



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, July 17, 2018

7:00 PM

Council Chambers

MEMORANDUM TO:

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

Board Members:

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

CALL TO ORDER

ROLL CALL

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

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES May 1, 2018 and May 15, 2018

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

- a. Case Number: BOA 18-100101**
Applicant: Double D Construction, LLC
Owner: Mark Darr
Agent: John Denneen
Property Address: 450 Lower 8th Avenue South
Parcel ID: 176396-0000
Current Zoning: RS-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.3**, for a rear yard setback of 15 feet, in lieu of 30 feet required; and for 34-337(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family home, for property legally described as *Lot 10, Block 4, Oceanside Park*.

Miscellaneous Info: No previous variance requests.

Notes:

- b. Case Number: BOA 18-100102**
Applicant: Double D Construction, LLC
Owner: Mark Darr
Agent: John Denneen
Property Address: 450 Lower 8th Avenue South
Parcel ID: 176396-0000
Current Zoning: RS-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.3**, for a rear yard setback of 15 feet, in lieu of 30 feet required; and for 34-337(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, for property legally described as *Lot 9, Block 4, Oceanside Park*.

Miscellaneous Info: No previous variance requests.

Notes:

c. Case Number: BOA 18-100115

Applicant/Owner: Rick K. Harrison, DMD and Michelle S. Harrison

Property Address: 223 South 11th Avenue

Parcel ID: 176163-0000

Current Zoning: C-1 to RM-1 Standards

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-339(e)(4)h.**, for a 0 foot sidewalk setback for the interior units and 1.5 feet sidewalk setbacks for the exterior units, each in lieu of 5 feet required; and 34-373 for a 2 foot parking area setback for the interior units, in lieu of 5 feet required; to allow construction of a new four-unit townhome development, for property legally described as *Lots 9, 10, Block 103, Pablo Beach South*.

Miscellaneous Info: One previous concept plat requests.

Notes:

d. Case Number: BOA 18-100117

Applicant: John Morrissey

Owner: Robert Schoenborn

Property Address: 815 North 2nd Avenue

Parcel ID: 174062-0000

Current Zoning: RS-2

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.**, for a rear yard setback of 22 feet, in lieu of 30 feet required for a covered pool deck; and for 34-337(e)(1)e., for 46% lot coverage, in lieu of 35% maximum; to allow for construction of a new single-family dwelling, on a current vacant lot, for property legally described as *the East 50 feet of Lot 6, Block 39, Pablo Beach North*.

Miscellaneous Info: Two previous variance requests (BOA# 18-100047, and BOA# 18-100067).

Notes:

PLANNING DEPARTMENT REPORT The next scheduled meeting is **Tuesday, August 7, 2018.**

There are seven (7) scheduled cases.

ADJOURNMENT**NOTICE**

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, extension 10, no later than one business day before the meeting.

**Minutes of Board of Adjustment Meeting
held Tuesday, May 1, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Vice-Chairman Jeff Truhlar called the meeting to order.

ROLL CALL

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

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

Ex-parte Communications

Mr. Truhlar had none.

Ex-parte communications were reported by Mr. Moreland, who spoke to Ms. Susan Mullany about the hearing procedures, and had several conversations with Mr. Bob Angelieri, regarding his application BOA# 18-100051.

Mr. Cummings stated he spoke to Mr. and Mrs. Smith explaining the hearing process, and recommended they attend other meetings to become familiar with speaking to the Board.

Mr. Reddington had none.

Mr. Snyder had none.

Approval of Minutes

It was moved by Mr. Moreland, seconded by Mr. Cummings, but he first said there is one correction, Mr. Reddington has moved from the 1st Alternate position to a regular Board Member, at the previous meeting, and passed unanimously, to approve the following minutes.

- April 17, 2018

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) **Case Number: BOA 18-100018**

Name of Applicant: Richard M. and Vivian M. Smith

Property Address: 1924 North 1st Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(1)c.2, for side yard setbacks of 6 feet each, in lieu of 10 feet required; for 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 54.2% lot coverage, in lieu of 35% maximum; 34-337(d), for a 0 feet parking area setback, in lieu of 5 feet required; 34-337(f), for a gravel parking area, in lieu of concrete or asphalt paving; to allow construction of a two-family dwelling, for property legally described as the South 31.00 feet of the East 85.00 feet of Lot 2, and the North 25.00 feet of the East 85.00 feet of Lot 3, Block 192, *Ocean Villa*.

Applicant: Richard and Vivian Smith, 1924 North 1st Street, Jacksonville Beach, FL 32250

Mr. Smith explained their hardship is the lot is very small at 56 x 85 and non-conforming. The existing home is a triplex, built in 1934, below grade, which causes flooding with hard rains. The dwelling has also sustained damage from last year's hurricanes. They would like to demolish the current structure and rebuild a duplex in its place. Mr. Moreland asked if the request is the least they can do for their plans. Mr. Smith said they could, and appreciated any guidance the board could offer. Mr. Moreland stated that the Council does not approve of 50% lot coverage or over. A discussion continued about the parking, elevation, and lot coverage.

Public Hearing:

The following person(s) were in favor of the request:

- Franko Turci, 1908 North 1st Street, Jacksonville Beach, FL 32250
- Luca Turci, 1910 North 1st Street, Jacksonville Beach, FL 32250
- Frank Marrero, 1916 North 1st Street, Jacksonville Beach, FL 32250

Mr. Smith submitted letters from the following neighbors, in support of their application:

- Eric and Jane Harris, 116 North 19th Avenue, Jacksonville Beach, FL 32250
- Roy ViTeri, 1916 North 1st Street, Jacksonville Beach, FL 32250
- Scott and Kriste Campbell, 103 North 19th Avenue, Jacksonville Beach, FL 32250
- Ron and Kaye Burnette, 603 North 19th Avenue, Jacksonville Beach, FL 32250
- Amy and Luca Turci, 225 Water Street, #710, Jacksonville, FL 32202
- Lyle F. Reimann, 91 North 19th Avenue, Jacksonville Beach, FL 32250
- Will Smith, awqwadoc@gmail.com

The following person(s) submitted a letter in opposition to the request:

- Shari Ferline, 1809 North 1st Street, #302, Jacksonville Beach, FL 32250

Mr. Smith responded to the opposing comments.

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 18-100018, as amended for 49.9% lot coverage, in lieu of the 54.2% requested.

Roll Call Vote: Ayes – John Moreland, Scott Cummings, Jeff Truhlar, Francis Reddington, and Lucas Snyder.
The motion was approved, unanimously.

(B) Case Number: BOA 18-100050

Name of Applicant: William Cowden

Property Address: 2919 Merrill Boulevard, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)g., for an accessory structure setback of 1 foot, in lieu of 5 feet required, for a paver walkway to ratify an existing non-conformity, for a single-family dwelling, for property legally described as Lot 7, Block 7, *Jacksonville Beach Heights*.

Agent: David Benjamin, SurfSide Pools, 313 Beach Blvd., Jacksonville Beach, FL 32250

Mr. Benjamin explained his hardship is a sidewalk in the side yard setback. He said when they applied for the previous variance; the homeowner had an older survey, not showing the walkway. After constructing the pool and submitting the new as-built survey, the walkway was noted in the side yard setback. A second variance was required to have the existing walkway approved, which is there for his wife's wheelchair. The walkway is the only way to get her and the wheelchair to the Florida room and the pool.

Public Hearing:

No one came forward to speak about the case.

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings, to approve BOA# 18-100050.

Roll Call Vote: Ayes - Scott Cummings, Jeff Truhlar, Francis Reddington, Lucas Snyder, and John Moreland.
The motion was approved, unanimously.

(C) Case Number: BOA 18-100051

Name of Applicant: Robert Angelieri and Christine Benner

Property Address: 175 South 21st Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front yard setback of 15 feet, in lieu of 20 feet required; 34-338(e)(1)c.2, for a corner side yard setback of 6 feet, in lieu of 10 feet required; and total side yards of 11 feet, in lieu of 15 feet required; 34-338(e)(1)c.3, for a rear yard setback of 10.17 feet in lieu of 30 feet required; 34-338(e)(1)e., for 50.2% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, for property legally described as Lot 3, except the Easterly 5 feet thereof and all of Lot 6, Block BB, *Permenter's Replat of South Pablo or Atlantic Camp Grounds*.

Agent: Michael O'Neal, Payne Roberts, LLC 3721 DuPont Station Court South, Jacksonville, FL 32217

Mr. Angelieri explained the lot is substandard, and with the current RS-3 requirements and setbacks, they would not be able to meet the minimum square footage required by code. He

explained the five-foot exclusion that was done in 1931, to widen the street. He said he was not sure it was ever done, but this also makes the variance necessary. Mr. Angelieri distributed signatures of those in support of the application, a copy of the warranty deed showing the five-foot for the street widening, and photos of open cell pavers, to the board members [*On file*]. Mr. O'Neal explained the hardship of the five-foot exclusion, in detail. A discussion ensued regarding the square footage of the proposed structure and lot coverage.

Public Hearing:

No one came forward to speak about the case.

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings, to approve BOA# 18-100051, as amended, for 49.9% lot coverage, in lieu of 50.2% lot coverage requested.

Roll Call Vote: Ayes – Jeff Truhlar, Francis Reddington, Lucas Snyder, John Moreland and Scott Cummings.
The motion was approved, unanimously.

(D) Case Number: BOA 18-100055

Name of Applicant: Crescent 17, LLC

Property Address: 216 South 1st Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front yard setback of 14 feet, in lieu of 20 feet required; 34-338(e)(1)c.3, for a rear yard setback of 6.2 feet, in lieu of 30 feet required; 34-338(e)(1)e., for lot coverage of 46%, in lieu of 35% maximum; 34-338(e)(1)g., for an accessory structure setback of 0 feet, in lieu of 5 feet required for patios and walkways; for 34-373, to allow a non-paved driveway, to rectify existing non-conformities for property legally described as the South 40 feet of Lot 1, Block 22, *Pablo Beach South*.

Agent: Scott Gay, 814 North 1st Street, #101, Jacksonville Beach, FL 32250

Mr. Gay explained the property is a single-family home in RM-2 zoning. A conditional use application was recently granted to keep it as a single-family home. His hardship is the house was built before the Land Development Code was in place, and the variance is to make the existing home a legal, nonconforming structure. He said his intent is to use the existing slab, demolish the structure and rebuild new.

Public Hearing:

The following person(s) were in favor of the request:

- Larry Rice, 12 Ponte Vedra Circle, Ponte Vedra Beach, FL 32082

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings, to approve BOA# 18-100055.

Roll Call Vote: Ayes – Frances Reddington, Lucas Snyder, John Moreland, Scott Cummings and Jeff Truhlar.

The motion was approved, unanimously.

(E) Case Number: BOA 18-100057

Name of Applicant: Atkins Builders, Inc.

Property Address: 2016 North 1st Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(4)h., for an accessory structure setback of 1 foot, in lieu of 5 feet required; 34-373(d), for a parking area setback of 4 feet, in lieu of 5 feet minimum; for property legally described as Lot 1 and Lot 2, Block 202, *together with the West half of a closed alley, Ordinance No. 5386, (as Currently Monumented & Possessed) Ocean Villa Replat.*

Agent: John Atkins, 286 South 1st Street, Jacksonville Beach, FL 32250

Mr. Atkins said his hardship is that the literal enforcement of the Land Development Code results in undue and unnecessary hardship. He is working with the owners to develop the property in an RM-2 zoning area that would allow up to eleven dwellings and noted they are only planning four, at this location. Mr. Atkins further explained the zoning requirements allow a building to be on the property line, but sidewalks and driveways must be five feet off the property line. The two, three-foot interior sidewalks are all they are asking for, to the property line. A discussion ensued regarding setbacks and lot coverages.

Public Hearing:

The following person(s) spoke in favor of the request.

- Farley Grainger, 102 A. Philip Randolph Boulevard, Jacksonville, FL 32202
- Mr. Russ Jordack, 177 San Juan Drive, Ponte Vedra Beach, FL 32082

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Cummings, seconded by Mr. Moreland to approve BOA# 18-100057 as written, discussed and shown.

Roll Call Vote: Ayes – Lucas Snyder, John Moreland, Scott Cummings, Jeff Truhlar, and Francis Reddington

The motion was approved.

(F) Case Number: BOA 18-100058

Name of Applicant: Lisa Karr, 2663 Merrill Boulevard, Jacksonville Beach, FL 32250

Property Address: 2663 Merrill Boulevard, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 50% lot coverage, in lieu of 35% maximum; to add a pool and patio to an existing single-family home; for property legally described as Lot 6, Block 4, *Jacksonville Beach Heights.*

Agent: Stella Knieriemen, Pools by Stella, 860 Bonita Road, Atlantic Beach, FL 32233

Ms. Knieriemen explained the hardship is the lot is undersized at 6,000 square feet and the minimum requirement is 7,500 square feet. The pool is a lap pool, coping only, with paver step stones. A discussion ensued about pervious and impervious surfaces and lot coverage.

Public Hearing:

No one came forward to speak about the case.

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Reddington and seconded by Mr. Moreland, to approve BOA# 18-100058 for 49% lot coverage, in lieu of 50% lot coverage requested, to add a pool and patio to an existing single-family home.

Roll Call Vote: Ayes – John Moreland, Scott Cummings, Jeff Truhlar, Francis Reddington, and Lucas Snyder.
The motion was approved, unanimously.

(G) **Case Number: BOA 18-100059**

Name of Applicant: Travis A. Smith

Property Address: 2009 Waterway Island Lane, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.3, for a rear yard setback of 10 feet, in lieu of 30 feet required; and 34-336(e)(1)e., for 42% lot coverage, in lieu of 35% maximum; for construction of a new single-family home; for property legally described as *Lot 8, Preserve at Waterway Island*.

Mr. Smith explained his hardship is for a setback for his driveway to go around a large tree they want to preserve. He said the lot is irregularly shaped, and with a very long driveway, bringing it to an additional 13% more toward lot coverage. He stated everything, including the pool, is within the requested lot coverage of 42%. A discussion ensued on lot coverage and setbacks.

Public Hearing:

The following person(s) were in favor of the request:

- Nathan Hayes, 2001 Waterway Island Lane, Jacksonville Beach, FL 32250

The following person(s) might be in opposition to the request, stating they were there to learn the meeting process:

- Rick M. Shelby, HOA President, 2017 Waterway Island Lane, Jacksonville Beach, FL 32250
- Ty Gordon, 2040 Waterway Island Lane, Jacksonville Beach, FL 32250

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Cummings and seconded by Mr. Moreland, to approve BOA# 18-100059 as written, and discussed.

Roll Call Vote: Ayes – Scott Cummings, Jeff Truhlar, Lucas Snyder, and John Moreland
Nays - Francis Reddington
The motion was approved, with a 4 to 1 vote.

Adjournment

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

Submitted by: Cathy Martinich
Permit Specialist

Approval:

Chairperson

Date

**Minutes of Board of Adjustment Meeting
held Tuesday, May 15, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Sylvia Osewalt called the meeting to order.

ROLL CALL

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

Also in attendance was Bill Mann, Director, Planning and Development, George Knight, Building Official, and Cathy Martinich, Permit Specialist.

Ex-parte Communications: None

Approval of Minutes: None

CORRESPONDENCE:

The Board received one email from Mr. John Morrissey, regarding 815 North 2nd Avenue, requesting to withdraw his application.

OLD BUSINESS: None

NEW BUSINESS:

(A) **Case Number: BOA 18-100060**

Name of Applicant: William A. MacQueen

Property Address: 3906 Palm Way, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 42% lot coverage, in lieu of 35% maximum; to allow a paver patio addition to an existing single-family dwelling, for property legally described as *Lot 9, Block 14, Ocean Terrace*.

Mr. MacQueen said he has a substandard lot, and is requesting pavers around the pool. He said he wanted to be sure that the Board approved the pavers, before the installation began.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Mr. Cummings questioned building permits with variance applications.

Motion: It was moved by Mr. Reddington and seconded by Mr. Cummings, to approve BOA#18-100060, as read and presented.

Roll Call Vote: Ayes – Sylvia Osewalt, Scott Cummings, Jeff Truhlar, Francis Reddington, and Lucas Snyder.

The motion was approved, unanimously.

(B) Case Number: BOA 18-100066

Name of Applicant: Tye and Catherine Wallace

Property Address: 709 North, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)d., for no garage or carport, in lieu of one garage or carport required; and 34-337(e)(1)e., for 47% lot coverage, in lieu of 35% maximum; to allow substantial improvements to an existing single-family dwelling, for property legally described *as the West 40 feet of Lot 8, and the East 20 feet of Lot 9, Block 58, Pablo Beach improvement Company Replat of Part of the Northern Portion of Pablo Beach.*

Mr. Wallace explained his hardship is that the lot is small, with a 60-foot frontage, a narrow, long lot. He explained his current lot coverage is 45%, and with the updates planned, it would be at the requested 47% lot coverage. Mr. Wallace said that he has spoken to his neighbors are in support of his plans. A discussion of lot coverage and setbacks continued.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Bill Mann, Planning Director, explained to the Board that if they approved the application for 44%, the building department would make sure it stays at that percentage.

Motion: Mr. Truhlar, seconded by Mr. Reddington, to approve BOA # 18-100066, for no garage or carport, in lieu of one garage or carport.

Roll Call Vote: Ayes – Scott Cummings, Jeff Truhlar, Francis Reddington, Lucas Snyder
Nays – Sylvia Osewalt

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

(C) Case Number: BOA 18-100068

Name of Applicant: Thomas R. Bledsoe

Property Address: 4096 Ponte Vedra Boulevard, Jacksonville Beach, FL 32250

Agent: Bryan Green, 3810 Tropical Terrace, Jacksonville, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front 34-337(f), for a gravel driveway, in lieu of paved, to make improvements to an existing single-family dwelling, for property legally described as *Lot 15, Block D10, Ponte Vedra Unit 2.*

Mr. Green explained that they are requesting a gravel driveway in lieu of the current concrete. He said the present lot coverage is 31%, and by using an alternate material, the lot coverage is decreased by 1621 square feet, bringing the lot coverage to 25%, total. Mr. Mann explained the request is only to ask relief of the paved access, and parking requirement, in front of the garage.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Mr. Cummings discussed with Mr. Green why the owner wanted gravel in lieu of the concrete.

Motion: It was moved by Mr. Reddington and seconded by Mr. Snyder, to approve BOA#18-100068, as read and submitted.

Roll Call Vote: Ayes – Jeff Truhlar, Francis Reddington, Lucas Snyder, Scott Cummings
Nays – Sylvia Osewalt
The motion was approved, with a 4 to 1 vote.

(D) **Case Number: BOA 18-100069**

Name of Applicant: Jason Hanna

Property Address: 3256 Horn Court, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 44% lot coverage, in lieu of 35% maximum, to allow for construction of a new single-family dwelling for property legally described as *Lot 9, Block 13, Jacksonville Beach Heights*.

Mr. Hanna said his lot is nonconforming, and he wants to build a house as the others in the surrounding area. Mr. Hanna stated he has no interest in a pool, now or in the future.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Snyder and seconded by Mr. Cummings, to approve BOA# 18-100069.

Roll Call Vote: Ayes – Frances Reddington, Lucas Snyder, Sylvia Osewalt, Scott Cummings, and Jeff Truhlar.
The motion was approved, unanimously.

(E) **Case Number: BOA 18-100070**

Name of Applicant: SH Design, LLC, 803 South 3rd Street, Jacksonville Beach

Property Address: 3502 Isabella Boulevard, Jacksonville Beach

Agent: Stephen Williams, 3731 Duval Drive, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)(e), for 42% lot coverage, in lieu of 35% maximum; to allow for construction of a new single-family dwelling for property located at 3502 Isabella Boulevard, legally described as *Lot 22, Block 9, Ocean View Highlands*.

Mr. Williams said the hardship is the lot size is inadequate for the zoning, and that the only request is for lot coverage and no setbacks.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Cummings, seconded by Mr. Reddington, to approve BOA# 18-100070, as written and discussed.

Roll Call Vote: Ayes – Lucas Snyder, Sylvia Osewalt, Scott Cummings, Jeff Truhlar, and Francis Reddington.
The motion was approved, unanimously.

(F) **Case Number: BOA 18-100071**

Name of Applicant: James and Agelina Winter

Property Address: 2909 Madrid Street, Jacksonville Beach, FL 32250

Agent: Gary Carlee, SurfSide Pools, 313 Beach Boulevard, Jacksonville Beach, FL 32250
(not present)

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 50% lot coverage, in lieu of 35% maximum; and 34-336(e)(1)g., for an accessory structure setback of 3.5 feet, in lieu of 5 feet required; to allow for a pool and paver patio addition to an existing single-family dwelling, for property legally described as *the North 60 feet of Lots 24 and 25, Block 24, Replat, Unit No. 1, Atlantic Shores.*

Mr. Winter said the lot is small and he has spoken to the neighbors, who are all in favor of the application. Lot coverage and setbacks were discussed. Mr. Winter explained that the pool is currently under construction. Mr. Knight said the pool is permitted at five foot from the property line, and for coping only. A discussion of the setbacks and lot coverage continued.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: Mr. Cummings, seconded by Mr. Reddington moved that BOA# 18-100071 be approved, for 49.5% lot coverage, as discussed.

Roll Call Vote: Ayes – Sylvia Osewalt, Scott Cummings, Jeff Truhlar, Francis Reddington, and Lucas Snyder.

The motion was approved, unanimously.

(G) **Case Number: BOA 18-100081**

Appeal of the Planning and Development Director's Interpretation of Land Development Code Section(s) 34-373 and 34-392 as it applies generally to properties located in the City, and as it applies to the proposed development of a residential town house project on the **properties located** at 1224 and 1236 North 1st Avenue.

Susan Erdelyi explained the process to be followed for the appeal procedure to the Board Members.

Zach Miller, 501 Riverside Avenue, Jacksonville, FL 32207, attorney representing the Applicant/Owner for the appeal, gave a power point presentation supporting his case. A discussion continued about parking areas, sidewalks and driveways. Mr. Miller featured several photographs of townhomes that show the sidewalks and driveways, against the property line.

Mr. Michael Herzbergm AICP, 12483 Aladdin Road, Jacksonville, FL spoke as an expert witness detailing his interpretation of our zoning code and the City of Jacksonville's code.

Mr. Hertzbergm gave his credentials per the request of the Board, prior to giving his expert testimony. He explained parking rights, that they are necessary and with curbs and wheel stops. He discussed yards - parking spaces, carports and garages. He stated driveways are not defined term in our code, and not intended as a parking space. The Board Members asked about driveway parking and the designated parking spaces in a garage.

Mr. Miller added if these items in our projects were apartments or condominiums, there would be no internal property line and could be built without a variance. Ms. Osewalt pointed out that previously they were assured that two cars would fit in the garage with two more fitting easily in the driveway and were referred to as driveway parking spaces. She said this is conflicting information from what was presented.

Bill Mann, Director, Planning and Development, for the City of Jacksonville Beach, 11 North 3rd Street, Jacksonville Beach, FL 32250

Mr. Mann read his formal interpretation for the audience, to inform them of the previously given interpretation. (*On file*) He then explained in detail the fact that a one car garage counts as one parking space and the driveway area is the second parking space that meet the parking requirements. He said parking requirements are not specified in the code, which is why he is required to interpret the code. Parking stops or wheel stops that were shown are for landscaping only, as encroachment protection. Mr. Mann explained he would have to research the addresses given tonight as he was not reviewing the applications at that time.

Mr. Miller spoke in response to Mr. Mann's statements. He ended his comments by asking for consistency and to uphold their appeal.

Public Hearing:

The following people spoke in opposition of the appeal:

- James Sorrell, 1410 Penman Road, Jacksonville Beach
- Anna Marie Burke, 1235 North 1st Street, Jacksonville Beach
- Tony Komarek, 533 South 11th Avenue, Jacksonville Beach

Mrs. Erdelyi explained to the Board that they are to consider the interpretation, to realize the statements given by Mr. Michael Herzbergm AICP, are from the City of Jacksonville's Code, different than Jacksonville Beaches' and the decision is to be made on the photographs shown today, as evidence, are based on competent and substantial evidence. She cited into the record: "the agency is afforded wide discretion in its construction of the code, Florida Department of Education; V. Cooper, 858 Southern 2nd, 394, 1st DCA Case, and Republic Media Vs Department of Transportation (FDOT), State of Florida, 714 Southern 2nd 2103, 1989, 5th DCA Case, and an agency is afforded wide discretion in its construction of a statute that will not be turned over on appeal." Before modifying or rejecting the Planning Director's interpretation, make sure that decisions are based on competent and substantial evidence. She said the City is currently in litigation with BCEL5 and JWB and Federal Court.

A discussion between Board Members continued about the property line and a great deal of ambiguity.

Motion: It was moved by Mr. Cummings and seconded by Mr. Reddington, to approve the Planning Directors interpretation of the Land Development Code.

Roll Call Vote: Ayes – Scott Cummings, Jeff Truhlar, Francis Reddington, Lucas Snyder and Sylvia Osewalt.

The motion was approved, unanimously.

ADJOURNMENT

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 8:45 P.M.

Submitted by: Cathy Martinich
Permit Specialist

Approval:

Chairperson

Date



APPLICATION FOR VARIANCE

BOA No. 18-100101HEARING DATE 7-3-2018

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years that shows the location of all existing improvements.
2. To scale survey, plot plan or site plan showing all existing and proposed additions and/or improvements, including actual dimensions and lot coverage calculations (on 11"x17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of \$250.00 (due at the time of application submittal).
6. Completed application.

RECEIVED

MAY 23 2018

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: DOUBLE D CONSTRUCTION LLC Telephone: (904) 607-2090
 Mailing Address: 99 S ROSCOE Blvd PVB 32082 E-Mail: MARK@AOL.COM

Agent Name: John DENNIEU Telephone: (904) 237 4598
 Mailing Address: 1254 NECK RD PVB 32082 E-Mail: John@DENNIEU CONSTRUCTION .com

Landowner Name: MARK DARR Telephone: (904) 607 2090
 Mailing Address: 99 S ROSCOE Blvd PVB 32082 E-Mail: MARK@AOL.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

176396-0000

VARIANCE DATA

Street address of property AND Real Estate Number: 450 LOWER 8th AVES
 Legal description of property (Attach copy of deed): LOT 10 BLOCK 4 OCEANSIDE PARK
 Justification for Variance: (State the hardship that is created by the application of the code to the property), (Attach a separate sheet if necessary). HARDSHIP IS THE SUBJECT LOT IS NON CONFORMING BEING 5,000 SF WHICH A CONFORMING IS 7,500 SF, THE APPLICANT REQUEST A FRONT YARD OF 20' IN LIEU OF 25' A SIDE YARD OF 7.5' IN LIEU OF 10' AND A REAR YARD OF 15' IN LIEU OF 30'. A LOT COVERAGE OF 44.84% IN LIEU OF 35%

AFFIDAVIT

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

APPLICANT SIGNATURE

Mark Darr

PRINT APPLICANT NAME

5/23/18

DATE

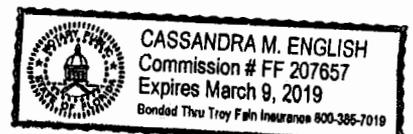
STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 23 day of May, 2018 by Mark Darr, who is personally known to me or has produced Valid FL ID as identification.

NOTARY PUBLIC SIGNATURE

Cassandra M. English

PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X
 CODE SECTION (S): Section 34-337(e)(1)C.3. for a rear yard setback of 15' >= 30' required, and (e)(1)e. for 45% lot coverage >= 35% maximum to allow construction of a new single family home.

Variance Authorization

I, Mark Darr, do appoint John Denneen 1254 Neck Rd. Ponte Vedra Beach, FL 32082 to represent Double D Construction, LLC in the request for variances for:

Lot 9 Block 4 Oceanside
Lot 10 Bock 4 Oceanside

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MAY 22 2018

18-100101

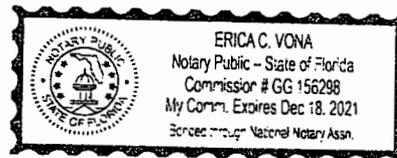
PLANNING & DEVELOPMENT



Mark Darr



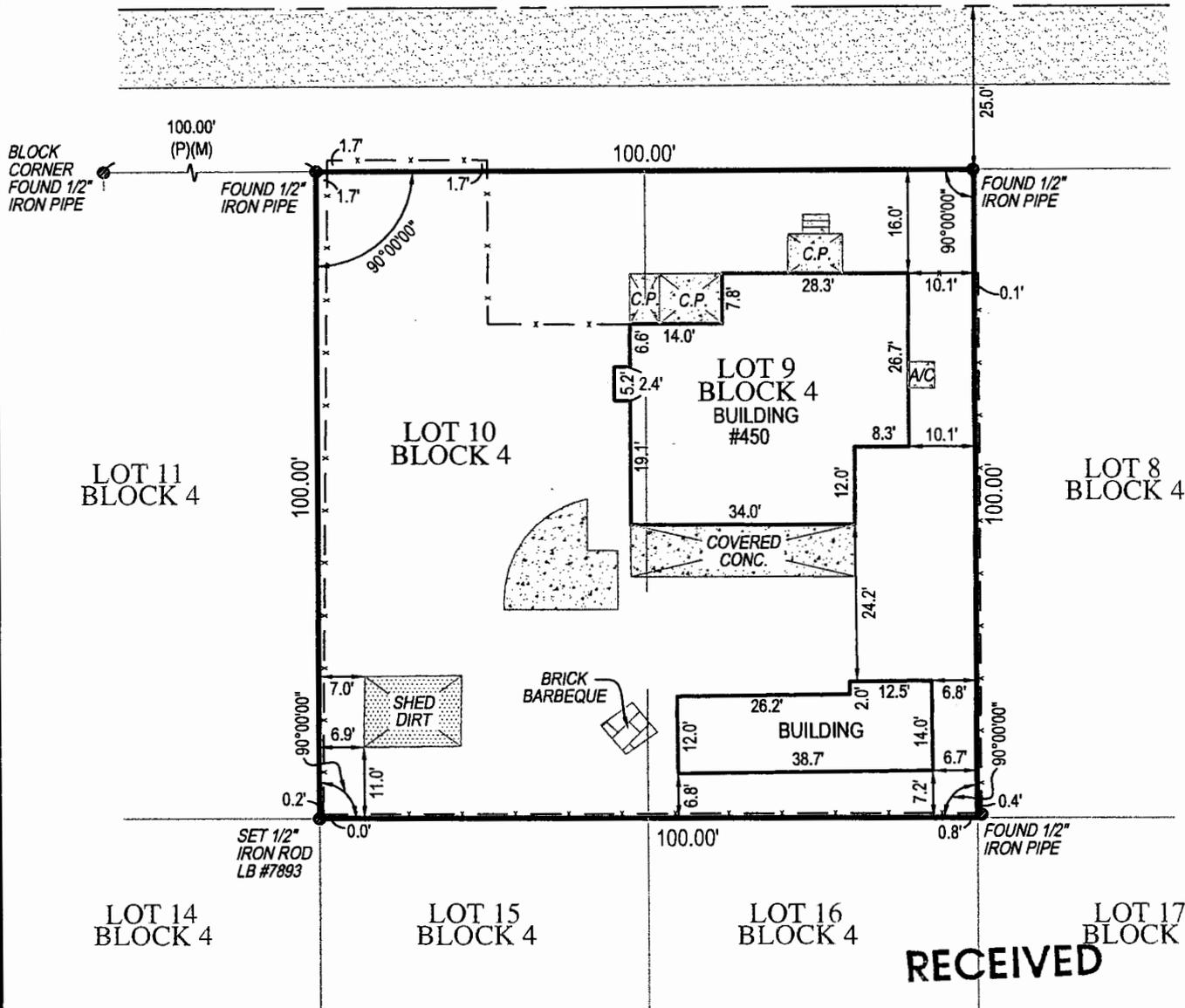
Notary



Existing way

BOUNDARY SURVEY

LOWER 8th AVENUE S
50' R/W (IMPROVED)



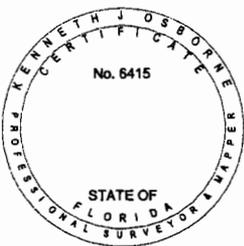
SCALE
1"=25'

SURVEY NOTES
THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY.

MAY 22 2018

18-100101

PLANNING & DEVELOPMENT



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne
Digitally signed by
Kenneth J. Osborne
Date: 2018.04.17
13:33:35 -04'00'

(SIGNED)
Kenneth J. Osborne
KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)

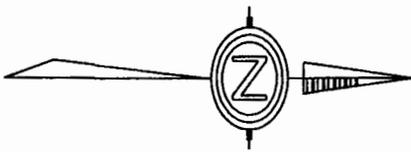
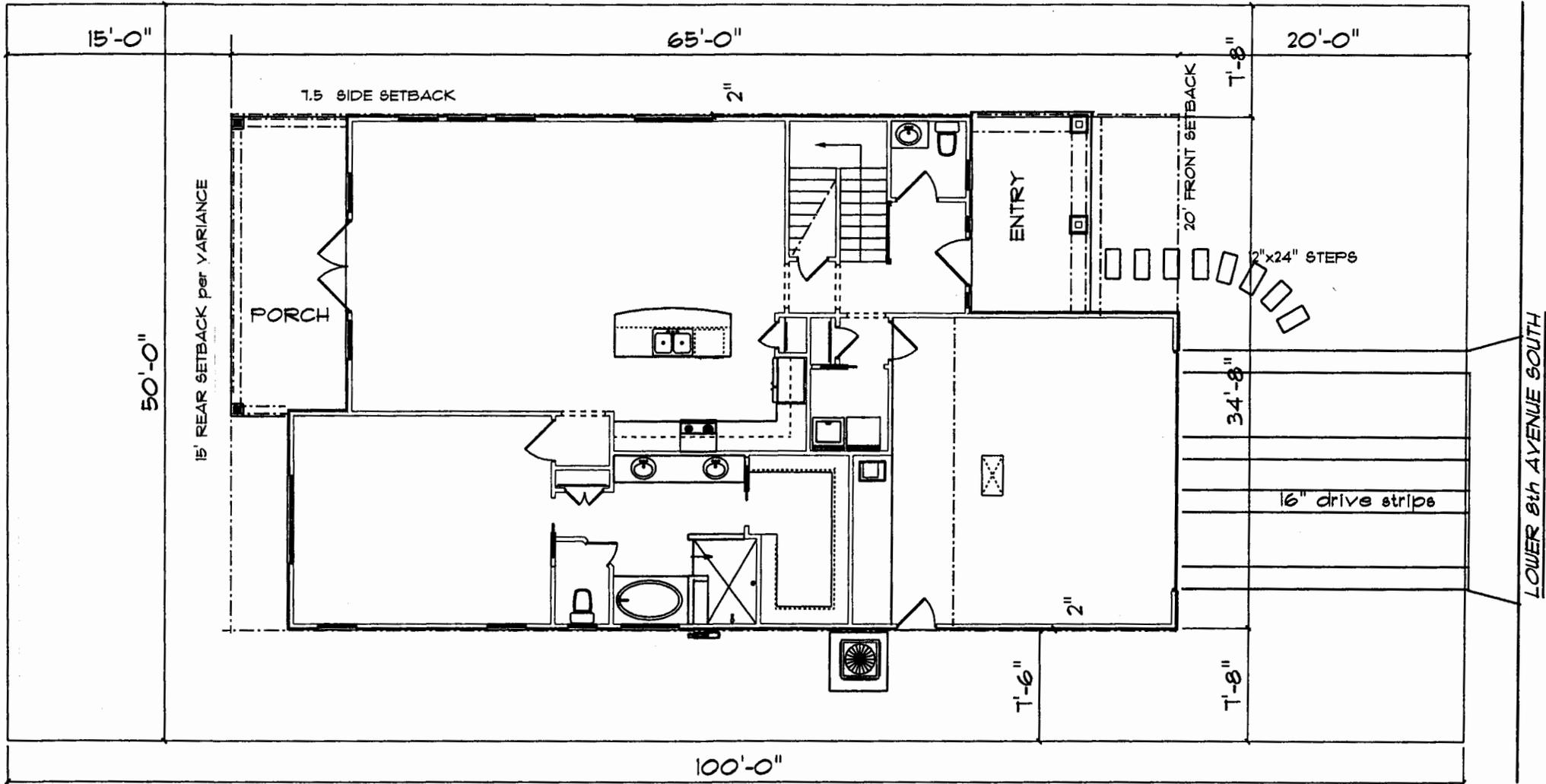


TARGET
SURVEYING, LLC

LB #7893

SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 228-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

Proposed



PLANNING & DEVELOPMENT

18-100101

MAY 22 2018

RECEIVED

LOT COVERAGE:	
SITE SQUARE FOOTAGE:	5,000 SF
HOUSE FOOTPRINT:	2,104 SF
DRIVEWAY/WALKS:	122 SF
A/C PAD:	16 SF
TOTAL COVERAGE:	2,242 SF
COVERAGE RATIO:	44.84 %

SITE PLAN

SCALE: 1" = 10'-0"

Proposed Residence
 DENNEEN CONSTRUCTION, Inc.
 Lot 10/Block 4
 Jacksonville Beach, Florida

LOWER 8th AVENUE SOUTH



APPLICATION FOR VARIANCE

BOA No. 18-100102HEARING DATE 7-3-2018

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years that shows the location of all existing improvements.
2. To scale survey, plot plan or site plan showing all existing and proposed additions and/or improvements, including actual dimensions and lot coverage calculations (on 11"x17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
6. Completed application.

RECEIVED

MAY 23 2018

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: DOUBLE D CONSTRUCTION LLC Telephone: (904) 607-2090
 Mailing Address: 99 S ROSCOE BLVD PUB 32082 E-Mail: MARK@AOL.COM

Agent Name: JOHN DENNEEN Telephone: (904) 237 4598
 Mailing Address: 1254 NECK RD PUB 32082 E-Mail: John@DENNEENCONSTRUCTION.COM

Landowner Name: MARK DARR Telephone: (904) 607 2090
 Mailing Address: 99 S ROSCOE BLVD PUB 32082 E-Mail: MARK@AOL.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

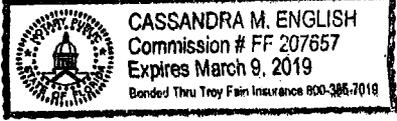
Street address of property AND Real Estate Number: 450 LOWER 8th AVE S
 Legal description of property (Attach copy of deed): LOT 9 BLOCK 4 OCEANSIDE PARK
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). HARD SHIP IS THE SUBJECT LOT IS NOW CONFORMING BEING 5,000 SF WHERE CONFORMING IS 7,500 SF. APPLICANT IS REQUESTING A 20' FRONT SET BACK IN LIEU OF 25' AND SIDE YARD OF 7.5' IN LIEU OF 10' AND A REAR SET BACK OF 15' IN LIEU OF 30 WITH A 44.84% LOT COVERAGE IN LIEU OF 35%

AFFIDAVIT

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

[Signature] APPLICANT SIGNATURE Mark Darr PRINT APPLICANT NAME 5/23/18 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:
Sworn to and signed before me this 23 day of May, 2018 by Mark Darr, who is personally known to me or has produced Valid FL DL as identification.

[Signature] NOTARY PUBLIC SIGNATURE Cassandra M. English PRINT NOTARY NAME 

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

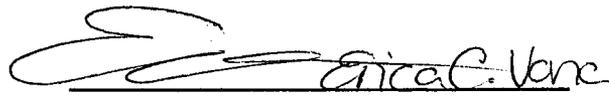
CODE SECTION (S): Section 34-337 (c)(1) 6.3 for a rear yard setback of 15' ± to 30' and (e)(1) e. for 45% lot coverage ± to 35% maximum to allow construction of a new single family dwelling

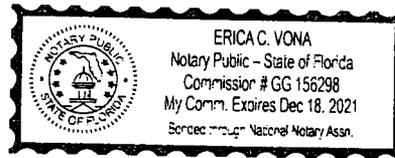
Variance Authorization

I, Mark Darr, do appoint John Denneen 1254 Neck Rd. Ponte Vedra Beach, FL 32082 to represent Double D Construction, LLC in the request for variances for:

Lot 9 Block 4 Oceanside
Lot 10 Bock 4 Oceanside



Mark Darr

Notary

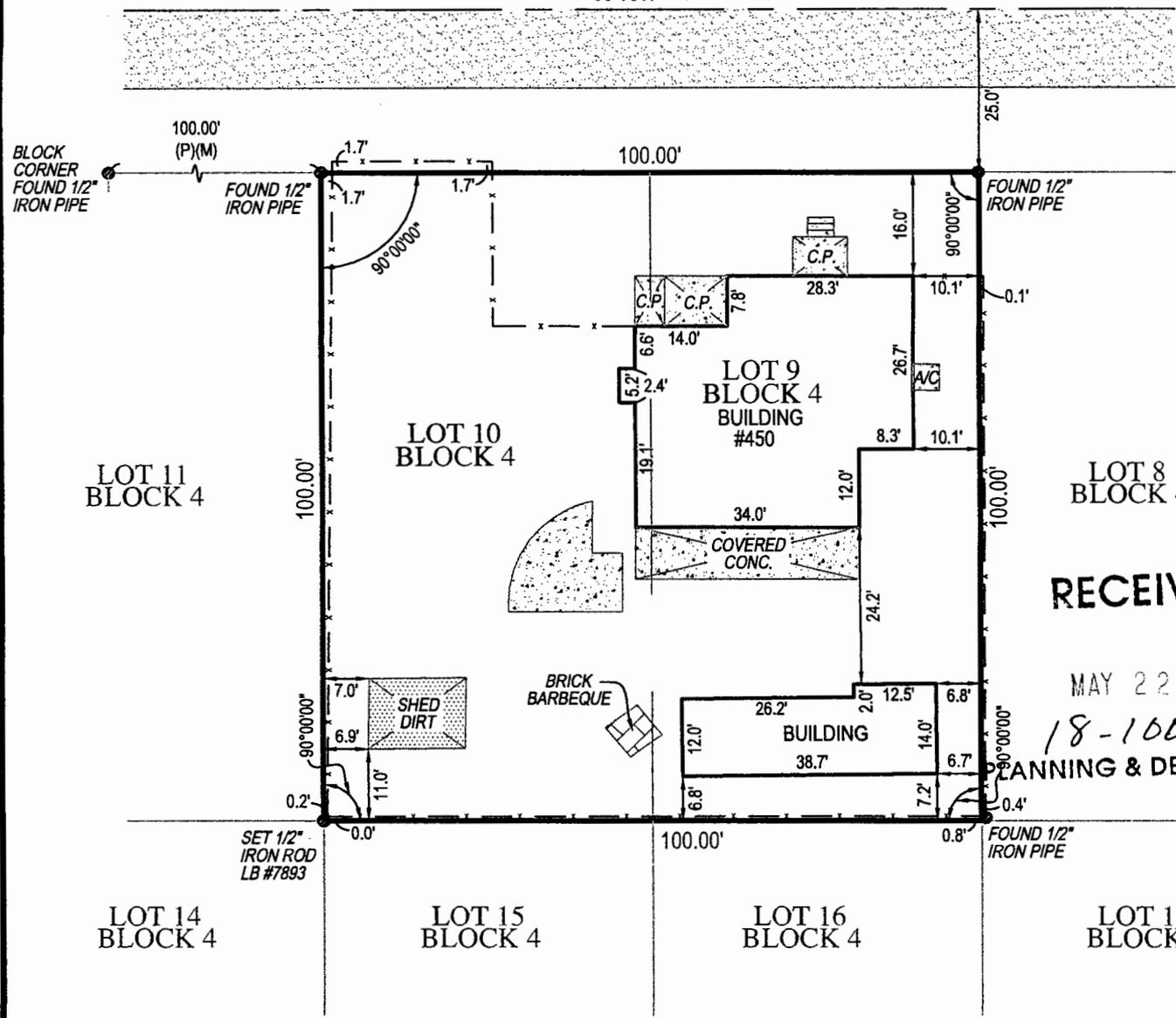
RECEIVED

MAY 22 2018
18-100102
PLANNING & DEVELOPMENT

Existing

BOUNDARY SURVEY

LOWER 8th AVENUE S
50' R/W (IMPROVED)



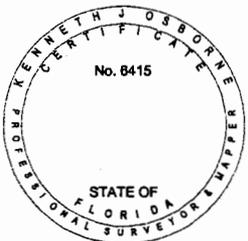
RECEIVED

MAY 22 2018

18-100102

PLANNING & DEVELOPMENT

SURVEY NOTES
THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY.



SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne
(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

Digitally signed by
Kenneth J. Osborne
Date: 2018.04.17
13:33:35 -04'00'

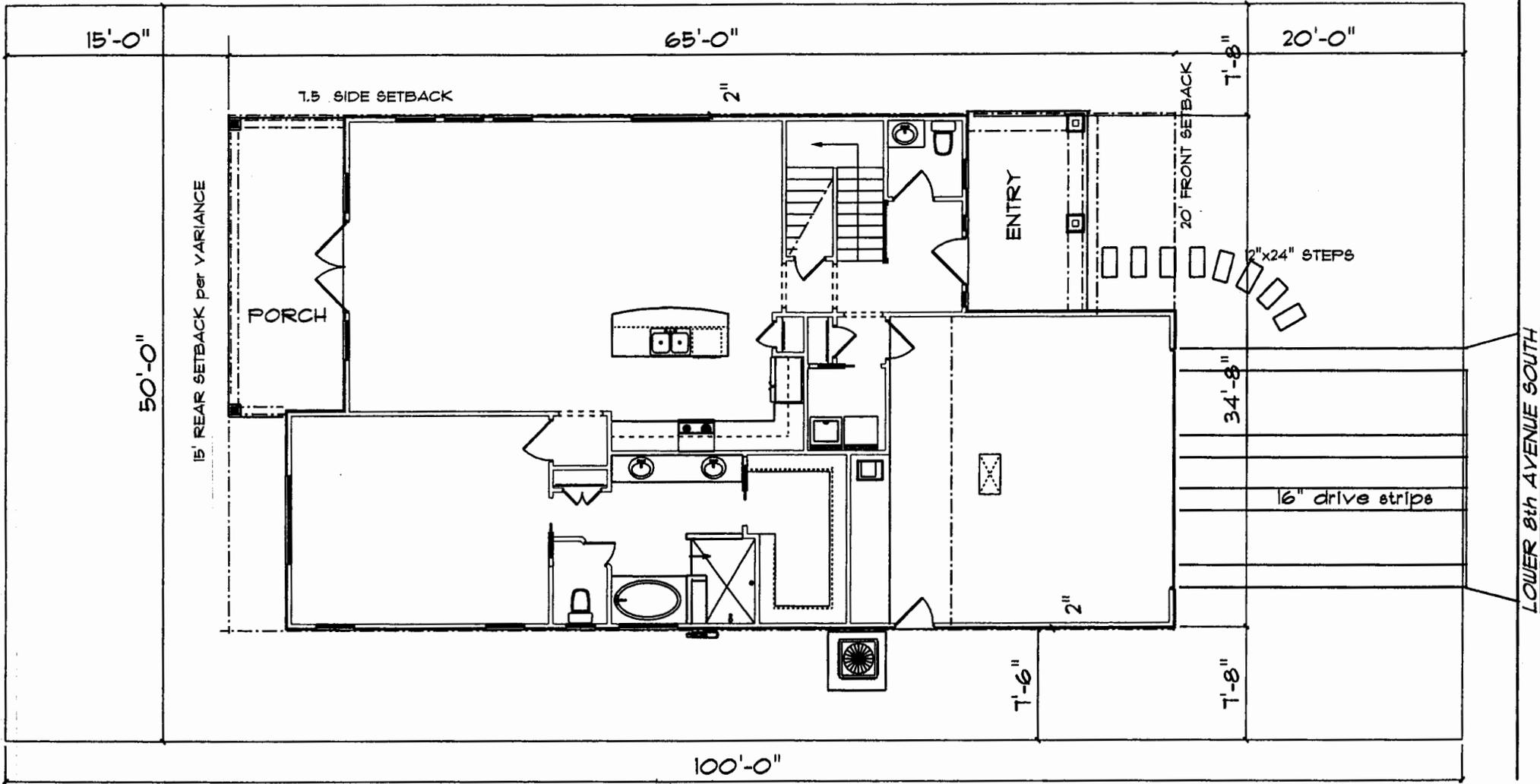
PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



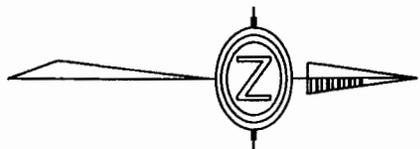
TARGET SURVEYING, LLC

LB #7893

SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>



Proposed



RECEIVED

MAX 2-2-2018
 18-100102
 PLANNING & DEVELOPMENT

LOT COVERAGE:	
SITE SQUARE FOOTAGE:	5,000 SF
HOUSE FOOTPRINT:	2,104 SF
DRIVEWAY/WALKS:	122 SF
A/C PAD:	16 SF
TOTAL COVERAGE:	2,242 SF
COVERAGE RATIO:	44.84 %

SITE PLAN

SCALE: 1" = 10'-0"

Proposed Residence
 DENNEEN CONSTRUCTION, Inc.
 Lot 9/Block 4
 Jacksonville Beach, Florida

LOWER 8th AVENUE SOUTH



APPLICATION FOR VARIANCE

BOA No. 18-100115
HEARING DATE 7-17-2018

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years that shows the location of all existing improvements.
- 2. To scale survey, plot plan or site plan showing all existing and proposed additions and/or improvements, including actual dimensions and lot coverage calculations (on 11"x17" paper or smaller).
- 3. Proof of ownership (copy of deed or current property tax notification).
- 4. If applicant is not owner, notarized written authorization from owner is required.
- 5. Non-refundable processing fee of \$250.00 (due at the time of application submittal).
- 6. Completed application.

RECEIVED

JUN - 4 2018

PLANNING & DEVELOPEME

APPLICANT INFORMATION

Applicant Name: Rick K. Harrison (Dad) Telephone: (904) 994-2200
 Mailing Address: 35 N Roscoe Blvd E-Mail: TOOTHDR227@aol.com
Porto Vedio Beach, FL 32082

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

Landowner Name: Rick K. Harrison (Dad) + Michelle S. Harrison Telephone: (904) 994-2200
 Mailing Address: 35 N. Roscoe Blvd. E-Mail: Toothdr227@aol.com
Porto Vedio Beach, FL 32082

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

VARIANCE DATA

Street address of property AND Real Estate Number: 223 11th Ave. S. JTB Bch, FL 32250 RE 176163-0000
 Legal description of property (Attach copy of deed): 3-28 20-25-28E -28 PABLO BEACH SOUTH
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Variances already granted for 4-unit fee-simple townhomes on 4 townhome lots. 4 Driveways and walkways needed. Therefore variances needed for driveways and walkways to utilize property as intended. LOIS 9, 10, 31K, 103

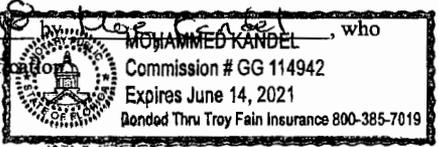
AFFIDAVIT

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

Rick K. Harrison APPLICANT SIGNATURE Rick K. Harrison (Dad) PRINT APPLICANT NAME 5/31/2018 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 31st day of May, 2018
is personally known to me or has produced Drivers license as identification



M. Kandell NOTARY PUBLIC SIGNATURE Mohammed Kandell PRINT NOTARY NAME

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 to RM-1 Standards FLOOD ZONE: X
 CODE SECTION (S): Section 34-339(e)(4)h. for 0' sidewalk setback, 2 to 5' required, and Section 34-373 for a 2' parking area setbacks 2 to 5' for required. To allow construction of a new 4 unit townhome development. The note for units
for the interior units and 1 1/2' sidewalk setback for the exterior units, each in lieu of 5' required.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100115

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	Variances already granted for 4-unit fee - simple townhomes on 4 - townhome lots. Each townhome lot needs Driveway and side walks
Special circumstances and conditions do not result from the actions of the applicant.	yes	as has been shown on previous submittals to City of Jacksonville Beach. Unable to utilize property for intended purpose without these variances.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	↓
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	

RECEIVED

JUN - 4 2018

PLANNING & DEVELOPMENT



CERTIFIED MAIL RECEIPT# 7017 0660 0000 0986 8613

August 15, 2017

Dr. Rick K. Harrison and Michelle S. Harrison
35 N. Roscoe Blvd
Ponte Vedra Beach, FL 32082

RE: **Planning Commission Case: PC# 35-17**
Conditional Use Application for a proposed multiple-family residential use located in a *Commercial, limited: C-1* zoning district, located at 223 11th Avenue South.

Dr. and Mrs. Harrison,

The City of Jacksonville Beach Planning Commission met on Monday August 14, 2017 in Council Chambers to consider your **Conditional Use Application** for a proposed multiple-family residential use located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) 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





CERTIFIED MAIL RECEIPT# 7017 0660 0000 0986 8880

May 30, 2018

Rick K. and Michelle S. Harrison
223 South 11th Avenue
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 14-18**
Concept Plat Application for a proposed four-unit fee-simple townhouse development for property located at 223 11th Avenue South.

The City of Jacksonville Beach Planning Commission met on Tuesday, May 29, 2018 in Council Chambers to consider your **Concept Plat Application** for a proposed four-unit fee-simple townhouse development for property located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code for property located at 223 11th Avenue South.

The request was **Approved**.

Please remove the public notice posted on the property. Please schedule a development plan pre-application meeting prior to submitting a development plan application. Please provide a copy of this letter with any applications and your building permits. 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

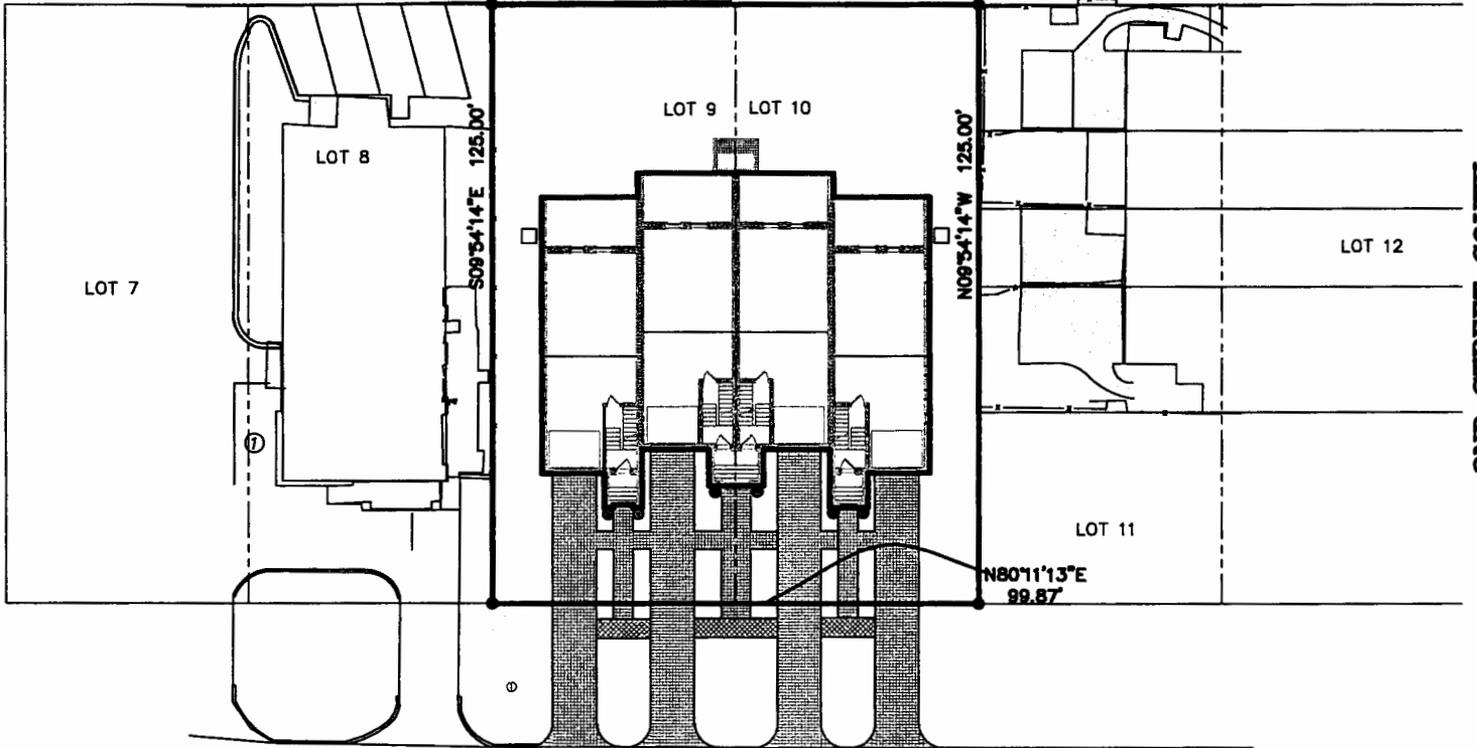
Planning@jaxbchfl.net

www.jacksonvillebeach.org



STATE ROAD A1A

2ND STREET SOUTH

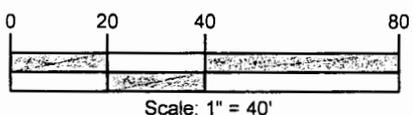


11TH AVENUE SOUTH
 (60' R/W PER P.B. 3, PAGE 28)

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JUN - 4 2018

PLANNING & DEVELOPMENT



SITE AREAS:	
TOTAL SITE	= 12,499 S.F.: 100%
HOUSE PAD	= 4,861 S.F.: 38.9%
DRIVEWAY/SIDEWALK	= 1,430 S.F.: 11.4%

HARRISON RESIDENCE PLOT PLAN

RECEIVED



AVA ENGINEERS, INC.
 Commercial | Residential | Marine
 Florida Certificate No. 00008161
 5711 RICHARD STREET, SUITE 4 | JACKSONVILLE, FLORIDA 32216
 Ph. (904) 730-3223 | Fx. (904) 730-3226
 Henry A. Vorpe Jr. No. 49049

JUN - 4 2018
 18-100115
 PLANNING & DEVELOPMENT



JUN - 4 2018
18-100115
PLANNING & DEVELOPMENT



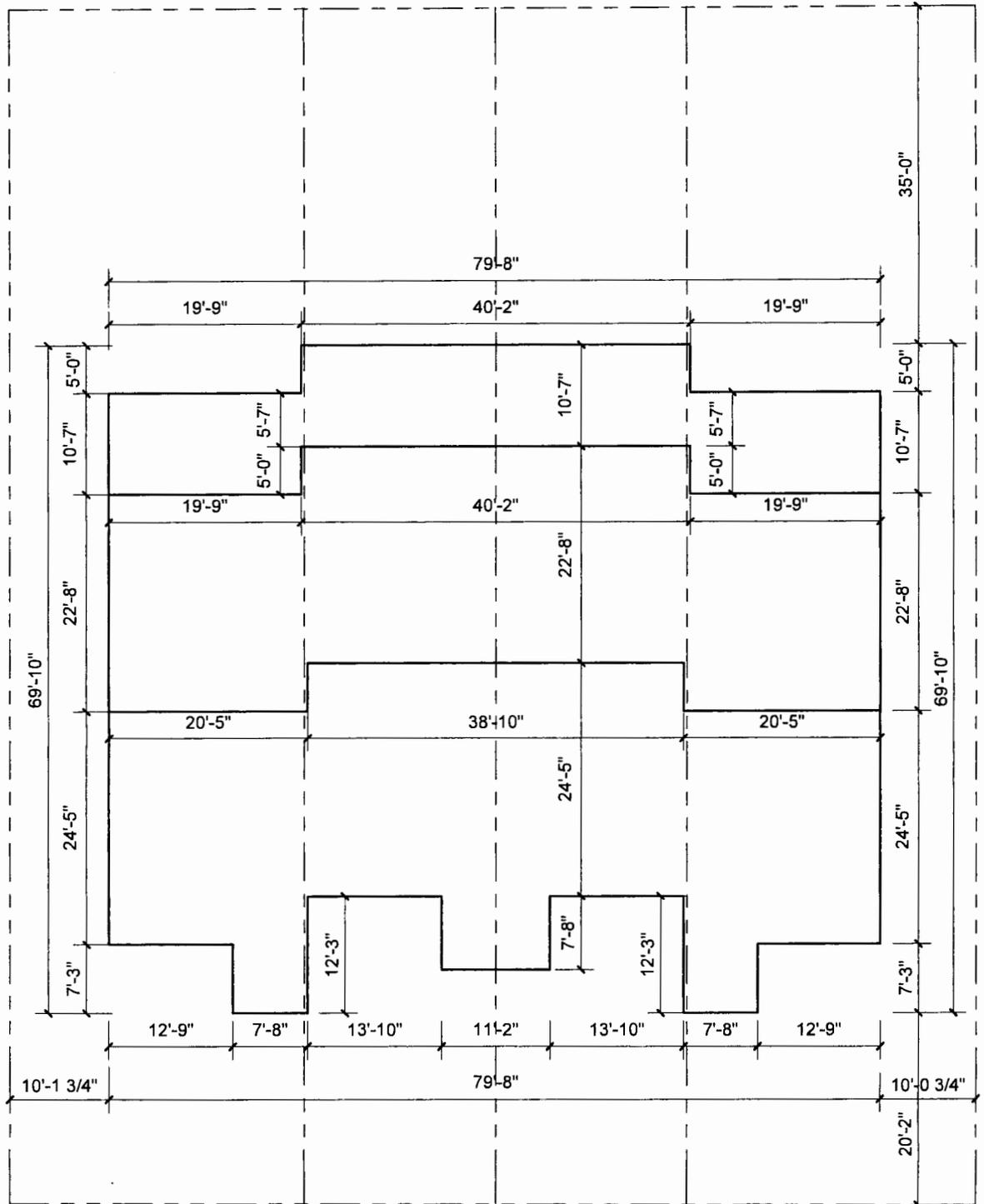
JUN - A 2018

18-100115

PLANNING & DEVELOPMENT



JUN - 4 2018
18-100115
PLANNING & DEVELOPMENT



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JUN - 4 2018
18-100115

SLAB PLAN.

3/32" = 1'-0"

PLANNING & DEVELOPMENT

MARK MACCO ARCHITECTS

FORWARD DESIGN. UNPARALLELED EXECUTION.

www.MaccoArchitects.com

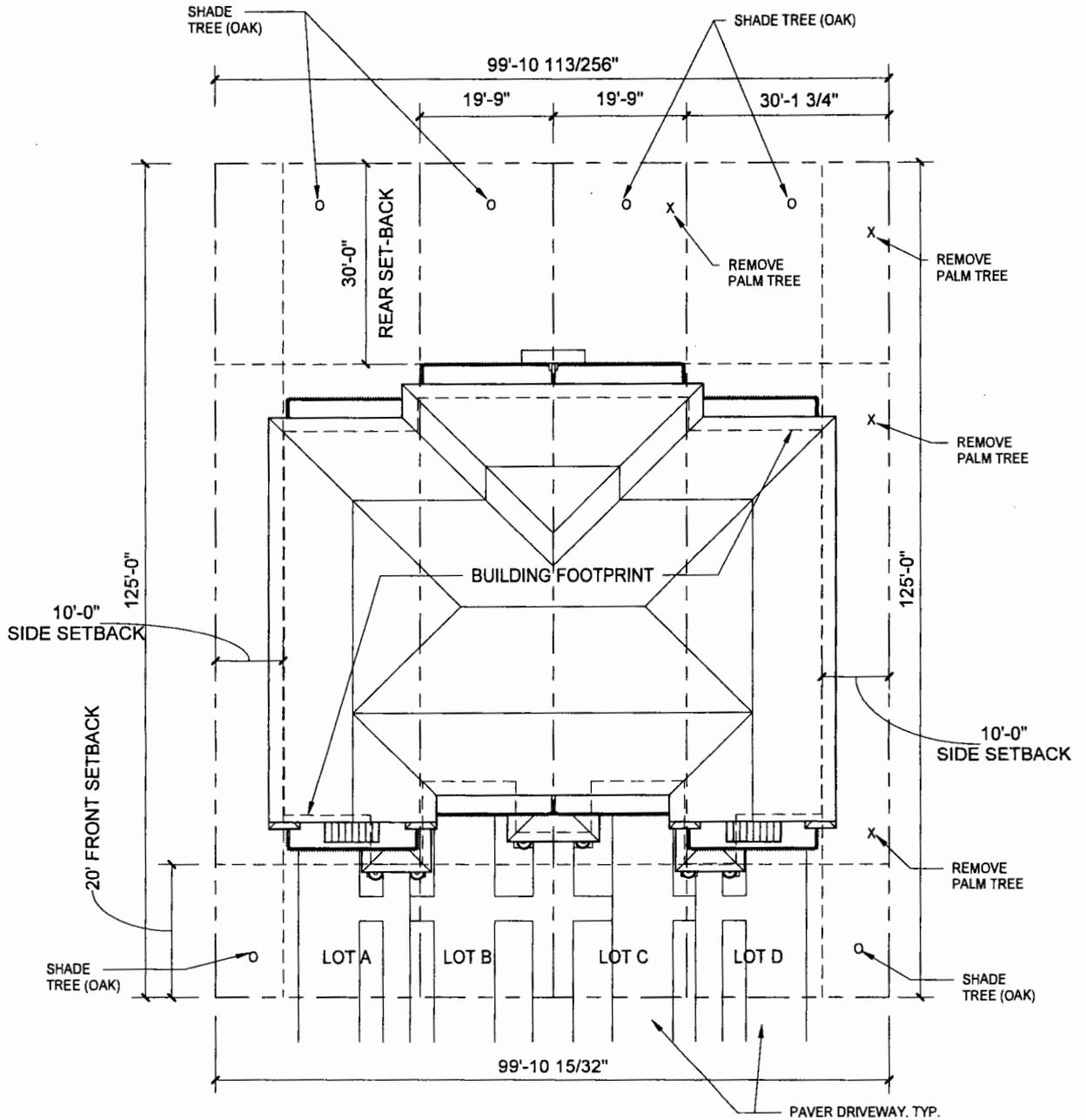
472 OSCEOLA AVENUE
JACKSONVILLE BEACH, FL 32250
E: Info@MaccoArchitects.com
PH: 904. 249-ARCH (2724)

MARK MACCO, AIA NCARB
FLORIDA REGISTRATION: #
AR96004

HARRISON TOWNHOMES

SLAB PLAN

Project Number #####
Date JUNE 4, 2018
Drawn By Author
Checked By Checker



BUILDING CALCULATIONS

	LOT A	LOT B	LOT C	LOT D
LOT TOTAL	3779 FT ²	2470 FT ²	2470 FT ²	3770 FT ²
BUILDING FOOTPRINT	1209 FT ²	1250 FT ²	1250 FT ²	1209 FT ²
DRIVEWAY	347 FT ²	395 FT ²	395 FT ²	347 FT ²
PERCENT COVERAGE	41%	67%	67%	41%

SITE PLAN.

1/16" = 1'-0"

PLANNING & DEVELOPMENT

JUN - 4 2018
18-1001/S

RECEIVED



MARK MACCO ARCHITECTS

FORWARD DESIGN. UNPARALLELED EXECUTION.

www.MaccoArchitects.com

472 OSCEOLA AVENUE
JACKSONVILLE BEACH, FL 32250
E: Info@MaccoArchitects.com
PH: 904. 249-ARCH (2724)

MARK MACCO, AIA NCARB
FLORIDA REGISTRATION: #
AR96004

HARRISON TOWNHOMES

SITE PLAN

Project Number **####**
Date **JUNE 4, 2018**
Drawn By **Author**
Checked By **Checker**



APPLICATION FOR VARIANCE

BOA No. 18-100117
HEARING DATE 7-17-2018

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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APPLICATION INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: John Morrissey **Telephone:** 904.277.8017
Mailing Address: 4913 Suarez Bluff Rd **E-Mail:** agnesmorrisey@comcast.net
Fernandina Beach, FL 32034
Agent Name: _____ **Telephone:** _____
Mailing Address: _____ **E-Mail:** _____

Landowner Name: Mr Robert Schoenborn **Telephone:** 904.64.2588
Mailing Address: 815 2nd Ave. N. **E-Mail:** _____
Jacksonville Beach, FL 32250

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

VARIANCE DATA

815 North 2nd Ave.

Street address of property and/or Real Estate Number: 174 062-0000
 Legal description of property (Attach copy of deed): East 50' of Lot 6, Blk. 39, Pablo Beach North, as recorded in Plat Book 3, Page 28, of the current Public Records, Duval City
 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 non-conforming lot is 6250 sf - 16.6% smaller than the JRS-2 minimum lot size of 7500 sf - yet subject to the same setbacks and lot coverage restrictions as the larger lot, creating a true hardship in adhering to all zoning restrictions AND requirements. Thus, I am seeking a zoning variance of: 1) greater lot coverage allowance 46.9% and 2) a reduced rear set back of 22ft.
 Applicant's Signature: John Morrissey Date of Application: 6/5/18

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X
 CODE SECTION (S): Section 39-337(e)(1)c. for rear yard setback of 22' ~~20~~ 30' required for a pool deck, and (e)(1)E for 46% lot coverage ~~20~~ 35% maximum, to allow for construction of a new single family dwelling on a currently vacant parcel.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100117

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

JUN - 5 2018

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

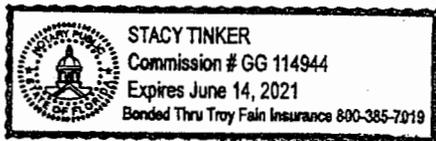
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Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	yes	the non conforming nature of this diminished lot creates a hardship in complying with all zoning requirements and restrictions.
Special circumstances and conditions do not result from the actions of the applicant.	yes	platted lot of record
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	there have been past examples of similar variance requests being granted by the Board of Adjustment because of the true hardships encountered by non conforming lots.
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	there are newer construction houses in this neighborhood displaying the same variances requested herein. Disallowing this variance request would be denying this lot the same rights enjoyed by others
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	the requested variances are entirely consistent with the existing character of the neighborhood

March 5, 2018

I, Robert Schoenborn, owner of the property directly west of 815 2nd Ave N, RE# 174062-0000, authorize John Morrissey to apply for a zoning variance regarding this property.

ROBERT SCHOENBORN
Robert Schoenborn 3/5/18



Signed before me on
Stacy Tinker
3/5/18
March 5th, 18
Dussal

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18-100117

PLANNING & DEVELOPMENT



CERTIFIED MAIL# 7017 0660 0000 0995 3999

April 25, 2018

City of
Jacksonville Beach
City Hall

John Morrissey
4913 Suarez Bluff Road
Fernandina Beach, FL 32034

11 North Third Street
Jacksonville Beach
FL 32250

RE: BOA# 18-100047
815 North 2nd Avenue
(The East 50ft of Lot 6, Block 39, *Pablo Beach North*)

Phone: 904.247.6231

Fax: 904.247.6107

Dear Mr. Morrissey

Planning@jaxbchfl.net

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 17, 2018, to consider your application for a variance from the requirements of the Land Development Code.

www.jacksonvillebeach.org

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

- Sec 34-337(e)(1)d., for no garage or carport;
 - 34-337(e)(1)e., for lot coverage of 37.8% in lieu of 35% maximum;
 - 34-337f., for a gravel parking area in lieu of paved.
- Or
- Sec 34-337(e)(1)d., for no garage or carport;
 - 34-337(e)(1)e., for lot coverage of 39.2%, in lieu of 35% maximum;

To allow to allow for the construction of a new single-family dwelling.

The Board *denied* the application 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 submitting any future development or building permit applications. 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





May 22, 2018

City of
Jacksonville Beach

John Morrissey
4913 Suarez Bluff Road
Fernandina Beach, FL 32034

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# 18-100067
815 North 2nd Avenue
(The East 50 feet of Lot 6, Block 39, Pablo Beach North)

Dear Mr. Morrissey,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, May 15, 2018, to consider your application for a variance from the requirements of the Land Development Code.

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

- Sec. 34-337(e)(1)c.3., for a rear yard setback of 29 feet, in lieu of 30 feet required, and
- Sec 34-337(e)(1)e., for 41.5% lot coverage, in lieu of 35% maximum;

To allow construction of a new single-family dwelling.

Prior to the public hearing, per your request via email, this application was **withdrawn**.

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

Sincerely,

George Knight
Building Official



Existing

MAP SHOWING BOUNDARY SURVEY OF

EAST 50 FEET OF LOT 6, BLOCK 39, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGES 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

RECEIVED

CERTIFIED TO:
JOHN P. MORRISSEY
BRYAN C. GOODE III, P.A.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

~~MAR 20 2018~~
~~18-100067~~

PLANNING & DEVELOPMENT

LOT 6
BLOCK 59

LOT 4
BLOCK 59

LOT 3
BLOCK 59



12' ALLEY
L-1

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JUN - 5 2018
18-100117
PLANNING & DEVELOPMENT

L-1
N 80°47'29" E
49.94' (MEASURED)
50.00' (PLAT)

VACANT
LOT 6
BLOCK 39

125.00' (PLAT)
125.20' (MEASURED)

124.96' (MEASURED)
125.00' (PLAT)

LOT 5
BLOCK 39

LOT 9
BLOCK 39

9TH STREET NORTH
(50' RIGHT OF WAY)

N 09°23'53" W

S 09°27'33" E

BLOCK CORNER

100.00' (PLAT)
99.69' (MEASURED)

S 80°31'06" W
50.08' (MEASURED)
50.00' (PLAT)

2ND AVENUE NORTH
(80' RIGHT OF WAY)
(FORMERLY WILLARD AVENUE PER PLAT)

LEGEND:

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

- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE

NOTES:

1. BEARINGS ARE BASED ON THE ASSUMED BEARING OF N 09°23'53" W ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE " X " AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 0417 H.
3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION

JOB # 34578

DATE OF FIELD SURVEY: 2-19-18

SCALE: 1" = 20'



Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

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

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 442.27, FLORIDA STATUTES.

Raymond Thompson
RAYMOND THOMPSON

REGISTERED SURVEYOR AND MAPPER #6146 STATE OF FLORIDA
LICENSE BUSINESS # 7469

LAND SURVEYS

○

CONSTRUCTION SURVEYS

○ SUBDIVISIONS

MAP SHOWING BOUNDARY SURVEY OF

EAST 50 FEET OF LOT 6, BLOCK 39, PABLO BEACH NORTH, AS RECORDED IN PLAT BOOK 3, PAGES 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 JOHN P. MORRISSEY
 BRYAN C. GOODE III, P.A.
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

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JUN 13 2018

LOT 6
BLOCK 59

LOT 4
BLOCK 59

LOT 3
BLOCK 59
PLANNING & DEVELOPMENT

SCALE 1" = 20'

NOTES

2104 sf house
 368 driveway
 157.5 deck

L-1
 N 80°47'29" E
 49.94' (MEASURED)
 50.00' (PLAT)

30 pool tiles
 80 pool "
 24 outdoor shower

78.75 walkway
 14 " LOT 5
 BLOCK 39
 16 a.c. pad
 9 pool pad

2881.25 SF TOTAL

≈ 46 1/3%
 lot coverage

9TH STREET NORTH
 (50' RIGHT OF WAY)

BLOCK CORNER

100.00' (PLAT)
 99.69' (MEASURED)

125.00' (PLAT)
 125.20' (MEASURED)

N 09°23'53" W

124.96' (MEASURED)
 125.00' (PLAT)

S 09°27'33" E

LOT 9
BLOCK 39

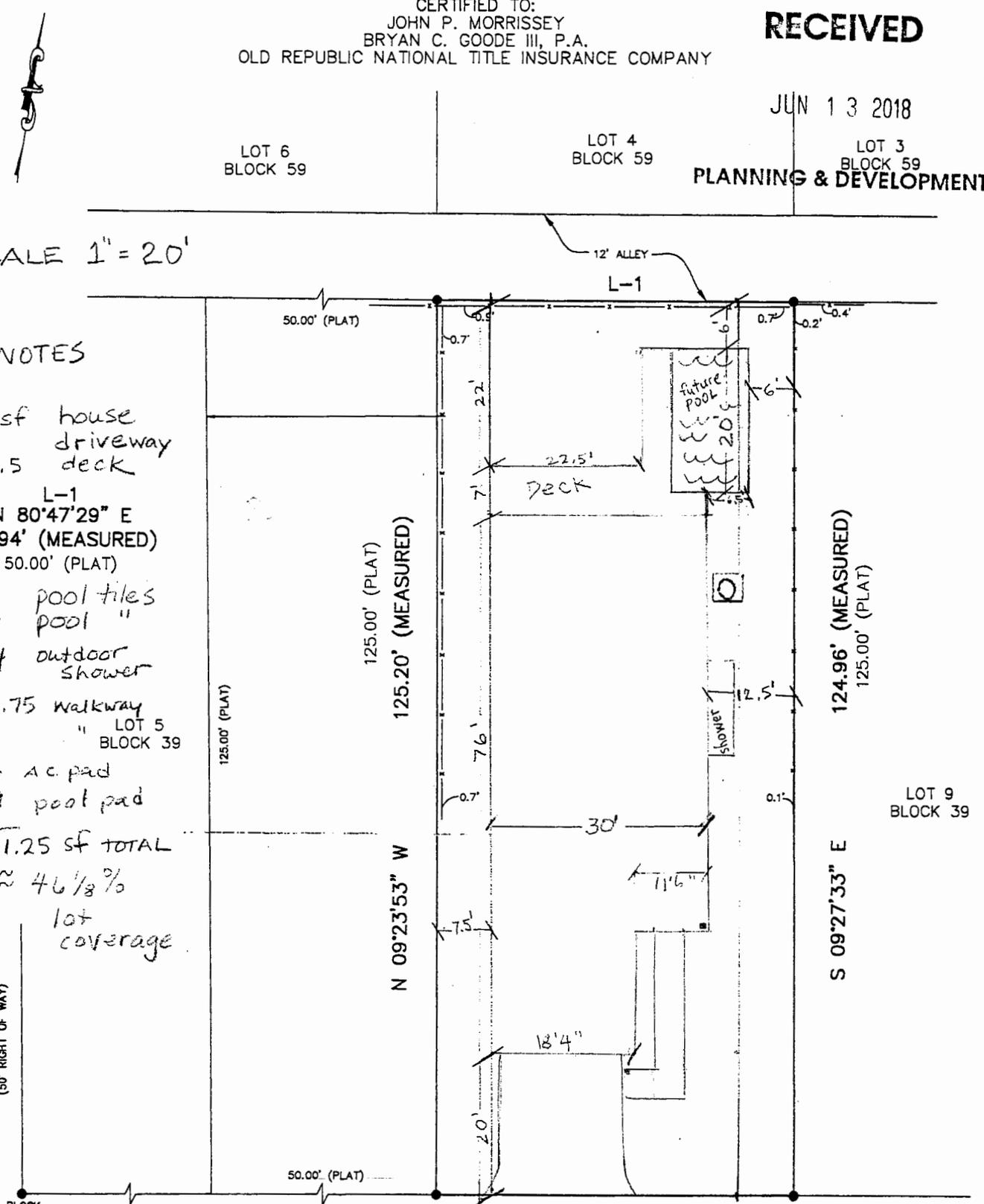
S 80°31'06" W
 50.08' (MEASURED)
 50.00' (PLAT)

2ND AVENUE NORTH
 (80' RIGHT OF WAY)
 (FORMERLY WILLARD AVENUE PER PLAT)

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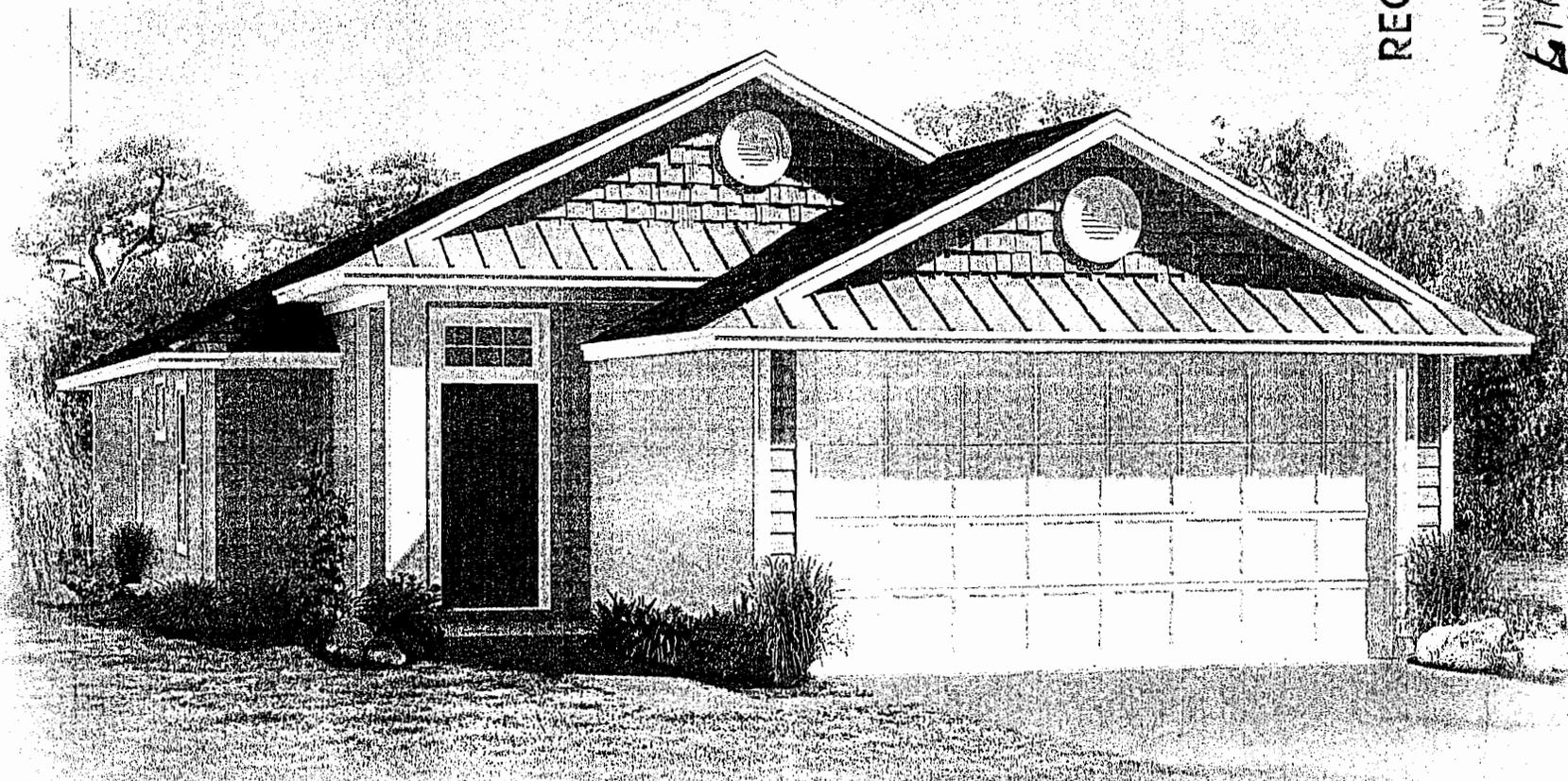
draftsman Cynthia Higgins 904-305-3523

affordable garage doors

904-474-1021 AGD 474 1021 AGD

Stamped steel carriage doors

6x7



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JUN - 5 2016

611001-81

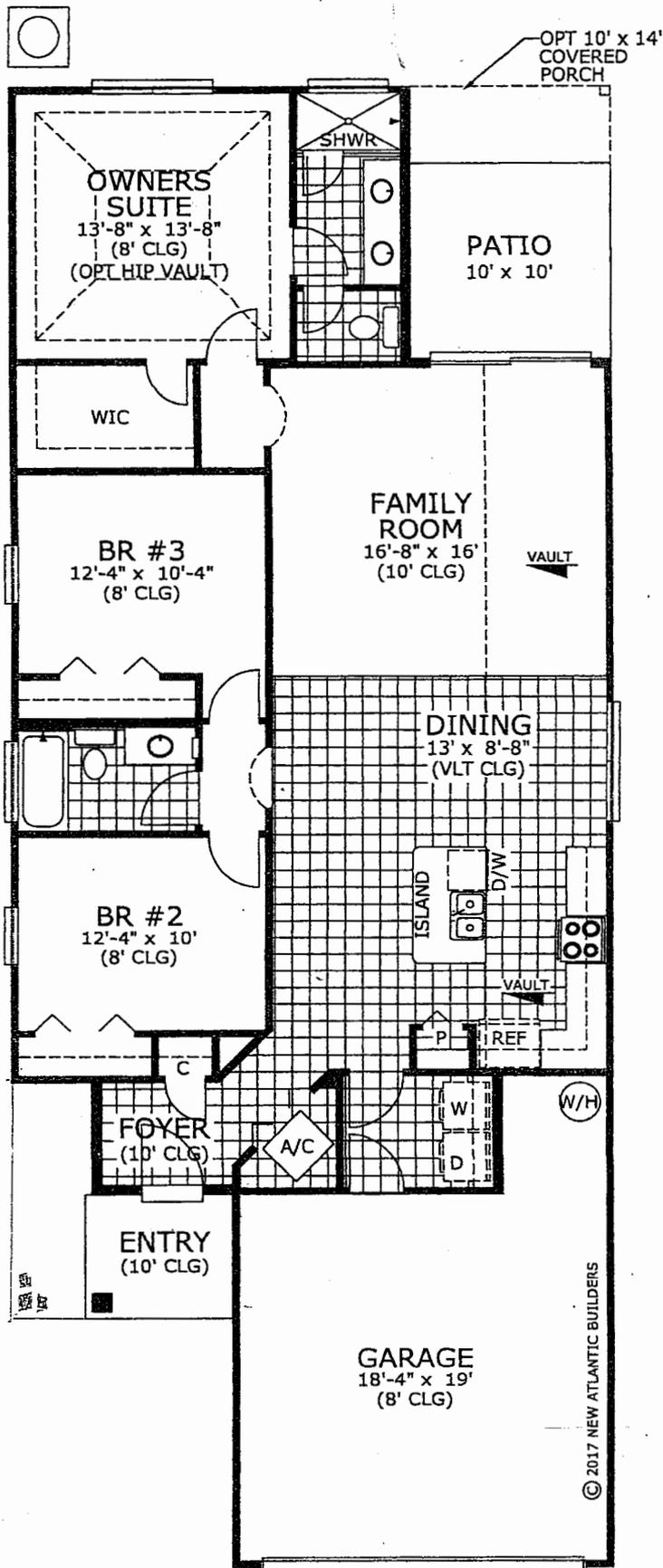
PLANNING & DEVELOPMENT

ELEVATION B

BARBADOS
PLAN No. 1509
COASTAL OAKS

FLOOR PLAN AND RENDERING ARE FOR CONCEPTUAL PURPOSES ONLY. DIMENSIONS AND OTHER INFORMATION ARE APPROXIMATE AND SUBJECT TO CHANGE. 5/17.





**COASTAL OAKS
BARBADOS - A&B**
 1509 SQ. FT. (LIVING)
 3BR / 2BA
 30' WIDE x 76' DEEP

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 18-100117
 PLANNING & DEVELOPMENT

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