23 2022

PLANNING & DEVELOPMENT

RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT



Neighbors backyard with pool & pergola.
I am just wanting a dis-attached pavilion, no pool.

Neighbors attached pavilion and pool.
I am just wanting a dis-attached pavilion, no pool.

RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT



RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT
DEPARTMENT

Privacy Reasons

View from my current deck I can see people in my neighbors backyard from their waist up.

By allowing me to build a pavilion the structure in this back left corner of my yard it would block this giving us both privacy.



Privacy Reason

This shows the raised elevation in my neighbors backyard.

RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT

Privacy Reasons

This is the view from my neighbors backyard into my backyard.

My neighbors can see right over the 6' tall fence due to raised elevation of their backyard.

My new pavilion would block this view so they could no longer see into my sliding glass door and my patio.



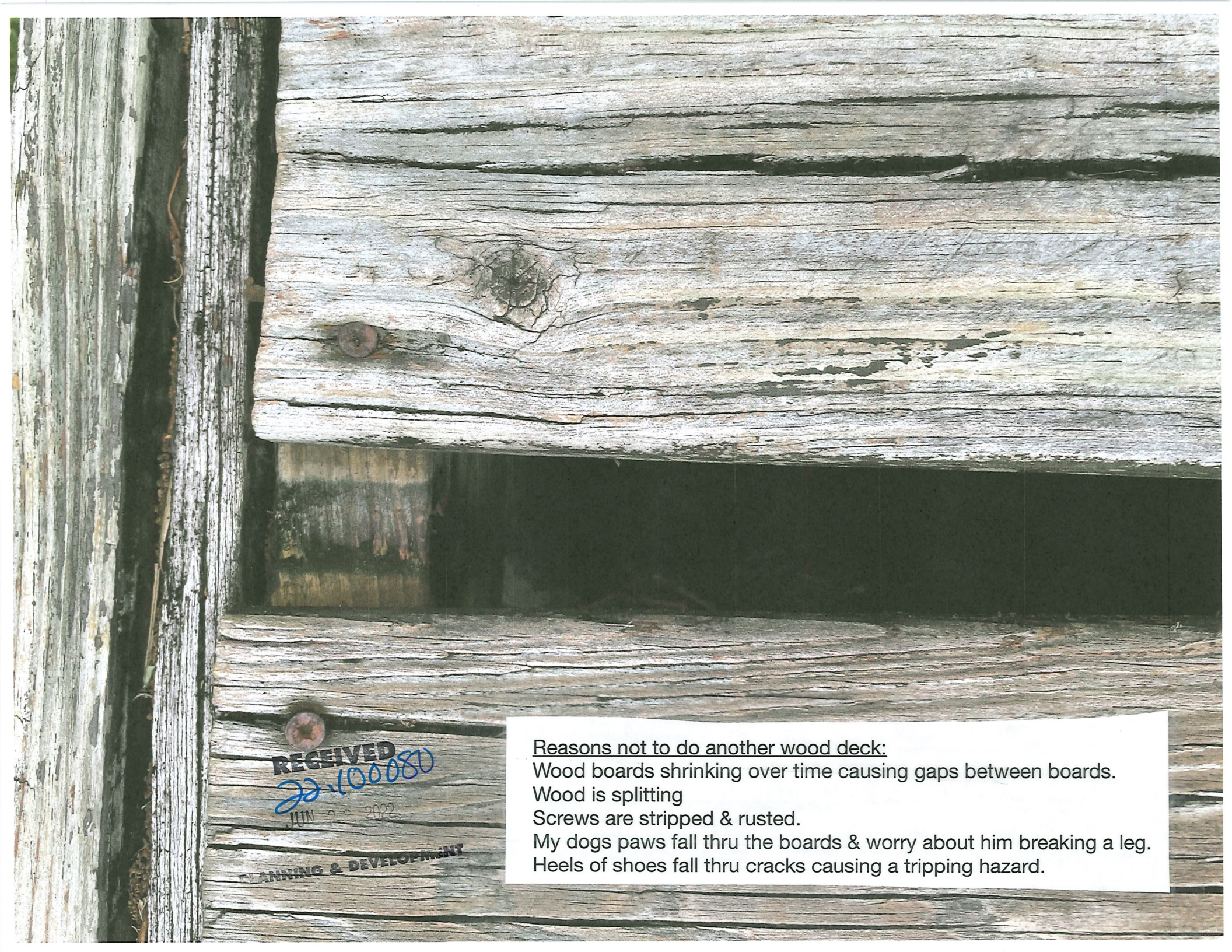
RECEIVED

22-100080

JUN 23 2022

PLANNING & DEVELOPMENT

Reasons not to do another wood deck:
Wood boards rotting & deteriorating
Screws rusted



RECEIVED

22-100080

JUN 2 2022

PLANNING & DEVELOPMENT

Reasons not to do another wood deck:

Wood boards shrinking over time causing gaps between boards.

Wood is splitting

Screws are stripped & rusted.

My dogs paws fall thru the boards & worry about him breaking a leg.

Heels of shoes fall thru cracks causing a tripping hazard.

Reasons not to do another wood deck:
Wood boards lifting and warping causing uneven
surface and tripping hazard.

PLANNING & DEVELOPMENT

JUN 23 2022

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22-100080



This photo show elevation closest to house.
Sliding glass door about 12' off ground

RECEIVED
22-100080
JUN 23 2022

PLANNING & DEVELOPMENT

This photo show elevation change of about 5" at end of existing deck.

Existing Improvements

MAP SHOWING BOUNDARY SURVEY OF LOTS 6 & 7, BLOCK 11,
AS SHOWN ON MAP OF WILLIAMS COASTAL BOULEVARD HEIGHTS.

AS RECORDED IN PLAT BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR: BESTCON. INC.

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NOTE: NORTH ARROW SHOWN IS ASSUMED FROM THE ABOVE MENTIONED PLAT.

CERTIFIED TO: AMY L. FRANK
GMAC MORTGAGE CORPORATION
OLD REPUBLIC NATIONAL TITLE INS. CO.
BLANKENSHIP LAW FIRM, P.A.

RECEIVED

22.100080

JUN 23 2022

PLANNING & DEVELOPMENT

JOB CUT

THIS PLAN MUST BE
ON JOB SITE FOR
EACH INSPECTION

B
R
N
A

James Bennett

REVIEWED FOR CODE COMPLIANCE
AS NOTED ☒

CITY OF JACKSONVILLE BEACH

BETAIN APPROVED COPT ON JOBSITE

DATE 9/19/07 APP. BY DLG

**HORN STREET
(50' RIGHT OF WAY)**

(50' RIGHT OF WAY)

FINAL SURVEY: 7-27-2001

NOTE: FOUND ALL IRONS

I HEREBY CERTIFY THAT THIS SURVEY, PERFORMED UNDER MY RESPONSIBLE DIRECTION MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN ACCORDANCE WITH CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE (PURSUANT TO SECTION 472.027, FLORIDA STATUTES), AND FURTHER CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN.

NOTE: THE LOT SURVEYED HEREON APPEARS TO LIE WITHIN FLOOD
ZONE "X" AS SCALED FROM THE FLOOD INSURANCE RATE
MAPS, COMMUNITY PANEL NO. 12007B-0002D, DATED 4-17-89.

SURVEYED DECEMBER 27, 1999.

SCALE: 1" = 20'

FIELD BOOK 653 PAGE 62
871 23

CLARSON AND ASSOCIATES, INC.
1643 NALDO AVE., JACKSONVILLE, FL., 32207

1643 NALDO AVE., JACKSONVILLE, FL., 32207

REGISTERED SURVEYOR NO. 1487, FLORIDA

JOSE A. HILL JR.

SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL

LEGEND:

- FOUND CONCRETE MONUMENT
1/2" FOUND IRON LB 308D
1/2" SET IRON - LB 1704
B.R.L. BUILDING RESTRICTION LINE
R L CENTRAL ANGLE
R L RADIUS
CH ARC LENGTH
CH CHORD
P.C. POINT OF CURVATURE
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FD. FOUND
R/W RIGHT-OF-WAY
G.R.V. OFFICIAL RECORDS VOLUME
J.E.A JACKSONVILLE ELECTRIC
AUTHORITY
—X— B' WOOD FENCE
(WITH TIES TO FACE)

Received Time: Aug. 2. 9:38AM

Ref. 22-100080

LeeAnn Bassabe

From: Traver Fuska <traverfuska@gmail.com>
Sent: Thursday, July 7, 2022 4:35 PM
To: Planning Division
Subject: 1125 Owen Ave, Jax Beach, BOA#22-100080

RECEIVED
via email
JUL - 8 2022

Hello,

I am the Neighbor of Amy Frank and I am for, and have no issue with her new Variance.

PLANNING & DEVELOPMENT

Address: 1125 Owen Ave, Jacksonville Beach, 32250 BOA #: 22-100080

Best,

Traver Fuska

Ref. 22-100080

LeeAnn Bassabe

From: james slesinski <beachcruiser2657@hotmail.com>
Sent: Friday, July 8, 2022 10:25 AM
To: Planning Division
Cc: james slesinski
Subject: Neighbors variance request

RECEIVED
via email
JUL - 8 2022

PLANNING & DEVELOPMENT

My neighbor Amy Frank, BOA -100080, who resides at 1125 Owen Avenue in Jacksonville Beach is seeking a variance for her property. She would like to construct a pavilion/patio style structure in the rear of her property. This letter is submitted to the planning division in support of her request. My name is James Slesinski and along with my partner Lisa DeLuca (1008 Owen Avenue Jacksonville Beach) are in support of her request. Thank you,
James Slesinski

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

Reference

LeeAnn Bassabe

From: Anne Wiggins <anne.wiggins@att.net>
Sent: Sunday, July 10, 2022 4:43 PM
To: Planning Division
Subject: BOA#22-100080

My name is Anne Wiggins and I reside at 1871 Riley Street in Jacksonville Beach. I am writing today concerning a variance for lot coverage by Amy Frank, who resides at 1125 Owen Ave, Jacksonville Beach. I wish to go on record as having no objection to the lot coverage Ms. Frank is requesting and I do not feel it will be a problem for the neighborhood.

I've known Ms. Frank for several years and feel her plans for her property are warranted. Please feel free to contact me if you have any questions. Thank you.

Anne Wiggins
1871 Riley Street
Jacksonville Beach, FL
(904) 616-7562

BOA#22-100080
Amy Frank
1125 Owen Ave
Jacksonville Beach, FL

Reference

LeeAnn Bassabe

From: MERRI NICOL <merrinicol@bellsouth.net>
Sent: Monday, July 11, 2022 6:36 AM
To: Planning Division
Subject: Fwd: BOA # 22-100080

Sent from my iPhone

Begin forwarded message:

From: MERRI NICOL <merrinicol@bellsouth.net>
Date: July 10, 2022 at 11:00:03 PM EDT
To: planning@jaxbch.net
Subject: **BOA # 22-100080**

To whom it may concern,
We are fine for the lot coverage. (BOA#22-100080) We have no problem with it and think it will be a great addition.

Thank you,
Beth & Barry Nicol
1103 Owen Ave
Jax Bch, FL 32250

Sent from my iPhone

Reference

LeeAnn Bassabe

From: April Mitzel <aprmitzel@gmail.com>
Sent: Thursday, July 14, 2022 8:40 AM
To: Planning Division
Subject: BOA #22-10080

To Whom it may concern,

I am writing in reference to a requested variance to add a pavilion/patio to the backyard at 1125 Owen Ave. As a neighbor to this property, I would agree to approve this request as it will add value to the property and allow the resident to enjoy her home that much more. Please note my approval of this variance request and let me know if you need anything more from me.

Thank you for your time.

April Mitzel

1126 Owen Ave, Jacksonville Beach, FL 32250

904.233.0457

Ref. 22-100080

LeeAnn Bassabe

From: Shawn Dahbour <shawndfromnc@aol.com>
Sent: Tuesday, July 19, 2022 8:59 AM
To: Planning Division
Subject: 22-100080 for 1125 Owen Ave

Hello,

I am writing to give my blessing for Amy Frank to increase her lot coverage. She has been my neighbor directly across the street for eleven years now. She has always taken great care of her property and I have no doubt her choices will only increase the surrounding property values.

Thank you,

Shawn E. Dahbour
1120 Owen Ave
Jax Beach 32250
(352) 246-1392

Ref 22-100080

LeeAnn Bassabe

From: Tammy Bosslet <tammybosslet@yahoo.com>
Sent: Tuesday, July 19, 2022 9:28 AM
To: Planning Division
Subject: BOA#22-100080

I am a resident at 2223 Riley St Jax Bch and my property is on the corner of Owen Ave.
I have been made aware of the plan to build a deck and pergola at 1125 Own Ave.
I would like to add my support and approval for this addition. Amy is a good neighbor and takes care of her property.

Thank you!
Tammy Bosslet

Sent from Yahoo Mail for iPhone

Reference

LeeAnn Bassabe

From: Casey Reinig <casey@redtreemtg.com>
Sent: Monday, August 1, 2022 8:05 AM
To: Planning Division
Cc: amyfrank2@gmail.com; Alex Reinig
Subject: BOA #22-10080, Amy Frank

Good Morning,

This letter is in regards to 1125 Owen Avenue in Jacksonville Beach, BOA #22-10080. Myself and my husband, Alex Reinig, of 1130 Owen Ave, are FOR Amy Frank having additional lot coverage and a pavilion so she can enjoy her back yard. Please let us know if you need any additional information.

Thank You
Casey Reinig
1130 Owen Ave.
Jacksonville Beach, FL 32250
412-580-2741



Casey Reinig
Office Manager
T. 412-580-2741
casey@redtreemtg.com

www.RedTreemtg.com
Company NMLS 1854590

Ref. 22-100080

LeeAnn Bassabe

From: Bob Bonenberger <soggydollarz@att.net>
Sent: Tuesday, August 2, 2022 1:56 PM
To: Planning Division
Subject: Owen Ave

To: City of Jacksonville Beach

RE: BOA#22-100080 for 1125 Owen Ave, Jacksonville Beach

We have been neighbors of Amy Frank ever since she built her house in 2001 and are FOR her having additional lot coverage and building a large pavilion for shade so that she can enjoy her backyard like her fellow neighbors. Amy has always had one of the nicest yards in the neighborhood so I know it will be tastefully done and you should not have any hesitation in granting her this.

Kinds Regards,

Bob & Bo Bonenberger
1047 Owen Ave
Jacksonville Beach, FL. 32250

LeeAnn Bassabe

From: Bo Bonenberger <bo.bonenberger@gmail.com>
Sent: Tuesday, August 2, 2022 7:54 PM
To: Planning Division
Subject: BOA#22-100080 for 1125 Owen Ave, JAX BCH, FL

to: City of Jacksonville Beach

We have been neighbors of Amy Frank ever since she built her house in 2001 and are FOR her having additional lot coverage and building a large pavilion for shade so that she can enjoy her backyard like her fellow neighbors. Amy has always had one of the nicest yards in the neighborhood so I know it will be tastefully done and you should not have any hesitation in granting her this.

Kindest regards,
Bo Bonenberger
1047 Owen Ave
Jacksonville Beach, FL 32250

--
Bo Bonenberger
cell: (904) 528-6901

Reference

LeeAnn Bassabe

From: Steve Manz <manzgator@gmail.com>
Sent: Friday, August 5, 2022 12:30 PM
To: Planning Division
Subject: BOA#22-100080

To whom it may concern, my neighbor Amy Frank at 1125 Owen Ave Jacksonville Beach is applying for a variance to improve her backyard and it showed me the plans. My name is Stephen Manz and I live at 1058 Owen Ave. I am in favor of her plans to upgrade her backyard.

Thank you,

-Steve



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

BOA#22-100081

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

Request

Section(s): 34-336(e)(1)e, for lot coverage of 44% in lieu of 35% maximum to allow for construction of a new swimming pool deck; and 34-373(a) for a gravel driveway in lieu of a paved driveway for a new single-family dwelling

Existing Conditions

The subject property is comprised of portions of nonconforming lots of record (circa 1937) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The existing lot was created by the splitting and recombining of portions of existing lots when the previous home was demolished and a variance request was submitted for side yard setback reductions. The current lot is 43 feet wide and 125 feet deep. Overall lot area is 5,387 square feet. The current owner applied for a variance in 2021 for a north and south side yards to be 7 feet in lieu of the 10 feet required to build a new single family home. The applicant applied for a subsequent variance in May of 2022 for 47% lot coverage and a pea gravel driveway, which was denied. The applicant then requested a subsequent hearing based on overall lot coverage reduction to 44%. The request for subsequent hearing was granted, and this is the new revised application.

BOA#21-100137 from side yard setbacks of 7 feet in lieu of 10 required, approved.
BOA#22-100037 for 47% lot coverage and a gravel driveway, denied. No Code Enforcement Violations

Staff Analysis

The applicant is requesting lot coverage of 44% in lieu of 35% and a gravel driveway in lieu of a paved driveway. The applicant had first requested a variance for side setbacks only, in 2021, which was approved. Subsequent to that, the applicant applied for a variance for 47% lot coverage and a gravel driveway. At the hearing the applicant stated that he had not fully designed the home when he applied for the first variance, but once it was designed with a pool and pool deck, it became apparent he needed a variance for lot coverage as well. At the hearing



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where the application was denied, the board expressed hesitation to approve a full gravel driveway for a number of reasons. If the applicant had requested a fully paved driveway, and the proposed pool deck along with the house, the total lot coverage would be closer to 57% instead of 44%. Based on the Board's comments, staff would suggest the applicant at least provide the minimum paved driveway of wheel strips. Based on the size and depth of the driveway, staff would recommend two sets of wheel strips. Considering the proposed site plan, with a driveway of 25 feet in depth, and the minimum wheel strip width of 18 inches, four wheel strips will add approximately 3% lot coverage. Staff would recommend the Board approve 44% lot coverage with the requirement that the applicant provide two sets of wheel strips, as originally proposed in the original 2021 variance for side setbacks.

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;**



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Staff **does** find that there are circumstances unique to the subject parcel of land. The subject property is substandard in width and area, and is of an irregular shape.

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

Staff **does not** find that circumstances are a result of the applicant. The lot is substandard in width and area. The applicant has made an attempt to reduce the overall lot coverage.

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 owns a substandard lot, and relief from the LDC will allow the applicant to build a single family home with pool and deck, which is the highest and best use of the property.

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 subject property is substandard in lot width and area, and approval of this variance, as conditioned, will allow the applicant to develop the property as a single family home with pool and deck, a right commonly enjoyed in this zoning district.

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

Staff **does** find that the requested variances, as conditioned, are the minimum variance needed to accommodate the proposed new home. With the requirement for a minimally paved driveway, 44% lot coverage is the minimum request needed to build the proposed home and other hardscape improvements.



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

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

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

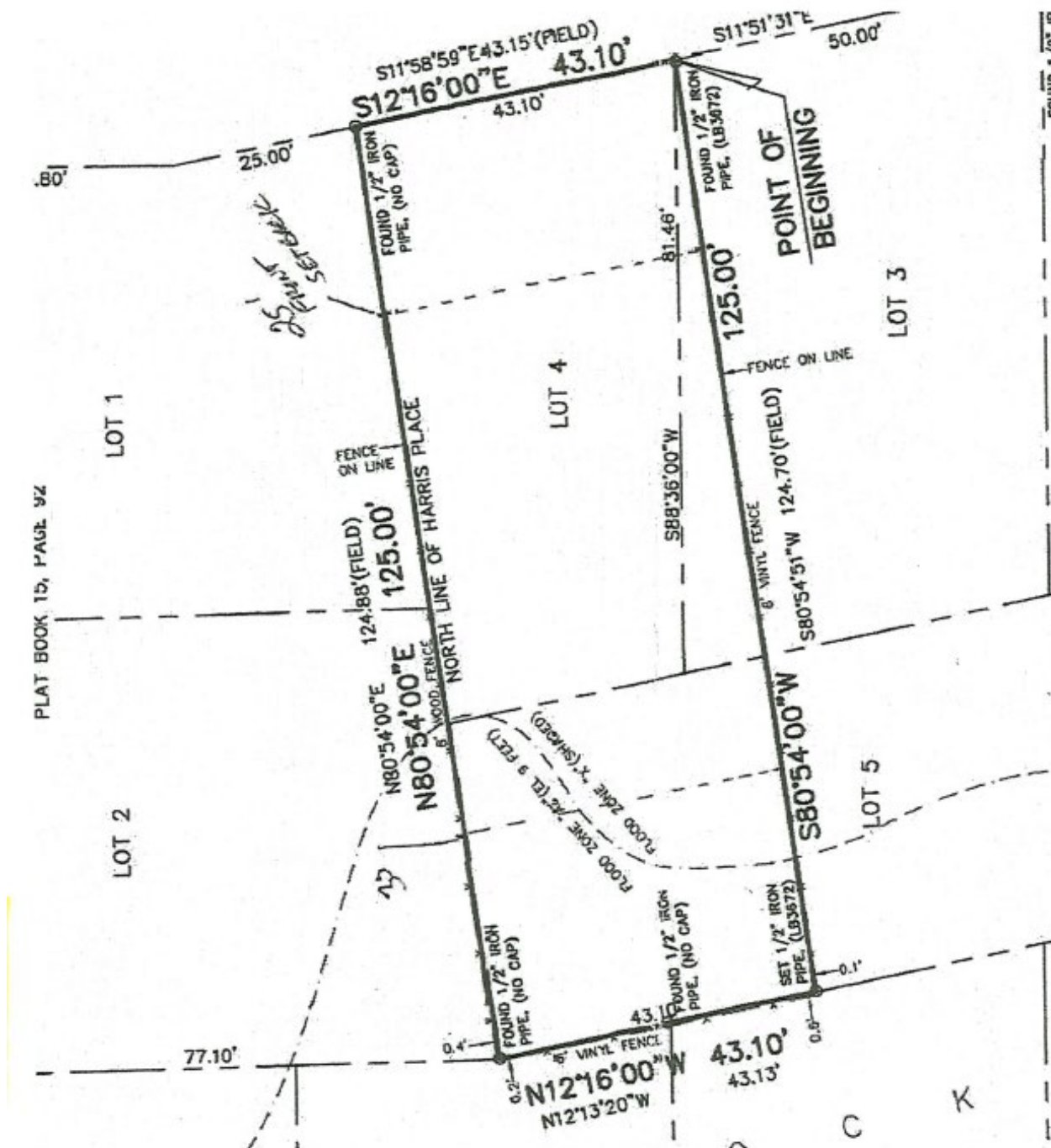
Staff Recommendation

Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approve with the Condition(s) of BOA#22-100081, the applicant provide minimum paved parking in the form of two sets of wheel strips and the overall lot coverage of 44%.**

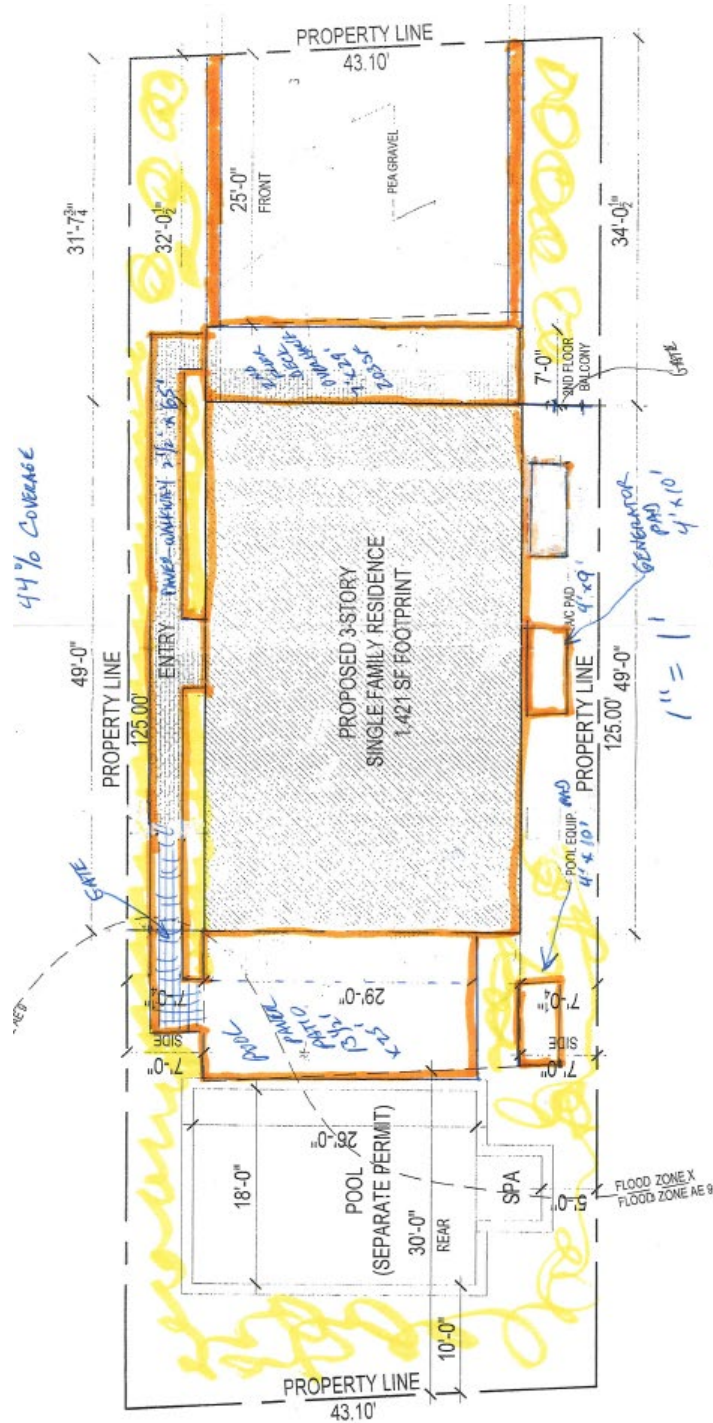
Location Map (property boundaries are representative only)



Existing Survey



Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100081
HEARING DATE 8-16-22

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 23 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: ROBERT G. BRUCE Telephone: 904-655-1998
Mailing Address: 3330 OCEAN DRIVE SOUTH E-Mail: RBFINANCIALGROUP@GMAIL.COM
JACKSONVILLE BEACH, FL 32250
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: ROBERT + LINDA BRUCE Telephone: SAME
Mailing Address: SAME AS ABOVE E-Mail: AS ABOVE

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: 3306 OCEAN DRIVE SOUTH/RE #181752-0005
Legal description of property (Attach copy of deed): DEED ATTACHED
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
COVERAGE OF 44% IN LIEU OF 35%
PER GRAVEL OR REGULAR GRAVEL DRIVEWAY

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

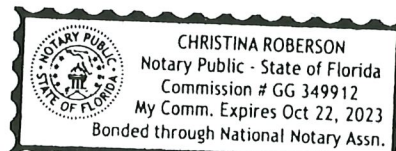
ROBERT G. BRUCE
PRINT APPLICANT NAME

6/23/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of June, 2022, by Robert Bruce, who is personally known to me or produced FL Driver's License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
Christina Roberson
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-shaded/AE

CODE SECTION (s):

34-336(e)(1)e, for lot coverage of 44% in lieu of 35% maximum; and 34-373(a)5, for no paved driveway in lieu of a paved driveway, to allow for construction of a new single-family dwelling and swimming pool with patio

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100081

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	PRE-EXISTING NON-CONFORMING LOT 5387 SF
Special circumstances and conditions do not result from the actions of the applicant.	YES	TWO LOTS CREATED FROM ONE LOT WITH HOUSE, GARAGE + POOL ON IT. THOSE TORN DOWN ABOUT 15 YEARS AGO & 3306 OCEAN DRIVE LEFT WITH BEING JUST 43' WIDE
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	VIRTUALLY ALL LOTS IN THE NEIGHBORHOOD ARE NON-CONFORMING WITH COVERAGES AVERAGING OVER 45% or SD %
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	3306 OCEAN DRIVE IS NARROWED AND DEEPER THAN MOST LOTS IN THE SURROUNDING AREA. ITS DEPTH ALLOWS FOR A NICE SIZE POOL IN THE BACK YARD. THE ADDITIONAL COVERAGE WILL PERMIT A NICE POOL PATIO AREA AND CONNECTING WALKWAY
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	WITHOUT THIS VARIANCE THERE CAN BE NO POOL OVER PATIO AND ENTRY WALKWAY WOULD NEED TO BE GRAVEL
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	THIS VARIANCE WILL ALLOW FOR CONSTRUCTION OF A HOUSE AND SITE WORK CONSISTENT WITH OTHER HIGH END HOUSES IN THE NEIGHBORHOOD. ALL NEARBY NEIGHBORS SUPPORT THE PLAN

Prepared by and Return To:

Jess Arnow
Florida Closing Company, LLC
731 A1A Beach Blvd
Saint Augustine, FL 32080

Order No.: 21-21-0005

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

RECEIVED
22-100081
JUN 23 2022

PLANNING & DEVELOPMENT

APN/Parcel ID(s): 181752-0005

WARRANTY DEED

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

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

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

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

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

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

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

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

WARRANTY DEED

(continued)

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

Signed, Sealed and Delivered in the presence of:

Kathleen R. Stroud
Witness Signature

Kathleen R. Stroud
Print Name

Tony LaPlata
Witness Signature

Tony LaPlata
Print Name

Peter Gloersen
Peter Gloersen

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

State of Florida
County of St. Johns

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

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



Reference

22-100081



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

March 8, 2007

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

RECEIVED

JUN 23 2022

RE: BOA 07-100014
~~3310~~ South Ocean Drive, Lot 4

3306

Dear Mr. Christian:

PLANNING & DEVELOPMENT

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

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

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

To allow for a new single family dwelling.

The results of the meeting were:

- *Approved.*

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

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

Sincerely,

Jon Hays, CBO
Building Department



DEPARTMENT OF PLANNING & DEVELOPMENT
CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 3515

Ref 22-100081



FILE COPY

RECEIVED

JUN 23 2022

PLANNING & DEVELOPMENT

October 7, 2021

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

DEVELOPMENT ORDER FOR VARIANCE

BOA#21-100137

306 Ocean Drive

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

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

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

To allow for construction of a new single family dwelling

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

The Board **Approved** the request.

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

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



CONTINUED ON PAGE 2



DEPARTMENT OF PLANNING & DEVELOPMENT



FILE COPY

Sincerely,

Christian Popoli
Senior Planner

DISCLAIMER

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



BOA#21-100137

CERTIFIED MAIL RETURN - RECEIPT REQUESTED

7020 2450 0000 7999 5571

May 6, 2022

Robert G. Bruce
3330 Ocean Drive
Jacksonville Beach, FL 32250

FILE COPY
Reference
RECEIVED
22-100081
JUN 30 2022

PLANNING & DEVELOPMENT

DEVELOPMENT ORDER FOR VARIANCE

BOA#22-100037

3306 Ocean Drive

All of Lot 4, and parts of Lots 3 and 5, f the North 53 feet of Lot 85, *Flagler Tract*

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, May 3, 2022, in the City Council Chambers located at 11 3rd Street North, Jacksonville Beach, Florida, to consider a development permit application requesting to deviate from the requirements of the Land Development Code as described below:

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

For a new single-family dwelling

In support of its request for a variance, the applicant submitted an application, with supporting documentation. At the public hearing, the applicant supplemented the application with additional documentation and testimonial evidence.

Based on the review and discussion of said application and the consideration of any competent substantial evidence in the form of the staff report and testimony provided during the duly advertised public hearing, the Board of Adjustment determined this application for development **did not meet** all the standards applicable for authorizing a variance pursuant to Land Development Code Section 34-286.

Upon this competent substantial evidence, The Board **Denied** the request based on the applicant's inability to provide sufficient evidence to meet all the standards, and specifically not meeting standard number two.

Pursuant to Section 34-158, successive applications for all or part of the same land shall not be considered for a period of one (1) year unless the subsequent applications are materially different. Please remove the public hearing notice(s) posted on your property.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





CONTINUED ON PAGE 2

Attached is a copy of the submitted site plan for your records. If you have any questions regarding this development order please feel free to call me at (904) 247-6231.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Popoli", written over a horizontal line.

Christian Popoli
Senior Planner

DISCLAIMER

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

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



BOA#22-100037

PROPOSED

22-100081

RECEIVED

3306 OCEAN DRIVE SOUTH

JUN 23 2022

LOT COVERAGE SUMMARY

PLANNING & DEVELOPMENT

LOT AREA: 43.1' x 125'	5,387.5 SF
COVERAGE @ 35%	1,886 SF
COVERAGE @ 47%	2,532.1 SF
COVERAGE @ 44%	2,370.5 SF
Variance Request @ 44%	2,370.5 SF

NEW COVERAGE SUMMARY

COVERAGE:

House Pad 29' x 49'	1,421	SF
North Paver Walkway 2-1/2' x 65'	162.5	
Entry Paver Area 2' x 6'	12	
Front Deck Overhang 7' x 29'	203	
Two Driveway Concrete Borders 1-1/2' x 25.5'	76.5	
Pool Paver Patio 13-1/2' x 25'	351	
AC Pad 4' x 9'	36	
Generator Pad 4' x 10'	40	
Pool Equip. Pad 4' x 10'	40	
TOTAL	2,342	SF

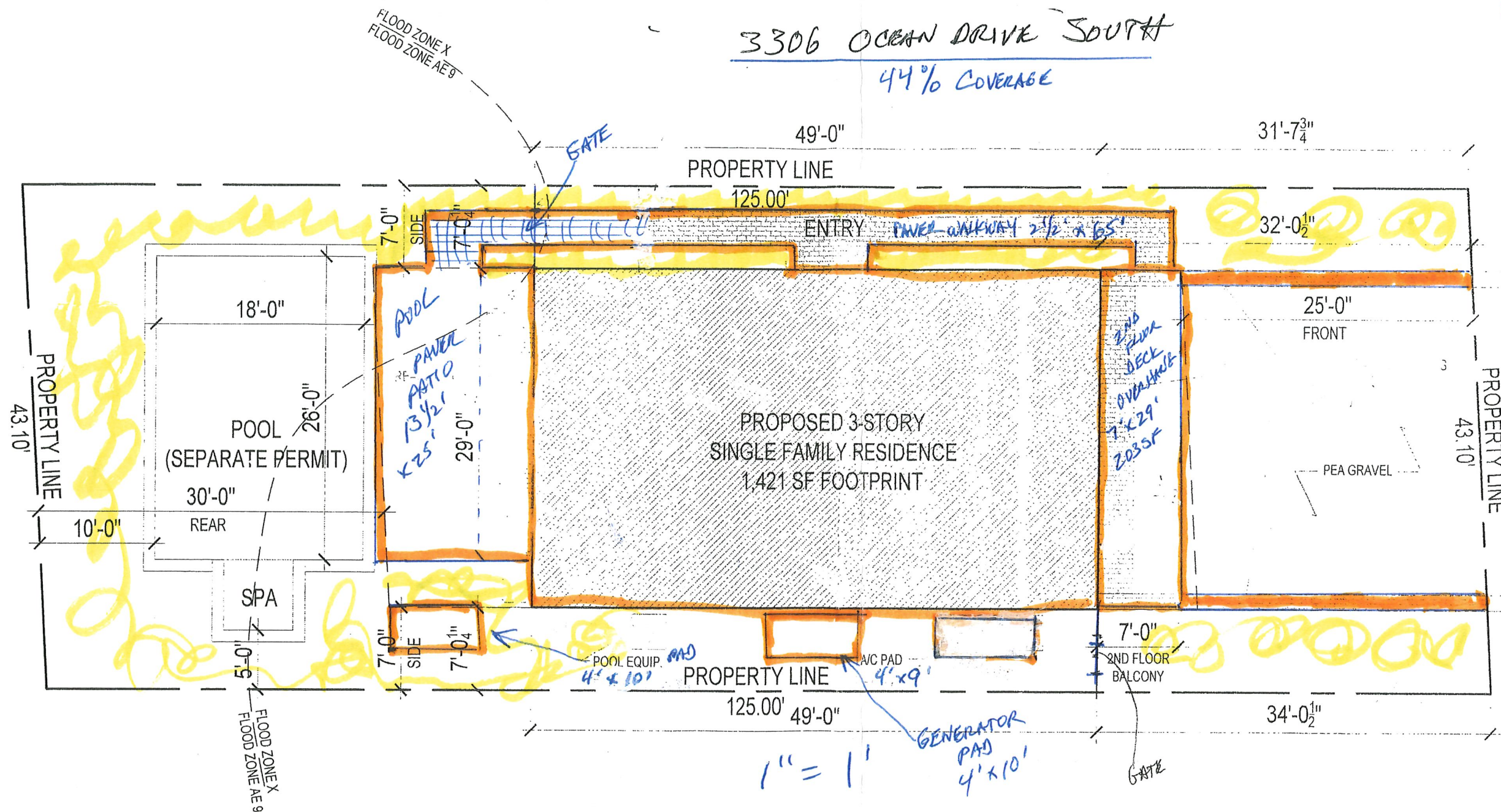
COVERAGE 43.5%

PROPOSED

RECEIVED
22.160081
JUN 23 2022

PLANNING & DEVELOPMENT

3306 OCEAN DRIVE SOUTH
44% COVERAGE



OCEAN DRIVE SOUTH



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

BOA#22-100083

Zoning: RS-1
RE: 181542-0000
Legal: Lot 4, Block 6, Atlantic Shores
Address: 3300 1st Street South

Request

Section(s): 34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for construction of a new swimming pool and patio attached to an existing single-family dwelling

Existing Conditions

The subject property is comprised of a 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 subject property is 65 feet wide, 86 feet deep and has an overall area of 5,608 square feet. The lot is close to half the required size for the RS-1 zoning district. The lot is a corner lot. There is a two story home currently on the lot. The home faces and is addressed off 1st street south, with driveway on 33rd Avenue South. There are various variances that appear to have been applied for to build a new home with a rear yard setback reduction that never came to be, as the current house is 30 feet from the rear property line. The third previous variance seems related to the previous home that was replaced by the current home in 2007.

Previous Variances:

BZA#12-91 **Approved** for a west side yard of 7 feet and a north side yard of 8.8 feet for a detached garage.

BOA#05-100280 **Denied** for a rear yard of 20 feet in lieu of 30 for a new single family home.

BOA#05-100279 **Denied** for a rear yard of 20 feet in lieu of 30 for a new single family home.

No Code Enforcement Violations



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

Staff Analysis

The subject lot is roughly half the size of a required lot in the RS-1 zoning district. The requested lot coverage, extrapolated out to a conforming lot size of 10,000 square feet, would equal 26%. The submitted site plan has a portion of the pool deck extended beyond the side of the house into the corner side yard, which is not allowed per the LDC section Sec. 34-392(4)(a)3. Therefore the amended site plan noted at "CP required changes" shows what portion for the pool deck will have to be removed from the proposed plan prior to installation. This will reduce the lot coverage, though staff doesn't have, at this time, revised calculations. The applicant has been instructed to submit revised calculations in time for the public hearing. The advertised amount of relief requested is for 47% and this would be below that amount, so no re-advertisement is required. As the lots is significantly substandard for the RS-1 zoning district in both width and area, staff is of the opinion that the request is reasonable.

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.



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

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, particularly the area is slightly more than half the required minimum area for the RS-1 zoning district.

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

Staff **does not** find that circumstances are a result of the applicant. The lot was platted in 1941, and the current home was constructed in 2007. The current homeowner purchased the house in 2009.

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 owns a substandard lot, and relief from the LDC will allow the applicant to add a modest swimming pool and pool deck, which is a typical accessory use for single family homes in this zoning district.

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

Staff **does** find that literal interpretation of the code would deprive the applicant of rights and privileges. The subject property is substandard in lot width and area, and approval of this variance will allow the applicant to build a swimming pool and deck, both of which are rights commonly enjoyed by residential properties within 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, as conditioned, are the minimum variance needed to accomplish the constructor for a pool and pool deck. As noted above, the actual request for lot coverage will be less, and to be



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

determined at the hearing. Even at 47%, it would still be based on a real hardship related to the property as platted in 1941.

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.

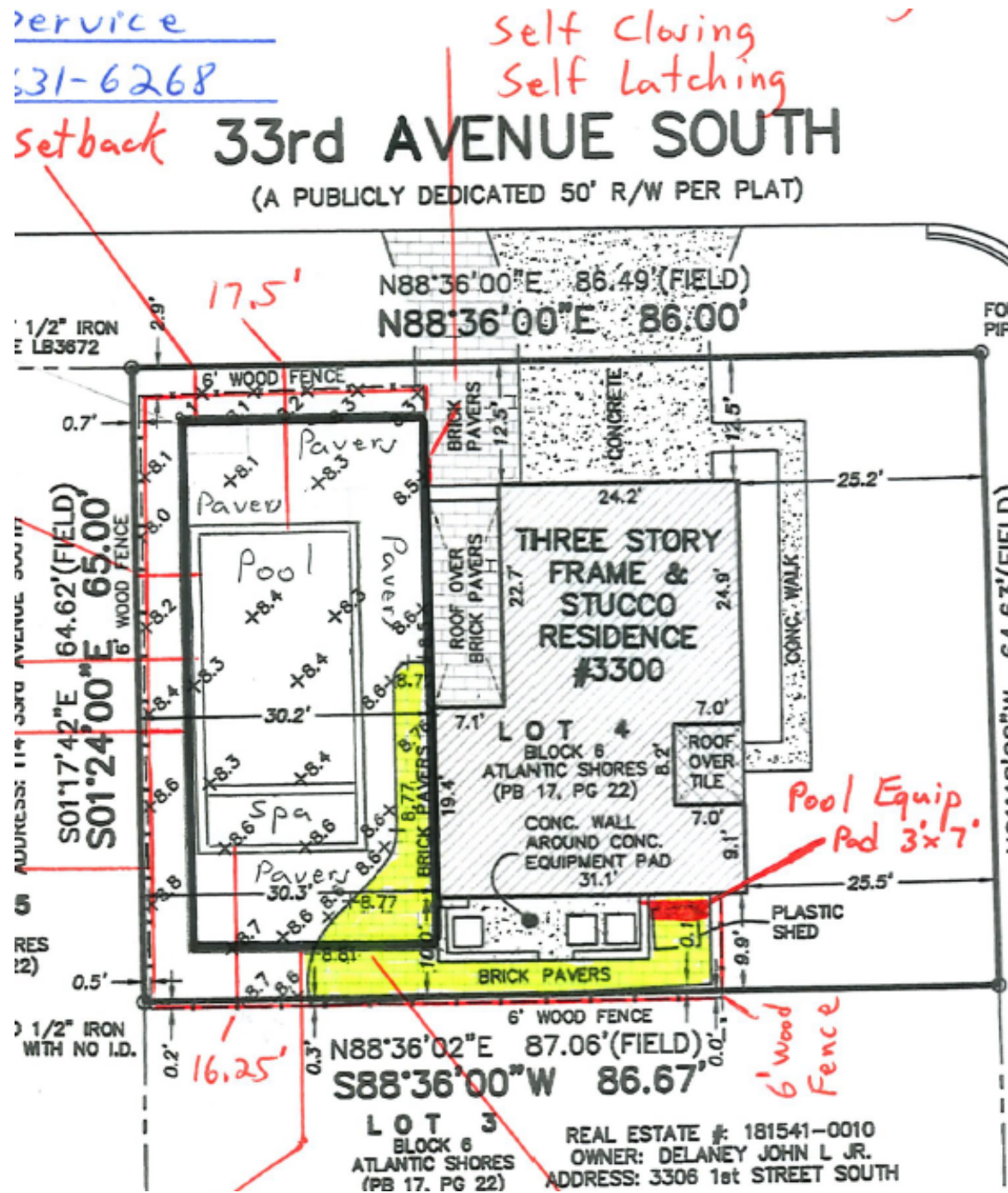
Staff Recommendation

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#22-100083**

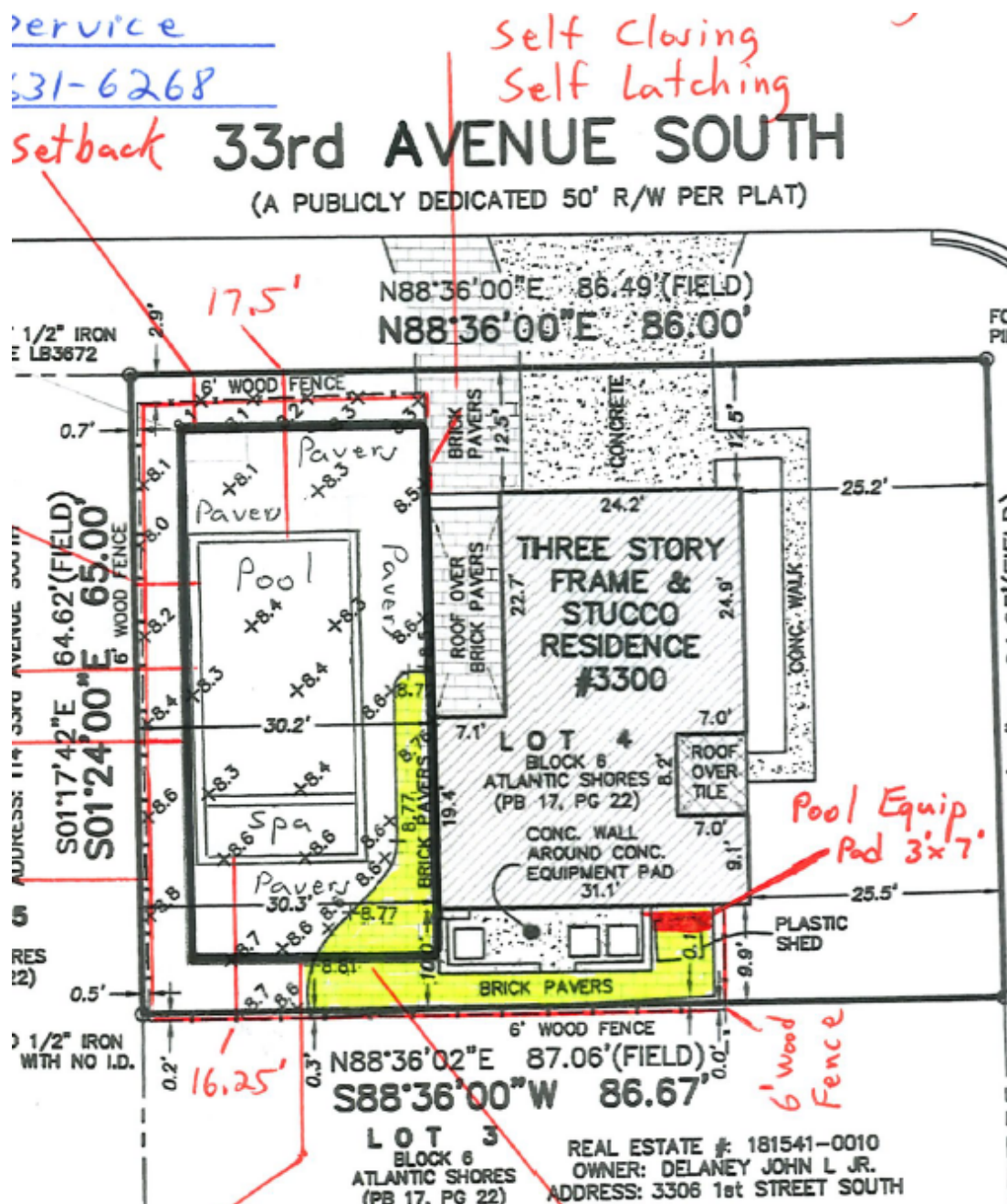
Location Map (property boundaries are representative only)



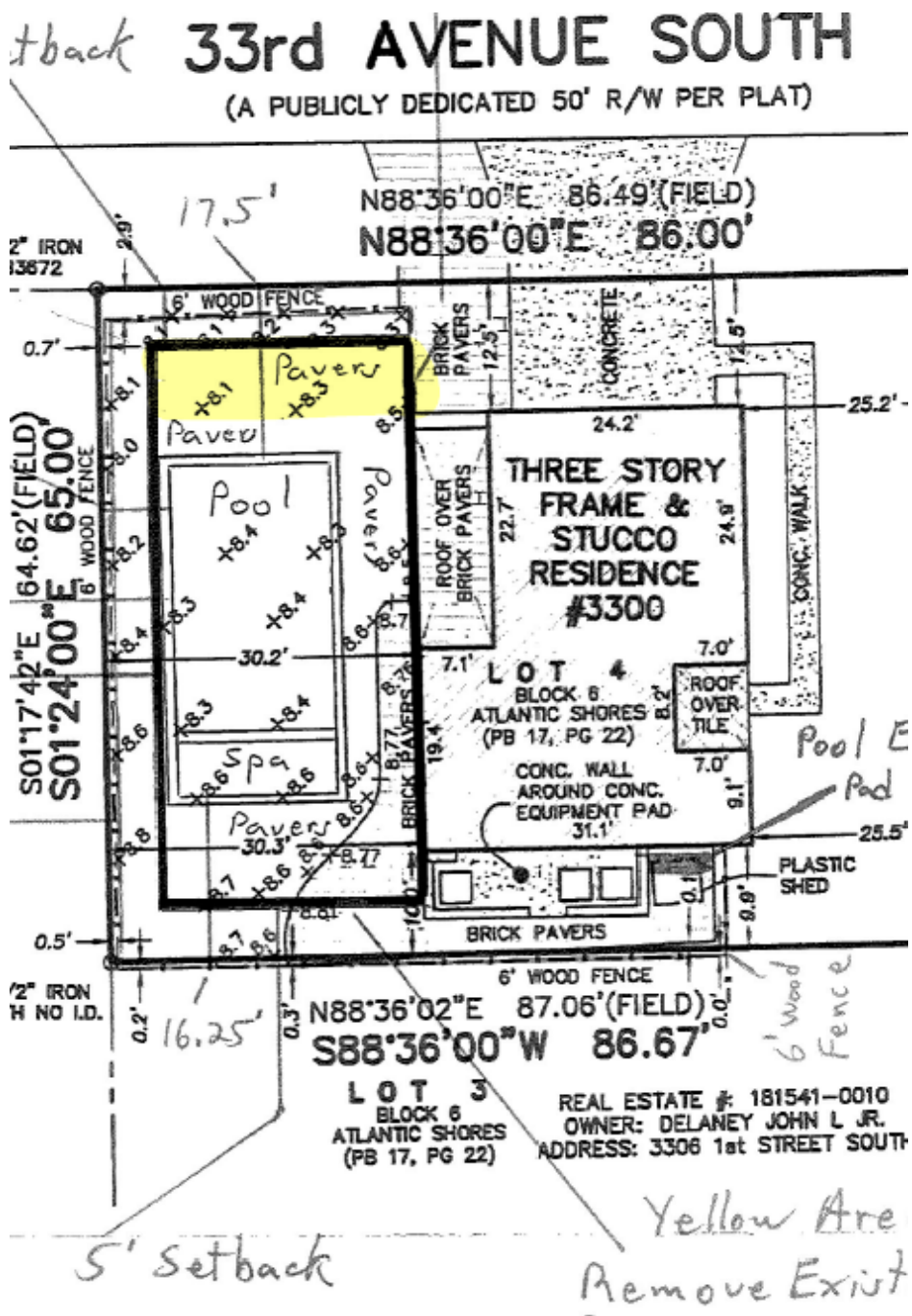
Existing Survey



Proposed Site Plan



Revised Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100083
HEARING DATE 8/16/22

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 28 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Stephanie Crichton Telephone: 904-472-9654
Mailing Address: 3360 1st Street South E-Mail: tamplin@comcast.net
Jacksonville Beach, FL 32250
Agent Name: Bob Hamil Telephone: 904-631-6268
Mailing Address: Henderson Pool Service PO Box E-Mail: Hendersonpoolbuilders@gmail.com
330 799 Atlantic Beach FL 32223
Landowner Name: Stephanie Crichton Telephone: 904-472-9654
Mailing Address: 3300 1st Street South E-Mail: tamplin@comcast.net
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: 3300 1st Street South, Jax Beach FL 32250
Legal description of property (Attach copy of deed): Lot 4 Block 6 Atlantic Shores
Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Lot Coverage of 46.3% in Lieu of 35%

AFFIDAVIT

I, Stephanie Crichton, 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

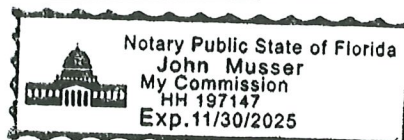
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25 day of JUNE, 2022, by STEPHANIE CRICHTON, who is personally known to me or produced FLDL as identification.

NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: X-shaded/AE

CODE SECTION (S):

34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for construction of a new swimming pool and patio attached to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100083

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.

JUN 28 2022

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Substandard Size lot for the Zoning
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Sub standard Size lot for the Zoing
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	Substandard Size Lot
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Subutandard Size Lot .
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	will allow for a Pool with a Paver Patio
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	Having a pool is Typical for the Area

THIS INSTRUMENT PREPARED BY:
All Florida Title Services, Inc.
Laura Riebsame
4417 Beach Blvd., Suite 105
Jacksonville, FL 32207

RECORD AND RETURN TO:
All Florida Title Services, Inc.
4417 Beach Blvd., Suite 105
Jacksonville, FL 32207

RE PARCEL ID #: 181542-0000
CONTRACT SALES PRICE: \$615,000.00

RECEIVED
02-100083
JUN 29 2022

PLANNING & DEVELOPMENT

SPECIAL CORPORATE WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 17th day of April, 2009 by Investor Services, Inc., hereinafter referred to as Grantor, whether one or more, and whose address is 200 West 2nd Street, Winston-Salem, NC 27101-4019, to Stephanie L. Tamplin, a married woman, hereinafter referred to as Grantee, whether one or more, and whose address is 3300 S 1st Street Jacksonville Beach FL 32250

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

WITNESSETH:

THAT Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to Grantee the following described land situate, lying and being in the County of Duval, State of Florida to wit:

Lot 4, Block 6, Atlantic Shores Ocean Front Section Division-B, according to the plat thereof as recorded in Plat Book 17, page 22, of the current public records of Duval County, Florida.

SUBJECT TO taxes accruing subsequent to December 31, 2008.

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

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

AND Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims arising by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its name by its duly authorized officer(s) and caused its corporate seal to be hereto affixed the day and year first above written.

Signed, sealed and delivered in our presence:

Inez L. Pool
Witness
Michelle Bowers
Witness

Investor Services, Inc.

C. Lane Martin
By: C. Lane Martin
Its: Vice President

STATE OF FLORIDA
COUNTY OF PINELLAS

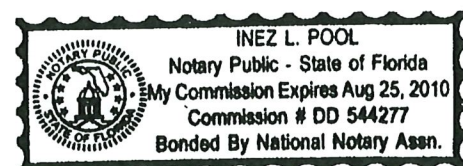
The foregoing instrument was acknowledged before me this 17th day of April, 2009 by

C. LANE MARTIN, A/P of
Investor Services, Inc.. He/She/They have produced PERSONALLY KNOWN as
identification.

Inez L. Pool
Notary Public, County and State Aforesaid
INEZ L. POOL
Notary Printed Signature

My commission expires: _____

Documentary Stamps in the amount of \$4,305.00 have been paid.

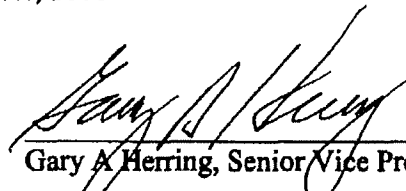


INVESTOR SERVICES, INC**Senior Vice President's Certificate of Incumbency and Authority**

**I, Gary A. Herring, as Senior Vice President of Investor Services, Inc Do Hereby
Certify that:**

Catherine Lane Martin is a Vice President of the company and is authorized to sign as officer of the company documents required to transfer real estate, to include but not limited to real estate contracts of purchase and sale, deeds, real estate settlement statements, lien affidavits, assignments of leases, surveys and any other documents required to transfer title.

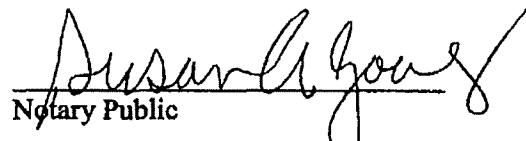
Witness my hand this 18th day of December, 2008



Gary A Herring, Senior Vice President

State of: North Carolina
County of: Forsyth

This instrument was acknowledged before me by Gary A Herring, Senior Vice President of Investor Services, Inc on this 18th day of December, 2008 on behalf of the corporation.



Notary Public

My commission expires: October 2, 2010



SUSAN A. YOUNG
Notary Public
Forsyth County, North Carolina
My Commission Expires October 2

Reference
BOA#22-100083

BOARD OF ZONING AND ADJUSTMENT
CITY OF JACKSONVILLE BEACH

MEMORANDUM OF ACTION, CASE NO. BZA _____

The Board of Zoning at their meeting of _____,
19____, considered the (application) (appeal) of _____
_____ (name) of _____ (address)
and decided as follows:

The (application) (appeal) was

_____ Granted

_____ Granted with stipulations attached thereto as follows:

_____ Denied for following reasons: _____

_____ The application was carried over to the meeting of _____
_____, 19____ and must be (reposted) (readvertised), prior
to the next meeting.

The action of the Board was (unanimous (4 aye), (0 nay)
vote.

DATE

5/21/91

CHAIRMAN

B. Cowan

PUBLIC NOTICE

Reference
BOA#22-100083

The Board of Adjustment of the City of Jacksonville Beach will meet on Tuesday, May 21, 1991 at 7:30 P.M. in the Council Chambers of the Community Center Building, 14 North 2nd Street, to hear the following variances to the Code of Ordinances:

1. Setbacks and waiver of 15% limit on improvements at 128 6th Avenue South
2. Setbacks at lot 5, block 5, Replat Atlantic Shores, Oceanfront Section, Division C, (corner of 29th Avenue South and Ocean Drive)
3. Setbacks at lot 6, block 5, Replat Atlantic Shores, Oceanfront Section, Division C, (29th Avenue South)
4. Setback for accessory structure at 1445 Eastwind Drive North
5. Setbacks for detached garage at 3300 1st Street South
6. Setback for carport at 2007 Penman Road



HENDERSON

POOL SERVICE, INC.

June 27, 2022

Lot Coverage for the Crichton Pool, 3300 1st Street South, Jacksonville Beach. 32250

LOT SIZE: 5608 Square Feet

EXISTING LOT COVERAGE: 2325 Square Feet.

EXISTING COVERAGE PERCENTAGE: 42%

REMOVE THE FOLLOWING:

Brick Pavers: 522 SF

Existing $2325 - 522 = 1803$

Add Pavers around the pool, and pool equipment pad: $793 + 1803 = 2596$

Pool coping wasn't included.

NEW TOTAL LOT COVERAGE PERCENTAGE: $2596 \text{ Divided by } 5608 = 46.3\%$

RECEIVED
22-100083
JUN 28 2022

PLANNING & DEVELOPMENT

PROPOSED

Sean + Stephanie Crichton
3300 pt Street South
Jacksonville Beach FL

Scale: 1/8" = 1'

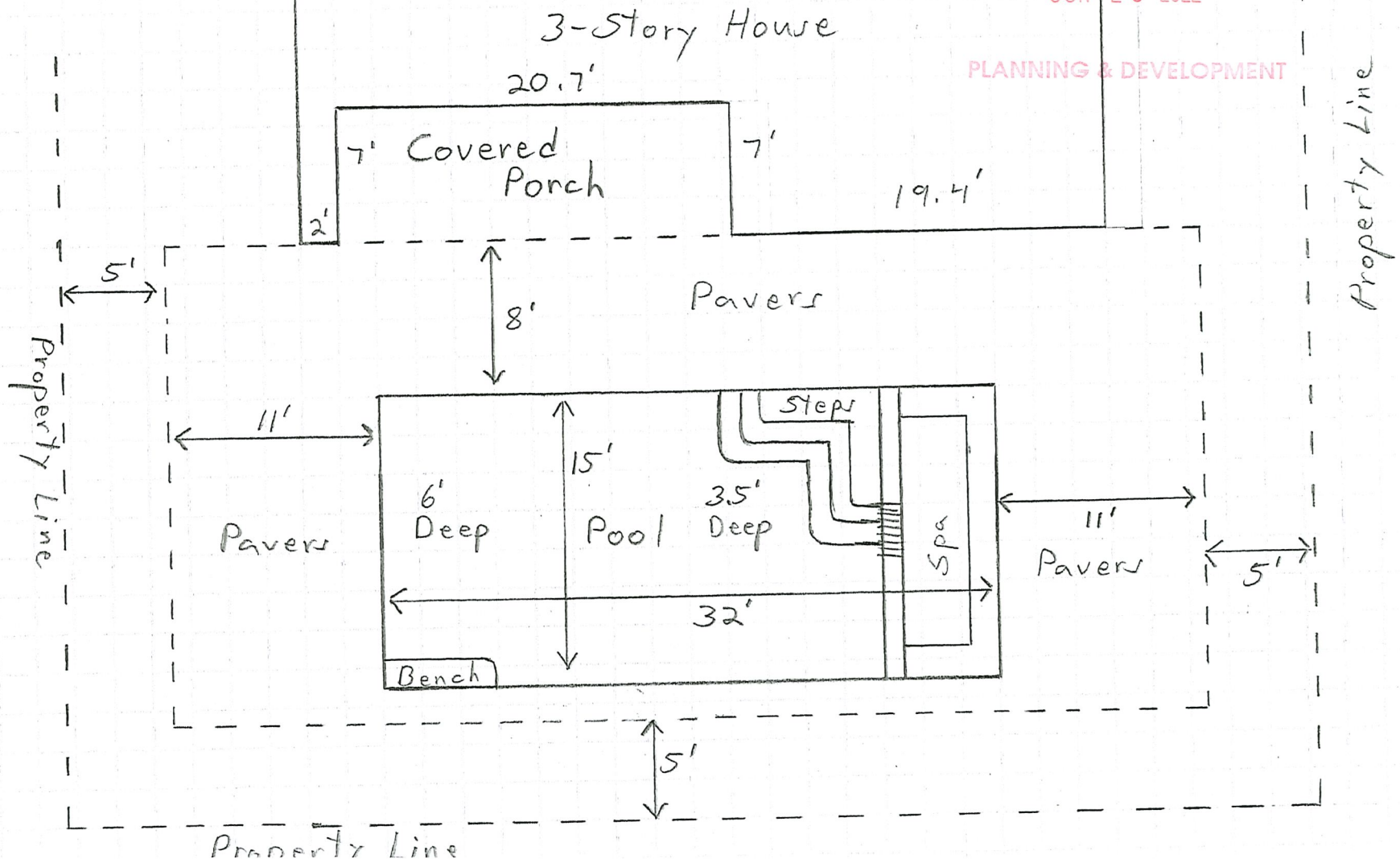
Pool
Equip

RECEIVED

22-100083

JUN 28 2022

PLANNING & DEVELOPMENT



EXISTING

MAP SHOWING SURVEY OF

LOT 4, BLOCK 6, ATLANTIC SHORES AS RECORDED IN PLAT BOOK 17, PAGE 22, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Sean + Stephanie Crichton
3300 1st Street South

Henderson Pool Service

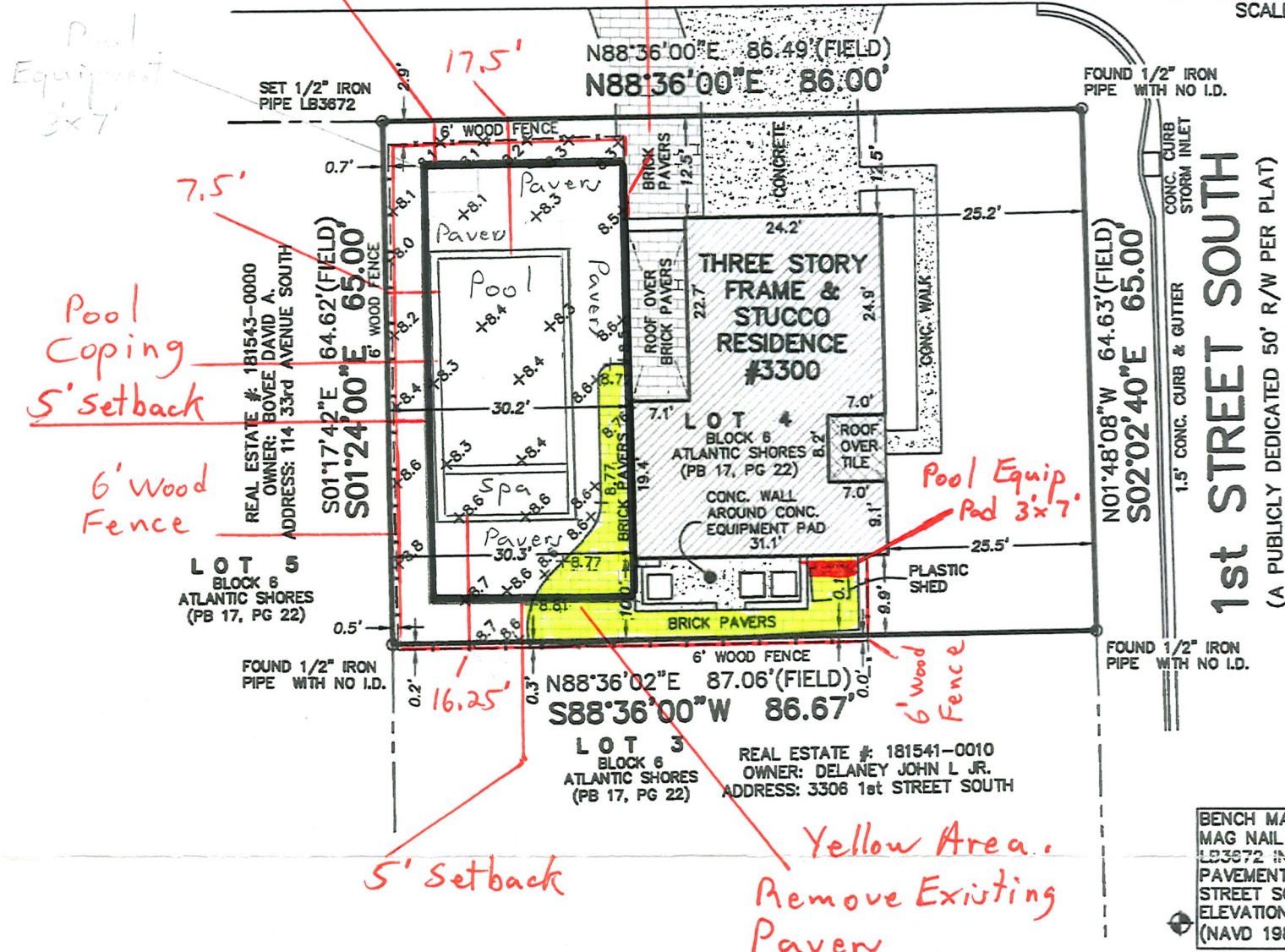
Bob Hamil 904-631-6268

6' Wood Gate
Outswing
Latch @ 54" or Higher
Self Closing
Self Latching

5' setback 33rd AVENUE SOUTH

(A PUBLICLY DEDICATED 50' R/W PER PLAT)

0 10 20 40
SCALE: 1" = 20'



LEGEND:

PB DENOTES PLAT BOOK
PG DENOTES PAGE
LB DENOTES LICENSED BUSINESS
EL DENOTES ELEVATION

NOTES:

- THIS IS A BOUNDARY SURVEY WITH LIMITED TOPOGRAPHIC LOCATIONS.
- BEARINGS ARE BASED ON THE NORTH LINE OF LOT 4, BLOCK 6, ATLANTIC SHORES, BEING NORTH 88°36'00"E, AS PER PLAT.
- BENCHMARK USED IS FOUND MAG NAIL & DISK IN EDGE OF PAVEMENT OF 1st STREET SOUTH, HAVING AN ELEVATION OF 7.59, 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.
- NO UNDERGROUND INSTALLATIONS, IMPROVEMENTS OR ENCROACHMENTS HAVE BEEN LOCATED EXCEPT THOSE SHOWN HEREON.
- NO BUILDING RESTRICTION LINES, AS PER PLAT.
- THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "AE" (EL 9) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

LOT COVERAGE CALCULATION:

TOTAL LOT AREA	= 5,608 Sq.ft.
RESIDENCE	= 1,107 Sq.ft.
TILE FRONT PORCH	= 57 Sq.ft.
CONC. DRIVE	= 377 Sq.ft.
CONC. WALK	= 123 Sq.ft.
BRICK DRIVE	= 522 Sq.ft.
BRICK PAVERS	= 139 Sq.ft.
CONC. PAD & WALL	= 139 Sq.ft.
TOTAL IMPERVIOUS AREA	= 2,325 Sq.ft.
TOTAL LOT COVERAGE	0.42%

RECEIVED
22-100083
JUN 28 2022

THIS SURVEY IS CERTIFIED TO:
STEPHANIE CRICHTON; SEAN CRICHTON.

PLANNING & DEVELOPMENT

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: 2022-0472

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

DATE: STATE OF FLORIDA
APRIL 8, 2022
SHEET 1 OF 1



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

BOA#22-100084

Zoning: RS-1
RE: 181636-0000
Legal: Lot 5, Block 6, Atlantic Shores Division C
Address: 23 30th Avenue South

Request

Section(s): 34-336(e)(1)e, for lot coverage of 58% in lieu of 35% maximum; 34-336(e)(1)c.1, for a front yard setback of 10 feet in lieu of 25 feet minimum; and 34-336(e)(1)c.2, for a corner side-yard setback of 5 feet in lieu of 10 feet minimum to allow for construction of a new two story uncovered deck attached to an existing single-family dwelling

Existing Conditions

The subject property is a nonconforming lot of record (circa 1933) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The lot is a platted lot of record that measures 50 feet in width and 65.97 feet in depth, with an overall area of 3,248 square feet. The subject site is occupied by a home built in 2007. The home is three stories and was built with a variance for lot coverage up to 59%, but was conditioned to the footprint of the structure as designed. There was an application for variance in 2009, to build a cantilevered enclosed space off the 2nd and third story that was similar to what's proposed the current applicant, with the major difference of being open balconies with wood decking. Wood decking with properly spaced board and no roof count at 50% lot coverage.

Previous Variances:

BOA#05-100102: approved for front yard of 9.6, side yard of 6.2, corner side yard of 9.7 rear yard of 15, and 59% lot coverage. Conditioned to site plan submitted.

BOA#09-100103: Denied for front yard of 6 feet, corner side yard of 3.7 feet, and 65% lot coverage.

No Code Enforcement Violations



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

Staff Analysis

The existing home is currently below the previously approved lot coverage of 59%, but the condition placed by the previous board eliminated the ability to add the additional lot coverage based on the site plan proposed at the time. The denied variance had requested substantially more lot coverage due to the roofed and enclosed nature of the addition. The current proposed balconies are open and made of wood decking, reducing the lot coverage to close to the originally approved amount. The other element is the cantilevered nature of the decks causes a further encroachment into the setbacks. The lot is only 32% the size of the minimum lot area for the RS-1 zoning district and is roughly 30 feet too narrow. There is clearly a hardship when it comes to both setback and lot coverage. The other element of consideration regarding lot coverage is portions of the proposed deck are over already covered areas of the driveway and walkway. Meaning the net impact is less.

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.



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

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, particularly the lot area, where the lot is roughly a third of the minimum lot area for the RS-1 zoning district.

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

Staff **does not** find that circumstances are a result of the applicant. The lot was platted in 1933, and the current home was constructed in 2007. The lot is substantially smaller than the minimum lot size.

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 owns a substandard lot, and relief from the LDC will allow the applicant to add small elevated wood decks, common features found throughout 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 subject property is substandard in lot width and area by a substantial sum. To the extent that 1% lot coverage equals 32 square feet, where a conforming lot would be 100 square feet. The house physically cannot expand in any direction without further relief of the code.

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, as conditioned, are the minimum variance needed to accomplish the construction of the proposed upper story decks. The applicant has proposed a minimal impact to lot coverage by the



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

use of uncovered, properly spaced wood decks to help mitigate the total additional coverage. The net impact is even further lowered by the location of the proposed decks, which partially cover existing paved areas.

- 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

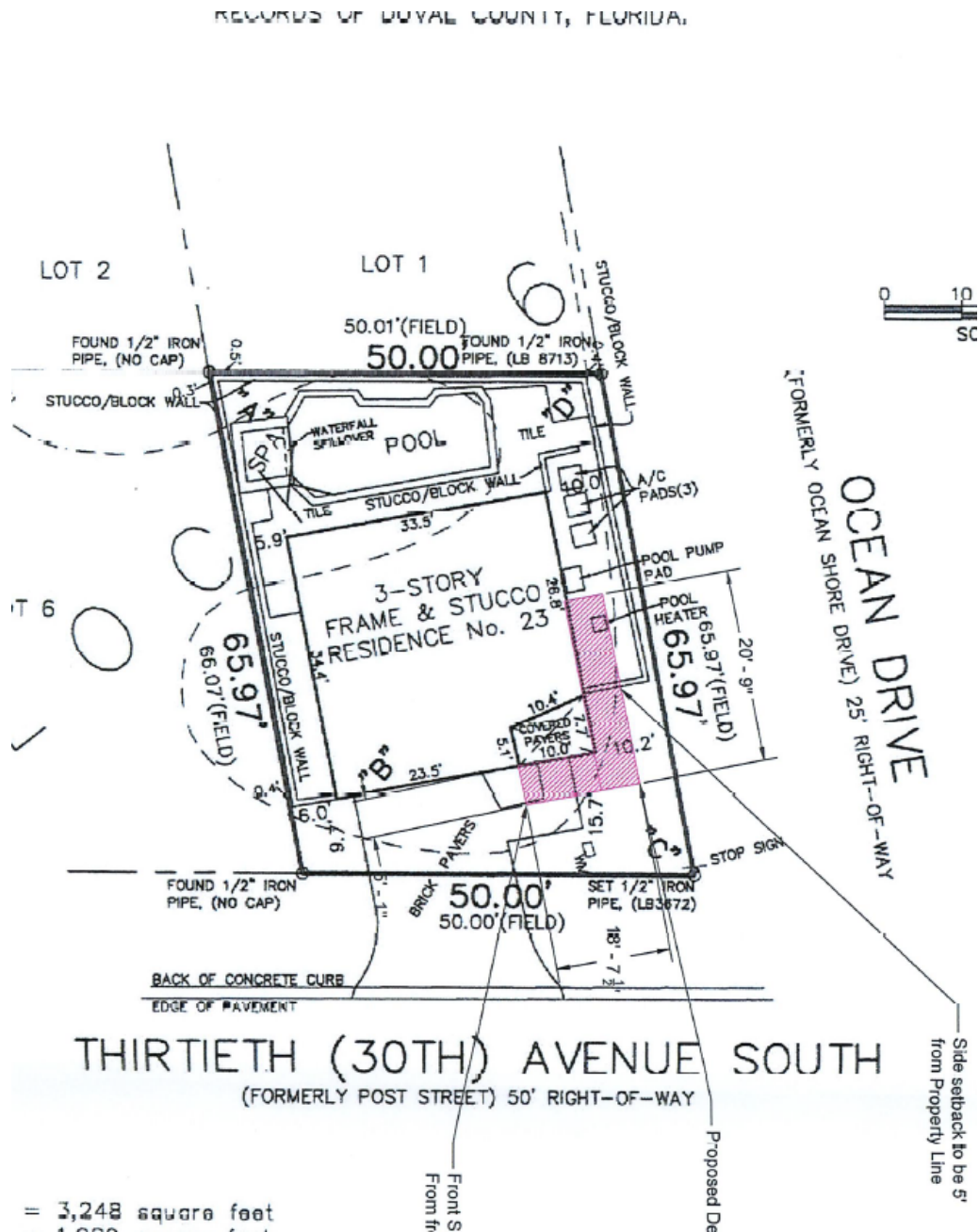
Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100084**

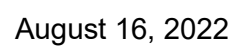
Location Map (property boundaries are representative only)



= 3,248 square feet
= 1,089 square feet

Proposed Site Plan







APPLICATION FOR VARIANCE

BOA No. 22-100984

HEARING DATE 8/16/22

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 28 2022

APPLICANT INFORMATION

Applicant Name: Sandifer Design Build Telephone: 382-8815
 Mailing Address: 4788 Hodges Blvd. Ste 102 E-Mail: nick@sandiferdesignbuild.com
Jacksonville, FL 32224
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: 23 30th Ave S Telephone: _____
 Mailing Address: Jacksonville Beach, FL 32250 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: 23 30th Ave S, Jacksonville Beach, FL 32250
 Legal description of property (Attach copy of deed): 181636-0000
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Building a deck on the second and third floor.

AFFIDAVIT

I, Nick Sandifer, 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

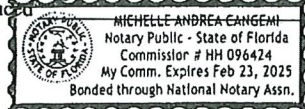
Nick Sandifer

PRINT APPLICANT NAME

5-23-2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of May, 2022, by Nick Sandifer, who is personally known to me or produced as identification.



NOTARY PUBLIC SIGNATURE

PRINT NOTARY NAME

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION:

RS-1

FLOOD ZONE: AE/X-shaded

CODE SECTION (S):

34-336(e)(1)e, for lot coverage of 58% in lieu of 35% maximum; 34-336(e)(1)c.1, for a front yard setback of 10 feet in lieu of 25 feet minimum; and 34-336(e)(1)c.2, for a corner side-yard setback of 5 feet in lieu of 10 feet minimum to allow for construction of a new two story uncovered deck attached to an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100084

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.

JUN 28 2022

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	yes	Lot dimensions is not within zoning standards of community
Special circumstances and conditions do not result from the actions of the applicant.	yes	No additional runoff as proposed plan is equal to same amount of impervious surface.
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	There isn't any lots that have these same conditions
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 lot dimensions deprive owner of having same privileges as neighbors
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	Owner has removed some of the impervious surface to maintain the same coverage
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	No runoff from the property will affect neighbors or city systems

Prepared by:

Kristina Faucett

Southern Capital Title Company, LLC

6620 Southpoint Drive South, Suite 115C

Jacksonville, Florida 32216

File Number: SCT-20-023

RECEIVED
22-100084
JUN 29 2022

PLANNING & DEVELOPMENT

General Warranty Deed

Made this November 12, 2020 A.D. By **Anita L. Clark, a/k/a Anita Clark Pryor, a single woman**, whose address is: 202 30th Ave. South, Jacksonville Beach, Florida 32250, hereinafter called the grantor, to **Rachel G. Grage and Rolf A. Grage, wife and husband**, whose post office address is: 23 30th Ave S, Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

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

Lot 5, Block 6, Perry & Perry's Replat of Atlantic Shores Ocean Front Section Division "C", according to the map or plat thereof, as recorded in Plat Book 15, Page(s) 1, of the Public Records of Duval County, Florida.

Parcel ID Number: **181636-0000**

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

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

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

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

Signed, sealed and delivered in our presence:

Elizabeth Fourni
Witness Printed Name ELIZABETH FOURNI

Gerry Williamson
Witness Printed Name GERRY WILLIAMSON

Anita Clark (Seal)
Anita L. Clark, a/k/a Anita Clark Pryor
Address: 202 30th Ave. South, Jacksonville Beach, Florida 32250



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 11, 2005

Keystone Development Group LLC
537 Lemaster Drive
Ponte Vedra Beach, Florida 32082

Reference
BOA#22-100084

RE: BOA 05-100102
23 30th Avenue South

Gentlemen:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on May 3, 2005, to consider your variance application.

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

- 34-336(e)(1) c.1: for a front yard of 9.6 feet in lieu of 25 feet required
- 34-336(e)(1) c.2: for a side yard of 6.2 feet and a corner side yard of 9.7 feet in lieu of 10 feet required
- 34-336(e)(1) c.3: for a rear yard of 15 feet in lieu of 30 feet required
- 34-336(e)(1) e: for 59% lot coverage in lieu of 35% maximum.

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

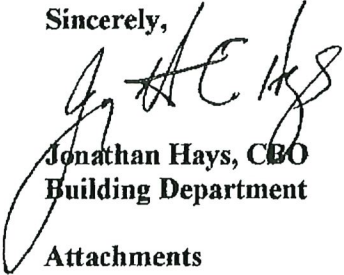
- Request approved limited to existing footprint as submitted.

To allow for a substantial improvement to a single family dwelling.

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.

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

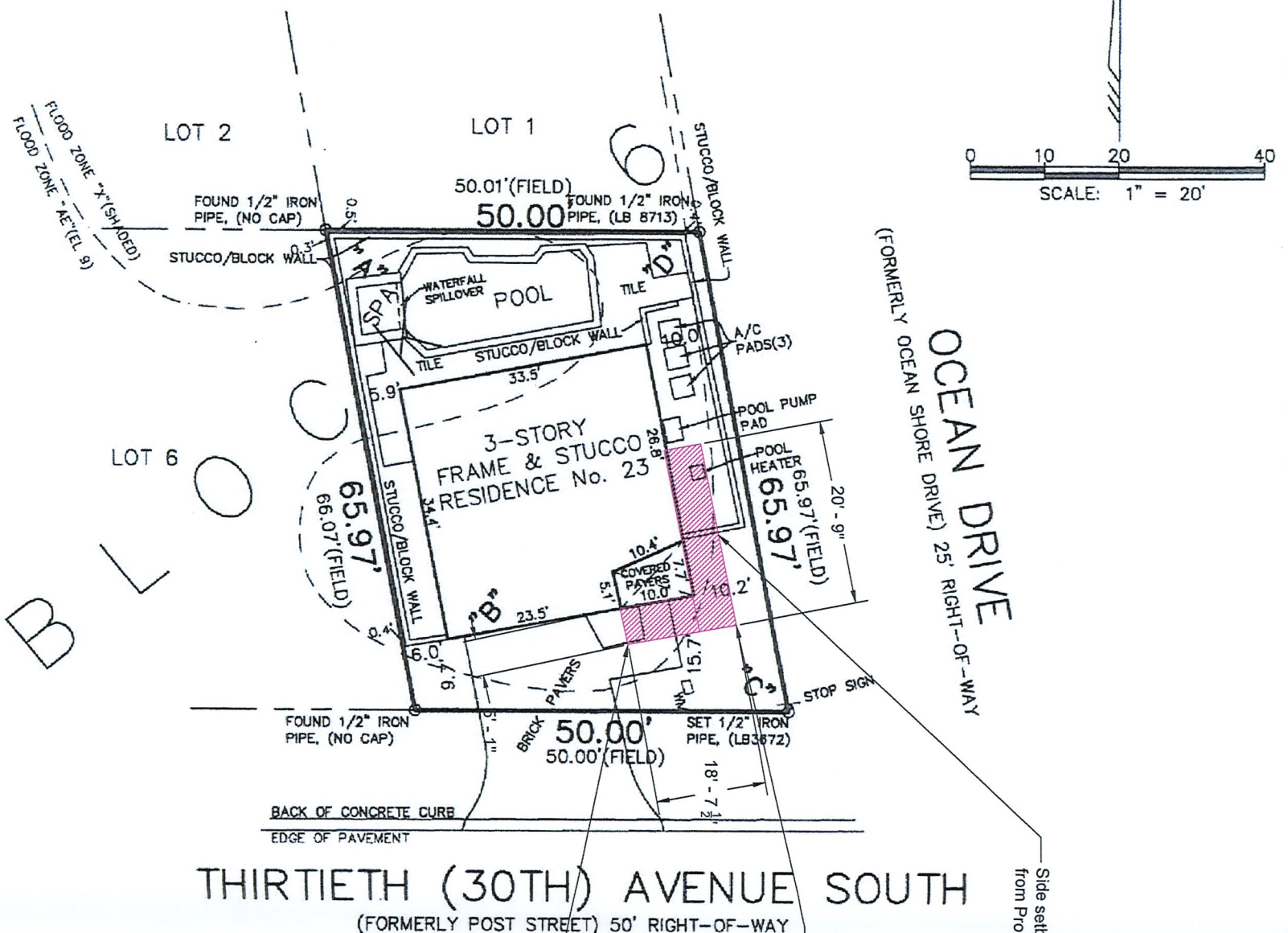
Sincerely,


Jonathan Hays, CBO
Building Department

Attachments

MAP SHOWING SURVEY OF

LOT 5, BLOCK 6, PERRY & PERRY'S REPLAT OF ATLANTIC SHORES,
OCEANFRONT SECTION - DIVISION "C", AS RECORDED IN
PLAT BOOK 15, PAGE 1 OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.



IMPERVIOUS AREA:

LOT AREA	= 3,248 square feet
HOUSE FOOTPRINT	= 1,089 square feet
COVERED ENTRY	= 64 square feet
STUCCO/BLOCK WALLS	= 116 square feet
TILE POOL DECKING	= 304 square feet
POOL/SPA	= 302 square feet
CONCRETE PADS	
(AC. POOL PUMP, ETC.)	= 35 square feet
BRICK PAVERS	= 273 square feet

TOTAL IMPERVIOUS AREA	= 2,246 square feet
	= 1,881 square feet
	= 69.2%
	= 57.9%

NOTES

1. THIS IS A BOUNDARY SURVEY.
2. NORTH PROTRACTED FROM PLAT.
3. NO BUILDING RESTRICTION LINES PER PLAT.
4. WM DENOTES WATER METER.
5. INTERIOR ANGLES FROM FIELD SURVEY AND, ARE AS FOLLOWS:
ANGLE "A" = 79°34'16"
ANGLE "B" = 100°23'35"
ANGLE "C" = 78°54'54"
ANGLE "D" = 101°07'15"

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X"(SHADED)(AREA OF 0.2% ANNUAL CHANCE FLOOD HAZARD) AND FLOOD ZONE "AE"(EL 9) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, EFFECTIVE NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

UPDATED NOVEMBER 9, 2021 TO REMOVE POOL & COPING IMPERVIOUS AREA (365 S.F.)

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

CHECKED BY: _____
DRAWN BY: ADT
FILE: 2021-1358

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

DATE: SEPTEMBER 17, 2021
SHEET 1 OF 1



RECEIVED
22-100084
JUN 28 2022

PLANNING & DEVELOPMENT

SANDIFER

DESIGN - BUILD - REMODEL

[illegible]

Grage
Deck Addition
Proposed 3D Drawings

Project number	Project Number
Date	4.13.22
Drawn by	LA
Checked by	Checker
A0.0	
Scale	



RECEIVED
22-100084
JUN 28 2022

PLANNING & DEVELOPMENT

SANDIFER
DESIGN • BUILD • REMODEL

[illegible]

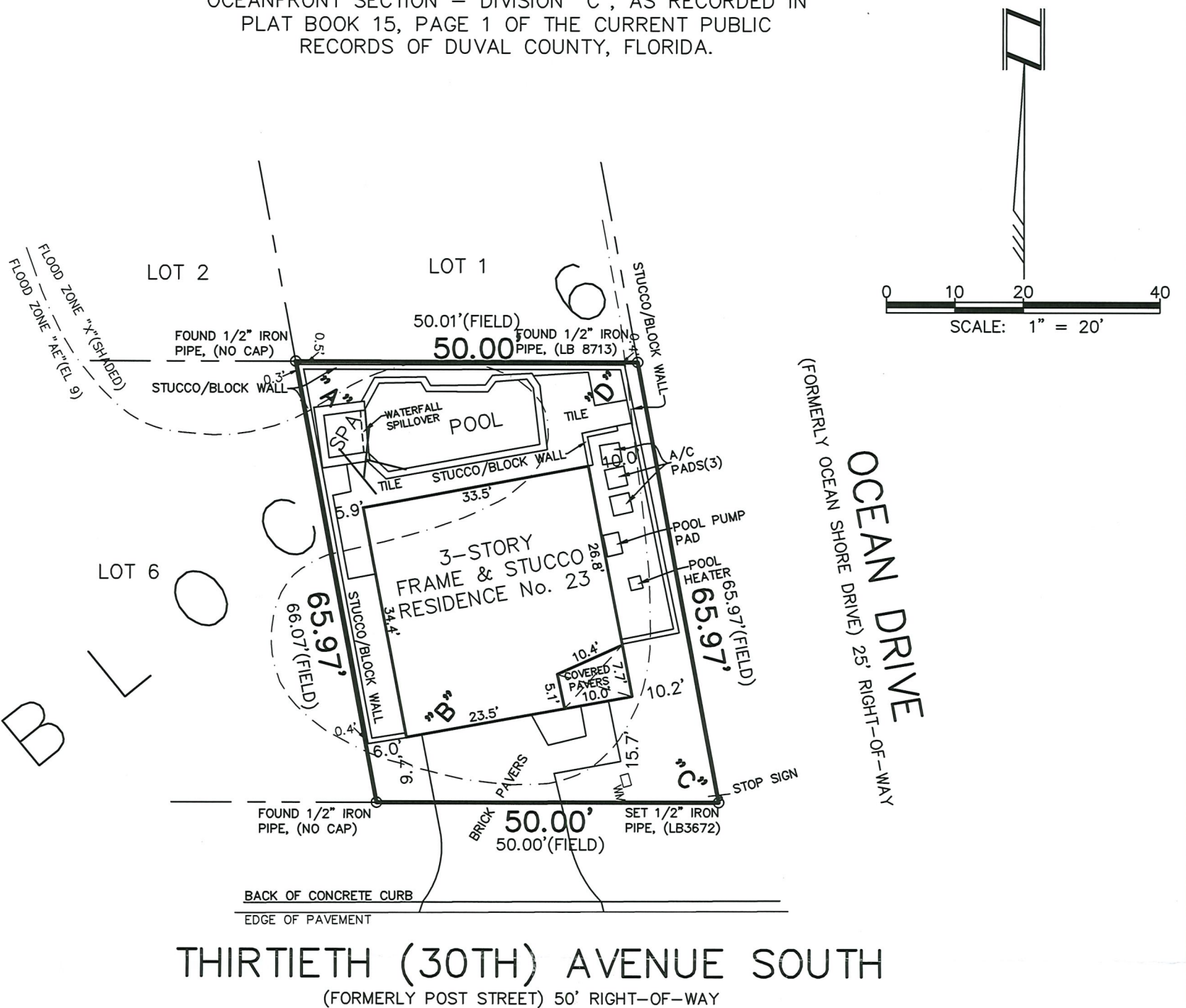
Grage
Deck Addition
Existing 3Ds

Project number	Project Number
Date	4.13.22
Drawn by	LA
Checked by	Checker
A0.1	
Scale	

02/19/2022 1:35:40 PM

MAP SHOWING SURVEY OF

LOT 5, BLOCK 6, PERRY & PERRY'S REPLAT OF ATLANTIC SHORES,
OCEANFRONT SECTION - DIVISION "C", AS RECORDED IN
PLAT BOOK 15, PAGE 1 OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.



IMPERVIOUS AREA:

LOT AREA	=	3,248 square feet
HOUSE FOOTPRINT	=	1,089 square feet
COVERED ENTRY	=	64 square feet
STUCCO/BLOCK WALLS	=	116 square feet
TILE POOL DECKING	=	304 square feet
POOL/SPA	=	302 square feet
CONCRETE PADS	=	
(AC, POOL PUMP, ETC.)	=	35 square feet
BRICK PAVERS	=	273 square feet

TOTAL IMPERVIOUS AREA	=	2,246 square feet
	=	1,765 square feet
	=	69.2%
	=	54.3%

NOTES

1. THIS IS A BOUNDARY SURVEY.
2. NORTH PROTRACTED FROM PLAT.
3. NO BUILDING RESTRICTION LINES PER PLAT.
4. WM DENOTES WATER METER.
5. INTERIOR ANGLES FROM FIELD SURVEY AND, ARE
AS FOLLOWS:
ANGLE "A"= 79°34'16"
ANGLE "B"= 100°23'35"
ANGLE "C"= 78°54'54"
ANGLE "D"= 101°07'15"

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD
ZONE "X"(SHADED)(AREA OF 0.2% ANNUAL CHANCE
FLOOD HAZARD) AND FLOOD ZONE "AE"(EL 9) AS
WELL AS CAN BE DETERMINED FROM THE FLOOD
INSURANCE RATE MAP No. 12031C0419J, EFFECTIVE
NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. UPDATED NOVEMBER 9, 2021 TO REMOVE POOL & COPING IMPERVIOUS AREA (365 S.F.)"

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

CHECKED BY: _____
DRAWN BY: _____ ADT
FILE: 2021-1358

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

DATE: _____
SEPTEMBER 17, 2021
SHEET 1 OF 1



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

BOA#22-100085

Zoning: C-1
RE: 176317-0000
Legal: South half of lots 11 & 12, Block 153, Pablo Beach South.
Address: 0 2nd Street

Request

Section(s): 34-373(a)1, for three(3) compact parking spaces of 8 feet in width in lieu of 9 feet in width; and 34-377, for 11 parking spaces and one bicycle parking area in lieu of 28 spaces required to allow for construction of a new professional office building.

Existing Conditions

The subject property is comprised of the south half of two lots of record, (circa 1908) located in the Commercial future land use category. The property is currently zoned Commercial Limited: C-1. The subject sight is 100 feet wide by 62.5 feet in depth, with an overall area of 6,250 square feet. The subject site is currently vacant, and is surrounded by a mix of uses including multifamily to the north, commercial retail gas sales to the west, multifamily to the east, and City recreational park use to the south. The proposed use is a professional office, which has a parking standard of one space per every 300 square feet of gross square footage of the structure. Based on the proposed structure the total required parking is 28 spaces. The applicant is proposing a total of 11 vehicle parking spaces and one congregate bicycle parking space, which in cases where the proposed use would have over 10 parking spaces, one parking space may be bicycle parking and count towards the parking count. In this case, the applicant has proposed 11 parking spaces, but with the bicycle parking, it would be 12 spaces total. Additionally, standard parking spaces are measure at 9 feet wide and 17 feet deep. The applicant is proposing to have three spaces designated compact spaces, which would reduce their width to 8 feet. The LDC does not have a standard for compact spaces, but many modern codes do. In the case of this City's LDC, this board must approve such deviations in design.

No previous variances or code cases.

Staff Analysis

The proposed redevelopment of this currently vacant lot will consist of a three story office building, where by the first floor will be parking only, with limited access points for stairs and elevator, and the remaining two floors will be elevated above the



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

parking on columns, while maintaining the maximum height of 35 feet. Given the small nature of the site, the applicant's design is creative and allows them to provide as much parking as possible on site, while maximizing their usable square footage. The proposed use requires 28 parking spaces based on the proposed square footage of the structure. The applicant is able to provide 12 spaces (one as allowed bicycle parking) and additionally has secured a lease of 5 additional parking spaces off site, but adjacent to the new structure's proposed location. This equates to the applicant in essence providing 17 parking spaces overall. Additionally, as the applicant noted, the right away adjacent to the structure is full of stripped on-street spaces. The applicant also noted that the proposed building design will require a 15 foot easement for beaches energy that reduces the amount of room they have to provide onsite spaces. Finally the applicant has noted in their application that the proposed use is a private equity firm, with one owner and 16 employees. The business is not open to the public, and will not have visitors. They have stated that, in essence they only practically need 17 spaces for the use at most.

Minimum development and parking standards

- Minimum lot area: None.
- Minimum lot width: None.
- Minimum yards:
 - Front yard: Ten (10) feet.
 - Side yard: None, except where adjacent to streets. If adjacent to a street ten (10) feet, for a corner lot, the side yard on the corner shall be ten (10) feet.
 - Rear yard: None. For oceanfront lots, the rear yard shall be the yard adjacent to the ocean, or the easterly yard, and the front yard shall be the westerly yard, or yard opposite the rear yard.
- Spaces. The minimum dimensions of off-street parking and loading spaces shall be as follows :
 - (1)Off-street parking: Nine (9) feet by seventeen (17) feet.
- Other professional or business offices: one (1) space per three hundred (300) sq. ft. of floor area.



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

Review of Criteria

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

Staff **does** find that there are circumstances unique to the subject parcel of land. The site is zone C-1 and has no minimum lot size requirement, but is rather small for any type of commercial use. The proposed demand for parking is lower than the typical office standard based on the applicant's type of business. The LDC anticipates visitors to the site, which this business will not have.

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 comprised of partial lots from a 1908 platted subdivision. The applicant purchased the property in its current configuration.

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. Throughout the C-1 zoning district, there are many small commercial properties that are unable to provide adequate parking. Many of these are existing structures that could not be occupied by many or all uses in the C-1 district without relief from parking.

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. Without relief from the parking standards in both number and design, the viability of many redevelopment projects would be unlikely, as most smaller commercial lots cannot accommodate all the required infrastructure and not need some relief from the code.

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



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

Staff **does** find that the requested variances are the minimum variance needed to accommodate the proposed new home. The proposed use is unique and will not generate the amount of vehicular traffic a typical office use would. The proposed variance will be the minimum needed to redevelop the site as proposed.

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

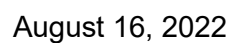
Per Section 34-282 of the Land Development Code; based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of BOA#22-100085**

Location Map (property boundaries are representative only)

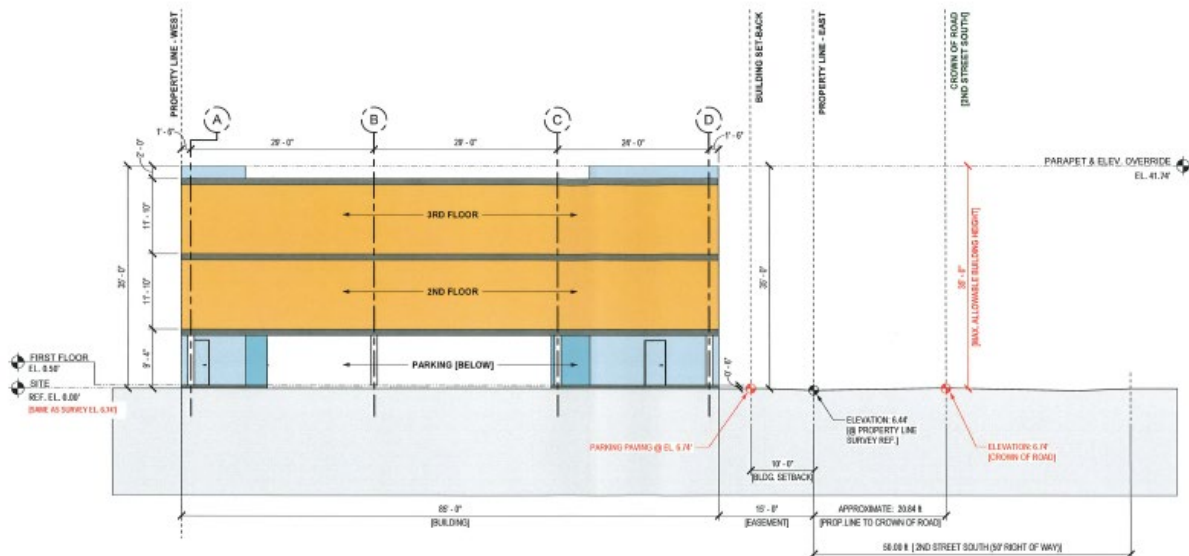
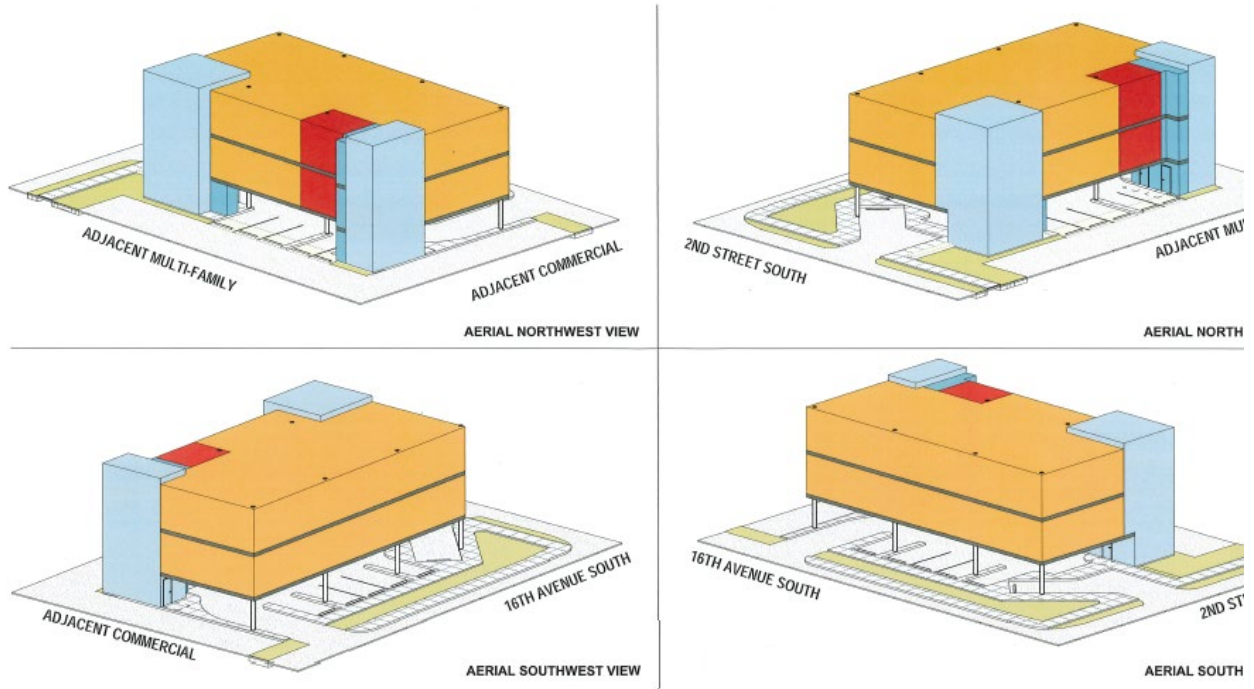


[illegible]

Pro



Renderings





APPLICATION FOR VARIANCE

BOA NO. 22-100085

HEARING DATE 8.16.22

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 29 2022

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: 0 2nd Street Acquisition, LLC Telephone: (904) 746-7027
Mailing Address: 5555 Gate Parkway, Suite 150 E-Mail: wacaster@warrenequity.com
Jacksonville, FL 32256

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

Landowner Name: 0 2nd Street Acquisition, LLC Telephone: (904) 746-7027
Mailing Address: 5555 Gate Parkway, Suite 150 E-Mail: wacaster@warrenequity.com
Jacksonville, FL 32256

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. See Attachment 'A'

(1532)

SOUTH VARIANCE DATA

Street address of property and Real Estate Number: 0 2nd St., Jacksonville Beach, FL 32250, 176317-0000

Legal description of property (Attach copy of deed): The south half lots of 11 and 12, block 153, Pablo Beach South

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

See Attachment 'A'

AFFIDAVIT

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

[Signature]
APPLICANT SIGNATURE

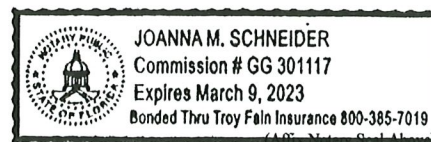
Steven Wacaster
PRINT APPLICANT NAME

6-28-2022
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28 day of JUNE, 2022, by STEVEN WACASTER, who is personally known to me or produced _____ as identification.

[Signature]
NOTARY PUBLIC SIGNATURE
JOANNA M. SCHNEIDER
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1

FLOOD ZONE: AE

CODE SECTION (S):
34-373(a)(1), for three compact parking spaces of 8 feet in width in lieu of 9 feet in width; and 34-377, for 11 parking spaces and one bicycle parking area in lieu of 28 spaces required to allow for construction of a new professional office building

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100085

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.

JUL 21 2022

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	In addition to the provided 17 off-street (on-site) and off-site parking spaces the site is surrounded by 52 additional public street parking spaces (see attached aerial map)
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The proposed office building will be single-owner use with ~16 emps. utilizing the bldg. The occupant is a private equity investment firm and has no retail traffic nor office visitors. The emps. frequently travel, so it is rare for all emps. to be in the office on the same day. Standard office hours are 9 Am - 5:30 PM, M-F. No weekends or holidays operation. In addition, the firm works remotely during the summer months, so office use is minimal during the peak summer season.
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	Similar variances have been granted in the past.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Similar variances have been granted in the past.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	For the reasons noted above.
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	For the reasons noted above.

Prepared By and Return To:
St. Johns Title, LLC
Attn: Rachel R. Kotchkowski
5000 Sawgrass Village Circle, Suite 8
Ponte Vedra Beach, FL 32082

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22-100085
JUN 29 2022

PLANNING & DEVELOPMENT

Order No.: 22-01007

Property Appraiser's Parcel I.D. (folio) Number:
176317-0000

WARRANTY DEED

THIS WARRANTY DEED dated May 5, 2022, by **Rose Mary Bateh, individually and as Trustee of the RB IPUG Trust, dated September 25, 2015**, whose post office address is 13055 Sandwedge Ct., Jacksonville, Florida 32224 (the "Grantor"), to **0 2nd Street Acquisition, LLC, a Florida Limited Liability Company**, whose post office address is 5555 Gate Pkwy., Ste. 150, Jacksonville, Florida, 32256 (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:

The South half of Lots 11 and 12, Block 153, Pablo Beach South, according to the map or plat thereof as recorded in Plat Book 3, Page 28, of the current public records of Duval County, Florida.

The land described herein is not the homestead of the grantor(s), and neither the grantor(s) nor the grantor(s) spouse, nor anyone for whose support the grantor(s) is responsible, resides on or adjacent to said land.

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.

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

Signed, sealed and delivered in presence of:

Rachel Kotschowski
Witness Signature

Rachel Kotschowski
Printed Name of First Witness

Andrew Aleman
Witness Signature

Andrew Aleman
Printed Name of Second Witness

Rose Mary Bateh, as Trustee of the RB IPUG
Trust, dated September 25, 2015

BY: Rose Bateh
Rose Mary Bateh
Individually and as Trustee

Grantor Address:
13055 Sandwedge Ct.
Jacksonville, FL 32224-8419

STATE OF FLORIDA

COUNTY OF St. Johns

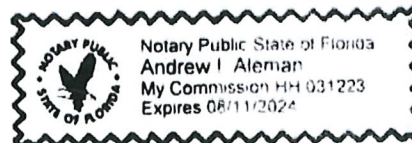
I, Andrew Aleman, a Notary Public for the State of Florida, do hereby certify that Rose Mary Bateh, individually and as Trustee of the RB IPUG Trust, dated September 25, 2015 personally appeared before me this day by means of physical presence, presented Drivers License as identification, and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 5 day of May, 2022.

Andrew Aleman
Notary Public

My Commission Expires:

(SEAL)





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JUN 29 2022

PLANNING & DEVELOPMENT

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

Detail by Entity Name

Florida Limited Liability Company
0 2ND STREET ACQUISITION LLC

Filing Information

Document Number L22000163844
FEI/EIN Number NONE
Date Filed 04/19/2022
State FL
Status ACTIVE

Principal Address

5555 GATE PARKWAY, SUITE 150
JACKSONVILLE, FL 32256

Mailing Address

5555 GATE PARKWAY, SUITE 150
JACKSONVILLE, FL 32256

Registered Agent Name & Address

CAPITOL CORPORATE SERVICES, INC.
515 EAST PARK AVENUE, 2ND FLOOR
TALLAHASSEE, FL 32301

Authorized Person(s) Detail

Name & Address

Title MBR

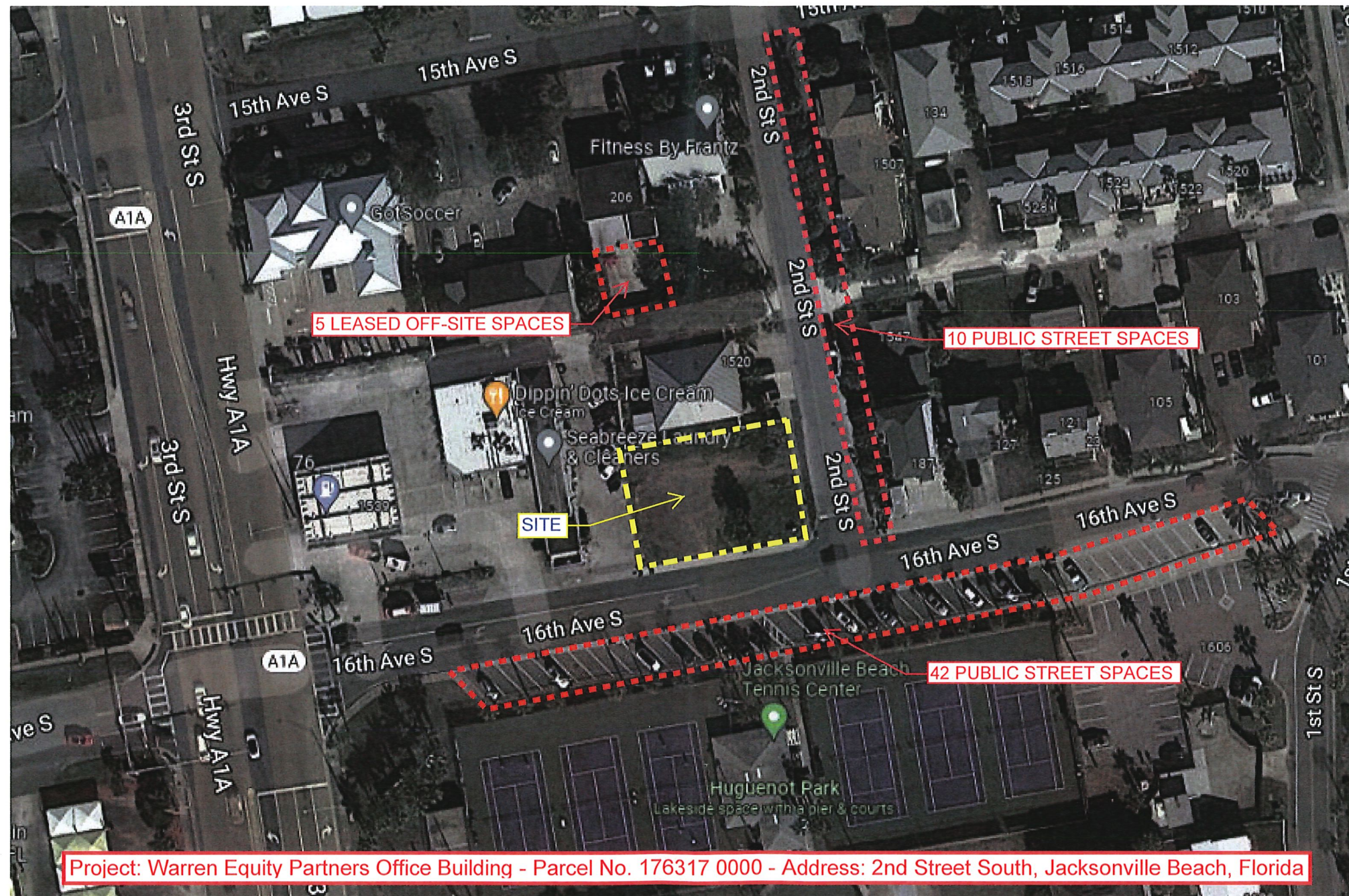
STEVEN WACASTER
5555 GATE PARKWAY, SUITE 150
JACKSONVILLE, FL 32256

Annual Reports

No Annual Reports Filed

Document Images

04/19/2022 -- Florida Limited Liability [View image in PDF format](#)



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PLANNING & DEVELOPMENT

Warren Equity Partners Office Building
Jacksonville Beach, Florida
Application for Variance

ATTACHMENT 'A'

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VARIANCE DATA ATTACHMENT-REVISED 7/21/2022

PLANNING & DEVELOPMENT

This site is zoned C-1 and the proposed new development will be office use. The proposed office building will be approximately 8,600 gross s.f. with 6,730 net useable s.f. (excluding restroom core, exit stairwells, etc.) To the north of the site is a multi-family duplex development also zoned C-1. There are 52 existing public street parking spaces within 300 feet of this site's entry (see attached aerial map).

Request the following variance:

1. Jacksonville Beach Code section 34-377 requires for a professional or business offices development to provide one (1) off-street parking space per 300 s.f. of floor area totaling:
 - Required parking calculated based on gross s.f.: 29 spaces required
 - Required parking calculated using useable s.f.: 23 spaces required
 - Total off-street (on-site) parking provided: 11 spaces plus bicycle parking (bicycle parking counts as 1 parking space as per Jacksonville Beach Code Section 34-373(6)). Total 12 off-street (on-site) spaces
 - Additional off-site leased parking: 5 leased off-site spaces within 300 feet of the site as per code section 34-375(1) (see attached map).
 - Based on our discussion with Beaches Energy Services, we have determined that the building will require a 15' easement along 2nd Street South in order to support a three-phase power system transformer required for the elevator. As a result, our east building line had to shift Westward so the site design will now support 11 off-street parking spaces plus bicycle parking, plus the 5 additional off-site parking spaces.
 - Total parking proposed: 17 combined off-street and leased off-site spaces provided.

ADDITIONAL APPLICANT INFORMATION

Design Professionals Assisting the Owner:

Architect: RDB Design Associates
Jacksonville, Florida
Carlos DelValle, AIA LEED AP, BD + C
Principal – Architect
carlos.delvalle@rdbi.net

Civil Engineer: Kennedy Civil Services
Charles Kennedy, P.E.
President
chuck@kennedycivilservices.com

PROPOSED

RDB

DESIGN ASSOCIATES
ARCHITECTURE • INTERIOR DESIGN
6438 S. Highway 1, Suite 100
Jacksonville, Florida 32216
Tel: 904.338.3333
Fax: 904.338.3661
www.rdb.com
License AR 000093 ID 000031

NOT FOR
CONSTRUCTION

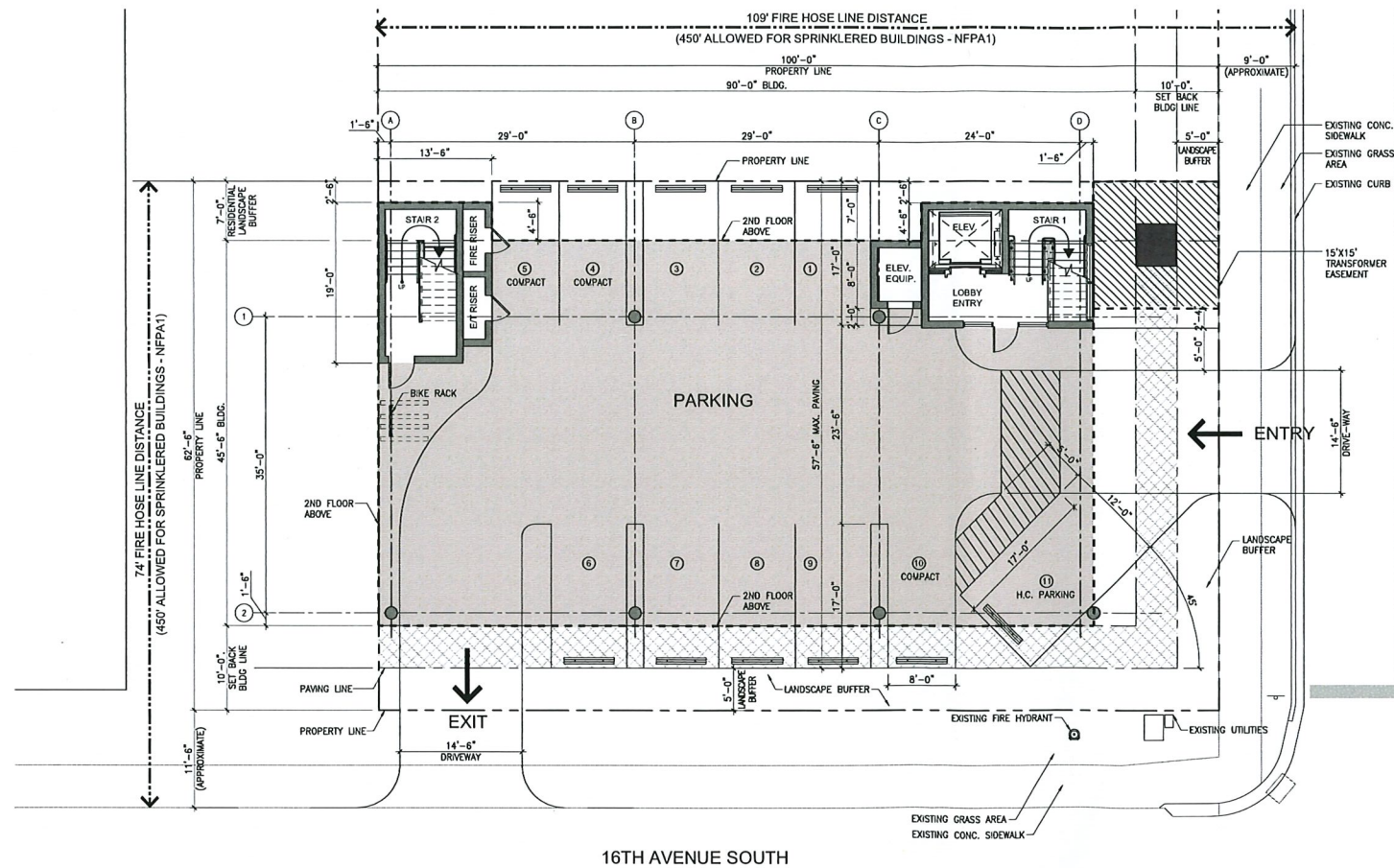
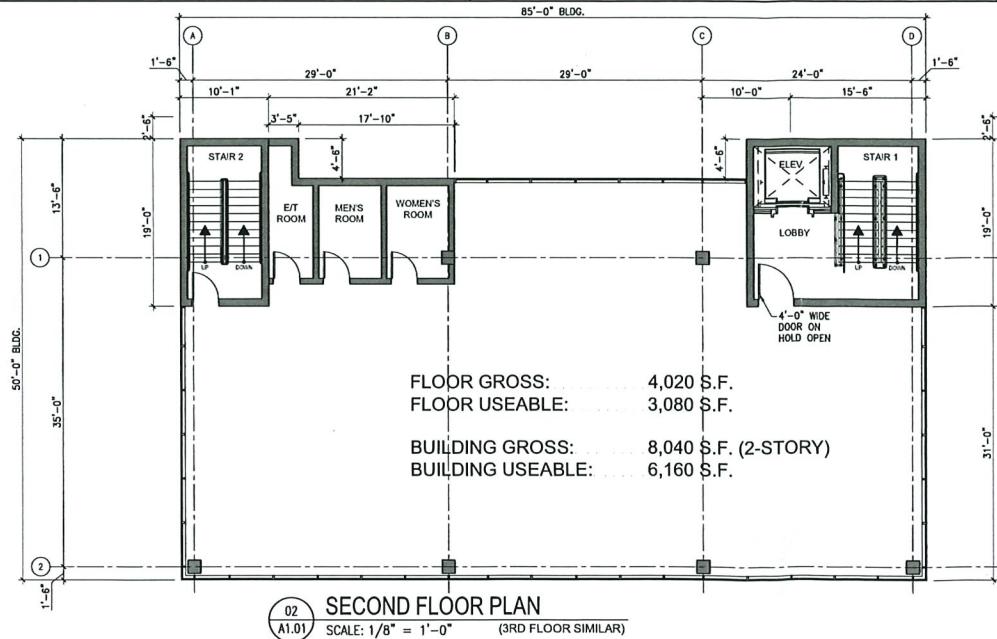
Copyright © 2022 RDB Design Associates

WARREN EQUITY PARTNERS - SITE PLAN ANALYSIS
2ND STREET SOUTH - PARCEL NO. 176317 0000
JACKSONVILLE BEACH, FLORIDA
SITE AND FLOOR PLANS

REVISIONS		
DATE	NUMBER	
03-02-2022		
03-04-2022	REV. 1	
03-04-2022	REV. 2	
03-09-2022	REV. 3	
03-21-2022	REV. 4	
07-07-2022	REV. 5	

PROJECT NO: 2022-005
DATE: JLC
DRAWN BY: JLC
CHECKED BY: CD

A1.01



01 GROUND FLOOR PLAN (90 DEGREE & 45 DEGREE LAYOUT - OPTION 6)
A1.01 SCALE: 1/8" = 1'-0"

SITE PLAN ANALYSIS

TOTAL LAND AREA:	6,250 S.F. (0.14 ACRES)
MAXIMUM CODE - ALLOWED PAVED AREA: (BASED ON 7'-0" RESIDENTIAL LANDSCAPE BUFFER)	4,798 S.F. (5,343 S.F. ACTUAL)

SITE PLAN

PARCEL NO. 176317 0000
ADDRESS: 2ND STREET SOUTH, JACKSONVILLE BEACH

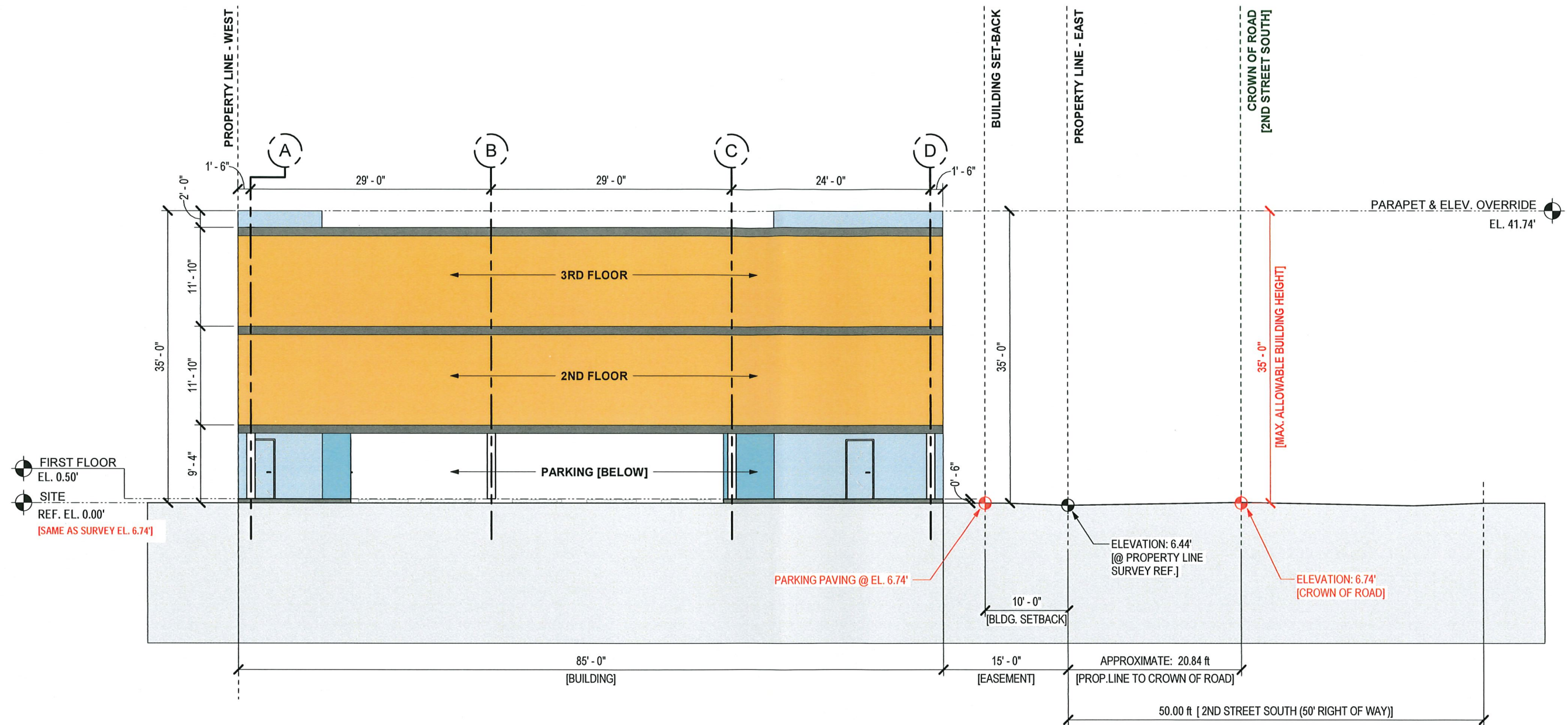
ZONED: C-1
PARKING REQUIRED BASED ON GROSS AREA: 27 SPACES (8,040 GROSS SF / 300 SF)
ALTERNATE PARKING REQUIRED BASED ON NET AREA: 21 SPACES (6,160 USEABLE SF / 300 SF) ON-SITE PARKING PROVIDED: 11 SPACES PLUS BICYCLE PARKING: 12 TOTAL



0 4' 8' 16'
SCALE: 1/8" = 1'-0"

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PLANNING & DEVELOPMENT



CONCEPT | BUILDING SECTION

- OFFICE SPACE
- VERTICAL CIRCULATION (STAIRS, ELEVATOR & ELEV. LOBBY)
- RESTROOMS
- SERVICE (RISER ROOM, ELEV. EQUIP. ROOM, E/T ROOM)

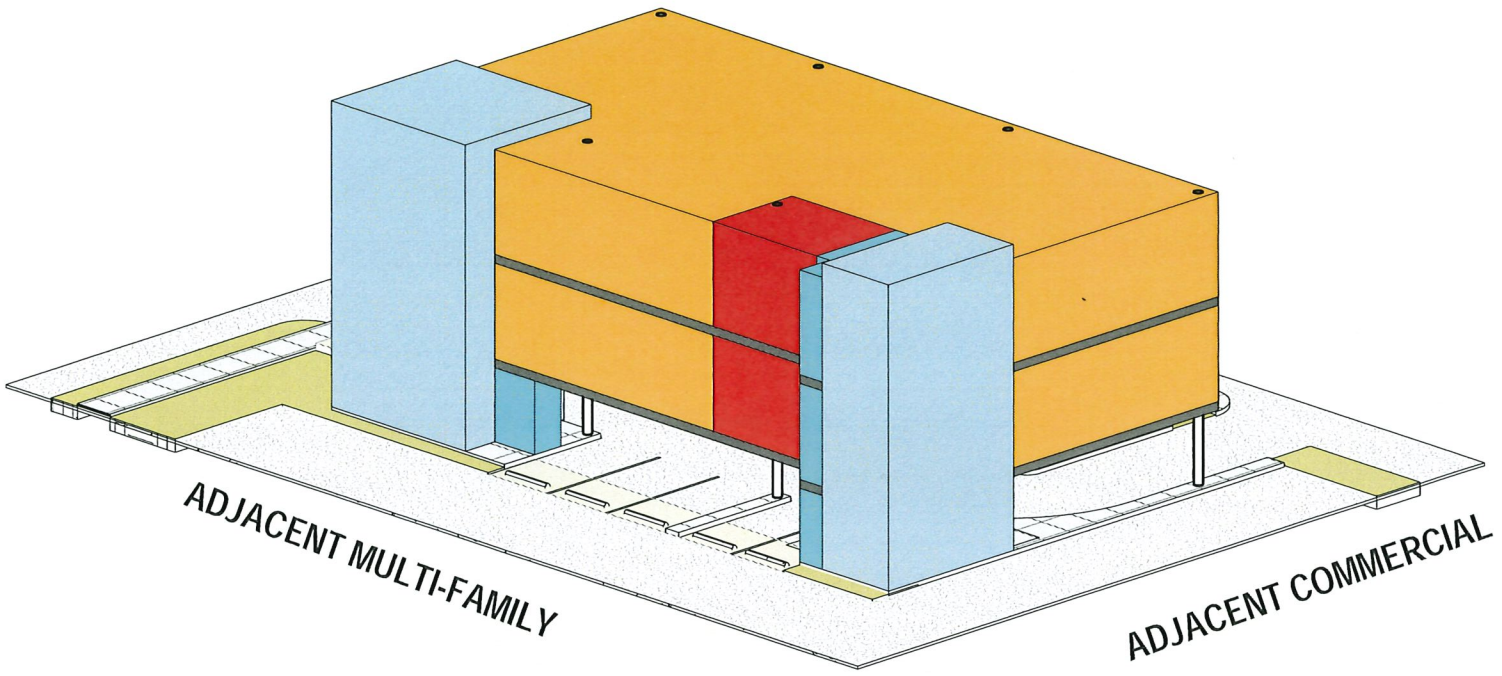
WARREN EQUITY PARTNERS

RDB IN-PROGRESS
07/07/2021

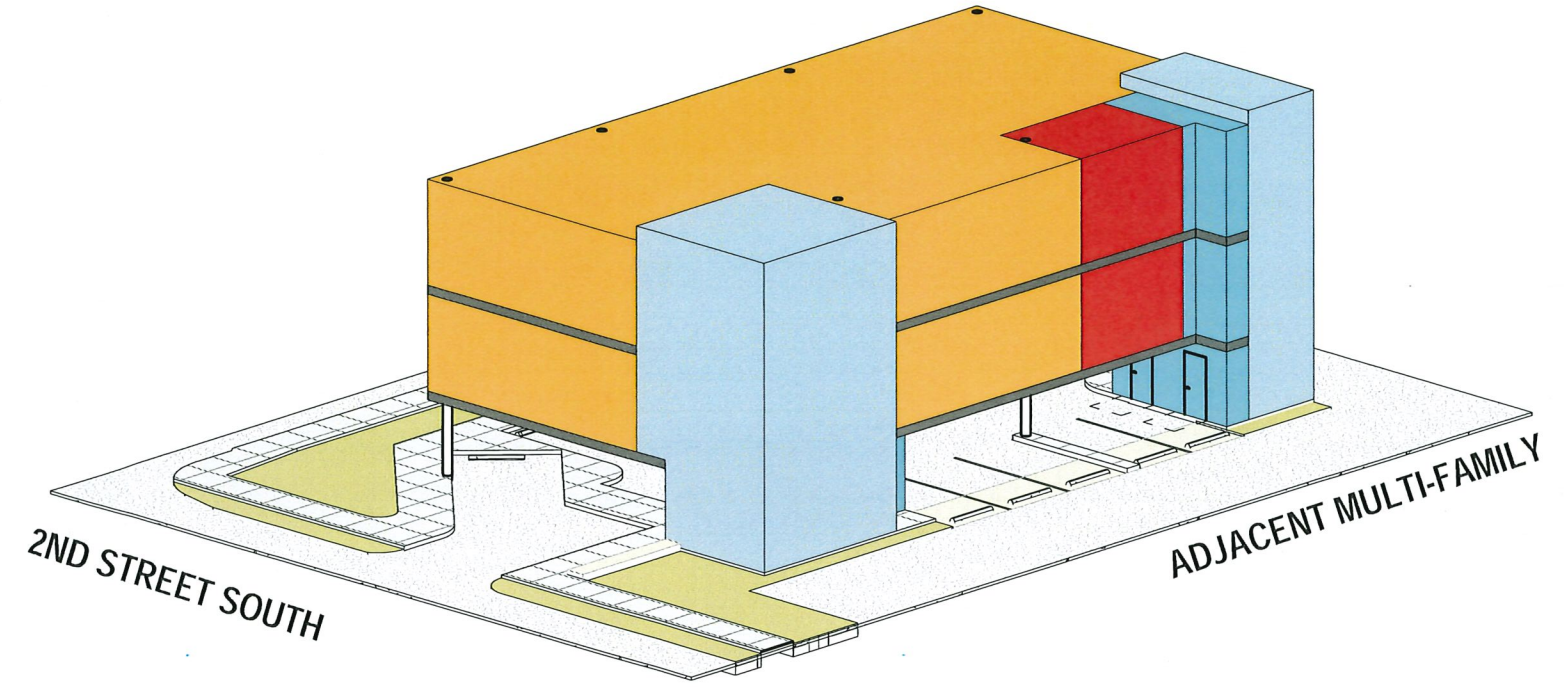


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JUL 21 2022

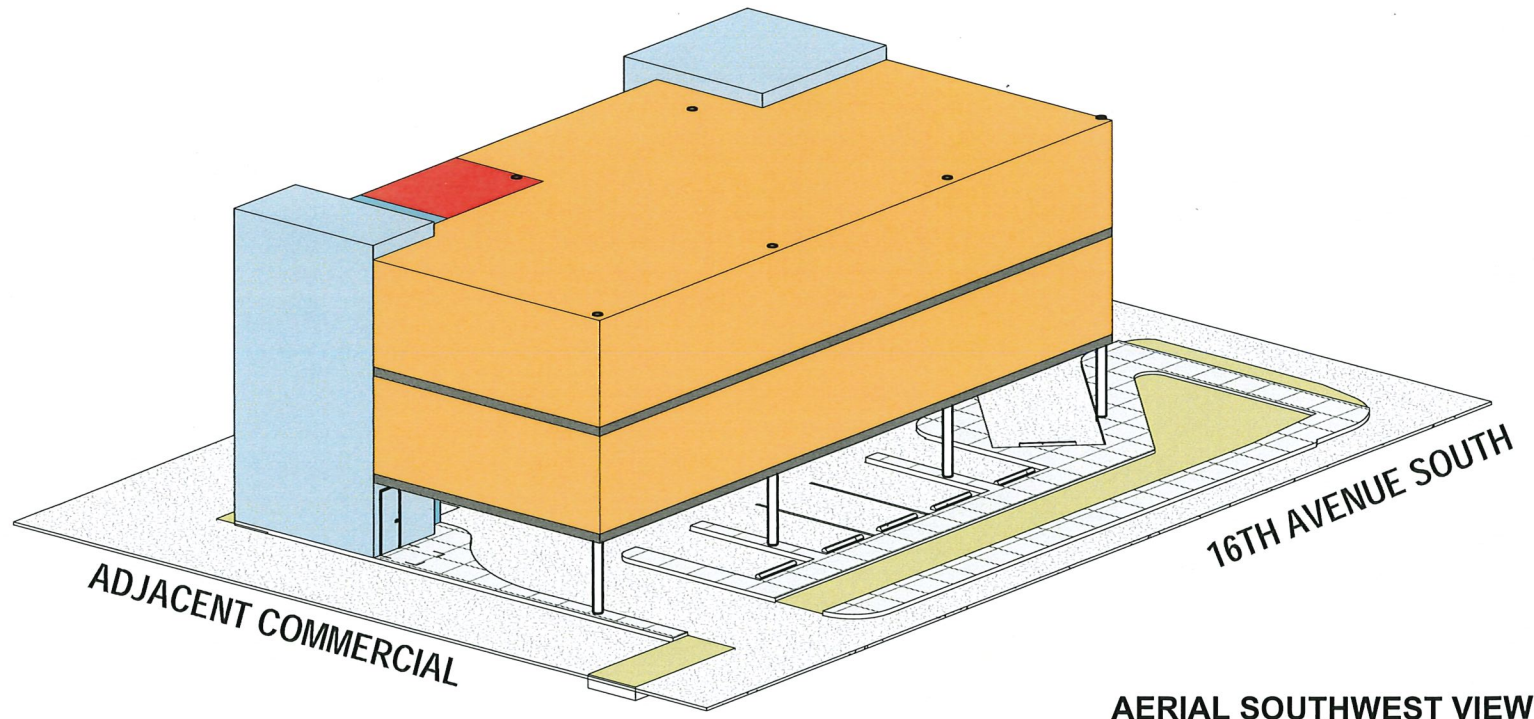
PLANNING & DEVELOPMENT



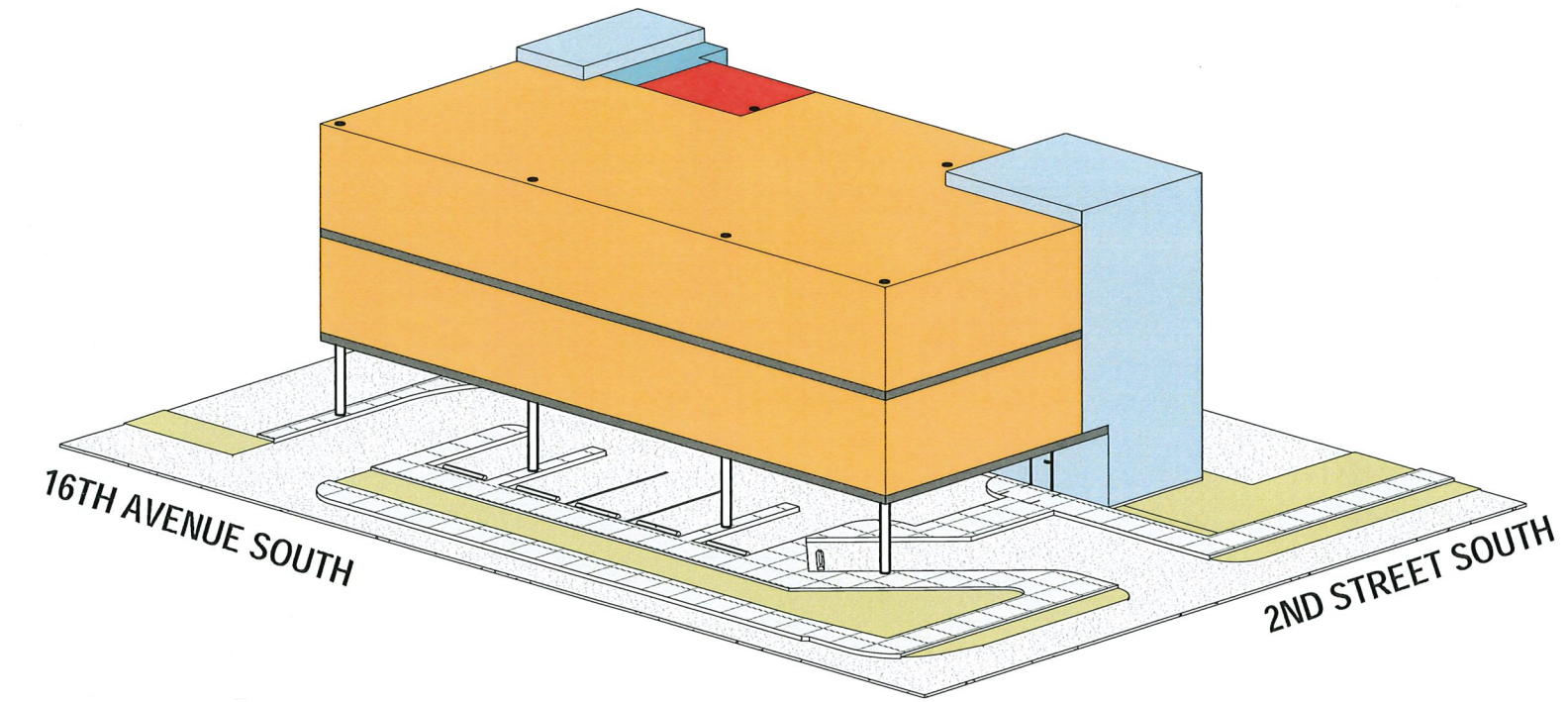
AERIAL NORTHWEST VIEW



AERIAL NORTHEAST VIEW



AERIAL SOUTHWEST VIEW



AERIAL SOUTHEAST VIEW

CONCEPT | MASSING DIAGRAMS

- OFFICE SPACE
- VERTICAL CIRCULATION (STAIRS, ELEVATOR & ELEV. LOBBY)
- RESTROOMS
- SERVICE (RISER ROOM, ELEV. EQUIP. ROOM, E/T ROOM)

WARREN EQUITY PARTNERS

RECEIVED
22-100085
JUL 21 2022

RDB IN-PROGRESS
07/07/2021



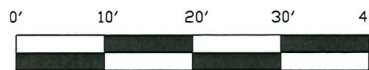
PLANNING & DEVELOPMENT

EXISTING



VICINITY MAP
(NOT TO SCALE)

MAP SHOWING A SURVEY OF
THE SOUTH HALF OF LOTS 11 AND 12, BLOCK 153, PABLO BEACH SOUTH, ACCORDING TO THE MAP OR PLAT THEREOF AS
RECORDED IN PLAT BOOK 3, PAGE 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



LEGEND OF ABBREVIATIONS
N NORTH
S SOUTH
E EAST
W WEST
O.R.V. OFFICIAL RECORDS VOLUME
PAGE
N/F NOW OR FORMERLY
RE# REAL ESTATE NUMBER
LB LICENSED BUSINESS
BOC BACK OF CURB
EA EDGE OF ASPHALT
OUT OUTLET
CONC CONCRETE
OU OVERHEAD UTILITY
CL.F. CHAIN LINK FENCE
W.F. WOOD FENCE
DH DECIDUOUS HARDWOOD
FDC FLAG OF CURB
TDC TOP OF CURB
UNK UNKNOWN
ENC ENCROACHMENT

SURVEY NOTES

- 1.) This is a BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY.
- 2.) Bearings are based on THE STATE PLANE GRID (NAD83)
- 3.) Elevations shown hereon are (NAVD88) and were established by occupying 3 control points with a Leica GS08plus GNSS receiver (Serial # 185270) and recording said control points for 300 epochs (5 minutes).
- 4.) By graphic plotting only, the property shown hereon lies in Zone AE 9 as shown on the Federal Emergency Management Agency (F.E.M.A.), National Flood Insurance Program, Flood Insurance FIRMette 12031C0358J, with an effective date of 11/02/2018.
- 5.) Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting therefrom is not the responsibility of the undersigned.
- 6.) There may be restrictions or easements of record evidenced by title examination that have not been shown hereon.

RECEIVED
22-100085
JUN 29 2022

PLANNING & DEVELOPMENT

LEGEND:
C CONCRETE MONUMENT
O FOUND IRON PIPE (AS NOTED)
+ FOUND IRON ROD (AS NOTED)
X FOUND IN CONCRETE
X FOUND NAIL AND DISK (AS NOTED)
X SET 1/2" IRON ROD W/CAP (KAYKAR LB 8334)
X SET MAG NAIL AND DISK (KAYKAR LB 8334)
X CLEAN OUT
X CORRUGATED METAL PIPE
X INVERT
X NOW OR FORMERLY
O.R.V. OFFICIAL RECORDS VOLUME
OU OVERHEAD UTILITY
OE OVERHEAD ELECTRIC
PVC POLYVINYL CHLORIDE
RCP REINFORCED CONCRETE PIPE
R.E.# REAL ESTATE NUMBER



KayKar Consulting, LLC
11566 DUNES WAY DRIVE NORTH
JACKSONVILLE, FL 32225
(904) 508-7228
kaykarconsulting@gmail.com
LB 8334

THIS IS TO CERTIFY THAT THIS SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY, AND THAT THE SURVEYOR HAS PERSONALLY CONDUCTED THE SURVEY AND IS A LICENSED SURVEYOR AND MAPPER UNDER THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 472, F.S., AND IS NOT A COMPUTER GENERATED SURVEY.
MICHAEL D. BROWN P.S.M. NO. 6990
Professional Surveyor and Mapper
State of Florida
Date: 6/22/2022
Order: 22-100085

SCALE: 1"=10' DATE: 6-23-22 FIELD BOOK N/A PAGE N/A PARTY CHIEF: TAL DRAFTSMAN: GST ORDER # CK 22-05



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

BOA#22-100086

Zoning: RS-1
RE: 177725-0010
Legal: Lot 33, Block 3, Pine Grove Unit 1
Address: 1175 1st Avenue North

Request

Section(s): 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot in lieu of 5 feet required to allow for construction of a new accessory shed

Existing Conditions

The subject property is a nonconforming lot of record (circa 1939) located in the Low Density Residential future land use category. The property is currently zoned Residential Single Family: RS-1. The lot is a platted lot of record that measures 63 feet in width and 102 feet in depth, with an overall lot area of 6,426 square feet. The subject property is currently occupied by a single family home constructed in 2011. The home was granted relief from several setbacks as well as the minimum home size to allow for its construction. The home and all other improvements to the lot currently occupy less than 35% of the lot coverage. The home is a long and narrow structure and was built with a reduced rear yard setback leaving more room on the sides of the structure and less in the front and rear. There is a small concrete patio to the east side of the house.

Previous Variances: BOA#11-100102 for front yard setback of 20.5 feet, a rear yard setback of 21.5 feet and overall home size of 1,231 in lieu of 1,600 square feet.

No Code Enforcement Violations

Staff Analysis

The existing lot is nonconforming in both area and width. Additionally the existing home is elongated and received setback relief for construction, leaving little rear yard for active use. The applicant is proposing a detached shed, which typically requires 5 feet of side and rear yard setback, but is requesting at 1 foot. The applicant is attempting to maximize their usable back yard. The home was acquired in 2017, and the applicant noted to staff that they are in need of more storage, as the house is relatively small at roughly 1,200 square feet. Given that the lot is narrow by close to 30 feet in width, and the fact that the house was built in an elongated fashion, the



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

applicant does have some degree of hardship with regards to the rear yard size and how much the shed could intrude into that space were it built at 5 foot setbacks from the rear and side yard.

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, particularly the lot area, and the home is oddly long and narrow. Additionally the area of the lot is reduced so that the shed will push the lot coverage to 38%.



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

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

Staff **does not** find that circumstances are a result of the applicant. The applicant purchased the home and lot with the existing nonconformities.

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

Staff finds that the proposed variance **will not** confer special privileges. As is typical for most single family homes, accessory uses such as shed are common and not considered a special privilege

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 subject property is substandard in lot width and area by a substantial sum. The use of a shed is a common type of accessory structure and a right commonly enjoyed by other homes 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, as conditioned, are the minimum variance needed to accomplish the construction of an accessory shed and preserve the backyard. The request is based on the provided site plan, so the proposed setback is the minimum to accomplish the proposed design as submitted

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#22-100086**

Location Map (property boundaries are representative only)



LOT 5

PLANN

ND 1/2" P.
CAP.

N89°07'00"E 63.00' PLAT
N89°17'17"E 63.07' COMPUTED

FOUND
NO CA

0.50' 10.00' EASEMENT FOR PUBLIC UTILITIES

LOT 33

12.73' 27.20' 52.80' 13.00' 16.00' 13.00'

60.40' 1.00' 20.05' 27.50' 63.00' PLAT

STORY WOOD HOUSE
NO. 1175
192

CONCRETE

14.20' 7.60' 13.00'

CONCRETE

101.94' COMPUTED

102.00' PLAT

101.53' 36"E
S00°53'00"E

12.07' 0.80' 6'

20.00'

Pe

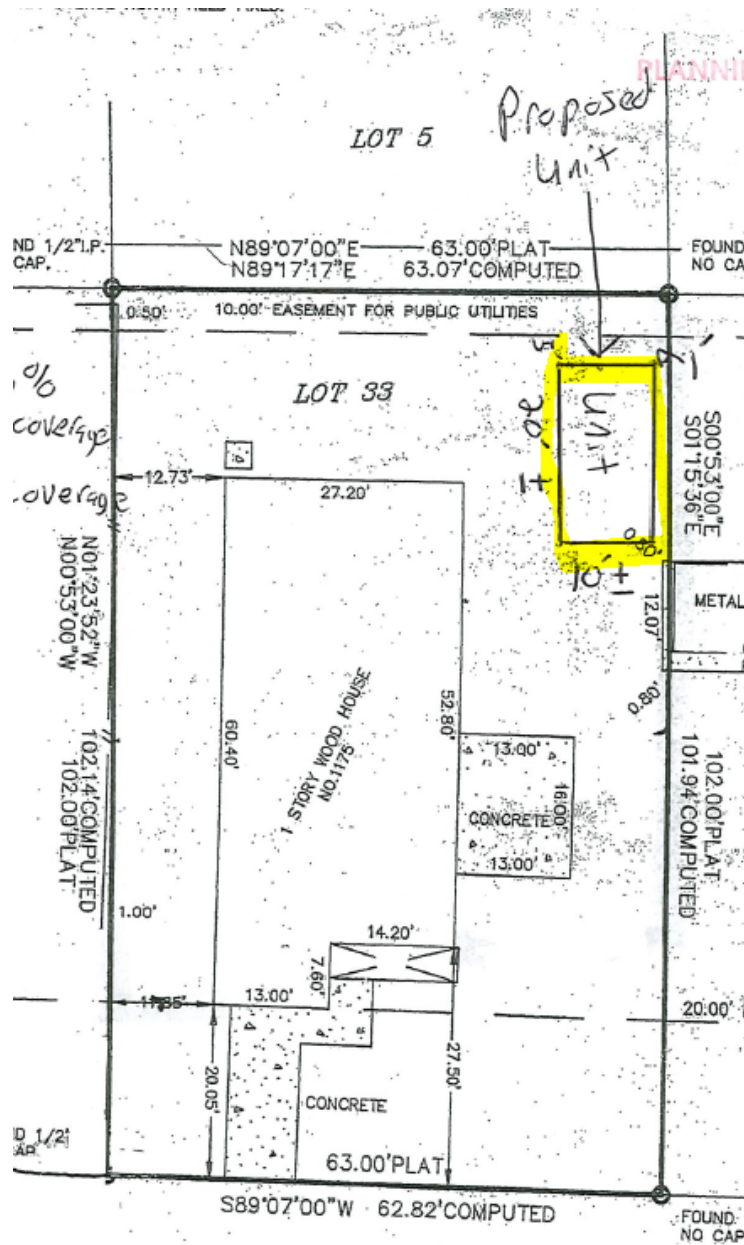
ND 1/2" P.
CAP.

S89°07'00"W 62.82' COMPUTED

FOUND
NO CAP

FIRST (50' R/W) AVENUE

Proposed Site Plan





APPLICATION FOR VARIANCE

BOA No. 22-100086

HEARING DATE 8.16.22

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 29 2022

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Michael Gruber Telephone: 9044448953
Mailing Address: 1175 15th AVE N E-Mail: ~~Budget remodel~~
Jax Beach FL 32250 Budget remodel Jax@gmail.com
Agent Name: _____ Telephone: _____
Mailing Address: _____ E-Mail: _____
Landowner Name: Michael Gruber Telephone: SAME
Mailing Address: SAME E-Mail: SAME

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

VARIANCE DATA

Street address of property and Real Estate Number: 1175 15th AVE North
Legal description of property (Attach copy of deed): 16-65 38-25-29E.147 Pine Grove UNIT 1 L&P3
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).
Rear east side of property setback 1ft in lieu of 5ft. to build shed unit.
property is small and lacks room for shed. Neighbors on this side have sheds
less than 5ft from property lines. Two neighbors have shed on this side
closer than 5ft. Increase lot coverage to 38%.

AFFIDAVIT

I, Michael Gruber, 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.

MM
APPLICANT SIGNATURE

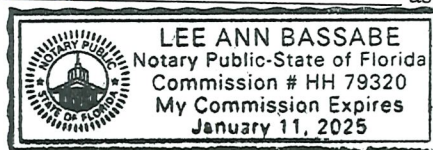
Michael Gruber
PRINT APPLICANT NAME

6/29/22
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 29 day of June, 2022, by Michael L. Gruber, who is personally known to me or produced FL Drivers License as identification.

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



(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 38% in lieu of 35% maximum; and 34-336(e)(1)g, for an accessory structure setback of one foot in lieu of 5 feet required to allow for construction of a new accessory shed

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 22-100086

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 size is smaller than adjacent lots.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	No special circumstances and conditions result from actions as in loss of visibility.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Will not confer special privileges. Neighbor at rear of property has shed that is less than 5' from East property line. Neighbor to East of property has shed less than 4' from property line.
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	Two neighbors have shed on that side that are less than 5' from property line.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Building close to one side of property will allow enough enough space to build a usable unit. Also keeping it 5' from existing home so fire codes aren't violated.
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	Land adjacent will not be affected.

RECEIVED
22-100086
JUN 29 2022

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

PLANNING & DEVELOPMENT

File Number: 17-1354

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 29th day of November, 2017, between **Raymond S. Tatum, Sr. and Frances L. Tatum, husband and wife**, whose post office address is **P.O. Box 217, West Friendship, MD 21794**, grantor, and **Michael L. Gruber, a single man**, whose post office address is **1175 1st 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:

Lot 33, Block 3, Pine Grove Unit One, a subdivision according to the plat thereof recorded at Plat Book 16, Page 65, in the Public Records of Duval County, Florida.

Parcel Identification Number: 177725-0010

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

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

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:

Witness (sign and print name)

Witness 1 Signature

GRIFITH D. JONES JR

Witness 1 Printed Name

Witness 2 Signature

Betty A. Jones

Witness 2 Printed Name

Sign Here

Raymond S. Tatum, Sr.

Sign Here

Frances L. Tatum

State of Maryland

County of Howard

The foregoing instrument was acknowledged before me this 15 day of November, 2017, by Raymond S. Tatum, Sr. and Frances L. Tatum, husband and wife, who (✓) is personally known to me or () has produced as identification.

notarize here

Notary Public

Printed Name: Betty A. Jones

My Commission Expires: 11/18

Notary Seal Here



ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

Reference
22-100086

RECEIVED

July 8, 2011

JUN 30 2022

Bottom Line Ventures, Inc.
2301 11th Avenue North
Jacksonville Beach FL 32250

PLANNING & DEVELOPMENT

RE: BOA #11-100102
1175 1st Avenue North

Dear Mr. Millard,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Wednesday, July 6, 2011 to consider your variance application.

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

- 34-336(e)(1)c.1, for a front yard of 20.5 feet in lieu of 25 feet required;
- 34-336(e)(1)c.3, for a rear yard of 21.5 feet in lieu of 30 feet required; and
- 34-336(e)(1)d, for 1,231 square feet of living space in lieu of 1,600 square feet minimum

To allow for a new single family dwelling.

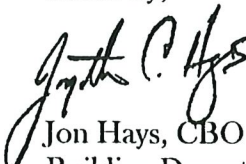
The results of the meeting were:

- Approved

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

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

Sincerely,


Jon Hays, CBO
Building Department

cc: Patricia D. Howard

PROPOSED

Rev. 1-1-76

MAP SHOWING BOUNDARY SURVEY OF LOT 33, BLOCK 3, PINE GROVE UNIT NO. ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 16, PAGE 65, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

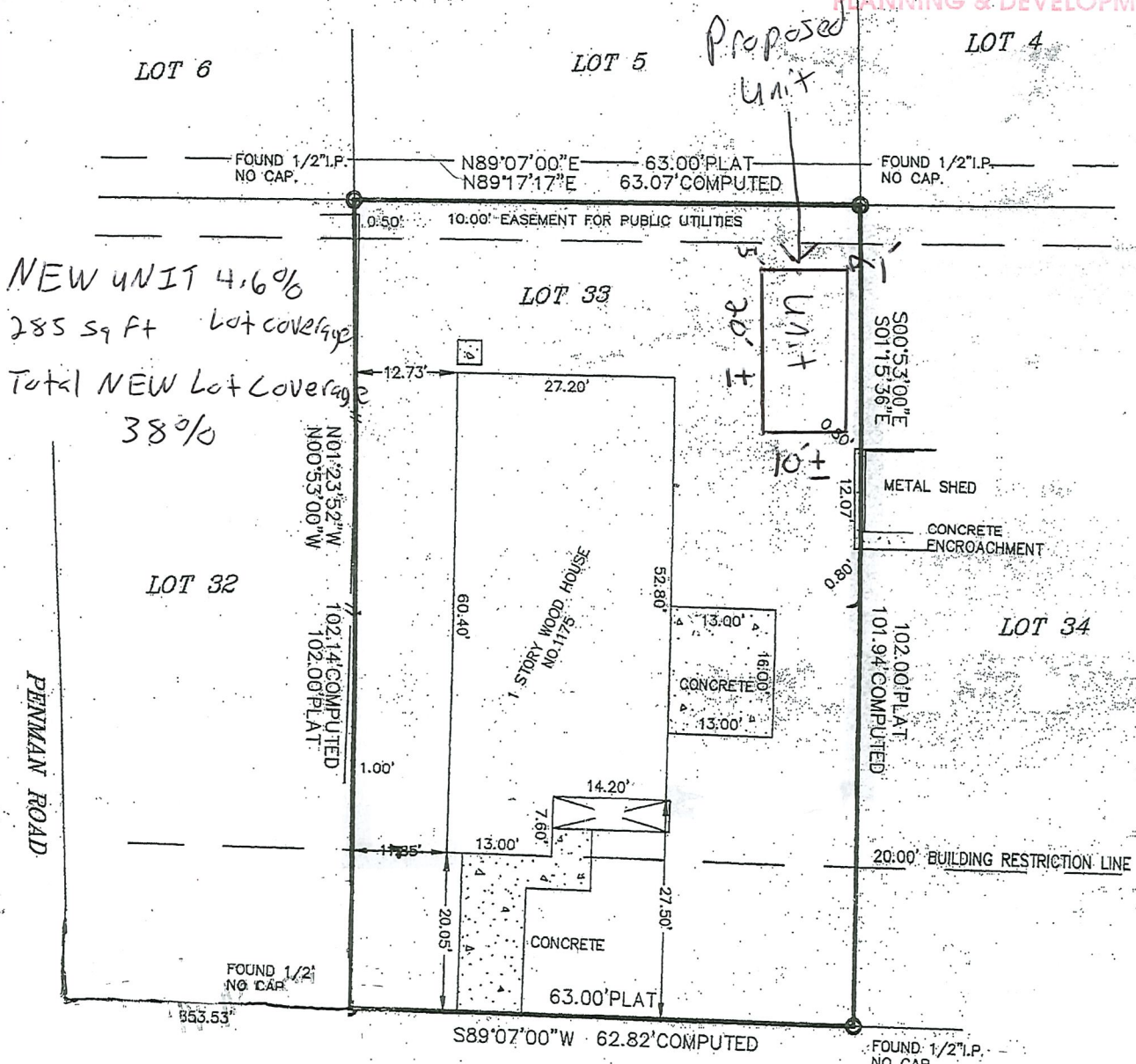


- NOTES:
1. BEARINGS ESTABLISHED FROM PLAT BOOK 16, PAGE 65.
 2. BEARING OF S 89°07'00"W OF 1ST AVENUE NORTH HELD FIXED.
 3. FIELD WORK 09-29-11

BLOCK 3

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22-100086
JUN 29 2022

PLANNING & DEVELOPMENT



NEW UNIT 4.6%
285 sq ft lot coverage
Total NEW Lot Coverage
38%

FIRST (50' R/W) AVENUE NORTH

ANTHONY PAUL O'NEIL

850370 U.S. HIGHWAY 17
YULEE, FLORIDA 32097
PHONE (904)-849-7719 FAX. (904)-849-7949

I HEREBY CERTIFY TO :

AMERICA CHOICE TITLE COMPANY CHICAGO TITLE INSURANCE COMPANY

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.050-17.052 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

FEMA FLOOD INSURANCE RATE INFORMATION PERTAINING TO LANDS SHOWN HEREON:
ZONE X PANEL 120078 0001D DATE 04-17-89 / DUVAL COUNTY, FLORIDA

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

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

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

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

- SYMBOLS:
x-CHAIN LINK FENCE
-WOOD FENCE
-WIRE FENCE
-ELECTRIC LINE
○-UTILITY POLE
●-WELL
[Pattern]-ASPHALT
[Pattern]-OVERHEAD
[Pattern]-CONCRETE

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

- DENOTES CONCRETE MONUMENT
○ DENOTES IRON PIPE
SET-DENOTES SET 5/8" x 18" REBAR L.B.7626

DATE SIGNED 09-29-11
ANTHONY PAUL O'NEIL PSM 5684

EXISTING.

MAP SHOWING BOUNDARY SURVEY OF

LOT 33, BLOCK 3, PINE GROVE UNIT NO. ONE, ACCORDING TO THE PLAT THEREOF AS
RECORDED IN PLAT BOOK 16, PAGE 65 OF THE CURRENT PUBLIC RECORDS OF
DUVAL COUNTY, FLORIDA



SCALE 1"=20'

NOTES:

1. BEARINGS ESTABLISHED FROM PLAT BOOK 16, PAGE 65.
2. BEARING OF S 89°07'00"W OF 1ST AVENUE NORTH HELD FIXED.
3. FIELD WORK 09-29-11

BLOCK 3

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22-100086
JUN 29 2022

LOT 6

LOT 5

LOT 4

PLANNING & DEVELOPMENT



Driveway 316 sq ft
Sidewalks 46,005 sq ft
Patios 145 234 sq ft
Garage 260 sq ft
House 1,262 sq ft
A/C pad 9 sq ft
Rear Pad 155 sq ft

LOT 32
Lot Coverage
Existing 33.4%

PENMAN ROAD

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

N01°23'52"W
100°53'00"W

102.14 COMPUTED
102.00 PLAT

FOUND 1/2" I.P.
NO CAP.

S89°07'00"W 62.82' COMPUTED

FOUND 1/2" I.P.
NO CAP.

S00°53'00"E
501°15'36"E

METAL SHED

CONCRETE
ENCROACHMENT

102.00 PLAT
101.94 COMPUTED

LOT 34

20.00' BUILDING RESTRICTION LINE

Per Application

RECEIVED

FOUND 1/2" I.P.
NO CAP.

19-755
APR 19 2019

FIRST (50' R/W) AVENUE NORTH

PLANNING & DEVELOPMENT

ANTHONY PAUL O'NEIL

850370 U.S. HIGHWAY 17
YULEE, FLORIDA 32097
PHONE (904)-849-7719 FAX. (904)-849-7949

I HEREBY CERTIFY TO :

AMERICA CHOICE TITLE COMPANY CHICAGO TITLE INSURANCE COMPANY

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ZONE x PANEL 120078 0001D DATE 04-17-89 / DUVAL COUNTY, FLORIDA

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ESMT.-EASEMENT ELEC.-ELECTRIC
B.R.L.-BUILDING RESTRICTION LINE
F.Z.B.L.-FLOOD ZONE BOUNDARY LINE
APPROX.-APPROXIMATE EXIST.-EXISTING
A.K.A.-ALSO KNOWN AS N/F-NOW OR FORMERLY
N.G.V.D.-NATIONAL GEODETIC VERTICAL DATUM

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

SYMBOLS:
x-CHAIN LINK FENCE
-WOOD FENCE
-WIRE FENCE
-ELECTRIC LINE
○-UTILITY POLE
○-WELL
-ASPHALT
-OVERHEAD
-CONCRETE

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

□ DENOTES CONCRETE MONUMENT
○ DENOTES IRON PIPE
SET-DENOTES SET 5/8" x 18"
REBAR L.B.7626

DATE SIGNED 09-29-11
ANTHONY PAUL O'NEIL PSM 5684