



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, March 6, 2018

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the Board of Adjustment
City of Jacksonville Beach, Florida

Board Members:

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

CALL TO ORDER

ROLL CALL

Sylvia Osewalt (Chairperson), Jeff Truhlar (Vice-Chairperson), John Moreland, Scott Cummings, Thomas Buck,
Alternates: Francis Reddington, Lucas Snyder

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES February 6, 2018 and February 20, 2018

CORRESPONDENCE

OLD BUSINESS

- a. **Case Number:** **BOA 18-10005**
 Applicant: Robert J. Branley
 Owner: Simon Michael
 Property Address: 2700 South Ocean Drive
 Parcel ID: 181618-0000
 Current Zoning: RS-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-336(e)(1)c.1, for a front yard setback of 14 feet, in lieu of 25 feet required; 34-336(e)(1)c.2, for a westerly side yard setback of 6 feet, in lieu of 10 feet required; and a corner side yard setback of 7 feet, in lieu of 10 feet required; 34-336(e)(1)c.3, for a rear yard setback of 7 feet, in lieu of 30 feet required; and 34-336(e)(1)e, for 49% lot coverage, in lieu of 35% maximum; to allow construction, of a new single-family dwelling for property **legally described** as Lots 1 and 2, Block 4, *Atlantic Shores, Ocean Front Section Division "C"*.
 Miscellaneous Info: No previous variance requests.

Notes: _____

NEW BUSINESS

- a. **Case Number:** **BOA 18-10010**
 Applicant/Owner: Jeff Ball and Jacqueline Pappas-Ball
 Agent: Gary Carlee
 Property Address: 616 South 7th Avenue
 Parcel ID: 176456-0010
 Current Zoning: RS-2
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-337(e)(1)e, for 40.4% lot coverage, in lieu of 35% maximum to allow for a pool and deck addition to an existing single-family dwelling for property **legally described** as Lot 8, Block 7, *Oceanside Park*.
 Miscellaneous Info: No previous variance requests.

Notes: _____

- b. Case Number: BOA 18-100011**
- Applicant/Owner: Orender Unlimited, LLC
- Agent: Wade Olszewski, CPH, Inc.
- Property Address: 391 South 16th Avenue
- Parcel ID: 176319-0100
- Current Zoning: C-1
- Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(a)1**, for two 8-foot wide parking spaces, in lieu of 9 feet required; 34-337 for 8 off-street parking spaces, in lieu of 14 required; to allow construction of a 4,200 square foot professional office building for property **legally described** as Lot 7, together with the South one half of a 12 foot wide Public Alley adjacent to this lot, all being in Block 154, *Pablo Beach South*.
- Miscellaneous Info: One previously denied variance request (reference BOA# 74-2001).

Notes: _____

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, March 20, 2018**. There are seven (7) scheduled cases.

ADJOURNMENT

NOTICE

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.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request 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.

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, extension 10, no later than one business day before the meeting.

**Minutes of Board of Adjustment Meeting
held Wednesday, February 6, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairwoman Sylvia Osewalt called the meeting to order.

ROLL CALL

Chairwoman: Sylvia Osewalt
Vice-Chairman: Jeff Truhlar
Board Members: John Moreland, Scott Cummings, Thomas Buck
Alternates: Francis Reddington, Lucas Snyder

Also in attendance was George Knight, Building Official, and Cathy Martinich, Permit Specialist.

Ex-parte Communications

Ex-parte communications were received by the Board members, as follows:

- Sylvia Osewalt received two phone calls from neighbors regarding case number 17-100224, who were against the variance and would be attending the meeting.
- John Moreland, received phone calls from Leah Hudson and Mary Hall regarding case number 17-100224, against the request.
- Thomas Buck received two phone calls regarding BOA # 17-100224, opposing the variance application.
- Jeff Truhlar received no communications.
- Scott Cummings received a phone call, but the message was garbled and unclear.
- Francis Reddington received a phone call from Ms. Hudson who is in opposition to BOA# 17-100224.
- Lucas Snyder received no communications.

Approval of Minutes

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

- January 17, 2018

CORRESPONDENCE: Communications regarding applications and will be read at the time the case is heard.

OLD BUSINESS: *None*

NEW BUSINESS:

(A) **Case Number: BOA 17-100233**

Name of Applicant: Greg S. Kupperman

Property Address: 590 South 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(3)c.1, for a front yard setback of 9.5 feet, in lieu of 20 feet required; 34-340(e)(3)c.2, for a corner side yard setback of 12.1 feet, in lieu of 12.5 feet, and a side yard setback of 0.9 feet, in lieu of 10 feet required; and 34-340(e)(3)c.3, for a rear yard setback of 2.8 feet, in lieu of 30 feet required; to allow substantial improvements to an existing multi-family structure, for property **legally described** as the East 10 feet of the South 62.5 feet of Lot 7, and the South 62.5 feet of Lot 8, Block 52 *Pablo Beach South*.

Applicant:

Greg S. Kupperman, 200 First Street, Suite B, Neptune Beach, FL 32266, explained the hardship as the existing structure, setbacks, and conditions are already in place. By enforcing setbacks, it would prevent any renovation, moving, or demolition of the current home, making it impossible to restore original characteristics of the structure. He confirmed extensive renovations are planned, taking the structure back to its original design, using the existing footprint.

Mr. Moreland said the property does not comply with the current zoning code and by approving the variance; the structure would then be in compliance, which would allow the renovations. Mr. Truhlar noted the current site lot coverage is 70% and the variance requested would reduce it to 48%. Mr. Kupperman confirmed the lot coverage reduction, explaining he will also be reducing density by changing the three rental apartments to an owner-occupied, two-unit structure. Ms. Osewalt asked him to explain how he planned to reduce lot coverage. Mr. Kupperman said it would be by removing decking and concrete. Discussion ensued regarding the setbacks requested.

Public Hearing:

The following people spoke in opposition to the application:

- Chris Cenci, 123 South 6th Avenue, Unit A, Jacksonville Beach, FL 32250
- Daleen Byrd, 123 South 6th Avenue, Unit A, Jacksonville Beach, FL 32250
- Paul Mangus, 112 South 5th Avenue, Jacksonville Beach, FL 32250

Mr. Kupperman reiterated the plans above, emphasizing a reduction in lot coverage, density while restoring and reusing as much as possible from the structure bringing it back to its original design. Ms. Osewalt asked Mr. Knight what percentage of work is required for the project to be brought entirely up to code. Mr. Knight responded it is 50%. He said this allows the use of existing foundations, if additional stories are added, secondary foundations, may be required. Mr. Kupperman said he was not sure if 50% of the project would be revised.

Ms. Osewalt closed the public hearing.

Discussion:

The decreased lot coverage, with more green space and the 0.9-foot setback, were discussed.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA# 17-100233, revising the northerly 0.9-foot side yard setback to 5 feet, in lieu of 10 feet, as shown and discussed.

Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Scott Cummings, and Thomas Buck
Nays – Sylvia Osewalt

The motion was approved with a 4 to 1 vote.

(B) **Case Number: BOA 17-100235**
Name of Applicant: Thomas Brown

Property Address: 908 North 7th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-347(e)(1)e., for 39% lot coverage, in lieu of 35% maximum; to allow a pool and deck addition to a single-family dwelling for property **legally described** as Lot 2, Block 80, *Pablo Beach Improvement Company's Plat of Part of Northern Portion of Pablo Beach*.

Applicant:

Thomas Brown, 908 North 7th Avenue, Jacksonville Beach, FL 32250, explained his lot is undersized. He confirmed the deck referred to in the variance application was for pavers around the pool.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Discussion:

No discussion.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve the application as presented.

Roll Call Vote: Ayes – John Moreland, Scott Cummings, Thomas Buck, Sylvia Osewalt, and Jeff Truhlar.

The motion was approved, unanimously.

(C) **Case Number: BOA 17-100238**
Name of Applicant: Mark A. Darr

Property Address: 234 St. Augustine Boulevard, Jacksonville Beach, FL 32250

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 required; 34-336(e)(1)c.2, for side yard setbacks of 5 feet each, in lieu of 10 feet required; and 34-336(e)(1)e., for lot coverage of 45.5%, in lieu of 35% maximum: to allow construction of a single-family dwelling, for property **legally described** as Lot 13, Block 22, *Replat of Unit 1, Atlantic Shores*.

Agent:

Larry A. Rice, 12 Ponte Vedra Circle, Ponte Vedra Beach, FL 32082, began by introducing the prospective buyers, James and Jennifer Kjellman, of the property recently purchased from Mr. Mark Darr, by Dream Finders Homes (warranty deed attached). Mr. and Mrs. Kjellman have written permission to speak to the Board as the Applicant.

New Applicant:

James Kjellman, 118 Nyra Street, Jacksonville, FL, explained the lot is substandard, close to A1A, and a gas station is across the street. The floor plan presented is designed to maximize a safe backyard for any future children. The Board proceeded to confer with Mr. and Mrs. Kjellman and Mr. Rice about the variance request.

Public Hearing:

One person came forward to speak in opposition to the application.

- John Tipton, 503 North 6th Street, Jacksonville Beach, FL 32250

Mr. Rice responded many beach lots are undersized and require a greater lot coverage for a dwelling.

Ms. Osewalt closed the public hearing.

Discussion:

The Board continued their discussion about lot coverage and the side setbacks. Mr. Moreland pointed out if the lot was standard in size the lot coverage would be 27%.

Motion: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve BOA# 17-100238.

Roll Call Vote: Ayes – Thomas Buck, Sylvia Osewalt, Jeff Truhlar, John Moreland
Nays – Scott Cummings

The motion was approved with a 4 to 1 vote.

(D) Case Number: BOA 17-100224

Name of Applicant: Kyle Paskowitz, Payne Roberts, LLC

Property Address: 417 and 429 North 2nd Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-339(e)(1)c.2, for 7.5 feet side yard setbacks, in lieu of 10 feet required; 34-339(e)(1)f., for 45.7% lot coverage, in lieu of 35% maximum; 34-339(e)(1)h., for accessory structure setbacks of 1.5 feet, in lieu of 5 feet required; 34-373(a)(1), for parking space width of 8 feet, in lieu of 9 feet required; to allow construction of three two-family dwellings, for property **legally described** as Lot 8, 9, and 10, (for this application) Block 35, *Atlantic Park Replat of Part Pablo Beach North*.

Applicant:

Kyle Paskowitz, Payne Roberts, LLC, 3721 Dupont Station CT., Jacksonville, FL 32217, stated his hardship is the lots are substandard. The current structures are dilapidated, and the six new townhomes would improve the looks of the neighborhood. He said in the last two years there have been nine variances granted for similar structures. Mr. Paskowitz commented they would build on these properties regardless if the variance is approved or not. They would develop the property with a three-story structure instead of two-story, which would not be as attractive for the neighborhood.

Mr. Cummings asked when the property was purchased and then stated, “You are here threatening the people that you will build a three-story unit, based on your purchase of the land. I am here to listen to your variance this evening, not what you propose to do if you don’t get your variance.” Mr. Paskowitz said he was not threatening the people, he said they do have other plan options for the townhomes.

Discussion continued regarding lot coverage and additional design plans for the townhomes. It was determined 34-339(e)(1)h., for accessory structure setbacks of 1.5 feet, in lieu of 5 feet required, was not needed. Ms. Osewalt verified Mr. Paskowitz understood the 1.5 feet would be removed from the application.

Public Hearing:

The following Jacksonville Beach residents spoke in opposition:

- John Tipton, 503 North 6th Street
- Shandy Thompson, 522 South 3rd Avenue
- Christi Elflein, 3512 Bay Island Circle
- Mackenzie Robinson, 406 North 3rd Avenue
- Leah Hudson, 404 North 3rd Avenue
- Tony Komarek, 533 South 11th Avenue
- Samuel Hall Jr., 404 North 3rd Avenue
- Monica Bernhardt, 623 North 2nd Avenue

- Mary N. Hall, 614 North 3rd Avenue
- Wayne Carlisle, 428 North 2nd Avenue

The following Jacksonville Beach residents are in opposition to the application but do not want to address the board:

- Penny Yamamoto, 821 North 3rd Avenue
- Hana Nishiyama, 821 North 3rd Avenue
- Maki Kato, 902 North 3rd Avenue
- Brenda P. Greer, 315 North 8th Street
- Bill and Carolyn Stevens, 733 North 2nd Avenue
- Darren and Karen Carr, 737 North 3rd Avenue
- Christa Murphy, 519 North 6th Street
- Jo E. Deighan, 422 North 6th Street
- Trey Phillips, 934 North 10th Street
- Mary Phillips, 934 North 10th Street
- Tammy Nishiyama, 823 North 3rd Avenue

Mr. Paskowitz re-stated his case for the requested variance and agreed to revisit alternative townhome designs. Mr. Moreland suggested to the applicant to meet with the surrounding residents and try to come up with a plan that will address some of their concerns.

Sylvia closed the public hearing.

Discussion:

There was no discussion on the variance. Mr. Cummings informed the audience that this Board cannot change the land development code and urged them to go to the City Council for such changes.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, that BOA# 17-100224, be denied, because it is not the minimum necessary use of the land, and is inconsistent with the land development code.

Ms. Osewalt stated voting “yes” is a vote in favor of the motion.

Roll Call Vote: Ayes – Thomas Buck, Sylvia Osewalt, Jeff Truhlar, John Moreland, and Scott Cummings.

The motion was denied, unanimously.

(E) **Case Number: BOA 17-100236**
Name of Applicant: Keith Frazier

Property Address: 15 North 16th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(3)c.1, for a front yard setback of 3.3 feet, in lieu of 20 feet minimum; and 34-340(e)(3)e., for 70.25% lot coverage, in lieu of 35% maximum; to allow a second floor balcony

addition to an existing multi-family dwelling, for property **legally described** as the East 12.0 feet of the South 43.0 feet, 8 inches of Lot 4, Block 171, *Pablo Beach North*.

Agent:

Frank Malle, 5425 Riverwood Road North, St. Augustine, FL 32092, explained this is a substantial hardship for a divided, four-unit property. He took the project over from another builder, with an approved building permit. They discovered once into the construction project a proper staircase was necessary to provide egress to the 4th unit on the west of the building from the balcony. He explained a window was replaced with French doors as required for egress, as there was no way to access the 4th unit. A staircase from the balcony on both the south and west sides of the building are required, per the Fire Marshall. Mr. Malle said he is aware some of the neighbors were upset; they want to be good neighbors and make a substantially improved, nice looking property. Mr. Malle presented photos of the project as it is today. The Board continued to discuss with Mr. Malle the lot coverage and setbacks.

Public Hearing:

The following Jacksonville Beach residents spoke in opposition:

- Dan Ivan, 1701 North 1st Street 8A
- Susan Wiegers, 1701 North 1st Street 6B
- Kirk Wiegers 1701 North 1st Street 6B

The following Jacksonville Beach residents are in opposition to the application but do not want to address the board:

- Duane Saks, 1701 North 1st Street 8B
- Betty Saks, 1701 North 1st Street 8B
- Monica Ivan, 1701 North 1st Street 8a
- Cathy A. Culligan, 1701 North 1st Street 4A
- Cindi Catir, 1701 North 1st Street, 3A
- Judith Rodriguez, 1701 North 1st Street A5
- George Rodriguez, 1701 North 1st Street A5
- Gary Lindros, Sr., Po Box 50278
- Lawrence R. Thon, 1701 North 1st Street, B9

The following Jacksonville Beach residents sent email communications in opposition:

- Judith Rodriguez, 1701 North 1st Street
- Kirk Wiegers, 1701 North 1st Street, 6B
- Susan Wiegers, 1701 North 1st Street, 6B
- Richard Fulton, 1701 North 1st Street

Ms. Osewalt closed the public hearing.

Discussion:

Discussion ensued regarding the project, which included lot coverage, setbacks, parking

spaces, staircase, balcony, and necessary egress per the current building code, and requirements of the Fire Marshall.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 17-100236, for a front yard setback of 3.3 feet, in lieu of 20 feet minimum, to allow a second story balcony, with no roof over the balcony, to an existing multi-family dwelling, as presented and discussed.

Roll Call Vote: Ayes – Scott Cummings, John Moreland, Sylvia Osewalt, Jeff Truhlar
Nays –Thomas Buck.

The motion was approved, with a 4 to 1 vote.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 9:40 P.M.

Submitted by: Cathy Martinich
Permit Specialist

Approval:

Chairperson

Date

**Minutes of Board of Adjustment Meeting
held Tuesday, February 20, 2018, at 7:00P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Vice-Chairman, Jeff Truhlar called the meeting to order.

ROLL CALL

Chairwoman: Sylvia Osewalt (*absent*)

Vice-Chairman: Jeff Truhlar

Board Members: Thomas Buck, Scott Cummings, John Moreland

Alternates: Francis Reddington, Lucas Snyder (*absent*)

Also in attendance were George Knight, Building Official, Laurie Scott, City Clerk, and Cathy Martinich, Permit Specialist.

Ex-parte Communications

No ex-parte communications were received by the Board members.

Approval of Minutes

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

- September 19, 2017

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

(A) **Case Number: BOA 17-100180**

Name of Applicant: Paul West, Viridian Builders Corporation

Owner: Randall, Michael & Terrell DeLoach

Property Address: 39 South 35th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1, for a front yard setback of 20.7 feet, in lieu of 25 feet required; 34-336(e)(1)c.2, for side yard setbacks of 5 feet and 5.1 feet, each in lieu of 10 feet required; 34-336(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet required; 34-336(e)(1)e., for 37% lot coverage, in lieu

of 35% maximum, to allow construction of a new single-family dwelling, for property **legally described** as Lot 8, Block 6, *Atlantic Shores Oceanfront Division "A"*.

Applicant:

The applicant, Paul West, 593 Margaret Street, Neptune Beach, FL 32266 stated the hardship is that the property was purchased not knowing it was a flagged lot; an irregular lot. Mr. West stated that, in keeping with the neighborhood, they are to build a 2-story home. He stated that the total square footage of the lot coverage is 36.8 percent.

Current lot coverage was discussed. Mr. Buck asked if Mr. West has spoken with the neighbors. Mr. West replied that the neighbors did state some concerns about drainage, but he also stated the neighbor's property is higher up than the DeLoach property. There was a discussion between Board Members and Mr. West regarding drainage and lot width. Mr. West stated they will do the civil engineering and comply with whatever is required for lot drainage.

Public Hearing:

The following individual did not want to speak but are opposed to the agenda item:

- Gary Carter, 3500 Ocean Dr., Jacksonville Beach, FL 32250

The following individual spoke in favor of the agenda item:

- Randy DeLoach, 59 South 34th Avenue, Jacksonville Beach, FL 32250

Mr. Moreland closed the public hearing.

Discussion:

Mr. West answered several questions from the Board regarding size, coverage, and drainage. Board Members discussed the 5-ft setback.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings to approve the application as presented, with the additional statement, as shown and discussed.

Roll Call Vote: Ayes – Thomas Buck, Scott Cummings, John Moreland, Jeff Truhlar and Francis Reddington.

The motion was approved, unanimously.

**(B) Case Number: BOA 17-100005
Name of Applicant:** Robert J. Branley

Owner: Simon Michael

Property Address: 2700 South Ocean Drive

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1, for a front yard setback of 14 feet, in lieu of 25 feet required; 34-336(e)(1)c.2, for a westerly side yard setback of 6 feet, in lieu of 10 feet required; and a corner side yard setback of 7 feet, in lieu of 10 feet required; 34-336(e)(1)c.3, for a rear yard setback of 7 feet, in lieu of 30 feet required; 34-336(e)(1)e., for 49% lot coverage, in lieu of 35% maximum; to allow construction, of a new single-family dwelling for property **legally described** as Lots 1 and 2, Block 4, *Atlantic Shores, Ocean Front Section Division "C"*.

Applicant:

Robert Branley, 127 13th Avenue South, Unit C, Jacksonville Beach, FL 32250 stated his hardship is that the lot is a substandard lot; a very small lot, as many are in that area. He stated that the other issue with the lot is that it is shaped like a parallelogram, which makes it awkward in terms of positioning a house that would face the street.

Mr. Branley answered several questions from the Board. A discussion ensued about variances, setbacks, the number of stories planned for the house, embellishments, square footage of the lot, and drainage. It was determined by the Board that there was possibly a discrepancy in the plans Mr. Branley brought to the Board and what was filed with the City.

The following individual spoke in opposition to the agenda item:

- Debi Cunningham, 3001 1st Street South, Jacksonville Beach, FL 32250

The following individual was in opposition to the agenda item but did not wish to speak:

- Gary Carter, 3500 Ocean Dr., Jacksonville Beach, FL 32250

Mr. Moreland asked if the applicant wanted to present their rebuttal.

Mr. Branley responded there has been a precedence set in that area, there are setbacks of 2 feet, 3 feet and zero. He went on to state that everyone in the area has been required to present to the Board for variance approvals.

Mr. Moreland closed the public hearing.

Discussion:

A discussion ensued about setbacks, lot coverage, and drainage. Mr. Buck spoke again to the fact the presented documents at the meeting differ from what was presented to the City when the application was made. Mr. Reddington suggested that the application be withdrawn from consideration for tonight for further clarification. Mr. Moreland suggested tabling the vote on this application.

Motion: It was moved by Mr. Buck and seconded by Mr. Moreland to table the application to the next available meeting to allow the City to review the documents and be brought again before the Board, which follows the rules of

the Land Development Code.

Mr. Moreland clarified a “yes” vote is to table the application until the next available meeting.

Roll Call Vote: Ayes – Scott Cummings, John Moreland, Jeff Truhlar, Thomas Buck, and Francis Reddington.

The motion was approved, unanimously.

(C) **Case Number: BOA 17-100006**
Name of Applicant/Owner: Michael Meiners

Property Address: 833 South 2nd Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(3)c.2, for an easterly side yard setback of 2.6 feet, in lieu of 10 feet required; to allow an addition to an existing two-unit, multifamily dwelling **legally described** as Lot 6, Block 82, *Pablo Beach South*.

Applicant:

Michael Meiners, 833 2nd Street South, Jacksonville Beach, FL 32250, stated the property was purchased by him in 2014, and the hardship is he and his family must walk outside to use the whole space.

A discussion ensued between Mr. Meiners and the Board regarding the footprint of the property, the existing 2.6 setback, the firewall between the 2 units, and if there were fire sprinklers in the dwelling. Mr. Meiners provided the Board members with photographs of the property. Mr. Knight stated that transforming a multifamily dwelling to a single-family dwelling is considered a change of occupancy. Therefore, if the firewall is modified or removed, the dwelling would have to remain a single-family dwelling, and if Mr. Meiners wanted to revert the dwelling back to a multifamily dwelling in the future, a fire separation would be required again.

Public Hearing:

The following individuals spoke in favor of the agenda item:

- David Schoen, 204 8th Avenue South, Jacksonville Beach, FL 32250
- Marcus Kampfe, 422 13th Avenue, Jacksonville Beach, FL 32250
- Wyatt Payne, 3517 Bay Island Circle, Jacksonville Beach, FL 32250
- Robert Browcock, 115 9th Avenue South, Unit 702, Jacksonville Beach, FL 3225

Discussion:

Mr. Reddington stated he does not see a hardship and that it is the Board's jurisdiction to vote on a hardship. Square footage of the dwelling was discussed. Mr. Buck stated the lot is undersized, which is a hardship. The Board agreed unanimously there is a hardship and that Mr. Meiners was not asking for anything over 35 percent of coverage.

Motion: It was moved by John Moreland and seconded by Scott Cummings, to approve BOA #18-100006 as shown and submitted.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Thomas Buck, Scott Cummings, and Francis Reddington.

The motion was approved, unanimously.

Adjournment

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:10 pm.

Submitted by: Phyllis Nadeau
Part-time Staff Assistant

Approval:

Chairperson

Date: February 20, 2018



APPLICATION FOR VARIANCE

BOA No. 18-100005

HEARING DATE 2/20/18

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

JAN - 9 2018

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: ROBERT J BRANLEY Telephone: 904-247-0831
 Mailing Address: 127 13TH AVE S, UNIT C E-Mail: rbranley@hotmail.com
JACKSONVILLE BEACH, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: SIMON MICHAEL Telephone: 904-322-8072
 Mailing Address: 2980 ST. AUGUSTINE RD E-Mail: SPHILUS@GMAIL.COM
JACKSONVILLE, FL 32207

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/or Real Estate Number: 2700 South Ocean DR.
181618-0000
 Legal description of property (Attach copy of deed): SEE ATTACHED DEED
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). BECAUSE OF THE SMALL SIZE OF THE LOT (50'X70') AND THE CURRENT BUILDING REQUIREMENTS (RS-1), A HARDSHIP EXISTS IN TRYING TO CONSTRUCT A NEW HOME.

Applicant's Signature: Robert J Branley Date of Application: 1-8-18

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: _____
 CODE SECTION (S): 34-336(EX)1 for a front yd setback of 14', in lieu of 25' required;
C-2 for a width side yd setback of 6', in lieu of 10' required and
a corner side yd setback of 7', in lieu of 10' required;
C-3 for a rear yd setback of 7', in lieu of 30' required;
(EX)E for 49% lot coverage, in lieu of 35% maximum,
to allow construction of a new single-family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100005

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

RECEIVED
18-100005
JAN - 9 2018

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

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JAN - 9 2018

18-100005

Owner's Consent Form

PLANNING & DEVELOPMENT

We, the Owner(s) of the property listed below, hereby grant permission for the Applicant(s), Robert J Branley & Susan L Branley to seek a Zoning Variance as requested in the Board of Zoning Appeals application relating to property located at the corner of 27th Avenue S and Ocean Drive, Jax Beach, FL 32250 on the Duval Duval County Assessor's Parcel #181618-0000.

Marie T Shashy

Marie T Shashy

George E Michael

George E Michael

Simon Michael Jr

Simon Michael Jr

SWORN TO and SUBSCRIBED before me this 19 day of December, 2017, by Marie T Shashy, George E Michael and Simon Michael Jr who produced their FL Driver's License as identification.

(Signature of Notary Public)

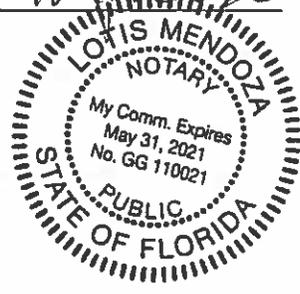
Lotis Mendoza

(Printed Name of Notary Public)

Lotis Mendoza

My Commission Expires:

5-31-21



BOA# 18-100005

AVENUE SOUTH

40' RIGHT OF WAY

PAVED PUBLIC ROAD

HOUSE 36.40 = 1440
 PAVERS 7.12 = 84
 DRIVEWAY 16.19 = 304(.6) = 182.4
 SIDEWALK 3.11 + 2.3 = 39(.6) = 23.4

1440.0
 84.0
 182.4
 23.4
 1729.8

$\frac{1729.8}{3500} = 49.4\%$

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SET 1/2" PIPE, LB.

SET 1/2" IRON PIPE, LB3672

(N88°41'30"E 50.00' FIELD)
 N88°36'00"E 50.00'

PLANNING & DEVELOPMENT

N11°44'30"W

(N11°30'28"W 70.03' FIELD)

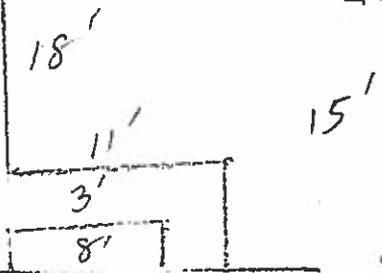
70.00'

S11°44'30"E

(S11°47'55"E 70.18' FIELD)

70.00'

20' TURF BLOCK



LOT 1 VACANT

12' PAVERS

K

40'

36'

5'

10'

15'

S88°36'00"W

1.3'

12.0'

FOUND PIPE, LB

T 2

100A18-100005

MAP SHOWING SURVEY OF

LOT 1, BLOCK 4, ATLANTIC SHORES OCEAN FRONT SECTION
DIVISION C AS RECORDED IN PLAT BOOK 15, PAGE 1, OF THE
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

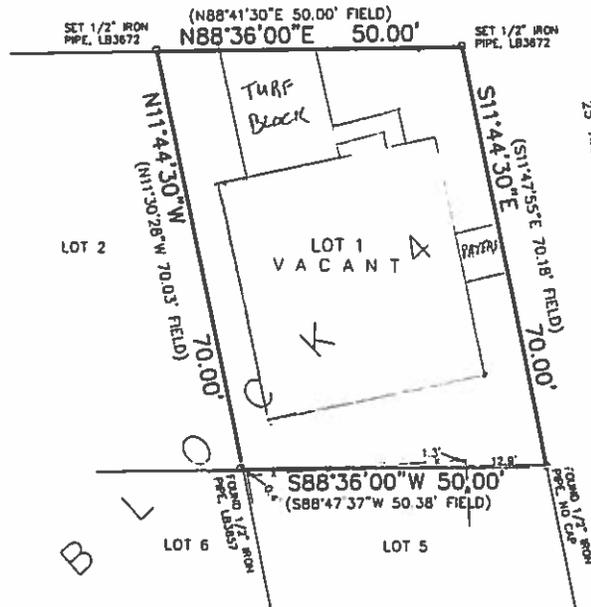
JAN - 9 2017

PLANNING & DEVELOPMENT



27TH AVENUE SOUTH

40' RIGHT OF WAY PAVED PUBLIC ROAD



OCEAN DRIVE SOUTH
25' RIGHT OF WAY PAVED PUBLIC ROAD

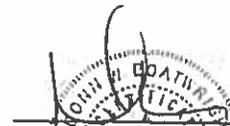
NOTES:

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE WEST LINE OF LOT 6, BLOCK 4 AS PER PLAT.
3. NO BUILDING RESTRICTION LINES AS PER PLAT.
4. — x — DENOTES 6' VINYL FENCE UNLESS OTHERWISE NOTED.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X"
(AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)
AS WELL AS CAN BE DETERMINED FROM THE FLOOD
INSURANCE RATE MAP NUMBER 12031C0419H, REVISED
JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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

REVISED TO SHOW FENCE
- DECEMBER 27, 2017



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

CHECKED BY: _____
DRAWN BY: PGP
FILE: 2017-1825

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

DATE:
DECEMBER 19, 2017
SHEET 1 OF 1

100A18-100005

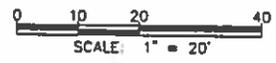
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LOT 1, BLOCK 4, ATLANTIC SHORES OCEAN FRONT SECTION
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CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

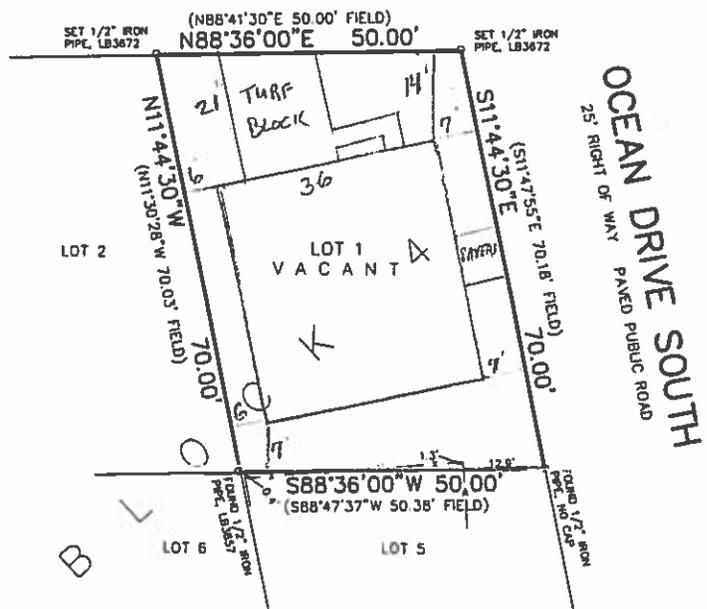
JAN - 9 2018

PLANNING & DEVELOPMENT



27TH AVENUE SOUTH

40' RIGHT OF WAY PAVED PUBLIC ROAD



- NOTES:
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FILE: 2017-1825

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

DATE:
DECEMBER 19, 2017
SHEET 1 OF 1



APPLICATION FOR VARIANCE

BOA No. 18-100010

HEARING DATE 3-6-2018

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of \$250.00 (due at the time of application submittal).
5. Completed application.

RECEIVED

JAN 22 2018

APPLICATION INFORMATION

PLANNING & DEVELOPMENT

Applicant Name:	<u>JEFF BALL & JACQUELINE PAPPAS - BALL</u>	Telephone:	_____
Mailing Address:	<u>616 7TH AVE SOUTH</u> <u>JACKSONVILLE BEACH, FL 32250</u>	E-Mail:	<u>JACQUELINE@THEDIGITALSIGNCO.COM</u>
Agent Name:	<u>GARY CARLEE</u>	Telephone:	_____
Mailing Address:	<u>313 BEACH BLVD</u> <u>JAX BEACH, FL 32250</u>	E-Mail:	<u>GARY@SURFSIDEPOOLS.NET</u>
Landowner Name:	<u>JEFF & JACQUELINE</u>	Telephone:	_____
Mailing Address:	<u>616 7TH AVE SOUTH</u> <u>JAX BEACH, FL 32250</u>	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/or Real Estate Number: 616 7TH AVE SOUTH RE: 176456-0010

Legal description of property (Attach copy of deed): 8-13 04-3S-29E .115 / OCEANSIDE PARK / LOT 8 BLK 7

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). _____

NON CONFORMING LOT. 35% IMPERVIOUS RATIO PRECLUDES THE ABILITY TO INSTALL HARDSCAPE AROUND NEW SWIMMING POOL.

Applicant's Signature: Jacqueline Pappas Jeffrey Bell Date of Application: 1/22/18

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

CODE SECTION (S): 34-337(C)(1) for 40-4% lot coverage, in lieu of 35% maximum, to allow a pool and deck addition to an existing single family dwelling -

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100010

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	NON CONFORMING LOT RECEIVED
Special circumstances and conditions do not result from the actions of the applicant.	YES	JAN 27 2018 PLANNING & DEVELOPMENT
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	OTHER HOMEOWNERS IN THE AREA HAVE BEEN GRANTED LOT COVERAGE RATIOS UP TO 50%
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	OTHER HOMEOWNERS IN THE AREA HAVE BEEN GRANTED LOT COVERAGE RATIOS UP TO 50%
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	POOL DECK AREA WAS DESIGNED TO MINIMIZE THE LOT COVERAGE BUT STILL ALLOW PROPER ACCESS/EGRESS TO SWIMMING POOL
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	

MAP SHOWING BOUNDARY SURVEY OF:

LOT 7, BLOCK 7, OCEANSIDE PARK
 ACCORDING TO PLAT THE RECORD OF WHICH IS ON PAGE 13 OF THE CURRENT
 PUBLIC RECORDS OF DUNAL COUNTY, FLORIDA

TRIE INFORMATION
 24 INCH MAGNOLIA
 24 INCH PALM TREE
 TOTAL 38 INCHES

DESIGNER'S RESPONSIBILITY STATEMENT
 I, THE DESIGNER, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF FLORIDA AND I AM THE DESIGNER OF THE SURVEY AND PLAT HEREON SHOWN.

GENERAL NOTES:
 1. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.
 2. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.
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CONSTRUCTION NOTES:
 1. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

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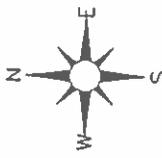
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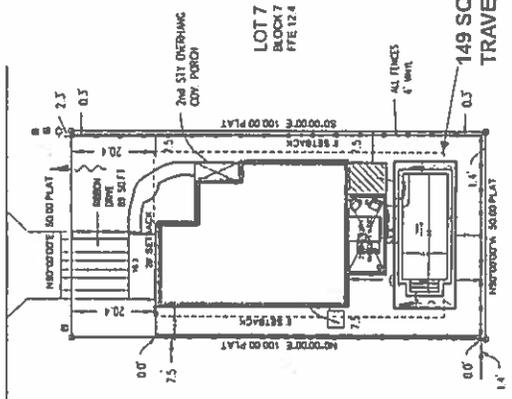
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 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



7TH AVENUE SOUTH
 (50' RIGHT OF WAY)



IMPERVIOUS CALCULATIONS

TOTAL LOT AREA:	5,000 SQ FT
HOUSE & COVERED PORCH:	1,420 SQ FT
DRIVEWAY/WALKWAY:	213 SQ FT
WOOD DECK/PATIO:	240 SQ FT
POOL & COPING:	307 SQ FT
TOTAL IMPERVIOUS:	2,022 SQ FT
PROPOSED IMPERVIOUS RATIO IS:	40.44

ALL DIMS TO WATERLINE
 SCALE: 1" = 30'

RECEIVED
 10/12/2010
 18-100010
 PLANNING & DEVELOPMENT

PROPERTY CLASS	AREA	PERCENTAGE	PERMITS	REMARKS
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
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BAYAS & BAYAS CONSULTING, INC.
 1111 UNIVERSITY BLVD, SUITE 100
 TAMPA, FL 33606
 TEL: 813-288-1111
 FAX: 813-288-1112
 WWW.BAYASCONSULTING.COM

NOTES:
 1. THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM RESPONSIBLE FOR THE ACCURACY OF THE SURVEY.
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RECEIVED
 10/12/2010
 18-100010
 PLANNING & DEVELOPMENT

IMPERVIOUS CALCULATIONS

TOTAL LOT AREA:	5,000 SQ FT
HOUSE & COVERED PORCH:	1,420 SQ FT
DRIVEWAY/WALKWAY:	213 SQ FT
WOOD DECK/PATIO:	240 SQ FT
POOL & COPING:	307 SQ FT
TOTAL IMPERVIOUS:	2,022 SQ FT
PROPOSED IMPERVIOUS RATIO IS:	40.44

ALL DIMS TO WATERLINE
 SCALE: 1" = 30'



NAME: Bayas & Bayas
 ADDRESS: 1111 University Blvd
 CITY: Tallahassee, Florida
 STATE: FL
 ZIP: 32304



DATE: 10/12/2010
 SCALE: 1" = 30'
 JOB NO: 18-100010



APPLICATION FOR VARIANCE

BOA No. 18-100011

HEARING DATE 3-6-2018

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, **to scale** (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

JAN 22 2018

APPLICATION INFORMATION

Applicant Name:	<u>Orender Unlimited, LLC</u>	PLANNING & DEVELOPMENT
Mailing Address:	<u>2320 3rd Street South, Suite 5</u> <u>Jacksonville Beach, FL 32250</u>	Telephone: <u>(904) 372-4859</u>
Agent Name:	<u>CPH, INC. Wade Olszewski</u>	E-Mail: <u>donna@orenderunlimited.com</u>
Mailing Address:	<u>5200 Belfort Road, Suite 220</u> <u>Jacksonville, FL 32256</u>	Telephone: <u>(904) 332-0999</u>
Landowner Name:	<u>Orender Unlimited, LLC</u>	E-Mail: <u>wadeo@cphcorp.com</u>
Mailing Address:	<u>0 16th Ave. South</u> <u>Jacksonville Beach, FL 32250</u>	Telephone: <u>(904) 372-4859</u>
		E-Mail: <u>donna@orenderunlimited.com</u>

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

Ret# 176319-0100

Street address of property and/or Real Estate Number: 391 16th Ave. South, Jacksonville Beach

Legal description of property (Attach copy of deed): 3-28 04-3S-29E .15, Pablo Beach South, Lot 7, Block 154

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Subject property is a corner lot with dimensions of 50' x 131' (0.15 acres), which is extremely substandard for a commercially zoned property. The dimensions and required buffers do not allow for adequate parking facilities onsite. The applicant proposes to develop a 3 story office building with parking on the first level. Additional parking is proposed along the dead end 4th Street City right of way that fronts the west side of the proposed building. The applicant also proposes to improve the 4th Street right of way per City paving standards

Applicant's Signature:  Date of Application: 1/22/18

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 FLOOD ZONE: X

CODE SECTION (S): 34-373(a)(V) for two parking spaces with 8' width, in lieu of 9' required
34-377 for eight off street parking spaces, in lieu of 14 required
to allow construction of a 4,200 sq ft professional office building.

VARIANCE APPLICATION STANDARDS AND CONDITIONSBOA No. 18-100011

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	This is a substandard commercial parcel that is a corner lot. The building will meet required setbacks, but the full parking requirements cannot be met onsite. Additional offsite parking will be provided as part of the 4th Street right of way improvements.
Special circumstances and conditions do not result from the actions of the applicant.	YES	The size of this property requires variances for any kind of feasible development. There is adjacent developed retail to the east, office to the north and residential to the west. The proposed office use is a good step down use between the commercial and residential uses and matches the current office uses along the 4th Street corridor.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	Granting the variance will allow a feasible use of the property, while utilizing the zoning and land use that has been in place on this property for the past 30 years. The proposed project is very similar to a recently approved office project at 1030 2nd Street South.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	YES	The literal interpretation of the code would only allow for 6 parking spaces onsite. This would allow for only an 1,800 SF stand alone office building, which is not feasible in this location.
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 is proposing to construct a 4,200 SF office building. Due to the size and requirements construct a 3 story office with parking on the first level, this is the minimum size that is feasible for the location.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	Granting the variance will allow a long vacant parcel and unmaintained right of way to be developed to modern standards and create jobs and increase the local tax base.

City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

BOA
Ref. 18-100011

August 24, 2001

Kirk Lichty
PO Box 49133
Jacksonville Bch FL 32250

RE: Case No. # 74-2001
391 S. 16th Ave.

Dear Kirk Lichty:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:30 p.m. on August 21, 2001 to consider your variance application.

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

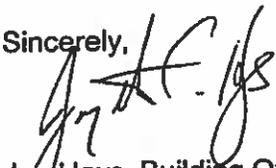
- Section 34-377 for 4 spaces in lieu of 13 required, to allow construction of a 2,500 square foot retail store.

The results of the meeting were:

- Denied as written.

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, Building Official
Planning & Development Dept.

C:\Baker\BOA\resultsdenied.doc

SENDER COMPLETION	ACTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Received by (Please Print Clearly) <i>Kirk Lichty</i></p> <p>B. Date of Delivery <i>8/27/01</i></p> <p>C. Signature <i>[Signature]</i></p> <p>D. If delivery address differs from item 17, If YES, enter delivery address below:</p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><i>Kirk Lichty</i> <i>PO Box 49133</i> <i>Jacksonville Bch</i> <i>FL 32250</i></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Copy from service label) <i>7099 3400 0000 1883 7803</i></p> <p>PS Form 3811, July 1999 Domestic Return Receipt</p>	



Bill Mann

From: marytash@aol.com
Sent: Tuesday, February 20, 2018 10:53 AM
To: Bill Mann
Subject: Property Jax Beach

Dear Mr. Mann,

We are contacting you in regards to a property at 391 South 16th Ave, Lot 7 Jacksonville Beach. We understand the owners want to develop the land, building a 4,200 sf building with only 8 parking spaces, 7 regular and 1 handicapped accessible. By code there should be 14 parking spaces. We are not opposed to developing the land but we are asking that you require minimum code parking to be met. We own a unit in Ocean Breeze next to the land and our entire facility is 5,000 sf. We have 24 parking spaces, 1 handicapped accessible and yet we have parking challenges with our set up. So you can understand our concern that there will be an extreme parking shortage for the new development if code is not adhered to. Appropriate amount of parking is essential.

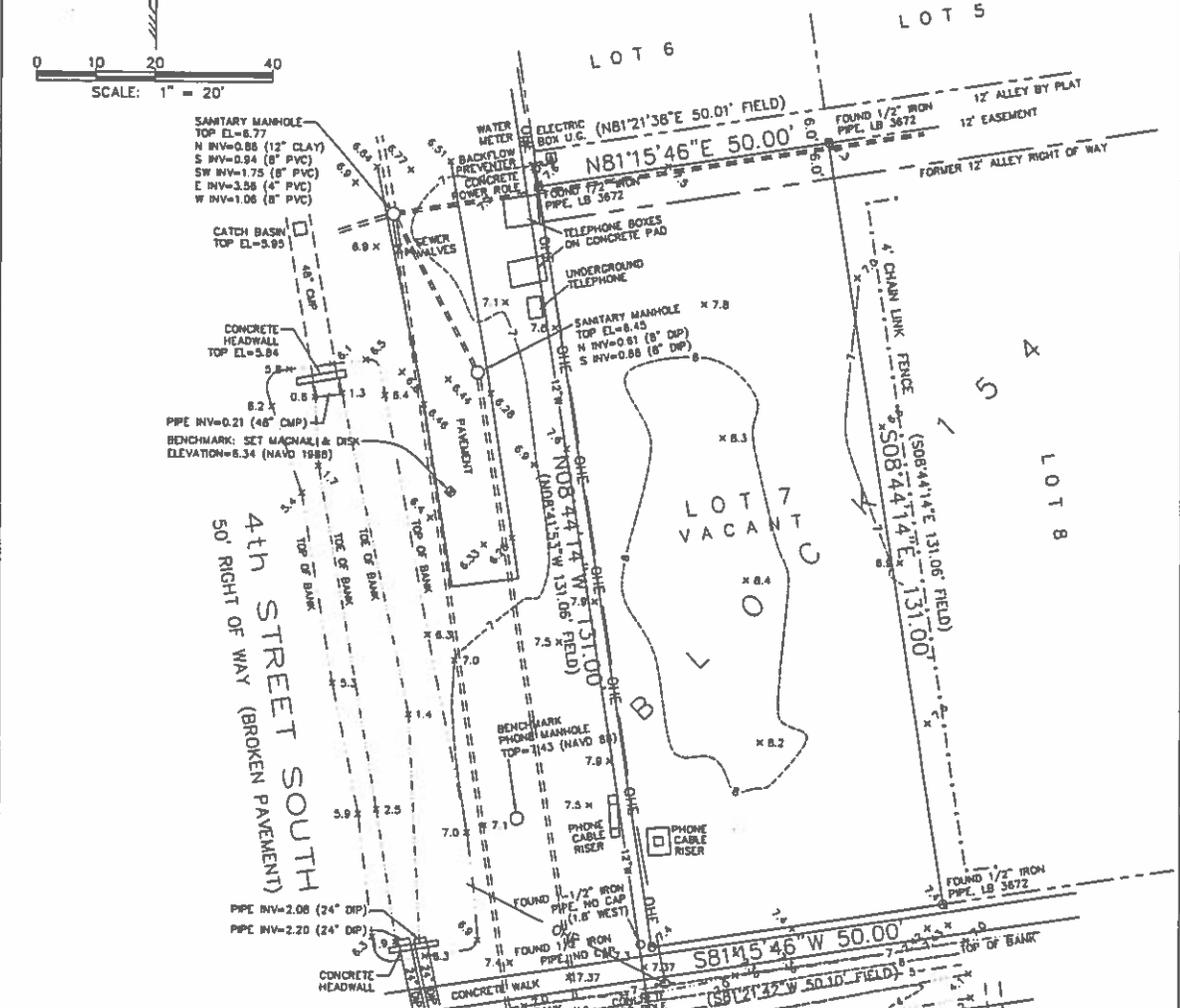
We would appreciate your assistance in this matter.

Sincerely,

Terry and Suzanne Holt

MAP SHOWING SURVEY OF

LOT 7, TOGETHER WITH THE SOUTH ONE HALF OF A 12 FOOT WIDE PUBLIC ALLEY ADJACENT TO THIS LOT, ALL BEING IN BLOCK 154, PABLO BEACH SOUTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES:
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
 2. BEARINGS ARE BASED ON THE EASTERLY LINE OF LOT 7, BLOCK 154, BEING SOUTH 08°44'14" EAST AS PER PLAT.
 3. NO BUILDING RESTRICTION LINES BY PLAT.
 4. THE 12' WIDE ALLEY SHOWN ON THIS SURVEY IN BLOCK 154, WAS CLOSED AND ABANDONED BY THE CITY OF JACKSONVILLE BEACH, BY AND THROUGH ORDINANCE NUMBER 99-7752, DATED NOVEMBER 2, 1998; SUBJECT TO A PERPETUAL EASEMENT OVER THE WESTERLY 100 FEET OF THE ALLEY FOR INGRESS, EGRESS AND UTILITIES INSTALLATION AND MAINTENANCE.
 5. BENCHMARK USED: TOP OF TELEPHONE MANHOLE. ELEVATION=7.43 (NAVD 1988)
 6. BENCHMARK SHOWN HEREON ESTABLISHED BY GPS OBSERVATIONS IN NAVD 1988 DATUM.
 7. GPS RUN USING SPECTRA PRECISION EPOCH 50 L1/L2 EQUIPMENT AND TRIMBLE VRS SOFTWARE.
 8. WATER LINE AND FORCE MAIN PER CITY OF JACKSONVILLE BEACH UTILITY MAP J-66.
 9. INV DENOTES INVERT.
 10. EL DENOTES ELEVATION.
 11. CMP DENOTES CORRUGATED METAL PIPE.
 12. DIP DENOTES DUCTILE IRON PIPE.

THIS SURVEY WAS MADE FOR THE BENEFIT OF ORENDER UNLIMITED, LLC; CHICAGO TITLE INSURANCE COMPANY; AKERMAN LLP; DOREEN ABBOTT, TRUSTEE.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

RECEIVED

18-100011

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

PLANNING & DEVELOPMENT DONN W. BOATWRIGHT, P.S.M.
FLA. LIC. SURVEYOR AND MAPPER No. 3295
FLA. LIC. SURVEYING AND MAPPING BUSINESS No. 3672

SCALE: _____
DRAWN BY: DAF
FILE: 2017-1535

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

DATE: NOVEMBER 20, 2017
SHEET 1 OF 1

