



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Board of Adjustment

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Wednesday, January 17, 2018

7:00 PM

Council Chambers

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#### **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

#### **ELECTION OF OFFICERS**

#### **EX-PARTE COMMUNICATION**

**APPROVAL OF MINUTES**    January 2, 2018

#### **CORRESPONDENCE**

#### **OLD BUSINESS**

**NEW BUSINESS**

- a. **Case Number:** BOA 17-100216  
 Applicant/Owner: Harold Cooper and Terry Phillips  
 Agent: Chad Williams, Tuff Shed, Inc.  
 Property Address: 534 South 14<sup>th</sup> Avenue  
 Parcel ID: 176872-0010  
 Current Zoning: RS-2  
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e.**, for 43% lot coverage; in lieu of 35% maximum; to allow a detached shed in the rear yard of an existing single-family dwelling, for property **legally described** as Lot 3, Block 146, *Oceanside Park*.  
  
 Miscellaneous Info: No previous variance requests.

Notes:

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- b. **Case Number:** BOA 17-100217  
 Applicant/Owner: Hasteh, LLC  
 Agent: Joe Loretta, Owen McCuller, Jr.  
 Property Address: 1198 Beach Boulevard  
 Parcel ID: 177502  
 Current Zoning: C-2  
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-343(e)(5)**, for 88% lot coverage; in lieu of 85% maximum; to allow development of a 12,700 sq. ft. commercial building, for property **legally described** as *a Part of Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East, Duval County*.  
  
 Miscellaneous Info: Three previous variance requests, (BOA# 16-100040, BOA#17-10025 and BOA# 17-10026; One conditional use application PC# 28-16 and One site plan PC# 16-100222, on hold for review.)

Notes:

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- c. **Case Number:** **BOA 17-100219**  
 Applicant: Robert E. Barnes, Sr.  
 Owner: Dr. Shannan Tarrar  
 Agent: Robert E. Barnes, Sr.  
 Property Address: 679 South 12<sup>th</sup> Avenue  
 Parcel ID: 179761-0150  
 Current Zoning: RS-3  
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)e.**, for 44% 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 8, Block 117, *Oceanside Park*  
 Miscellaneous Info: No previous variance requests.

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- d. **Case Number:** **BOA 17-100220**  
 Applicant/Owner: Laura B. Lybrand  
 Property Address: 1634 Westwind Drive  
 Parcel ID: 179761-0150  
 Current Zoning: RS-3  
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.3**, for a rear yard setback of 8 feet, in lieu of 20 feet approved via BZA 30-87; 34-338(e)(1)e., for 57% lot coverage; in lieu of 35% maximum; to allow a screened porch addition to a single-family dwelling, for property **legally described** as Lot 10, *Ocean Pond Unit Two*.  
 Miscellaneous Info: Two previous variance requests (BZA# 32-87, BZA# 30-90 – approved by City Council 8/20/1990).

Notes:

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- e. **Case Number:** **BOA 17-100221**  
Applicant: Robert E. Barnes Sr.  
Owner: Mid Channel, LLC  
Agent: Gary Carlee, Surfside Pools,  
Property Address: 3928 Palm Way  
Parcel ID: 181390-0070  
Current Zoning: RS-1  
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 42.5% lot coverage; in lieu of 35% maximum; 34-336(e)(1)g., for accessory structure setback of 3 feet, in lieu of 5 feet required; to allow construction of a swimming pool and deck addition to a single-family dwelling, for property **legally described** as Lot 7, Block 14, *Ocean Terrace*.**  
  
Miscellaneous Info: Three previous variance requests (BOA# 16-100020, BOA# 16-100021, BOA# 16-100022).

Notes:

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- f. **Case Number:** **BOA 17-100222**  
Applicant/Owner: Melissa Rehfus  
Property Address: 2480 South Beach Parkway  
Parcel ID: 179840-0000  
Current Zoning: RS-2  
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.2, for a corner side yard of 6 feet, in lieu of 10 feet required; 34-337(e)(1)e., for 43% lot coverage; in lieu of 35% maximum; 34-337(e)(1)g., for an accessory structure (pool deck) setback of 4 feet, in lieu of 5 feet along the northerly property line, to allow a pool, spa and deck addition to a single-family dwelling, for property **legally described** as Lots 15 and 16, Block 1, *Williams Coastal Boulevard Heights*.**  
  
Miscellaneous Info: No previous variance requests.

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- g. **Case Number:** **BOA 17-100223**  
 Applicant: Payne Roberts, LLC  
 Owner: Marie Kirby Hamilton Living Trust  
 Agent: Christian Allen, Payne Roberts, LLC  
 Property Address: 2123 South 2<sup>nd</sup> Street  
 Parcel ID: 179393-0000  
 Current Zoning: RM-2  
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-340(e)(1)c.2, for a side yard and corner side yard setbacks of 5 feet, in lieu of 10 feet required; 34-340(e)(1)c.3, for a rear yard setback of 10 feet, in lieu of 30 feet required; 34-340(e)(1)f., for 53% lot coverage maximum; in lieu of 35% maximum; 34-340(e)(1)h., for an accessory structure setback of 1 foot, in lieu of 5 feet required; to allow construction of three two-family dwellings, for property **legally described** as Lots 7, 8, and 9, Block “P”, *Atlantic Camp Grounds*.  
  
 Miscellaneous Info: No previous variance requests.

Notes:

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- h. **Case Number:** **BOA 17-100229**  
 Applicant: John K. McPherson  
 Owner: Marianne Pfeil Schneider  
 Agent: Scott Rae  
 Property Address: 3315 South 1<sup>st</sup> Street  
 Parcel ID: 181537-0000  
 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 14.5 feet, in lieu of 25 feet required; 34-336(e)(1)c.2, for a northerly side yard of 8 feet, and a southerly side yard of 4.3 feet, each in lieu of 10 feet required; 34-336(e)(1)e., for 45% lot coverage, in lieu of 35% maximum, to allow renovations and additions to an existing single-family dwelling, for property **legally described** as Lots 5, Block 5, *Atlantic Shores, Oceanfront Section Division B*.  
  
 Miscellaneous Info: No previous variance requests.

Notes:

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**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, February 6, 2018**. There are five (5) 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 Tuesday, January 2, 2018, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairman John Moreland called the meeting to order.

**ROLL CALL**

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

Chairman Moreland changed the order of the meeting agenda to accommodate the applicant first, followed by the Election of the 2018 Board of Adjustment Officers.

**Ex-parte Communications**

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

**Approval of Minutes**

It was moved by Ms. Osewalt, seconded by Mr. Reddington, and passed unanimously, to approve the following minutes:

- November 21, 2017
- December 19, 2017

**CORRESPONDENCE:** *None*

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

(A) **Case Number: BOA 17-100210**  
**Name of Applicant:** Michel (Mike) Peck-Headley

**Property Address:** 655 South 14<sup>th</sup> Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-337(e)(1)c.2., for an easterly side yard of 7.1, in lieu of 10 feet, and for side yards totaling 12.1 feet, in lieu of 15 feet required; 34-337(e)(1)e., for 50.6 % lot coverage; in lieu of 35% maximum; 34-337(e)(1)g., for 0 foot accessory structure setback, in lieu of 5 feet required; to allow a garage addition and to ratify existing non-conforming pool deck, for property legally described as Lot 9, Block 137, *Oceanside Park*.

**Applicant:** Michel (Mike) Peck-Headley, 655 South 14<sup>th</sup> Avenue, Jacksonville Beach, FL 32250, stated his hardship is his garage is nonconforming at only 9 feet wide.

Mr. Moreland explained typically 50% lot coverage or more is not something the Board will approve. He noted there was quite a bit of the property covered in pavers already and was surprised a variance was not applied for before this. Discussion ensued about what was on the property, when it was purchased, where the original concrete was, as opposed to the paver installation that was added. Mr. Peck-Headley had a contractor remove the concrete in the front and put in pavers for a circular driveway. He believed the contractor had pulled a permit for the job. He was not aware he needed a permit to add pavers to his backyard around the pool. He would, however, be willing to take out whatever was necessary, to comply with the lot coverage determined tonight. Discussion continued on the paver driveway. Mr. Buck pointed out most of the driveway was in the right-of-way, and a City permit would be required. Ms. Osewalt asked Building Official Mr. Knight if he had the building permit history in the file to reference; Mr. Knight stated he did not.

Mr. Moreland said having Mr. Peck-Headley remove the pavers around the pool, would reduce the lot coverage to under 50% lot coverage, the high 30's, possibly 39%.

Mr. Knight was asked if the request for the 0-foot accessory structure setback, in lieu of the 5 feet required was to include the pump house. He said it was only for consideration of the pavers.

**Public Hearing:**

There was no one from the public present to speak about the application.

**Motion:** It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve 34-337(e)(1)c.2., for an easterly side yard of 7.1, in lieu of 10 feet, and for side yards totaling 12.1 feet, in lieu of 15 feet required; 34-337(e)(1)e., for 48 % lot coverage; in lieu of 35% maximum; to allow for garage addition, to ratify existing non-conforming pool deck, for property legally described as Lot 9, block 137, *Oceanside Park*.

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, Jeff Truhlar, and Francis Reddington.  
Nays – Thomas Buck  
By a 4 to 1 vote, the motion as modified was approved.

**Election of 2018 Officers:**

Mr. Moreland began the discussion for the elections. He stated traditionally, the Vice-Chairperson moves up as the Chairperson. Mr. Reddington asked if the positions could remain the same. Mr. Buck said in the past several years, there has always been a change in positions. Building Official Mr. Knight reminded them a

vote to keep the officers in the same position would require a unanimous vote from the Board, and Mr. Cummings was absent from tonight's meeting. Mr. Truhlar said he would accept the consideration as Vice-Chairperson.

**Motion:** It was moved by Mr. Reddington, seconded by Mr. Buck, [to nominate] Sylvia Osewalt as the 2018 Chairperson, and Jeff Truhlar as the 2018 Vice-Chairperson.

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, Thomas Buck, Jeff Truhlar, and Francis Reddington.  
The motion was approved unanimously.

**Adjournment**

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:38 P.M.

Submitted by: Catherine Martinich  
Permit Specialist

Approval:

\_\_\_\_\_  
Chairperson

Date: \_\_\_\_\_



# APPLICATION FOR VARIANCE

BOA No. 17-100216  
HEARING DATE 1-17-2018

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

NOV 27 2017

## PLANNING & DEVELOPMENT

## APPLICATION INFORMATION

Applicant Name: Harold Cooper and Terry Phillips Telephone: (816) 510-1120  
 Mailing Address: 534 14th Avenue South E-Mail: hstevecooper@gmail.com  
Jacksonville Beach, FL 32250  
 Agent Name: Tuff Shed, Inc. Chad Williams Rep. Telephone: (904) 272-9586  
 Mailing Address: 116 Blanding Blvd. 904-705-3196 E-Mail: BAllen@tuffshed.com  
Orange Park, FL 32065  
 Landowner Name: Harold Cooper and Terry Phillips Telephone: (816) 510-1120  
 Mailing Address: 534 14th Avenue South E-Mail: hstevecooper@gmail.com  
Jacksonville Beach, FL 32250

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

## VARIANCE DATA

Street address of property and/or Real Estate Number: 534 14th Avenue South, RE #176872-0010  
 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). Without the storage shed, we are unable to enjoy reasonable use of our property, due to limited storage space inside the residence. The shed results in an increase in lot coverage from 41.0% to 43.0%. However, the lot is nonconforming; if it were a conforming RS-2 lot (7,500 sq. ft.), our variance request would be for an increase in lot coverage from 34.2% to 35.8%.

Applicant's Signature: Harold Cooper Terry Phillips Date of Application: 11/27/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: N/A  
 CODE SECTION (S): 34-337(e)(1)(A) for 43% lot coverage in lieu of 35% maximum; to allow a detached shed in the rear yard of an existing single-family dwelling

# VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. \_\_\_\_\_

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

RECEIVED

NOV 27 2017

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The lot is nonconforming.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	We purchased the house new in Nov. 2016. The house as built varies somewhat from the building permit, resulting in lot coverage that exceeds the 35% maximum. (See attachment for more information.)
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	Storage sheds of the same general size, appearance, and construction are common throughout our neighborhood and throughout Jacksonville Beach.
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	Without the storage shed, we would be unable to make use of the property in ways that are enjoyed by other R-2 parcels of land.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	The request is for an lot-coverage increase of 2 percentage points; the shed is the minimum reasonable size to accommodate anticipated storage requirements.
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 granting of the variance is consistent with the purposes, goals, objectives, and policies of the comprehensive plan, and will have no adverse effects on adjacent land.

**Additional Information on Variance Application (11/27/2017)  
534 14th Avenue South, RE #176872-0010**

We are requesting a variance in order to construct a 10' x 12' storage shed in our back yard. Our current lot coverage is 41.0%; with the shed, the lot coverage will be 43.0%.

We purchased this house new in November 2016. According to the city's building permit department, the building permit was for 34.9% lot coverage; however, as built, the coverage is 41.0%.

Some of the changes appear to be have been made by the builder without our knowledge; other changes were at our request during construction. Details are listed below.

Change from Permit	Change in sq. ft.	Responsible Party	Details
Driveway was lengthened from 20' to 25'	+80	Builder	The house is set back 25' from the property line, rather than 20' as permitted, in order to match the setback of neighboring residences.
Driveway was widened from 16' to 20'	+100	Applicants	Applicants requested a wider driveway.
Walkway was widened from 4' to 8'	+90	Applicants	Applicants requested a wider walkway.
Fireplace was moved	+8	Builder	The fireplace was permitted as a corner fireplace, resulting in no addition to the house's footprint. As built, the fireplace resulted in an increase in the footprint of 8 sq. ft.
Concrete pavers were added near the outdoor shower.	+30	Builder	Pavers were added to make the outdoor shower useable.
<b>Total</b>	<b>+308 sq. ft.</b>		

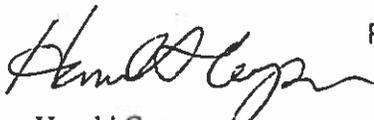
While we (the applicants) are responsible for some of the changes, and while ignorance of the Land Code is no justification, it is pertinent that we were not, at the time of purchase, aware of the 35% maximum lot coverage provision of the Land Code. (We were moving to Jacksonville Beach from Naples.) As such, we were not aware that the changes we requested would result in a violation with respect to the Code.

It is also relevant that the lot is a nonconforming lot of 6,250 sq. ft. If the lot were conforming, our current lot coverage would also be conforming at 34.2%. With the addition of the storage shed, the lot coverage would be 35.8%.

**RECEIVED**

Thank you for your consideration.

NOV 27 2017

  
Harold Cooper

PLANNING & DEVELOPMENT

  
Terry Phillips

MAP SHOWING SURVEY OF

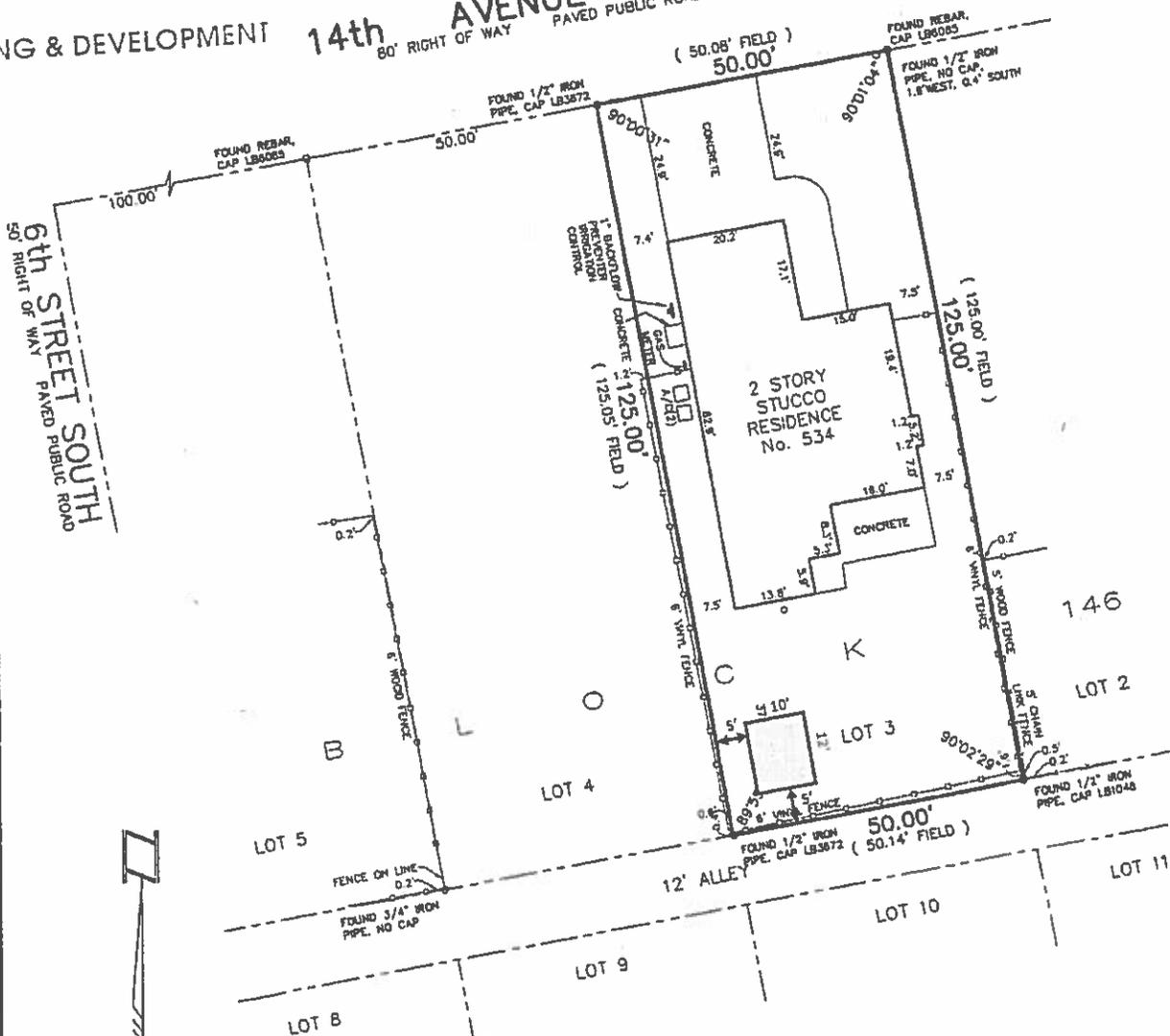
LOTS 3, BLOCK 146, OCEANSIDE PARK AS RECORDED IN PLAT BOOK 8, PAGE 13 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

NOV 27 2017

PLANNING & DEVELOPMENT

14th AVENUE SOUTH  
80' RIGHT OF WAY PAVED PUBLIC ROAD



- NOTES
1. THIS IS A BOUNDARY SURVEY.
  2. INTERIOR ANGLES AS PER FIELD SURVEY.
  3. NO BUILDING RESTRICTION LINES PER PLAT.
  4. NORTH PROTRACTED FROM PLAT.



THE PROPERTY SHOWN HEREON APPEARS TO LIE 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.

THIS SURVEY WAS MADE FOR THE BENEFIT OF TERRY C. PHILLIPS AND HAROLD S. COOPER, ST. JOHNS LAW GROUP, FIDELITY NATIONAL TITLE INSURANCE COMPANY.

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

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

CHECKED BY: \_\_\_\_\_  
 DRAWN BY: KLW  
 FILE: 2016-1290

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

DATE: OCTOBER 26, 2016  
 SHEET 1 OF 1



# APPLICATION FOR VARIANCE

BOA No. 17-100217

HEARING DATE 1-17-2018

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**

DEC - 6 2017

### APPLICATION INFORMATION

<b>Applicant Name:</b> <u>Hasteh, LLC</u>	<b>PLANNING &amp; DEVELOPMENT</b>
<b>Mailing Address:</b> <u>6426 Bowden Road, Suite 201</u>	<b>Telephone:</b> <u>(904) 242-9000</u>
<u>Jacksonville, FL 32216</u>	<b>E-Mail:</b> <u>lisa.anderson@aschoinc.net</u>
<b>Agent Name:</b> <u>Joe Loretta   E. Owen McCuller, Jr.</u>	<b>Telephone:</b> <u>(904) 730-9360</u>
<b>Mailing Address:</b> <u>6621 Southpoint Dr. N.   225 Water St.</u>	<b>E-Mail:</b> <u>omcculler@smithhulsey.com</u>
<u>Jacksonville, FL 32216   32202</u>	<u>jloretta@genesissgroup.com</u>
<b>Landowner Name:</b> <u>Hasteh, LLC</u>	<b>Telephone:</b> <u>(904) 242-9000</u>
<b>Mailing Address:</b> <u>6426 Bowden Road, Suite 201</u>	<b>E-Mail:</b> <u>lisa.anderson@aschoinc.net</u>
<u>Jacksonville, FL 32216</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

Street address of property and/or Real Estate Number: 177502 0050 / 1198 Beach Boulevard

Legal description of property (Attach copy of deed): attached

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). This is an undersized commercial out-parcel that shares property corners, vehicular drives and parking on two sides of the property with the adjoining Beach Plaza Shopping Center.. Furthermore, there is a FDOT ROW with available parking on the northern edge. The internal and external vehicular connectivity creates complications for this parcel to meet the minimum 15% pervious area requirement. This is a very unique circumstance in that the parcel actually benefits the vehicular connectivity and parking for the adjoining parcel.

Applicant's Signature: [Signature] Date of Application: 12/4/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-0 FLOOD ZONE: \_\_\_\_\_

CODE SECTION (S): 34-343(e)(5) for 88% lot coverage in lieu of 95% maximum

to allow development of a 12,700 sq. commercial building

RECEIVED

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100217

**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. PLANNING & DEVELOPMENT

**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 out-parcel is located within and is functionally integrated with the larger Beach Plaza commercial shopping center with shared internal driveways and parking. As a result on 3 of the 4 sides, a typical landscape buffer to separate these properties is not appropriate, and such a buffer would conflict with the integrated vehicular driveways and parking.
Special circumstances and conditions do not result from the actions of the applicant.	No	The original master plan for the Beach Plaza Shopping Center envisioned commercial development as is presented in this application.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	This request is very similar to that of what exists at the updated Petsmart in South Jax. Beach or the Salt Life / Mellow Mushroom in North Jax. Beach. In each scenario, redevelopment occurred and the property owners were not required to bring the overall site to 15% pervious area / 85% maximum lot coverage.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	If this parcel was developed as a true outparcel with landscape buffers on all sides, this would negatively impact the vehicular connectivity of the surrounding commercial shopping center.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This request is for 88% overall lot coverage, versus the code's 85% maximum coverage. This represents a significant reduction from the original variance request of 97% and is only 3% above the commercial standard.
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 City is working to strengthen commercial development. Granting this variance will allow for additional upgraded commercial development within the 50-year-old Beach Plaza Shopping Center, providing a contemporary street frontage orientation and eliminating the current large parking field street view. This development will improve commercial conditions in the central portion of Jacksonville Beach.

RECEIVED

**Agent Authorization Affidavit- Property Owner**

Date: 5/12/2017

DEC - 6 2017

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

PLANNING & DEVELOPMENT

Re: Agent Authorization for the following site location: 177502 0050 / 1198 Beach Boulevard

To Whom it May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Joe Loretta / E. Owen McCuller to act as agents to file application(s) for variance application for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:\*

By \_\_\_\_\_

Print Corporate Name:

Hasteh LLC  
By Edward Ashurian  
Print Name: \_\_\_\_\_  
Its: CEO

Print Name: \_\_\_\_\_

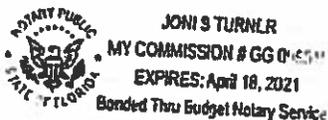
\*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner, this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

I, 17 Sworn to and subscribed and acknowledged before me this 5 day of December 2017, by Edward Ashurian, who is personally known to me or who has produced Driver's License as identification and who took an oath.

[Signature]  
(Signature of NOTARY PUBLIC)

Joni Turner  
(Printed name of NOTARY PUBLIC)



State of Florida at Large.  
My commission expires: 4/18/21





CERTIFIED MAIL# 7012 2210 0002 4628 7268

*Ref BOA#  
17-100217*

April 20, 2016

Richard W. Withers  
6426 Bowden Road, Suite 201  
Jacksonville, FL 32216

City of  
Jacksonville Beach  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
Phone: 904.247.6231

RE: BOA# 16-100040  
1198 Beach Boulevard  
(part of Castro y Ferrer Grant)

Fax: 904.247.6107  
Planning@jaxbchfl.net

Dear Mr. Withers,

www.jacksonvillebeach.org

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 19, 2016, to consider the above application for a variance from the requirements of the Land Development Code.

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

- 34-377, for 16 on-site parking spaces in lieu of 48 parking spaces

To allow for a new shopping center mixed use building.

The Board **Approved** the request as written.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6235.

Sincerely,

*Jon Hays*  
Jon Hays, CEO  
Building Department





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9774

Ref. BOA#  
17-100217

September 28, 2016

Mr. Richard Withers  
6426 Bowden Road, Suite 201-A  
Jacksonville, FL 32250

RE: **Planning Commission Case: PC# 28-16**  
**Conditional Use Application** for outdoor seating at a new commercial shopping center.

Mr. Withers,

The City of Jacksonville Beach Planning Commission met on Monday, September 26, 2016 in Council Chambers to consider your **Conditional Use Application** for outdoor seating at a new commercial shopping center located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code. The application was deferred to the next available meeting.

The application will be considered as old business on the **October 24, 2016** agenda. It is required that you or a representative attends this meeting. If you are not present the request may be carried over to the next regularly scheduled meeting of the commission or be heard based solely upon the application.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP  
Senior Planner

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





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9880

Ref BOA#  
17-100217

October 25, 2016

Mr. Richard Withers  
6426 Bowden Road, Suite 201-A  
Jacksonville, FL 32250

RE: **Planning Commission Case: PC# 28-16**  
**Conditional Use Application** for outdoor seating at a new commercial shopping center, located at 1198 Beach Blvd.

Mr. Withers,

The City of Jacksonville Beach Planning Commission met on Monday, October 24, 2016 in Council Chambers to consider your **Conditional Use Application** for outdoor seating a new commercial shopping center located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code. The request was Approved.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP  
Senior Planner

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



RECEIVED

NOV 27 2017



Ref BOA# 17-100217

July 21, 2017

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

Richard W. Withers, Attorney  
6426 Bowden Road, Suite 201  
Jacksonville, FL 32216

RE: BOA# 17-100025  
1198 Beach Boulevard  
(Part of Castro Y Ferrer Grant, Sec. 38, Township 2S, Range 29E)

Dear Mr. Withers,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, July 18, 2017, to consider Hasteh, LLC's application for a variance from the requirements of the Land Development Code.

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

- Sec. 34-343(e)(5), for 97% lot coverage in lieu of 85% maximum;

To allow construction of a new commercial building.

The Board *denied* the request, finding that the applicant would not be denied reasonable use of his property without the requested variance, and that the requested variance was not the minimum necessary, to make possible reasonable use of the property.

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

Sincerely,

William C. Mann III, AICP  
Planning and Development Director





Ref BOA#  
17-100217

September 20, 2017

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

Richard W. Withers, Attorney  
6426 Bowden Road  
Jacksonville, FL 32216

RE: BOA# 17-100025  
1198 Beach Boulevard  
(Part of Castro Y Ferrer Grant, Sec. 38, Township 2S, Range 29E)

Dear Mr. Withers,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Wednesday, September 6, 2017, to consider HasteH, LLC's *application* for request for reconsideration of a denial of application BOA# 17-100025.

Per Land Development Code Section, 34-158, four members of the decision-making board that voted for the original variance application denial must determine that the denial was based on a material mistake of fact. Because only three members voted to approve the request and two voted to deny it, your request was denied.

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

Sincerely,

William C. Mann III, AICP  
Planning and Development Director





# APPLICATION FOR VARIANCE

BOA No. 17-100219

HEARING DATE 1-17-2018

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

DEC - 4 2017

## PLANNING & DEVELOPMENT

## APPLICATION INFORMATION

Applicant Name: Robert E. Barnes, Sr. Telephone: (904) 424-9678  
 Mailing Address: 3317 Royal Palm Drive E-Mail: barnesconstruction@bellsouth.net  
Jacksonville Beach, FL 32250  
 Agent Name: Robert E. Barnes, Sr Telephone: (904) 424-9678  
 Mailing Address: 3317 Royal Palm Drive E-Mail: barnesconstruction@bellsouth.net  
Jacksonville Beach, FL 32250  
 Landowner Name: Dr. Shannan Tarrer Telephone: (917) 647-3610  
 Mailing Address: 1710 Flagler Ave E-Mail: nyerdoc2000@aol.com  
Jacksonville, FL 32207

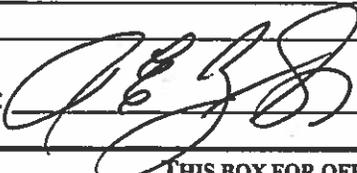
Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

## VARIANCE DATA

Street address of property and/or Real Estate Number: 679 12th Ave S Jax Bch, FL RE# 176743-0020  
 Legal description of property (Attach copy of deed): See attached  
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). This lot is non-conforming to zoning requirements which causes the restriction of space for a pool and patio. We are asking for 44% in lieu of 35% maximum to allow a swimming pool and patio addition to this single family dwelling.

Ret# 176743-0020

Lot 8, Blk 117 OceanSide Park

Applicant's Signature:  Date of Application: 12/4/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3 FLOOD ZONE: N/A  
 CODE SECTION (S): 34-333 (rev) for 44% lot coverage, in lieu of 35% maximum, to allow a pool and deck addition to a single family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100219

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The lot is non-conforming to the zoning of RS-3 causing restrictions of land cover.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Circumstances and conditions are consistent with land/lots in Jacksonville Beach, Fl.
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	Pool variances are standard for this area of Jacksonville Beach.
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	This right is commonly enjoyed by many of our neighbors in the surrounding area.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	<p><b>RECEIVED</b></p> <p>DEC - 4 2017</p> <p>PLANNING &amp; DEVELOPMENT</p>
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	

Dr. Shannan Tarrer, MD  
1710 Flagler Avenue  
Jacksonville, FL 32207

City of Jacksonville Beach, FL  
Board of Adjustments  
11 North Third Street  
Jacksonville Beach, FL 32250

Re: Authorization of Owner  
Location: 679 12<sup>th</sup> Avenue South, Jacksonville Beach, FL 32250

I, Dr. Shannan Tarrer, owner of said property, authorize Robert E. Barnes, Sr, my General Contractor of record, CGC 1520388, and owner of Barnes Construction LLC, to act as my agent of record in reference to construction matters, possible variance, or other business in regarding to the construction of a pool for this location.

Thank you.



Dr. Shannan Tarrer, MD

Subscribed and sworn before me  
This 1<sup>st</sup> day of ~~November~~, 2017  
*December*



Notarized By



Evan Dupree  
State of Florida  
MY COMMISSION # FF 926750  
Expires: October 12, 2019

My commission expires: *October 12, 2019*

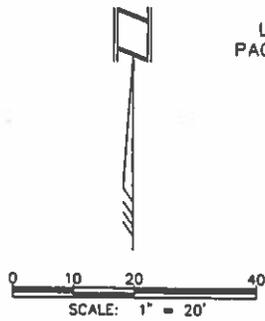
**RECEIVED**

DEC - 4 2017  
*17-100219*  
PLANNING & DEVELOPMENT



# MAP OF

LOT 8, BLOCK 117, OCEANSIDE PARK AS RECORDED IN PLAT BOOK 8, PAGE 13, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

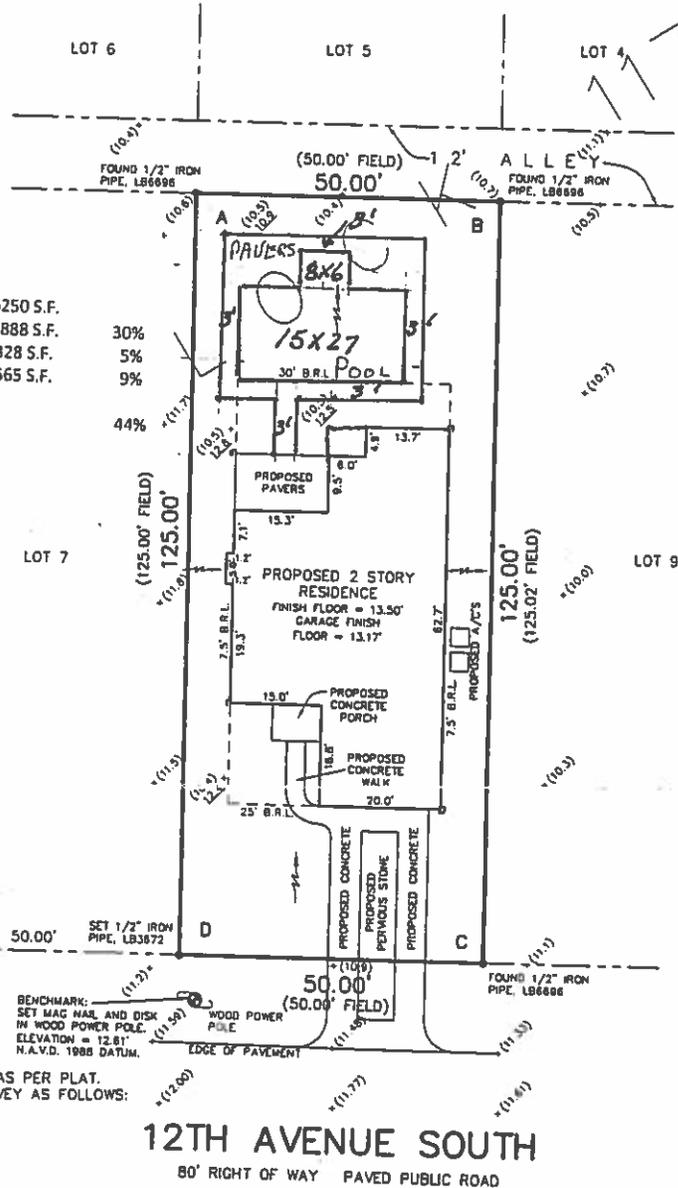


### SITE CALCULATIONS

LOT COVERAGE	6250 S.F.	
HOUSE (UNDER ROOF) COVERAGE	1888 S.F.	30%
DRIVE/WALK/CONCRETE COVERAGE	328 S.F.	5%
PAVERS AROUND POOL	565 S.F.	9%

TOTAL LOT COVERAGE

SEVENTH STREET SOUTH  
50' RIGHT OF WAY PAVED PUBLIC ROAD



### NOTES:

1. THIS IS A PLOT PLAN.
2. NO BUILDING RESTRICTION LINES AS PER PLAT.
3. INTERIOR ANGLES PER FIELD SURVEY AS FOLLOWS:  
 A = 89°58'08"  
 B = 90°01'52"  
 C = 89°58'35"  
 D = 90°01'25"
4. NORTH PROTRACTED FROM PLAT.
5. (22.9) DENOTES EXISTING ELEVATION.
6. 22.9 DENOTES PROPOSED ELEVATION.
7. → DENOTES EXISTING DIRECTION OF FLOW.
8. ALL IMPROVEMENTS ARE PROPOSED.
9. BENCHMARK USED:  
 FOUND MAG NAIL AND DISK SOUTH SIDE OF WOOD POWER POLE  
 ADJACENT TO RESIDENCE 949 12TH AVENUE SOUTH, PER  
 DRAWING BY BOATWRIGHT LAND SURVEYORS, DRAWING NUMBER  
 2004-0567, DATED APRIL 30, 2004.  
 ELEVATION = 15.10' N.G.V.D. 1929 DATUM, CONVERTED TO  
 ELEVATION = 14.00' N.A.V.D. 1988 DATUM USING CORPSCON  
 8.0.1.
10. ALL ELEVATIONS IN THIS DRAWING ARE IN N.A.V.D. 1988  
 DATUM.
11. B.R.L. DENOTES BUILDING RESTRICTION LINE.

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."

## 12TH AVENUE SOUTH

80' RIGHT OF WAY PAVED PUBLIC ROAD

RECEIVED

DEC - 4 2017

17-100219  
 DONN W. BOATWRIGHT, P.S.M.  
 FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295  
 FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672



CHECKED BY: \_\_\_\_\_  
 DRAWN BY: PGP  
 FILE: 2017-0580

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

DATE:  
 MAY 5, 2017  
 SHEET 1 OF 1



# APPLICATION FOR VARIANCE

BOA No. 17-100220  
HEARING DATE 1-17-2018

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

DEC - 5 2017

PLANNING & DEVELOPMENT

## APPLICATION INFORMATION

Applicant Name: Laura B Lybrand Telephone: (904) 613-9137  
 Mailing Address: 1634 Westwind Dr. E-Mail: LBLybrandL3@comcast.net  
Jacksonville Bch, FL 32250  
 Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Landowner Name: same Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

## VARIANCE DATA

Street address of property and/or Real Estate Number: 1634 Westwind Dr.  
 Legal description of property (Attach copy of 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). Set back of property is 20 feet. Asking for 5 feet to extend patio to build screened in porch. Hardship of too small of a lot

Per# 179761-015C

Applicant's Signature: Laura B Lybrand Date of Application: 12/4/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-3 FLOOD ZONE: \_\_\_\_\_  
 CODE SECTION (S): 34-338 (E)(1)(C)-3 for a reduced setback of 3' in lieu of 20' approved via BZA 30-87; (E)(1)(F) for 57% lot coverage in lieu of 35% maximum, to allow screened porch addition to a single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100220

**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.		<b>RECEIVED</b>
Special circumstances and conditions do not result from the actions of the applicant.		DEC - 5 2017  <b>PLANNING &amp; DEVELOPMENT</b>
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.		
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	Too small of a lot
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	will still allow room in back yard

MAP SHOWING BOUNDARY SURVEY OF  
 LOT 10 BLOCK - AS SHOWN ON MAP OF

OCEAN POND UNIT TWO

AS RECORDED IN PLAT BOOK 44 PAGES 48&48A OF THE CURRENT PUBLIC RECORDS OF DUVAL CO., FLA.  
 FOR: SHAFER & SONS ENTERPRISES

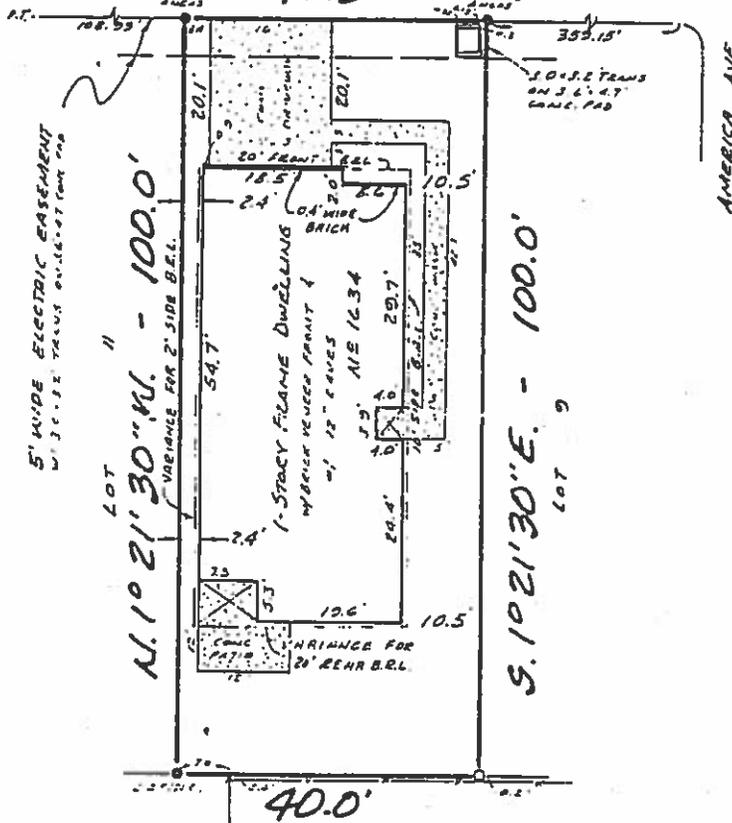
NOTE: BEARINGS SHOWN HEREON ARE BASED ON THE ABOVE MENTIONED PLAT.

- CERTIFIED TO:
- 1) CHARLES M. & LISA M. LOSEE;
  - 2) GMAC MORTGAGE CORP. OF PA.;
  - 3) METROPOLITAN TITLE & GUARANTY CO.

WESTWIND DRIVE

N. 88° 38' 30" E.

40.0'



S. 88° 38' 30" W.

CONSTITUTION COVE UNIT SIX  
 P.B. 35, PG. 97

RECEIVED

DEC - 5 2017  
 17-100220  
 PLANNING & DEVELOPEME

FINAL SURVEY DEC. 13, 1990  
 FOUNDATION SURVEY NOV. 6, 1990

NOTE: FOUND ALL IRONS.  
 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 21HH-6, FLA. 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 ON THIS SURVEY

FLOOD CERTIFICATE: THE LOT SHOWN HEREON IS IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO 120078 0002P, DATED 4-17-87 CITY OF JACKSONVILLE BEACH

CLARSON AND ASSOCIATES, INC.  
 1643 HALDO AVE. JACKSONVILLE, FLA 32207

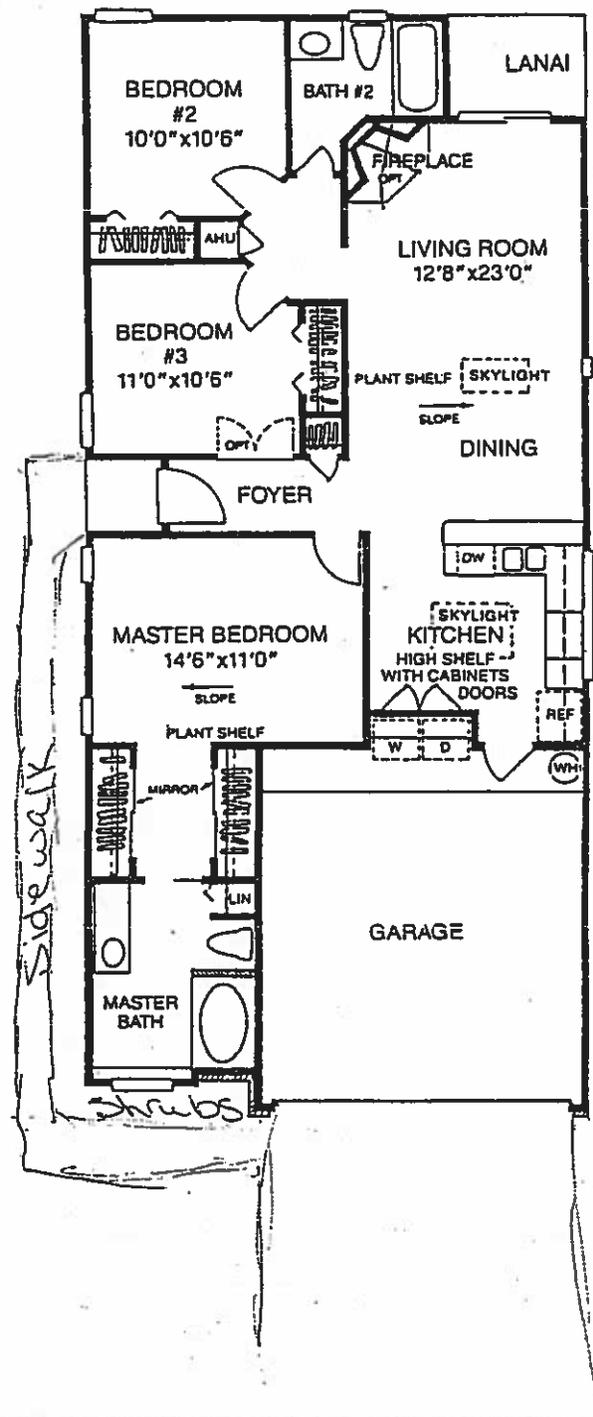
SURVEYED OCTOBER 25, 1990  
 SCALE: 1" = 20'

Jose A. Hill  
 REGISTERED SURVEYOR NO 2361 FLA  
 JOSE A. HILL

LEGEND:	
■	CONCRETE MONUMENT
●	FOUND IRON
○	SET IRON - L.S. 17M
—	B.R.L. BUILDING RESTRICTION LINE
∠	CENTRAL ANGLE
R	RADIUS
A	ARC DISTANCE
CM	CHORD DISTANCE
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE

# Malia Finger

Pam Bingemann Realty, Inc.



no fireplace

Side walk

shrubs

MEMORANDUM

TO: Lester Griffis, City Manager

FROM: Steven G. Lindorff, Planning and Development Director 

SUBJECT: Appeal of Denial of Setback Variances, Daniel T. Crisp, III, Miscellaneous Lots in Ocean Pond Subdivision

DATE: August 13, 1990

=====

At their meeting on July 17, 1990, the Board of Adjustment met and held a public hearing on a request to reduce the side yards required for a "zero lot detached single family residential dwelling" in an RS-3 zone from 10 feet and 5 feet to 10 feet and 2 feet on 45 lots in Ocean Pond Subdivision located along America Avenue south of Seabreeze Avenue. As indicated on the application, the purpose of the request was "to harmonize the general intent and purpose of the ordinance ie., a zero lot line home is one in which one side is built on a side line of the lot."

A copy of the minutes of the Board of Adjustment meeting which summarizes the discussion leading to the denial of the variance request, along with other maps and documents, is attached. As noted, two residents of the City spoke against granting the request.

Zero lot line detached dwellings are permitted in the RS-3 zone by special exception. The special exception allows the reduction in minimum lot widths from 60 feet to 40 feet, but requires that the yards be a total of 15 feet with one yard to be not less than 5 feet. This latter setback is the same for all residential uses in the RS-3 zone whether single family, duplex, or zero lot line detached. The developer has previously been granted a rear yard setback variance from 30 feet required to 20 feet on most of the lots in the subdivision.

The appeal of the denied variance has been properly advertised and posted and is ready to be considered by the City Council at their regular meeting on August 20, 1990.

*Variances approved  
on appeal by City  
Council 8/20/90*

---

*(Handwritten mark)*



 *City of Jacksonville Beach*

904 / 249-2381 • ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

August 19, 1987

Mr. Dan Crisp  
Crisp & Associates, Inc.  
9210 Cypress Green Drive  
Jacksonville, Florida 32216

Dear Mr. Crisp:

Your request for variance on property on America Avenue behind Nurse Care and Seabreeze Avenue for rear setbacks of 20' in lieu of 30' required on lots 1-13, 24-30, 43, 44, 45, 53 and 54 and side yard setbacks of 15' in lieu of 20' on lots 1, 17, 18, 31 and 66 was heard by the Board of Zoning and Adjustment at their meeting on August 18, 1987.

The variance was granted.

Sincerely,

*Mary Davis*

Mary Davis  
Recording Secretary

cc: file

MAP SHOWING BOUNDARY SURVEY OF  
 LOT 10 BLOCK - AS SHOWN ON MAP OF  
OCEAN POND UNIT TWO  
 AS RECORDED IN PLAT BOOK 44 PAGES 881-884 OF THE CURRENT PUBLIC RECORDS OF DUVAL CO., FLA.  
 FOR SHAEFER & SONS ENTERPRISES

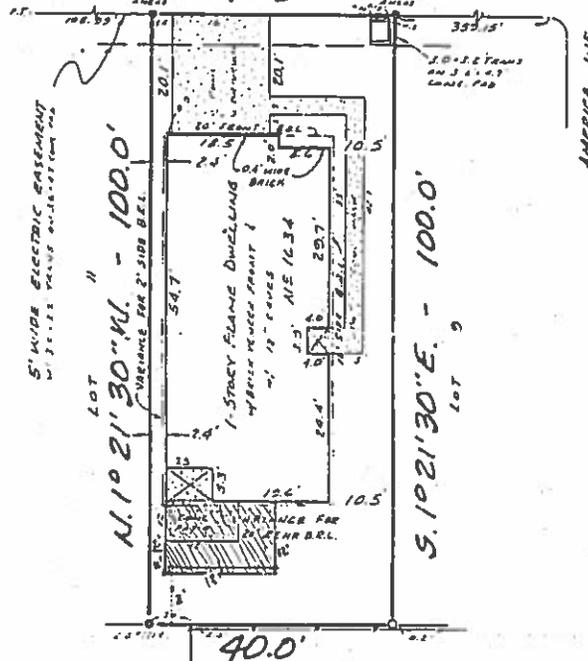
NOTE: BEARINGS SHOWN HEREON ARE BASED ON THE ABOVE MENTIONED PLAT.

CERTIFIED TO: 1) CHARLES M. & LISA M. LOSEE;  
 2) GMAC MORTGAGE CORP. OF PA.;  
 3) METROPOLITAN TITLE & GUARANTY CO.

WESTWIND DRIVE

N. 88° 38' 30" E.

40.0'



S. 88° 38' 30" W.

CONSTITUTION COVE UNIT S1K  
 P.B. 35, PG. 97



RECEIVED

DEC - 5 2017

17-100220

PLANNING & DEVELOPMENT

FINAL SURVEY DEC. 13, 1990

NOTE: FOUND ALL IRONS.

FOUNDATION SURVEY NOV. 6, 1990

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 21H1-6, FLA. 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 ON THIS SURVEY

LEGEND:

- CONCRETE MONUMENT
- FOUND IRON
- SET IRON - L.S. 1704
- BUILDING RESTRICTION LINE
- △ CENTRAL ANGLE
- R RADIUS
- A ARC DISTANCE
- CH CHORD DISTANCE
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- P.R.C. POINT OF REVERSE CURVE
- P.C.C. POINT OF COMPOUND CURVE

FLOOD CERTIFICATE: THE LOT SHOWN HEREON IS IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 130018-0002P, DATED 9-17-87, CITY OF JACKSONVILLE BEACH

CLARSON AND ASSOCIATES, INC.  
 1842 MALDO AVE. JACKSONVILLE, FLA 32207

SURVEYED OCTOBER 25, 1990

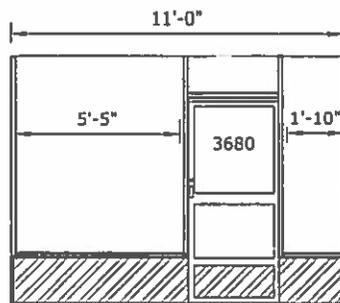
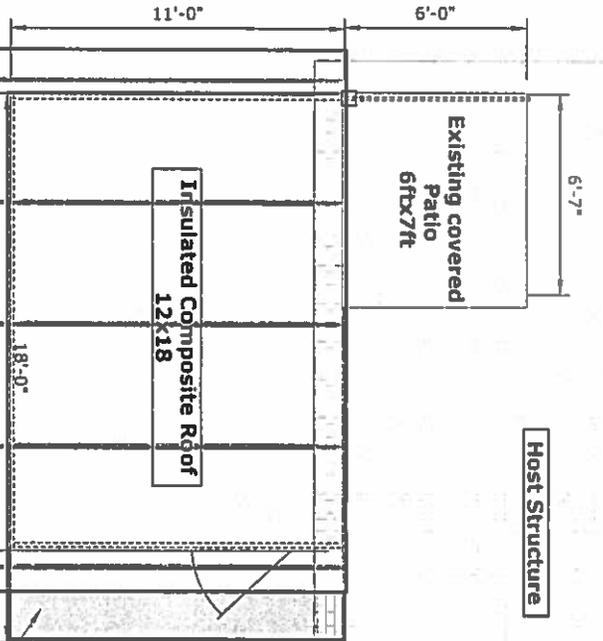
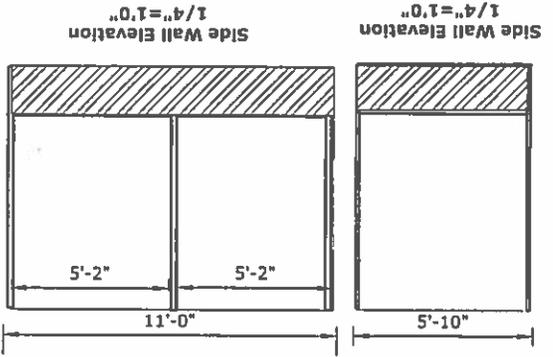
SCALE 1" = 20'

*Jose A. Hill*  
 REGISTERED SURVEYOR NO. 2361 FLA.  
 JOSE A. HILL

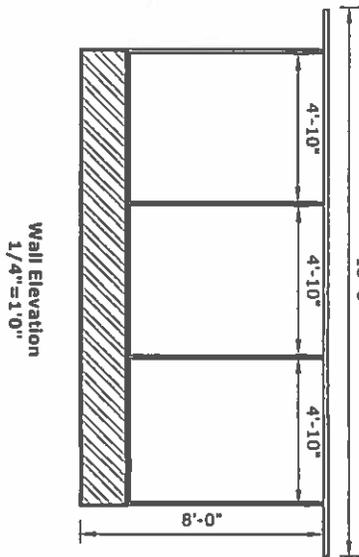
**NAME:** Laura Blybrand  
**ADDRESS:** 1634 Westwind Dr. Jacksonville Bch, Fl. 32250  
**BUILDER:** Colonial Construction LLC

Host Structure

Existing covered  
Patio  
6ftx7ft



**Specs:**  
 3in Insulated Composite Roof  
 Bronze Aluminum Framed  
 Screen Wall System  
 16 in Bronze Aluminum  
 Kickpanel  
 Phifer Premium Charcoal  
 Screen  
 1-3680 Standard outswing door



New Concrete Slab 11x18

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17-100820

PLANNING & DEVELOPMENT



# APPLICATION FOR VARIANCE

BOA No. 17-100221

HEARING DATE 1-17-2018

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.

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## PLANNING & DEVELOPMENT

### APPLICATION INFORMATION

Applicant Name: ROBERT E. BARNES SR. Telephone: (904) 424-9678  
 Mailing Address: 3317 Royal Palm Dr E-Mail: barnesconstruction@bellsouth.net  
Jacksonville Beach, FL  
 Agent Name: Gary Carlee Telephone: (904) 246-2666  
 Mailing Address: 313 Beach Blvd E-Mail: gary@surfsidepools.net  
Jax Beach, FL 32250  
 Landowner Name: MidChannel LLC (Robert E. Barnes, Sr.) Telephone: (904) 424-9678  
 Mailing Address: 3317 Royal Palm Dr E-Mail: barnesconstruction@bellsouth.net  
Jacksonville Beach, FL

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.

Ret# 181390-0070

### VARIANCE DATA

Street address of property and/or Real Estate Number: 3928 Palm Way, Jacksonville Beach, FL 32250  
 Legal description of property (Attach copy of deed): Lot 7, Block 14, Ocean Terrace, Plat book 10, page 2  
 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, smaller than the zoning of record. A 35% ISR precludes the ability to add a swimming pool and surrounding deck. Homeowner would like to request an increase from 35% to 42.5% to add 613 square feet of impervious pool deck. Just enough area to get from the house to the swimming pool.

Applicant's Signature: [Signature] Date of Application: 12/5/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: N/A  
 CODE SECTION (S): 34-336(A) (1) e. for 42-5% lot coverage in lieu of 35% maximum;  
" (2) 1 g. for accessory structure setback of 3', in lieu of 5' required;  
to allow construction of a swimming pool and deck addition to  
a single-family dwelling.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100221

**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, smaller than the zoning of record.  <b>RECEIVED</b>
Special circumstances and conditions do not result from the actions of the applicant.	YES	DEC - 3 2017  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 non-conforming lots in the area have been allowed up to 50% ISR
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 non-conforming lots in the area have been allowed up to 50% ISR
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	Impervious deck area requested is the minimum required to get from the house to pool area
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	Elevations, grading and drainage design will eliminate any impact on adjacent properties



CERTIFIED MAIL# 7012 2210 0002 4628 7190

Ref BOA# 17-100221

April 12, 2016

Barnes Construction, LLC.  
c/o Robert E. Barnes, Senior  
3317 Royal Palm Drive  
Jacksonville Beach FL 32250

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

RE: BOA#16-100020	BOA#16-100021	BOA#16-100022
3906 Palm Way	3914 Palm Way	3928 Palm Way
Lot 9, Block 14	Lot 8, Block 14	Lot 7, Block 14,

Dear Mr. Barnes,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 5, 2016, to consider the above applications for a variance from the requirements of the Land Development Code.

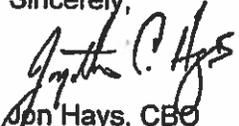
As indicated in the applications, the requests were for the following:

- 34-336(e)(1)c.2, for side yards of 7.5 feet in lieu of 10 feet required on each Lot 7, 8, and 9, Block 14 of *Ocean Terrace S/D*

To allow for three single family dwellings (one on each lot).

The Board **Approved** the request as written.

Please remove the public hearing notice posted on your property. Information about building permits, applications and checklists is available in our office or online at <http://www.jacksonvillebeach.org/business/building-permit-applications-and-checklists>. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6235.

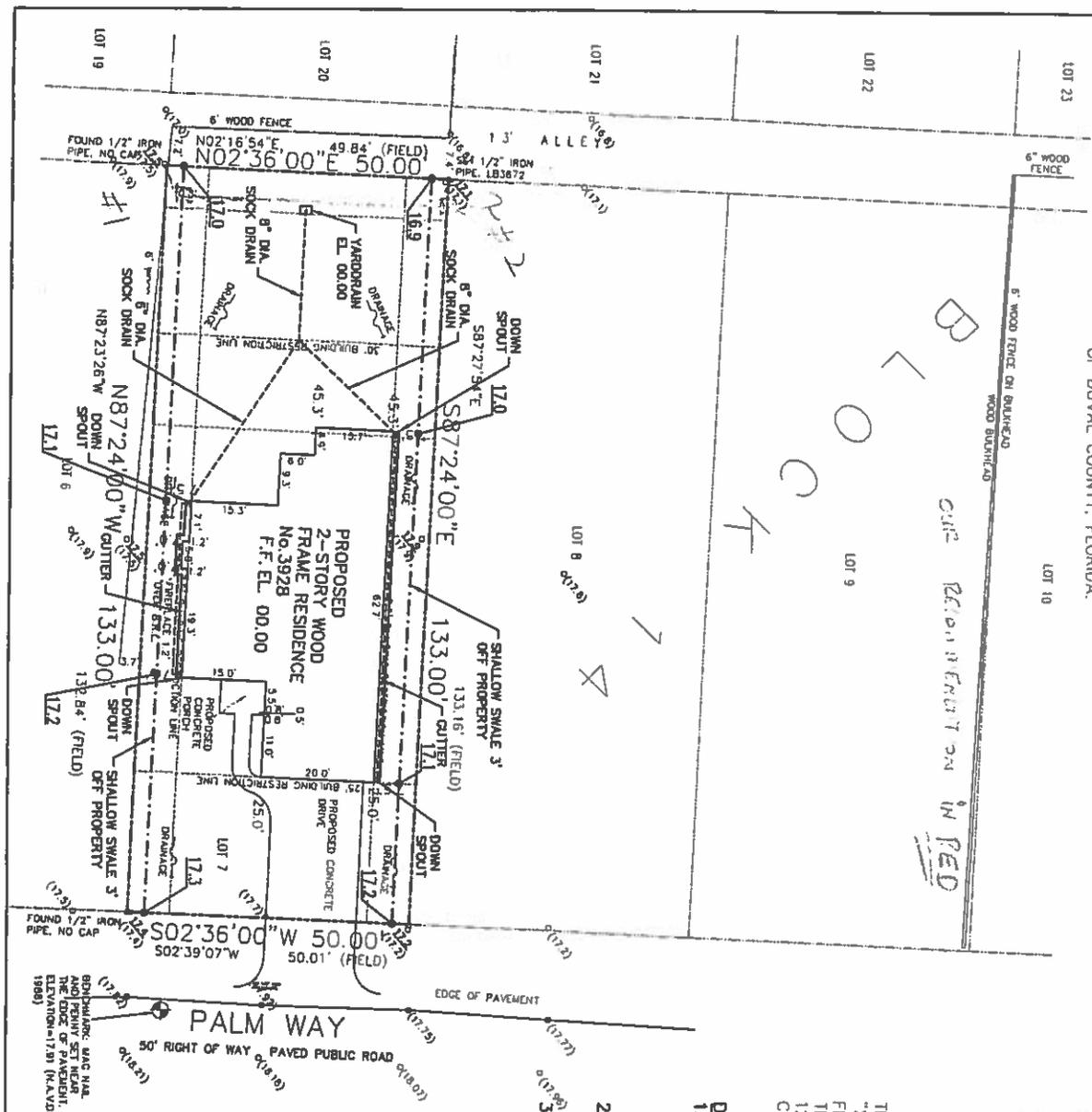
Sincerely,  
  
Jon Hays, CBO  
Building Department



PROPOSED RESIDENCE AT LOT 7, BLOCK 14, OCEAN TERRACE AS RECORDED IN PLAT BOOK 10, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

BOATWRIGHT LAND SURVEYORS, INC.  
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 321-5550

LOT PLAN OF



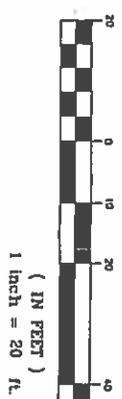
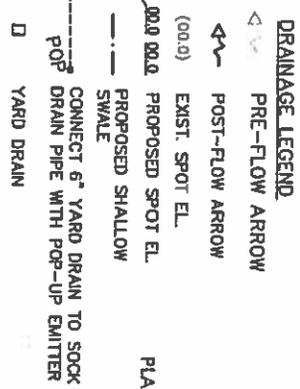
*Handwritten:* B L O C K 14

*Handwritten:* CURT REVISION ON IN RED

- NOTES:
1. THIS IS A LOT PLAN ONLY.
  2. BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF PALM WAY, BEING SOUTH 07°36'00" WEST, AS PER PLAT.
  3. NO BUILDING RESTRICTION LINES AS PER PLAT.
  4. BENCHMARK USED IS A MAG NAIL AND PENNY SET NEAR THE EDGE OF PAVEMENT ADJACENT TO THE SOUTHEAST CORNER OF LOT 8. ELEVATION = 12.91 (N.A.V.D. 1988)
  5. 9.0' DENOTES SPOT ELEVATION.

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.

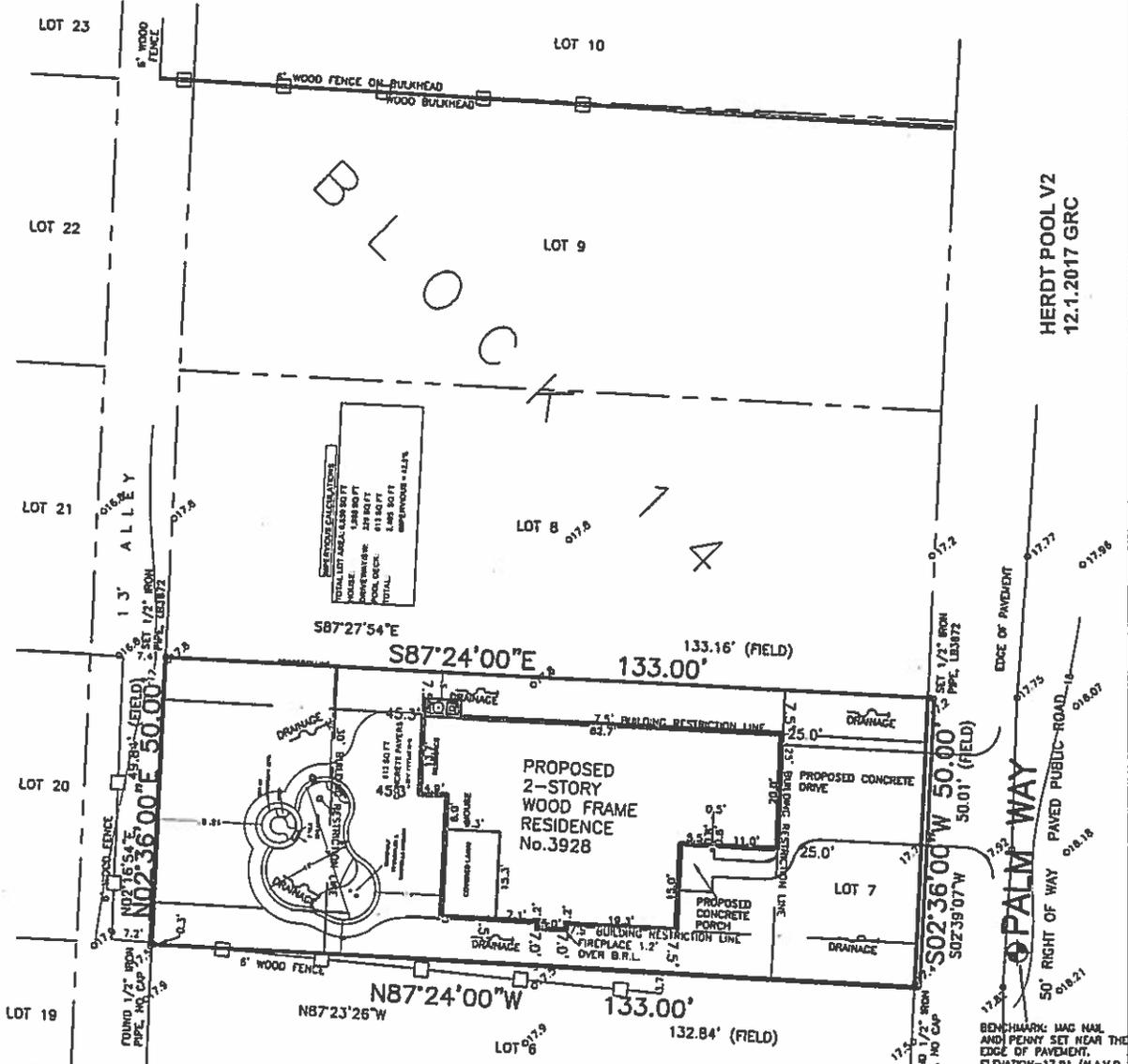
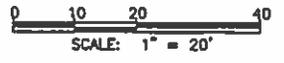
- DRAINAGE NOTES:**
1. THE COVERED PORCH AND STOOP SHALL BE SLOPED AT MIN. 1% AWAY FROM STRUCTURE. AT THE CONNECTION POINT OF THE PORCH AND STOOP, THE TYPICAL ELEVATION DROP SHALL BE 4 INCHES.
  2. GROUND ELEV. AT FOUNDATION SHALL BE MIN. 6IN BELOW F.F. ELEV.
  3. DOWNSPOUTS ARE TO BE CONNECTED TO UNDERGROUND DRAINAGE 6" SOCK DRAIN PIPE WITH POP-UP EMITTERS PLACED AT PROPERTY LINE.



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# PLOT PLAN OF

PROPOSED RESIDENCE AT LOT 7, BLOCK 14, OCEAN TERRACE AS RECORDED IN PLAT BOOK 10, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES:
1. THIS IS A PLOT PLAN ONLY.
  2. BEARINGS BASED ON THE WESTERLY RIGHT OF WAY LINE OF PALM WAY, BEING SOUTH 02°36'00" WEST, AS PER PLAT.
  3. NO BUILDING RESTRICTION LINES AS PER PLAT.
  4. BENCHMARK USED IS A MAG NAIL AND PENNY SET NEAR THE EDGE OF PAVEMENT ADJACENT TO THE SOUTHEAST CORNER OF LOT 8, ELEVATION= 17.91 (N.A.V.D. 1988)
  5.  $\odot$  DENOTES SPOT ELEVATION.

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.

THIS SURVEY WAS MADE FOR THE BENEFIT OF MID CHANNEL, LLC.

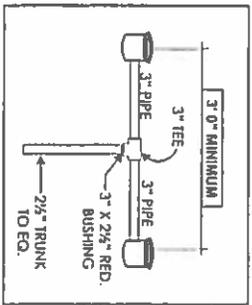
DONN W. BOATWRIGHT, P.S.M.  
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

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17-100228  
PLANNING & DEVELOPMENT

CHECKED BY: \_\_\_\_\_  
DRAWN BY: CL  
FILE: 2017-699PP

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

DATE: JANUARY 21, 2016  
SHEET 1 OF 1

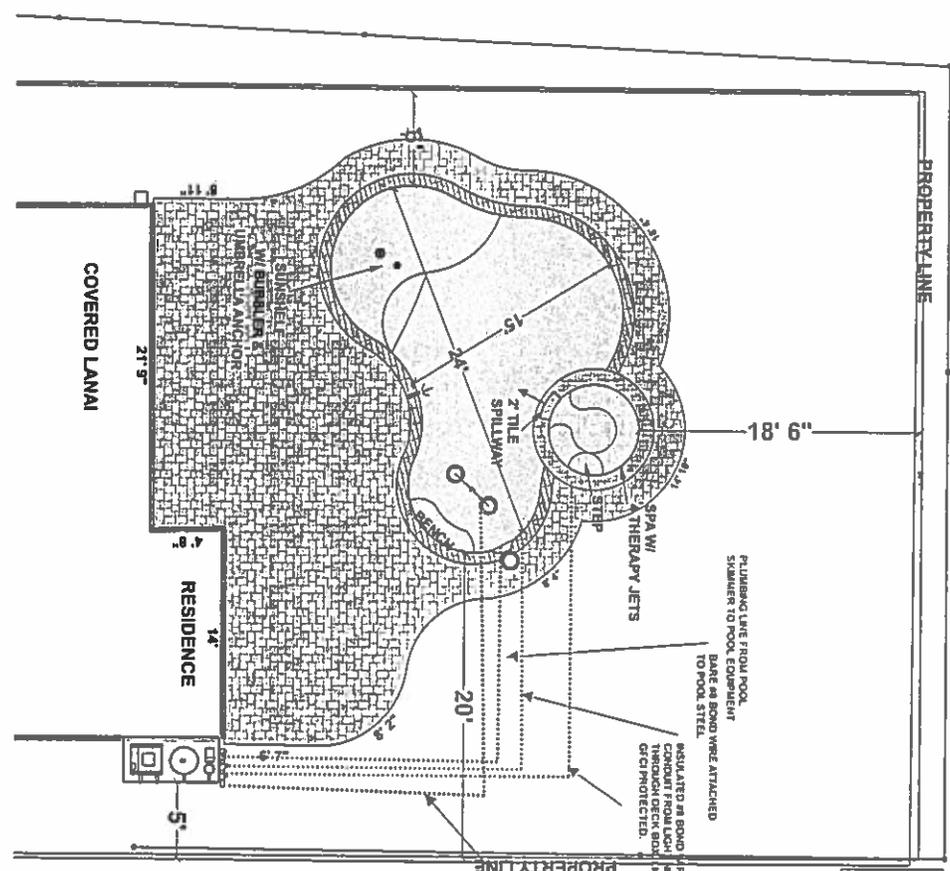


# PERMIT PLAN

## POOL 24' 0" X 15' 0"

### W/ IN-FLOOR CLEANING SYSTEM

### SPA W/ 4 SPA JETS



**SAFETY BARRIERS:**  
 FENCE AND ALARMS UP TO POOL SAFETY CODE.

**DIMENSIONS TAKEN FROM EDGE OF WATER TO PROPERTY LINE**

**IMPERVIOUS CALCULATIONS**

TOTAL LOT AREA:	6,650 SQ. FT.
HOUSE:	1,888 SQ. FT.
DRIVEWAY/SW:	328 SQ. FT.
POOL DECK:	613 SQ. FT.
TOTAL:	2,405 SQ. FT.
<b>IMPERVIOUS = 42.5%</b>	

- Florida Building Code 9th Edition (2014) Residential  
 Conforms to Chapter 42  
 2011 National Electrical Code
- NO OVERHEAD ELECTRIC IN POOL AREA
  - NO UNDERGROUND UTILITIES IN POOL AREA
  - FINISH GRADE TO SLOPE AWAY FROM POOL
  - VGB COMPLIANT MAIN DRAIN
  - DRAINAGE DETAIL - FINISH GRADE SLOPE AWAY FROM POOL
  - GROUNDING & BONDING DETAIL

AN UNDERGROUND BONDING CONDUCTOR MADE OF A SINGLE #8 AWG BARE SOLID COPPER WIRE BURIED TO A MINIMUM DEPTH OF 4 INCHES TO 6 INCHES BELOW SUB GRADE, AND 18 INCHES TO 24 INCHES FROM INSIDE THE WALL OF A SWIMMING POOL OR SPA WILL BE USED.

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 17-100221  
 PLANNING & DEVELOPMENT

THIS DRAWING IS AN ARTISTIC INTERPRETATION OF THE GENERAL APPEARANCE OF THE SWIMMING POOL. IT IS NOT MEANT TO BE AN EXACT RENDITION.

JOB# 217129 - BARNES  
 DESIGNED FOR: ROBERT E. BARNES SR  
 3928 PALM WAY  
 ADDRESS: JACKSONVILLE BEACH, FL. 32250  
 SUBDIVISION: JAX BEACH  
 SALESPERSON: GARY CARLEE



SCALE: 1/8" = 1'  
 PAGE NUMBER: 4 - PERMIT  
 CONTRACT DATE: NOVEMBER 10, 2017  
 DRAWN DATE: DECEMBER 5, 2017  
 PRINTED DATE: DECEMBER 5, 2017  
 DRAWN BY: GARY CARLEE



# APPLICATION FOR VARIANCE

BOA No. 17-100222  
HEARING DATE 1-17-2018

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.

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## APPLICANT INFORMATION

Applicant Name: Melissa Rehtfu Telephone: 864-517-4008  
 Mailing Address: 2480 South Beach Parkway E-Mail: M1rehtfu@gmail.com  
Jacksonville Beach, FL 32250  
 Agent Name: Robert Hamil Telephone: 904-631-6268  
 Mailing Address: 1126 Salt Creek Dr. E-Mail: Rmhjr416@a.yahoo.com  
Ponte Vedra Beach FL 32082  
 Landowner Name: Melissa Rehtfu Telephone: 864-517-4008  
 Mailing Address: 2480 South Beach Parkway E-Mail: M1rehtfu@gmail.com  
Jacksonville, 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.

Permit # 179840-0000

## VARIANCE DATA

Street address of property and/or Real Estate Number: 2480 South Beach Parkway  
 Legal description of property (Attach copy of deed): Lots 15+16 Block 1 Williams Coastal Blvd  
 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 and Under Sized Lot for the RS-2 zoning.  
The Owner would like an 8% Lot Coverage Variance for Pavers, Spa walls, and equipment Pad. As part of a New pool.  
 Applicant's Signature: [Signature] Date of Application: 12/2/2017

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X  
 CODE SECTION (S): 34-337(e)(1)(c) 2 for a corner side yard of 6' in lieu of 10' required;  
(e)(1)(a) for 43% lot coverage in lieu of 35% maximum;  
(e)(1)(a) for an accessory structure (pool deck) setback of 4',  
in lieu of 5' along non-deck property line to allow  
a pool, spa and deck addition to a single-family dwelling;

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100222

**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.	No	
Special circumstances and conditions do not result from the actions of the applicant.	No	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	
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	

December 2, 2017

To Whom This May Concern:

Bob Hamel of Henderson Pool Service has my authorization to act as my agent during the variance process for building my pool.

Melissa L Refus

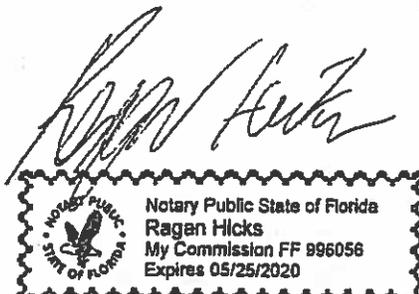
MELISSA L REFUS  
2480 South Beach Parkway  
Jacksonville Beach, FL 32250

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17-100222  
PLANNING & DEVELOPMENT

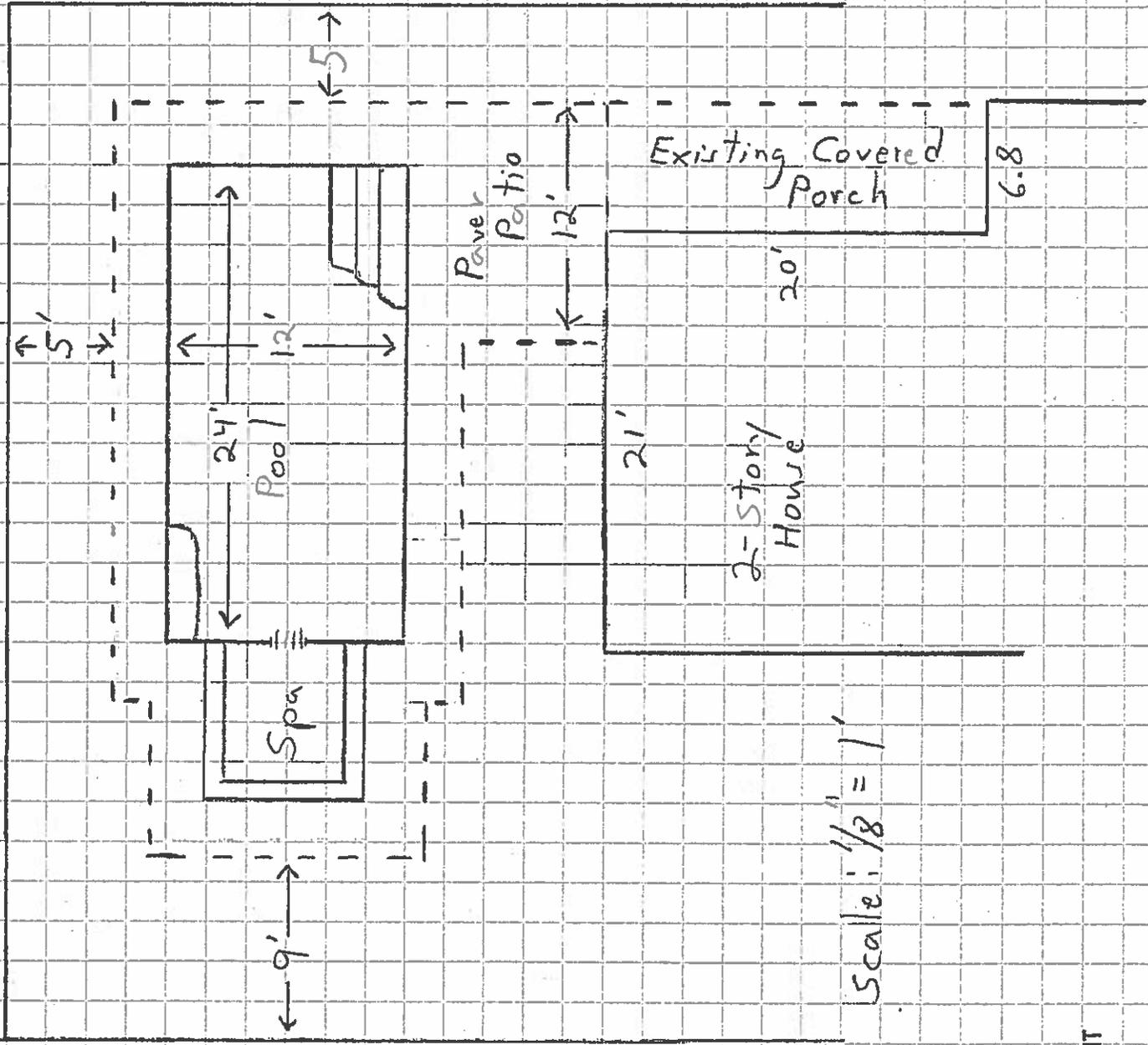
Sworn to before me this 2<sup>nd</sup> day of  
December by 2017  
who produced \_\_\_\_\_ as identification.  
Florida Driver license



2480 South  
Beach Park

\*Raised Spa  
Walk  
and Paver  
equal

408 Square  
Feet



Scale: 1/8" = 1'

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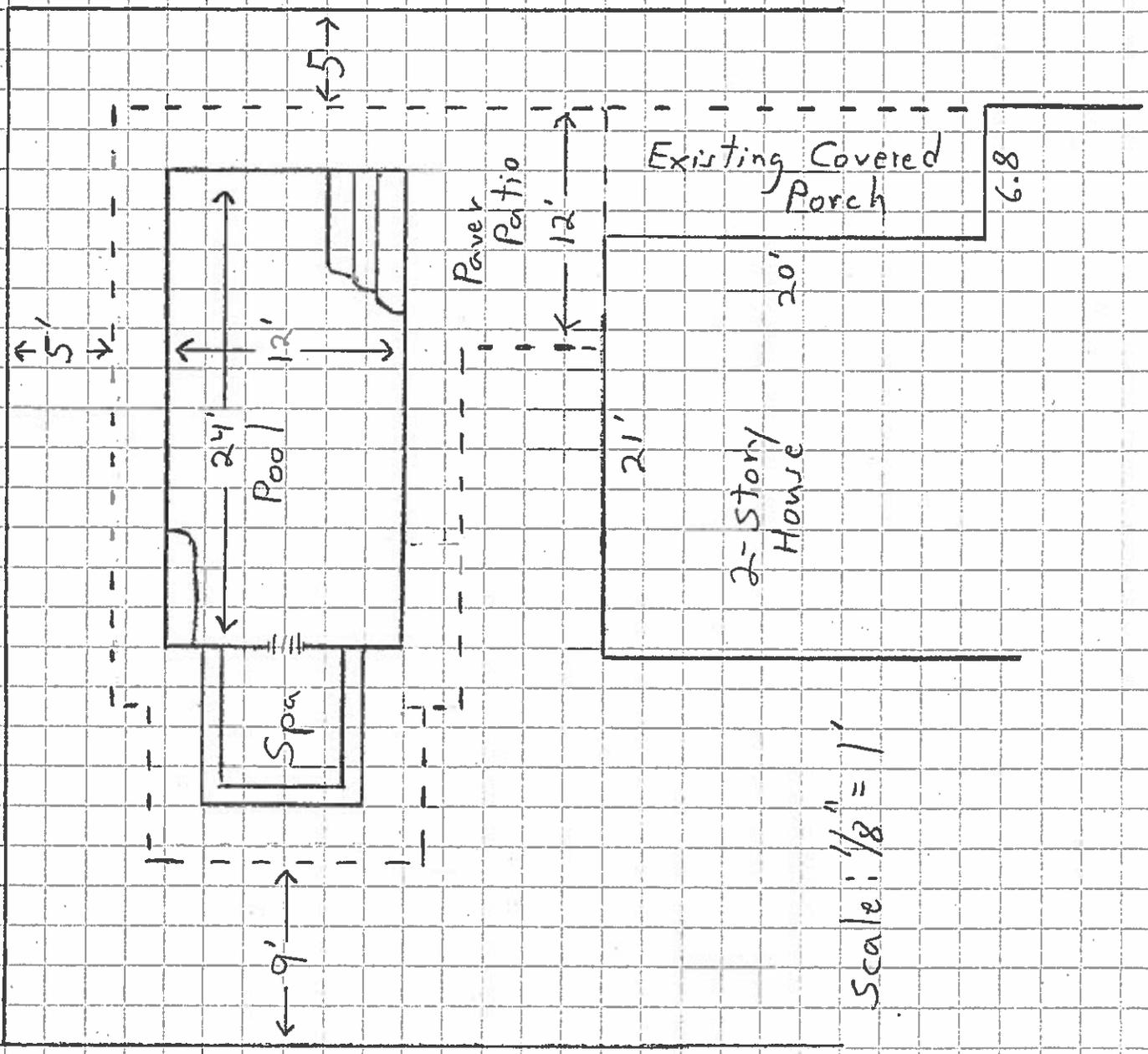
17-100222

PLANNING & DEVELOPMENT

2480 South  
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and Paver  
equal

408 Sqft  
Fee



Scale: 1/8" = 1'

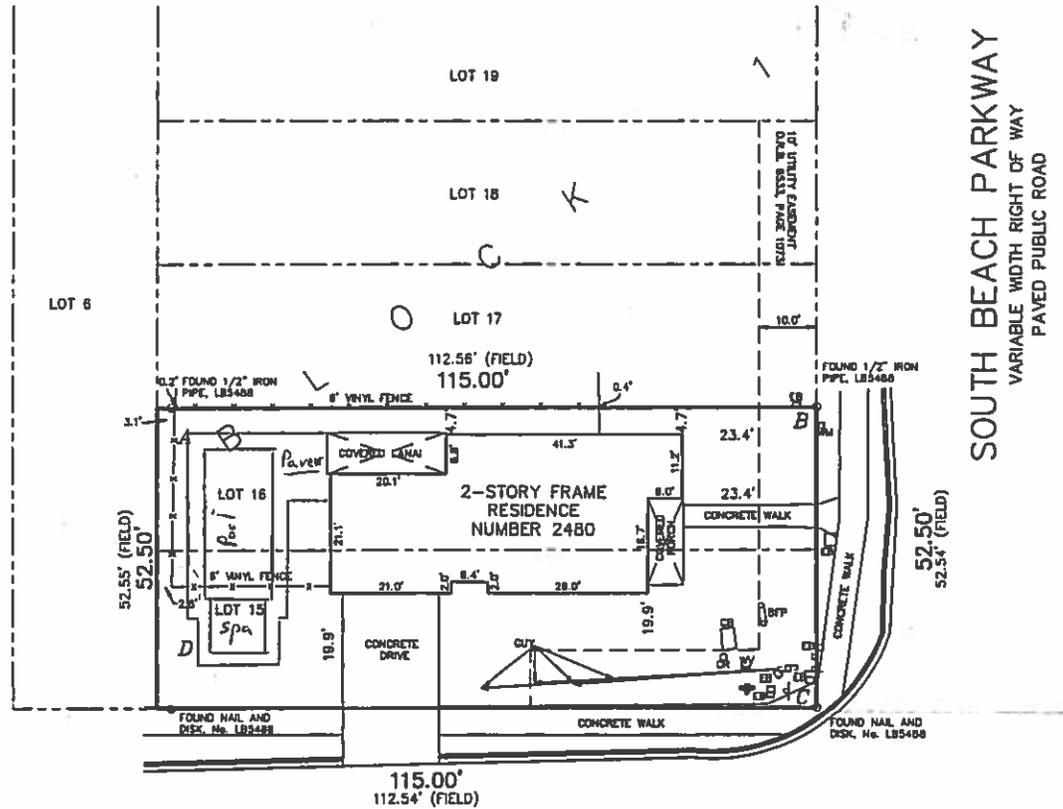
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DEC - 5 2017

17-100222  
PLANNING & DEVELOPMENT

# MAP SHOWING PLOT PLAN OF

LOTS 15 AND 16, BLOCK 1, WILLIAMS COASTAL BOULEVARD HEIGHTS AS RECORDED IN PLAT BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

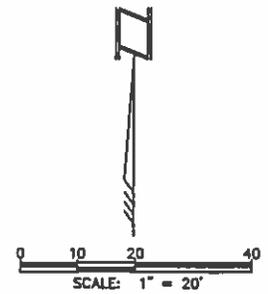


OSCEOLA STREET  
VARIABLE WIDTH RIGHT OF WAY  
PAVED PUBLIC ROAD

SOUTH BEACH PARKWAY  
VARIABLE WIDTH RIGHT OF WAY  
PAVED PUBLIC ROAD

**NOTES:**

1. THIS IS A PLOT PLAN ONLY.
2. NORTH PROTRACTED FROM PLAT.
3. INTERIOR ANGLES AS FOLLOWS:  
A=90°02'11"  
B=89°58'21"  
C=90°03'58"  
D=89°57'29"
4. NO BUILDING RESTRICTION LINES PER PLAT.
5. EB DENOTES ELECTRIC BOX.
6. WM DENOTES WATER METER.
7. WV DENOTES WATER VALVE.
8. CB DENOTES CABLE BOX.
9. CR DENOTES FIBER OPTIC CABLE RISER.
10. DENOTES CONCRETE POWER POLE.
11. DENOTES FIRE HYDRANT.
12. DENOTES CROSS WALK SIGNAL.



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17-108222

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

THIS SURVEY WAS MADE FOR THE DEVELOPMENT OF GIBRALTER TITLE SERVICES; BANK OF ENGLAND; OLD REPUBLIC TITLE; AND MELISSA REHFUS.

DONN W  
BOATWRIGHT,  
PSM

Digitally signed by DONN W BOATWRIGHT, PSM  
DN: cn=DONN W BOATWRIGHT, PSM, ou=BOATWRIGHT LAND SURVEYORS, INC., email=don@boatwrightland.com, c=US  
Date: 2017.10.24 16:11:44 -0500

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

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

CHECKED BY: \_\_\_\_\_  
DRAWN BY: JDB  
FILE: 2017-1466

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

DATE: OCTOBER 24, 2017  
SHEET 1 OF 1



# APPLICATION FOR VARIANCE

BOA No. 17-100223

HEARING DATE 1-17-2018

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.

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5. Completed application.

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DEC - 5 2017

## APPLICATION INFORMATION

## PLANNING & DEVELOPMENT

Applicant Name: Payne Roberts LLC  
 Mailing Address: 3721 Dupont Station Ct. S.  
Jacksonville, FL 32217

Telephone: 904-504-9876  
 E-Mail: monedclp@gmail.com

Agent Name: Christian Allen Mike  
 Mailing Address: 3721 Dupont Station Ct. S.  
Jacksonville, FL 32217

Telephone: 904-504-9876  
 E-Mail: monedclp@gmail.com

Landowner Name: Marie Kirby Hamilton Living Trust  
 Mailing Address: 2123 2nd St. S.  
Jacksonville Beach, FL 32250

Telephone: 904-910-3148  
 E-Mail: kirby@kirbyhamilton.com

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: 2123 2nd St. S. 32250 // Re # 179393-0000

Legal description of property (Attach copy of deed): Attached // Lot 7, 8, 9, Block "P" Atlantic Camp  
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). As lots of record, the current code doesn't allow for a buildable structure.

Applicant's Signature:

Date of Application: 12/4/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: N/A (2013)  
 CODE SECTION (S): 34-340 (EX) C2 for side yard and rear corner side yard setbacks of 5' in lieu of 10' required; (E)(1) c-3 for a rear yard setbacks of 10', in lieu of 30' required; (E)(1) f for 53% lot coverage, in lieu of 35% maximum; (E)(1) h. for an accessory structure setback of 1', in lieu of 5' to allow construction of three two-family dwellings

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100223

**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 of record that is 40x70. Adherence to current setbacks required by RM-2 zoning results in unbuildable structure.
Special circumstances and conditions do not result from the actions of the applicant.	✓ Yes	Special circumstances will not result because similar variances in nearby properties have been given
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	We will not receive special privileges if this variance is granted.
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	Lot of record that is 40x70 Adherence to current setback requirements by RM-2 zoning results in unbuildable structure.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	<del>Adherence to current setbacks</del> We cannot build a structure with less of a variance.
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	Adjacent land has similar qualities and setbacks. <b>RECEIVED</b> DEC - 5 2017

Marie K Hamilton  
2123 2<sup>nd</sup> Street South  
Jacksonville Beach, FL 32250

December 4, 2017

To Whom It May Concern:

As the signors for Marie Kirby Hamilton Living Trust, we hereby give authorization to Payne Roberts LLC to make application for a variance with the city of Jacksonville Beach for the property address listed above.

Sincerely,



Kirby Lee Hamilton - Co-Trustee of Marie Kirby Hamilton Living Trust



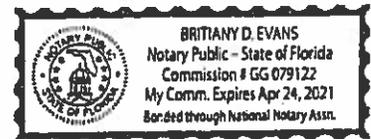
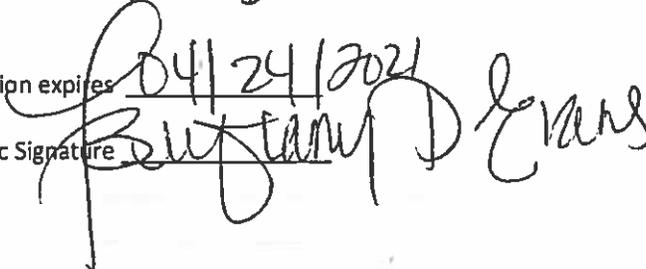
Marlee Chris Hamilton Hanby - Co-Trustee of Marie Kirby Hamilton Living Trust

The foregoing instrument was acknowledged (optional language: or affirmed or attested to – as client designates) by Kirby Lee Hamilton who has placed his/her signature on this instrument before me personally, and who is known to me or has produced FL Drivers License as identification and who did take an oath, this 4<sup>th</sup> day of December, 2017.

My commission expires

04/24/2021

Notary Public Signature



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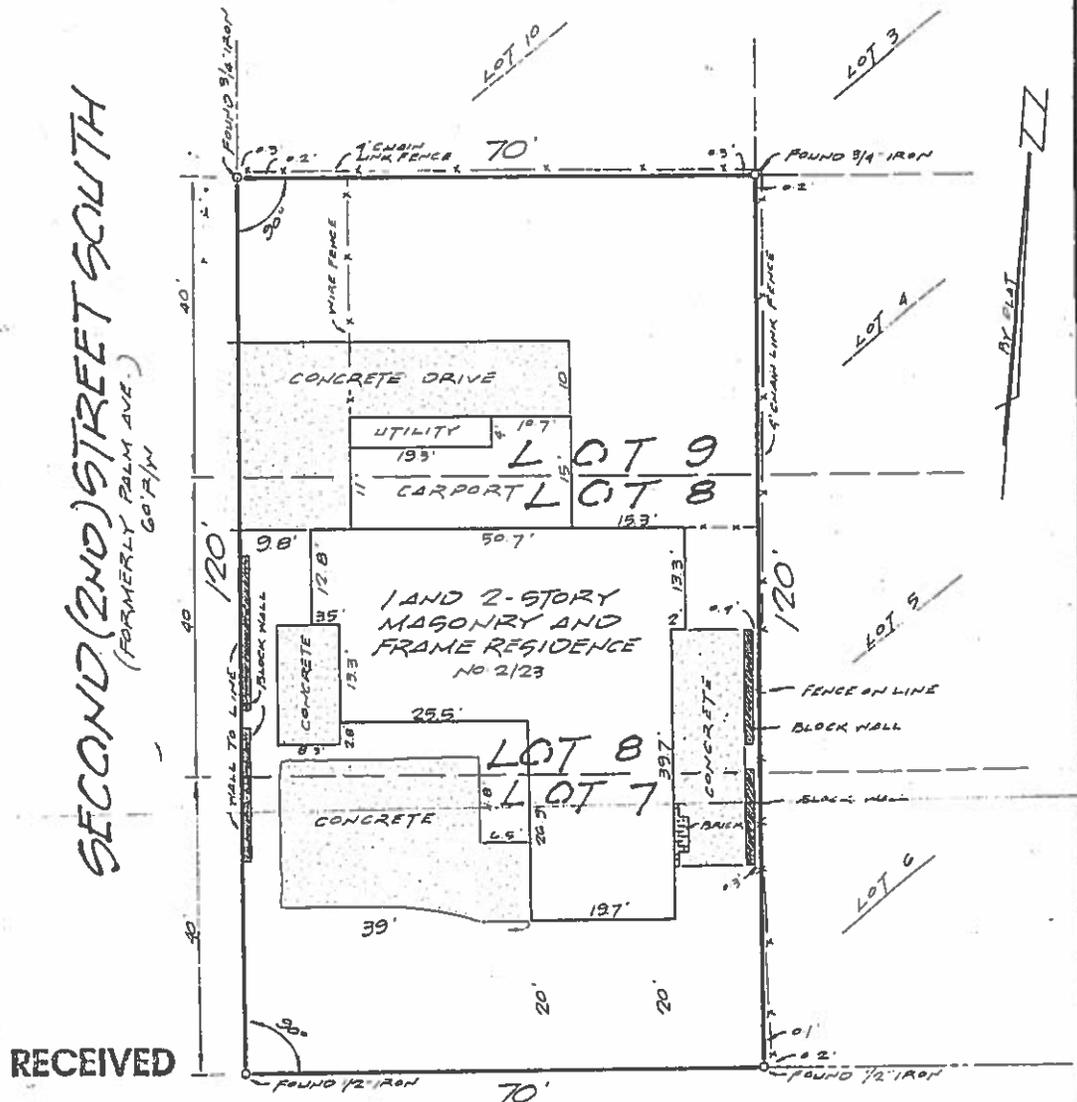
17-100223

PLANNING & DEVELOPMENT

# MAP SHOWING SURVEY OF

LOTS 7, 8 AND 9, BLOCK "P", PERMENTER'S REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, AS RECORDED IN PLAT BOOK 9, PAGE 44 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR MARIE C. HAMILTON



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TWENTY-SECOND (22ND) AVE. S.  
(FORMERLY PAULINE AVE)  
40' R/W

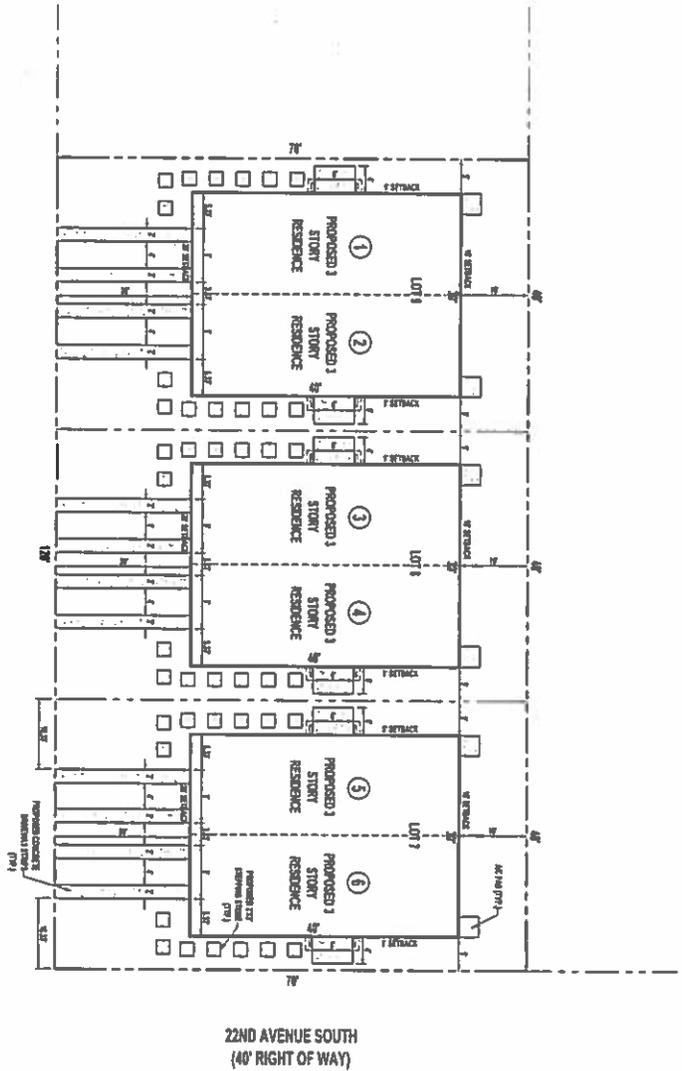
- THIS PROPERTY LIES IN FLOOD ZONE A7, WHICH IS IN THE 100 YEAR FLOOD AREA. FLOOD ELEV 9 MEAN SEA LEVEL.
- NO BUILDING RESTRICTION LINE BY PLAT
- THIS IS A LAND SURVEY

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.07 FLORIDA STATUTES.

**H. A. DURDEN & ASSOCIATES INC.**  
LAND & HYDROGRAPHIC SURVEYORS  
POST OFFICE BOX 88878  
JACKSONVILLE BEACH, FLA. 32280

REGISTERED SURVEYOR NO. 10744 FLA.  
SIGNED FEBRUARY 12 1982  
SCALE: \_\_\_\_\_

THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.



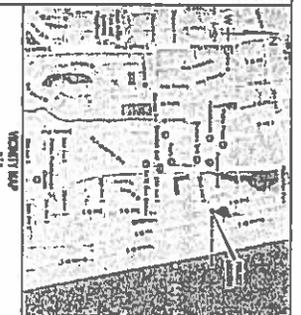
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 17-100823  
 PLANNING & DEVELOPMENT

SITE PLAN  
 CELL 07-19

2ND STREET SOUTH  
 (60' RIGHT OF WAY)

22ND AVENUE SOUTH  
 (40' RIGHT OF WAY)



PROPOSED SITE STATISTICS

Category	Value
Proposed 3 Story Stuw Residences	6
Lot Area (sq ft)	10,800
Site Area (sq ft)	10,800
Impervious Area (sq ft)	10,800
Other	0

NOTES:  
 1. PROPOSED 3 STORY STUW RESIDENCES SHALL BE PERMITTED UNDER A LOT-COVER PERMIT.  
 2. THE PROPOSED 3 STORY STUW RESIDENCES SHALL BE PERMITTED UNDER A LOT-COVER PERMIT.  
 3. THE PROPOSED 3 STORY STUW RESIDENCES SHALL BE PERMITTED UNDER A LOT-COVER PERMIT.

PERMITS REQUIRED

Permit	Code
Site Plan	AS 1
City/County and Electric Plans	AS 2
Site Plan	AS 3
Foundation and Deck Plans	AS 4
Other	AS 5

CONSTRUCTION TYPE: 34

PROPOSED 3 STORY DUPLEX  
 2123 2ND STREET SOUTH | JACKSONVILLE BEACH, FL  
 SITE PLAN

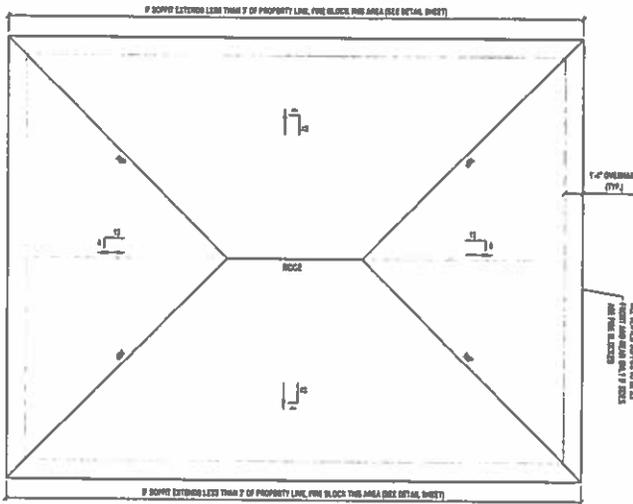
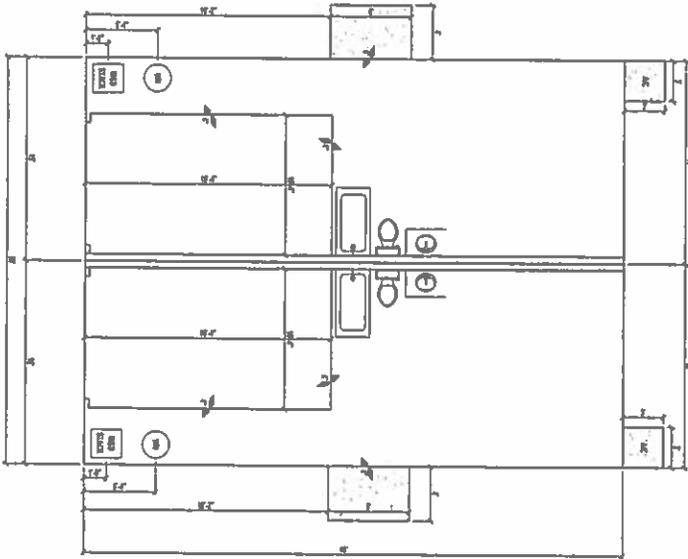
Shields CAD Services  
 1425 1st Street | Neptune Beach, FL 32236  
 Phone: (904) 241-1540  
 Website: www.shieldscad.com | Email: info@shieldscad.com

PAYNE ROBERTS, LLC  
 3271 Dupont Station Court South  
 Jacksonville, FL 32217  
 (904) 337-0609

Scale: 1" = 10'-0"

DATE: 12-01-17  
 DRAWN BY: A.S. SHIELDS  
 CHECKED BY: 15200-0479

Sheet: AO.1



**VENT CALCULATIONS FOR EACH UNIT**

VENT SIZE: 12" DIA. (1.10 SQ. FT.)

UNIT 1: 2.00 CFM (1.00 SQ. FT. VENT)

UNIT 2: 2.00 CFM (1.00 SQ. FT. VENT)

ALL UNITS TO BE VENTED TO THE EXTERIOR THROUGH ROOF VENTS.

SEE DETAIL SHEET FOR VENT SIZES AND LOCATIONS.

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17-10D223

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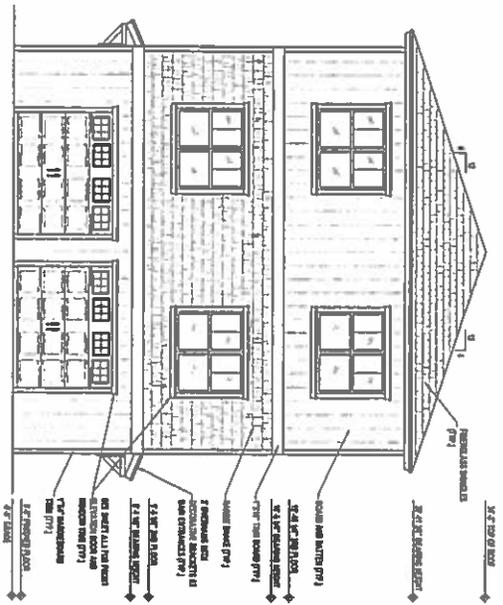
	PAYNE ROBERTS, LLC 3271 Dupont Station Court South Jacksonville, FL 32217 (904) 337-0609	Shields CAD Services 1420 1st Street   Neptune Beach, FL 32266 Phone: (904) 241-1540 Website: www.scjsa.com   Email: bill@shields-cad.com	PROPOSED 3 STORY DUPLEX 2123 2ND STREET SOUTH   JACKSONVILLE BEACH, FL
			FOUNDATION AND ROOF PLAN



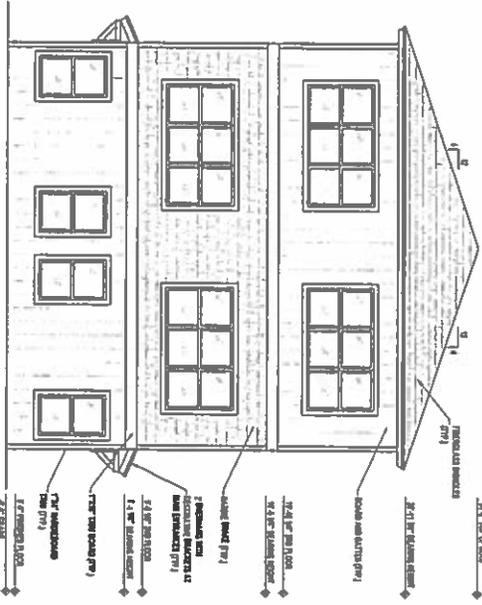




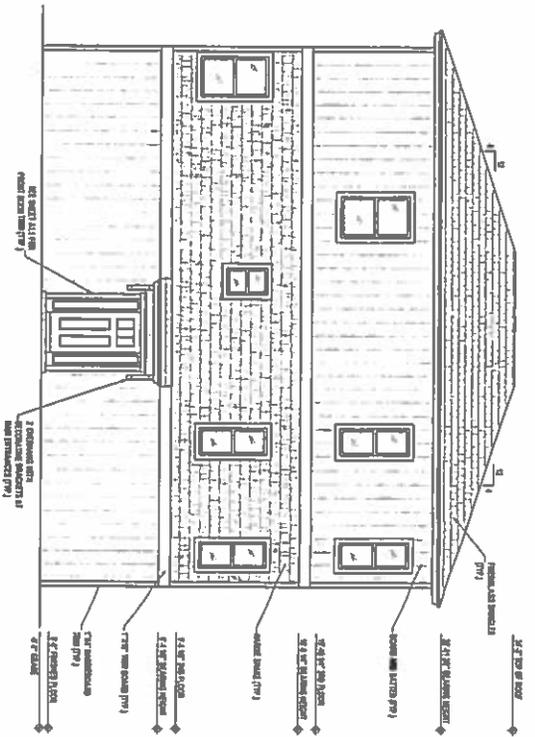




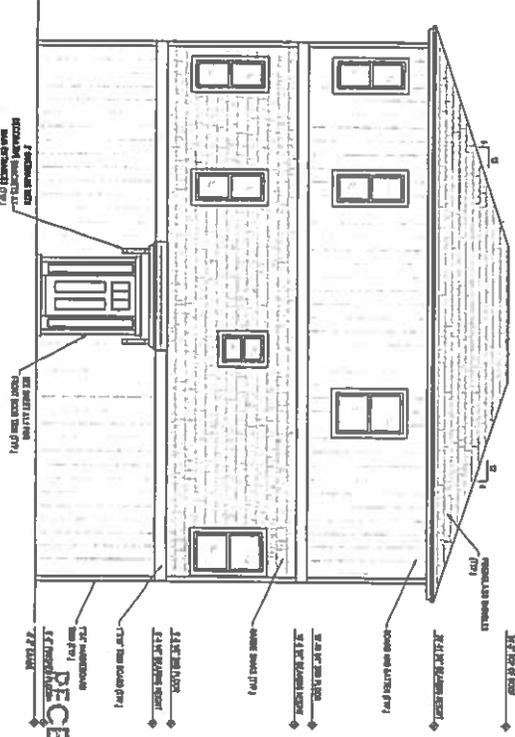
**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"



**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**RIGHT SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"



**LEFT SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"

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17-100223

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	PAYNE ROBERTS, LLC 3271 Dupont Station Court South Jacksonville, FL 32217 (904) 337-0609	Shields CAD Services 1420 1st Street   Neptune Beach, FL 32256 Phone : (904) 241-1349 Website: www.scpas.com   Email: blightshields@gmail.com	PROPOSED 3 STORY DUPLEX 2123 2ND STREET SOUTH   JACKSONVILLE BEACH, FL ELEVATIONS
	Date: 12.01.17 Scale: AS SHOWN No: 15260-0009	Sheet: A2.1	



# APPLICATION FOR VARIANCE

BOA No. 17-100229(wed) HEARING DATE 1-17-18

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.

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DEC - 5 2017

### APPLICANT INFORMATION

Applicant Name: John K McPHERSON  
 Mailing Address: 1433 P.V. BLVD  
P.V. Beach, FL 32082  
 Agent Name: SCOTT RAE  
 Mailing Address: 212 BOATING CLUB RD  
ST. AUGUSTINE, FL 32084  
 Landowner Name: PFEL SCHNEIDER, MARIANNE ETAL  
 Mailing Address: 5090 Richmond AVE #128  
HOUSTON, TX 77056

### PLANNING & DEVELOPMENT

Telephone: 404-569-9934  
 E-Mail: McPHERSON\_S@comcast.net  
 Telephone: 727-983-2422  
 E-Mail: RUTRAE@GMAIL.COM  
 Telephone: \_\_\_\_\_  
 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

RE: 181537-0000

Street address of property and/or Real Estate Number: 3315 1ST STREET SOUTH JAX BCH  
 Legal description of property (Attach copy of deed): Lot 5 Block 5, Atlantic Shores, Oceanfront Sec  
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). RENOVATE ADDITION TO EXISTING SFR.; PROPOSE 45% LOT COVERAGE & REDUCED SIDE & FRONT YARD SETBACKS. PER ATTACHED SITE PLAN

Applicant's Signature: [Signature]Date of Application: 12-5-17

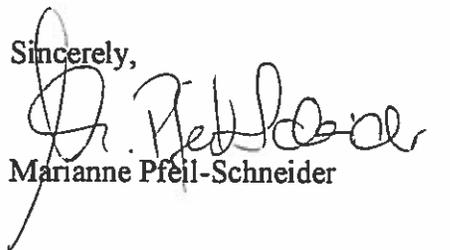
THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 34-336(c)(1) C-1. for front yard setback of 14-5', in lieu of 25' required;  
(c)(2) for a unretarded side yard of 8', and a setback side yard of 4-3', each in lieu of 10' required;  
(c)(1) for 45% lot coverage, in lieu of 35% maximum to allow renovations and  
additions to an existing single family dwelling.

Jacksonville Beach Planning and Development Department  
City Hall, First Floor  
11 N. Third Street  
Jacksonville Beach, FL 32250

To the Jacksonville Beach Planning and Development Department,

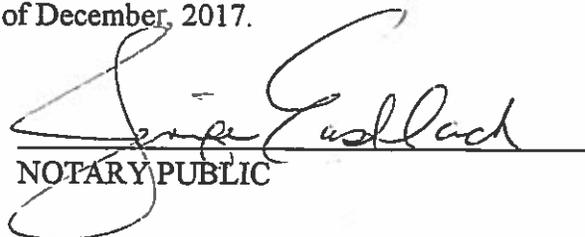
My name is Marianne Pfeil-Schneider, and I am the owner of 3315 1<sup>st</sup> Street South, Jacksonville Beach, FL 32250. This letter serves to notify the Planning and Development Department for the City of Jacksonville Beach that I authorize Mr. John McPherson of DSM Renovations to speak on my behalf to the Board of Adjustment as the applicant for the variance request concerning my property.

Sincerely,  
  
Marianne Pfeil-Schneider

STATE OF Texas  
COUNTY OF HARRIS

The foregoing letter was acknowledged before me this 7<sup>th</sup> day of December, 2017, by Marianne Schneider, individually, who is personally know to me or who produced a driver's license as identification.

WITNESS my hand and seal this 7<sup>th</sup> day of December, 2017.

  
NOTARY PUBLIC

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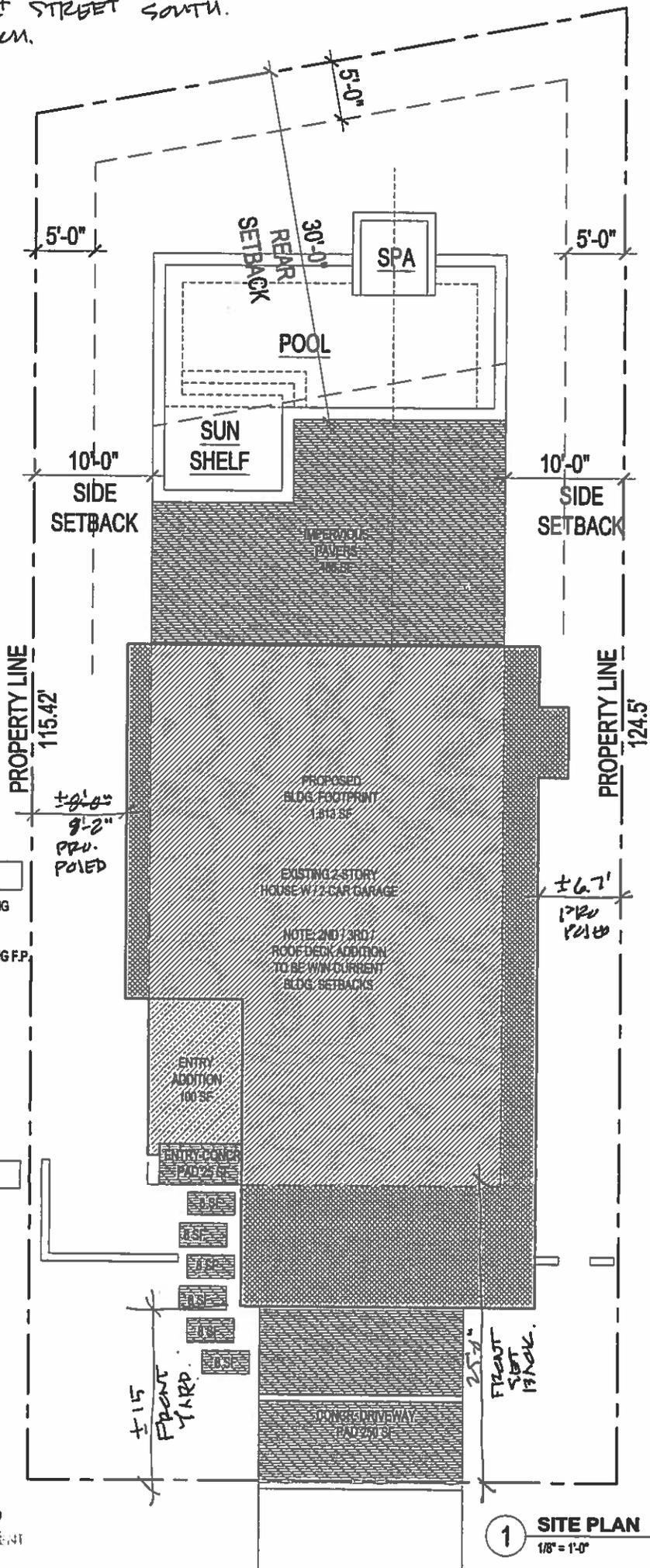
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PLANNING & DEVELOPMENT





3315 1st STREET SOUTH.  
JAX BEACH.



**LEGEND:**

- EXISTING BUILDING FOOTPRINT
- EXISTING BUILDING F.P. ENCROACHMENT
- PROPOSED ENTRY ADDITION
- IMPERVIOUS HARDSCAPE

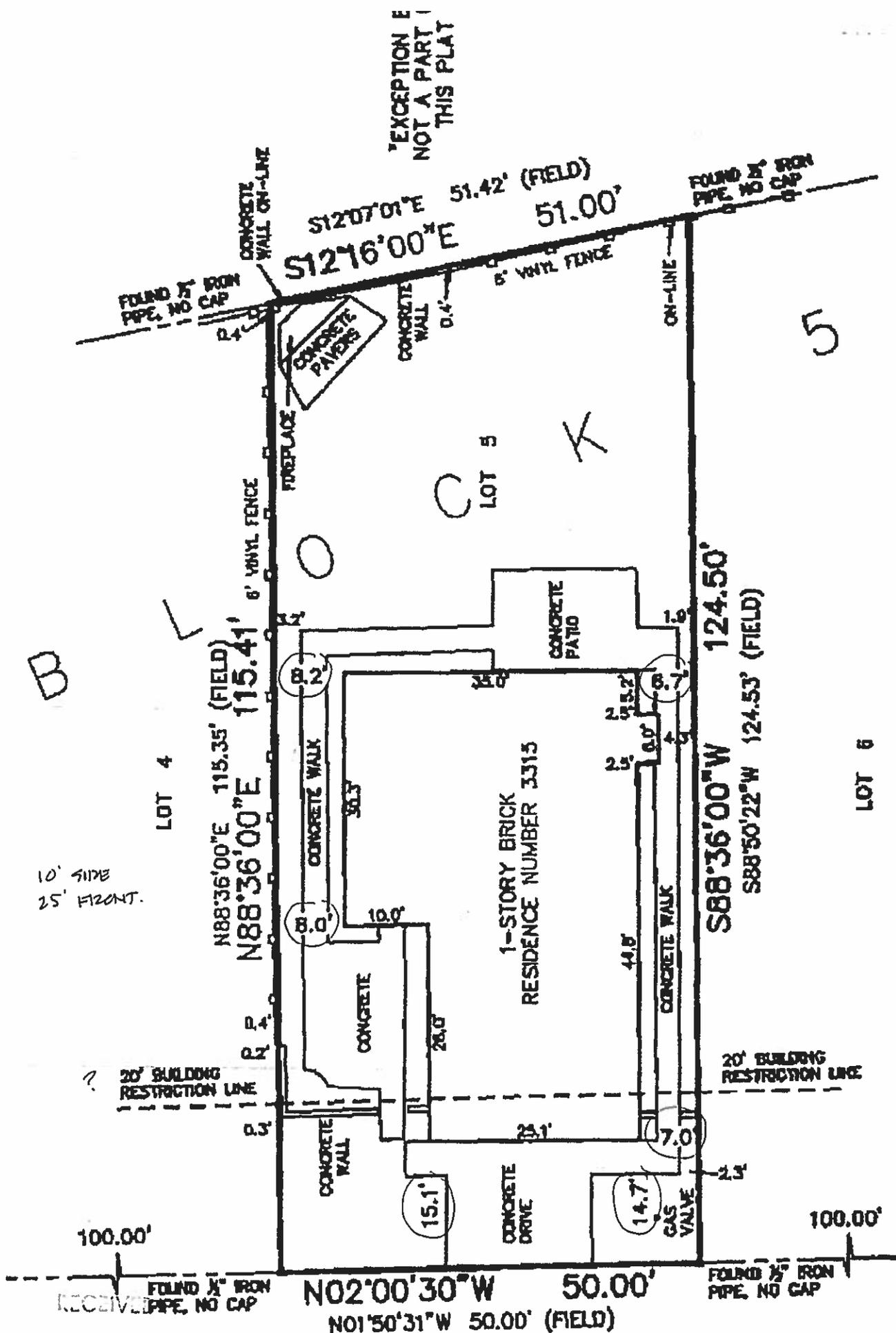
**LOT COVERAGE:**

LOT SF	5,996 SF
35% ALLOWABLE	2,099 SF
45% PROPOSED	2,699 SF
PROPOSED BLDG. FOOTPRINT	1,813 SF
IMPERVIOUS HARDSCAPE	809 SF
TOTAL IMPERVIOUS PROPOSED	2,622 SF

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17-100229  
PLANNING & DEVELOPMENT





DFC - 5 2017  
17-100229  
PLANNING & DEVELOPMENT

FIRST STREET

50' RIGHT OF WAY