



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Wednesday, September 5, 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), Scott Cummings, Francis Reddington
Alternates: Lucas Snyder

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES July 3, 2018, July 17, 2018, August 7, 2018

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

- a. **Case Number:** BOA 18-100141
Applicant/Owner: Deborah Applegate
Property Address: 904 South 15th Avenue
Parcel ID: 176959-0050
Current Zoning: RS-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 40.8% lot coverage, in lieu of 35% maximum; and 34-373(d) for a parking area setback of 4.7 feet, in lieu of 5 feet required; to add a driveway to an existing single-family dwelling for property legally described as Lots 1, Block 160, *Oceanside Park*.**
- Miscellaneous Info:** No previous variance requests.

Notes:

- b. **Case Number:** BOA 18-100147
Applicant: James Michael Vinci
Owner: Jeff Schmidt
Property Address: 2509 St Johns Boulevard
Parcel ID: 180850-0000
Current Zoning: RS-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 41% lot coverage, in lieu of 35% maximum; to allow for a covered patio and pool addition to an existing single-family dwelling for property legally described as Lot 1, Block 3, *Jacksonville Beach Heights*.**
- Miscellaneous Info:** No previous variance requests.

Notes:

- c. **Case Number:** BOA 18-100149
Applicant/Owner: David Mitchell
Agent: Marti McCoy
Property Address: 3 South 21st Avenue
Parcel ID: 179383-0600
Current Zoning: RM-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-340 (e)(4)c.1**, for a front yard setback of 6.6 feet, in lieu of 20 feet required; to allow improvements (2nd floor balcony extension), to an existing townhome for property legally described as Part Lots 2, 3, Recorded O/R 14516-2037, Block M, *Permenters R/P Atlantic Camp Grounds*.

Miscellaneous Info: One previous variance application (BZA# 203-82).

Notes:

- d. **Case Number:** BOA 18-100150
Applicant/Owner: Carrie Moon
Agent: Marti McCoy
Property Address: 5 South 21st Avenue
Parcel ID: 179383-0700
Current Zoning: RM-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-340 (e)(4)c.1**, for a front yard setback of 4.2 feet, in lieu of 20 feet required; to allow improvements to an existing townhome (extend 2nd floor balcony) for property legally described as Part Lots 2, 3, Recorded O/R 18187-253, Block M, *South Pablo or Atlantic Camp Grounds*.

Miscellaneous Info: One previous administrative variance granted (08/22/2005).

Notes:

PLANNING DEPARTMENT REPORT The next scheduled meeting is **Tuesday, September 18, 2018.**

There are three (3) scheduled case.

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, August 7, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairwoman Sylvia Osewalt called the meeting to order at 7:04 p.m.

ROLL CALL

Chairperson: Sylvia Osewalt

Vice-Chairman: Jeff Truhlar

Board Members: John Moreland (*absent*), Scott Cummings

Alternates: Francis Reddington and Lucas Snyder

Also in attendance was George Knight, Building Official.

EX-PARTE COMMUNICATION

BOA #18-100129 - Ms. Osewalt stopped by site as concrete was being poured this afternoon and spoke with Tony Ackley, who was unaware of variances. Ms. Osewalt spoke with Building Official George Knight, Associate and Senior Pastors at First Christian Church of Beaches, located across the street from the property.

APPROVAL OF MINUTES *None*

CORRESPONDENCE *None*

OLD BUSINESS *None*

NEW BUSINESS

(A) **Case Number: BOA 18-100119**

Name of Applicant: Julia T. Samms

Property Address: 501 South 6th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-339(e)(3)c.3, for a rear yard setback of 25 feet in lieu of 30 feet required; and 34-339(e)(3)c.3g., for an accessory structure setback (sidewalk) of 4 feet, in lieu of 5 feet required; and 34-337, for 3 parking spaces in lieu of 4 required; to allow construction of a new two-unit multi-family dwelling, for *legally described as Lots 12, Block 56, Pablo Beach South.*

Applicant:

Julia T. Samms, 501 6th Avenue South, Jacksonville Beach, FL 32250, expressed the hardship of caring for her 85-year old mother, who requires a handicap accessible structure, and spoke about the lack of space availability to accommodate her needs on the property if current land code is enforced. Ms. Samms has previously submitted 19 petitions of neighbors in support of 25 feet rear yard setback [*on file*], and she also requested the reviewing for a sidewalk located inside the proposed setback, in addition to an alley closure. Ms. Osewalt stated the lot on the agenda item is a conforming lot. Mr. Reddington added it is difficult to approve any of the items on the agenda for the reason that it is a conforming lot.

Public Hearing:

The following individuals spoke in favor of the agenda item:

- Chip Mitchell, 4228 Melrose Avenue, Jacksonville, FL 32210

The following individual was in favor of the agenda item, but did not wish to address the Board:

- Adolphus Dasnebus, 12086 Harbor Winds North, Jacksonville, FL 32225

The following individual spoke in opposition to the agenda item:

- Chris Malloy, 659 6th Avenue South, Jacksonville Beach, Florida 32250

Ms. Saams responded to the opposition and added to her explanation of why the request for a variance is due to a hardship and should be taken into consideration.

Ms. Osewalt closed the public hearing.

Discussion:

There was no discussion on this application.

Motion: It was moved by Mr. Reddington and seconded by Mr. Truhlar to reject BOA#18-100119, as presented.

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

(B) Case Number: BOA 18-100120

Name of Applicant/Owner: Rebecca Rowland

Property Address: 977 South 15th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-337(e)(1) e.,
for 42% lot coverage, in lieu of 35% maximum; to replace and expand driveway to

an existing single-family dwelling for property legally described as *Lot 8, Block 150, Oceanside Park*.

Applicant:

Mills Rowland, 977 South 15th Avenue, Jacksonville Beach, FL 32250, stated driveway is not large enough to accommodate two cars. Ms. Rowland wanted to create one additional parking space. The hardship is the lot does not meet the required land development code for lot size requirements. Ms. Rowland's current lot size is 6,250 square feet and is required to be a minimum of 7,500 square feet.

Public Hearing:

No one came forward to speak about this case.

Discussion:

There was no discussion on this application.

Motion: It was moved by Mr. Truhlar and seconded by Mr. Cummings to approve BOA#18-100120, as shown and addressed.

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

(C) Case Number: BOA 18-100123

Name of Applicant: Ryan Wetherhold

Property Address: 2017 North 3rd Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-339(e)(4)c.2, for a side yard setbacks of 5 feet in lieu of 10 feet required; and 34-339(e)(4)c.3, for rear yard setback of 20 feet, in lieu of 30 feet required; 34-373(d) for a parking area setback of 0 feet in lieu of 5 feet required; to allow construction of a four-unit townhouse development for property legally described as Elton Realty Co.'s *Replat Lots 3, 4 (ex: South 5.50 feet), Block 203*.

Applicant:

Ryan Wetherhold, 1903 Eastern Drive, Jacksonville Beach, FL 32250. One handout was given to all board members by Mr. Wetherhold. Mr. Wetherhold stated drainage, geotechnical soil, and safety were reasons for requesting variances. Ms. Osewalt stated there is no hardship caused by the land and lot size is more than adequate for construction.

Public Hearing:

The following individual spoke in opposition to the agenda item:

- Rick Clarkson, 110 Seagate Avenue, Neptune Beach, FL 32250
- Emailed letter – Not signed, not considered by Board

Discussion:

There was no discussion on this application.

Motion: It was moved by Mr. Truhlar and seconded by Mr. Snyder to reject BOA# 18-100123, based on not qualifying as a hardship.

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

The motion was denied, unanimously.

(D) Case Number: BOA 17-100124

Name of Applicant: Stephen Jenkins

Property Address: 220 South 40th Avenue, Jacksonville, FL 32250

City of Jacksonville Beach Land Development Code Sections(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 34-336(e)(1)c. 1, for a 10 feet front yard setback limited to open porches, 15 feet for enclosed habitable space, and 18 feet for garage walls, in lieu of 25 feet required; 34-336(e)(1)c. 2, for side yard setbacks of 15 feet total, provided that no side yard is less than 5 feet, in lieu of 10 feet each; a rear yard setback of 20 feet in lieu of 30 feet required; and 34-336(e) for 50% lot coverage in lieu of 35% maximum; to allow for construction of a new single-family dwelling, for property, legally described as Lot 2, Block 1, Avalon, Unit No. 2.

Applicant:

Stephen Jenkins, 13858 Malachi Court, Jacksonville, FL 32224, explained trying to build a home in a non-conforming is the hardship. Ms. Osewalt stated lot coverage cannot be 50%. Lot size and lot coverage were discussed. Mr. Knight stated BOA granted a variance in 2011 for 20 lots at one time with 50% variance in the Avalon neighborhood, which set a precedent. Mr. Knight stated lot on the agenda is identical. Ms. Osewalt stated she was aware of the precedent.

Public Hearing:

No one came forward to speak about the case.

Discussion:

Mr. Knight reaffirmed the lot's small size creates a hardship and referenced the previously mentioned BOA case that granted such variance. Ms. Osewalt added the case set a precedent, and she will act based on the previously-made decision.

Motion: It was moved by Mr. Truhlar and seconded by Mr. Cummings to approve BOA# 18-100124, as shown and discussed.

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

The motion was approved unanimously.

(E) Case Number: BOA 18-100127

Name of Applicant: Jared and Hilary Libman

Property Address: 208 South 35th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-336(e)(1) e., for 49.7% lot coverage, in lieu of 35% maximum; to allow an addition of a paver patio to an existing single-family dwelling for property legally described as *Lots 3, 4, Block 17, R/P Unit no.1 Atlantic Shores.*

Applicant:

Jared and Hilary Libman, 208 South 35th Avenue, Jacksonville Beach, FL 32250, stated their hardship is a non-conforming lot. Mr. Libman explained the pavers that added to the lot size were put in by their contractor and the variance was requested to fix his error.

Public Hearing:

No one came forward to speak about the case.

Discussion:

Mr. Cummings stated this is one of many instances where the contractors are taking advantage of homeowners. Ms. Osewalt added these cases should not necessarily result in forgiveness from the city. Lot coverage changes were discussed, and a previous variance for that property was noted.

Motion: It was moved by Mr. Cummings and seconded by Mr. Truhlar to approve BOA# 18-100127 to allow for 46% lot Coverage, in lieu of the 35% maximum, as read and written.

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

Nays – Sylvia Osewalt

The motion was approved by a 4 to 1 vote.

(F) Case Number: BOA 18-100129

Name of Applicant: Atkins Builders, Inc.

Owner: Louis and Erin Lambremont

Property Address: 220 South 40th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-340(e)(1)c.2, for a 5 foot southerly side yard setback for the north units and a 2 foot northerly side yard setbacks for the south units, in lieu of 10 feet required; 34-340(e)(1)f., 42.9% lot coverage, for the south units, in lieu of 10 feet required; 34-340(e)(1)f., for 42.9% lot coverage, for the south units, and 41.5% lot coverage for the north units, in lieu of 35% maximum; 34-340(e)(1)h., for an accessory setback of 1 foot, in lieu of 5 feet required; for patios and walkways, 34-373, for a parking area setback of 4 feet, in lieu of 5 feet required; to allow construction of two-new two-family dwellings, for property legally described as Lots 1, 2, Block 202, together with the west half of a closed alley, Ordinance No. 5386 (*as currently monumented & possessed*) Ocean Villa Replat.

Applicant:

John Atkins, 786 North 2nd Street, Jacksonville Beach, FL 32250, gave a handout to Board. Mr. Atkins stated that due to a miscommunication by the Planning Department at an earlier meeting, he now has a hardship of undersized and non-conforming lots. Mr. Atkins explained the lots were approved to become four units, and he wanted to remove breezeway to construct two duplexes at 42.9% and 41.5% lot coverages. Mr. Knight clarified it was not a miscommunication, but a misinterpretation from the applicant of the original board approval, and added that variances have been approved for a four-unit building. Confusion stirred regarding the variances the requestor is asking for. Mr. Knight clarified this variance would be needed to construct two separate two-family dwellings because they would be located in two lots, though it would not be needed had it been a single lot with four units.

Public Hearing:

The following individuals spoke in opposition to the agenda item:

- Rick Clarkson, 110 Seagate Avenue, Neptune Beach, FL, 32266
- Mathew Tenucci, 110 20th Avenue North, Jacksonville Beach, FL 32250, provided photos to the board.

The following individuals were in opposition to the agenda item, but did not wish to address the board:

- Mrs. Mathew Tenucci, 110 20th Avenue North, Jacksonville Beach, FL 32250
- Mr. Lyman, 91 19th Avenue North, Jacksonville Beach, FL 32250
- Sharon Lyman, 91 19th Avenue North, Jacksonville Beach, FL 32250
- Chris Beatrick, 122 20th Avenue North, Jacksonville Beach, FL 32250

- Bebe Beatrick, 122 20th Avenue North, Jacksonville Beach, FL 32250

The following individual was in opposition of the agenda item and submitted an email:

- Kristine Esklelin – 1739 5th Avenue North, Jacksonville Beach 32250

Mr. Atkins responded to the “loophole” comment from Mr. Clarkson by clarifying that the presence of a breezeway is the reason this variance was requested.

Discussion:

The hardship was identified, and lot coverage was discussed. More clarification was made regarding what justified a similar action taken on this lot in the past without a variance, and why a variance is needed in this case for the same lot. The availability of parking spaces was emphasized at a point later made by Mr. Cummings.

Motion: It was moved by Mr. Truhlar and seconded by Mr. Reddington to approve BOA# 18-10029, as read and written.

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

Nayes – Sylvia Osewalt.

The motion was approved by a 4 to 1 vote.

(G) Case Number: BOA 18-100130

Name of Applicant: Eric and Tiffany Marus and Patricia Green

Property Address: 1808 North 6th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Sections(s) 34-336(e)(1)c.1, for a front yard setback of 17 feet, in lieu of 25 feet required; and 34-336(e)(1)e., for 59% lot coverage, in lieu of 25 feet required; and 34-336(e)(1)e., for 59% lot coverage, in lieu of 35% maximum; to allow a two-story addition to an existing single-family dwelling for property legally described as Lot 6, and the east 25 feet of Lot 7, Block 2, Pine Grove Unit No. 4.

Applicant:

Eric and Tiffany Marus of 1808 North 6th Avenue, Jacksonville Beach, FL 32250, requested this variance to accommodate family needs and structure, in addition to providing spaces for vehicles in a “neat” fashion. Ms. Oswald explained they have an over-conforming lot, so the land does not seem to cause hardship.

Public Hearing:

The following individual spoke in opposition to the agenda item:

- Keith Hall, 1818 Azalea Drive, Jacksonville Beach, Florida 32250

Mr. Marcus added the additional space is to accommodate his mother in law.

Discussion:

There was no discussion on this application.

Motion: It was moved by Mr. Cummings and seconded by Mr. Truhlar to deny BOA# 18100130 as written.

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

Planning & Development Director's Report

The next meeting is scheduled for Tuesday, August 21st, 2018

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 9:04 P.M.

Submitted by: Selena Hodge, Staff Assistant

Approval:

Chairman

Date

**Minutes of Board of Adjustment Meeting
Held Tuesday, July 17, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairwoman Sylvia Osewalt called the meeting to order at 7:00 p.m.

ROLL CALL

Chairperson: Sylvia Osewalt

Vice-Chairman: Jeff Truhlar (Absent)

Board Members: John Moreland, Scott Cummings

Alternates: Francis Reddington and Lucas Snyder

Also, in attendance were George Knight, Building Official.

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

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

- May 1, 2018
- May 15, 2018

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

(A) Case Number: BOA 18-100101

Name of Applicant: Double D Construction, LLC

Agent: John Denneen

Owner: Mark Darr

Property Address: 450 Lower 8th Avenue South, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(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*.

Applicant: John Denneen, 1254 Neck Road, Ponte Vedra Beach, FL 32082 explained the hardship of a 5,000 square foot lot size when a conforming lot size is 7,500 square feet; Mr. Denneen originally thought a conforming lot size is 10,000 square feet, but that number was corrected by Ms. Osewalt. Mr. Denneen explained for a 2,400 square foot home to comply, it needs this variance, and he stated the

next agenda item BOA# 18-100102 is a replicated case, but with a different lot. He referenced to BOA# 15-100150 and BOA# 15-100149 as previously-approved cases he has worked on for the same type of construction. The neighbors were informed of the setback by the BOA. Mr. Deneen stated no pool would be installed when asked.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated lot coverage seems reasonable. Mr. Cummings agreed with Mr. Moreland's comments and voiced his concern about driveway strips and blocks being covered by homeowners due to a lack of understanding of Land Development Code. Mr. Knight agreed with Mr. Cummings.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings to approve BOA# 18-100101, as presented and discussed.

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

(B) Case Number: BOA 18-100102

Name of Applicant: Double D Construction, LLC

Agent: John Denneen

Owner: Mark Darr

Property Address: 450 Lower 8th Avenue South, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(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 9, Block 4, *Oceanside Park*.

Applicant: Agent John Denneen, 1254 Neck Road, Ponte Vedra Beach, FL 32082 explained the hardship of a 5,000 square foot lot size, when a conforming lot size is 7,500 square feet. Mr. Denneen added for a 2,400 square foot home to comply with code, it needs this variance.

Public Hearing: No one came forward to speak about the case.

Discussion: There was no further discussion on this item.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings to approve BOA# 18-100102, as discussed and presented.

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

(C) Case Number: BOA 18-100115

Applicant/Owner: Rick K. Harrison, DMD, and Michelle S. Harrison
Property Address: 223 South 11th Avenue, Jacksonville Beach, FL 32250
Agent: Henry Forbes

City of Jacksonville Beach Land Development Code Section(s) 34339(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*.

Applicant: Rick K. Harrison, DMD, 35 North Roscoe Boulevard, Ponte Vedra Beach, FL, with the help of Mr. Forbes, 5711 Richard Street, Jacksonville, FL 32216, explained the hardship of a non-conforming rear setback once the four-unit townhome is built. Ms. Osewalt stated there is no hardship demonstrated for variance approval, because his lot size is more than double the minimum requirement for an RM-1 Lot.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated there is no hardship demonstrated. Ms. Osewalt agreed.

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington to deny BOA# 18-100115, on the basis of it not being the minimum variance to make reasonable use of the land.

Roll Call Vote: Ayes – Francis Reddington, Sylvia Osewalt, Scott Cummings, John Moreland, and Lucas Snyder.
The motion was denied unanimously.

(D) Case Number: BOA 18-100117

Applicant: John Morrissey and Brian Morrissey
Owner: Robert Schoenborn
Property Address: 815 North 2nd Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(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-PC 180717mins

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*.

Applicant: Brian Morrissey and John Morrissey, 4913 Suarez Bluff Road, Fernandina Beach, FL stated their hardship is a non-conforming lot for a covered porch. Mr. Brian Morrissey added this is their second time requesting for a variance before the board, with the previous requests being BOA# 18-100047 and BOA# 18-100067. The property will be located 22 feet from an alley. Mr. Brian Morrissey also stated he is planning to construct a 10x20 square foot pool that will extend behind the patio at a later date. Concerns were addressed by Mr. Reddington regarding the applicants using the variance to expand the size of the dwelling and not necessarily build a pool. Mr. Brian Morrissey clarified the lot coverage request in the variance is for a deck that will not surround the pool. After further questioning by Ms. Osewalt, the variance request was changed to encompass a covered porch deck, rather than the stated, "covered pool deck," for simplification.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated he doesn't have a problem with the request, considering there is an alleyway behind the property. Ms. Osewalt agreed.

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington to approve BOA# 18-100117, with modification to 34337(e)(1)c., for rear yard setback of 22 feet for a covered deck, and the rest will remain as written.

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

Planning & Development Director's Report

Ms. Ireland noted the next meeting is scheduled for Tuesday, August 7, 2018.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:30 P.M.

Submitted by: Selena Hodge
Staff Assistant

Approval:

Chairman

Date

**Minutes of Board of Adjustment Meeting
held Tuesday, July 3, 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 (*absent*)
Board Members: John Moreland, Scott Cummings (*absent*), Francis Reddington
Alternates: Lucas Snyder

Also in attendance was George Knight, Building Official, and Mandy Murnane, Staff Assistant.

Ex-parte Communications: None

Approval of Minutes:

It was moved by Mr. Reddington, seconded by Mr. Snyder, and passed unanimously to approve the minutes of the June 19, 2018 meeting.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

Option to Delay: The agents for Board of Adjustment Case Number 18-100101 (A) and Case Number 18-100102 (B) accepted the option to delay their hearing until the Board of Adjustment meeting on July 17, 2018.

(C) Case Number: BOA 18-100103

Name of Applicant: Falon and Brendan Sexton

Property Address: 204 South 9th Street, Jacksonville Beach, FL 32250

Agent: Jonathan Smith, 66 West 14th Street, Atlantic Beach, FL 32233

City of Jacksonville Beach Land Development Code Section(s) 34-339(e)(3)c.1., for a front yard setback of 1.9 feet, in lieu of 20 feet required; 34-339(e)(3)c.2., for a corner side yard setback of 9.3 feet, in lieu of 12.5 feet required; for 34-339(e)(3)c.3., for a rear yard setback of 7.8 feet in lieu of 30 feet required; and 34-339(e)(3)d.1., for a one-bedroom unit size of 600 feet, in lieu of 700 feet; and for 34-377 for 2 parking spaces, in lieu of 4 required; to add a one-bedroom apartment and relieve existing non-conformities for property, legally described as the north 62.5 feet of Lot 1, and the north 62.5 feet of the east 25 feet of Lot 2, all of Block 30, *Pablo Beach South*.

Mr. and Mrs. Sexton, along with their agent, Mr. Smith, explained the existing structure and the parking spots are non-compliant, and the variance would allow the existing structure to be up-to-code. The discussion included the elimination of parking spots, the eventual backyard size, and the history of the apartment building that was originally built as a garage.

Public Hearing:

Mr. Reddington read correspondence received by Amy Juall, 18 Sandra Drive, Jacksonville Beach, FL, where she stated her opposition to the application [*on file*].

Ms. Osewalt closed the public hearing.

Discussion: *Mr. Moreland expressed concerns regarding the kitchen that was built in the apartment in violation of code and later removed, and how it will be put back. Ms. Osewalt reiterated that the apartment was originally a garage, which led to clarification between board members on the size of the unit and the effects the variance will have.*

Motion: It was moved by Mr. Moreland, seconded by Mr. Reddington, to approve BOA# 18-1000103, as presented with the exception to remove 34-377 for two parking spaces, in lieu of the required four.

Roll Call Vote: Ayes – John Moreland, Francis Reddington, Lucas Snyder
Nays – Sylvia Osewalt
The motion passed by a vote of 3-1.

(D) Case Number: BOA 18-100104

Name of Applicant: Coastal Oaks Beach Homes, LLC

Owner: Ernest Russell

Agent: Greg Barnett

Property Address: 1645 South 7th Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 43.6% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, for property legally described as Lot 15, Block 4, *Sea Side Park*.

Mr. Barnett and his business partner, Mr. Ryan Paulo (157 Bear Pen Rd., Ponte Vedra Beach, FL), requested a variance for a non-conforming lot size, presented in the blueprints [*on file*], in the case the owner decides to build a pool in addition to the family dwelling. This request was considered unusual because it was undecided whether the pool will be built or not. There was concern regarding whether, in the case the pool is not built, the owner will take advantage of the variance and expand the size of the dwelling to the area designated for the pool.

Public Hearing:

Mr. Reddington read correspondence received by Amy Juall, 18 Sandra Drive, Jacksonville Beach, FL, where she stated her opposition to the application. [*on file*]

The following individuals were opposed to the request but did not wish to address the board:

- Maira Miller, 19 Millie Drive, Jacksonville Beach, FL

Mr. Barnett responded to statements regarding drainage and tree removal.

Ms. Osewalt closed the public hearing.

Discussion: *There was no discussion on this application.*

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington, to approve BOA# 18-1000104, with modifications to 34-337(e)(1)e., for 43.6% in lieu of 35% maximum, where 575 square feet must be dedicated to a pool deck option.

Roll Call Vote: Ayes – John Moreland, Francis Reddington, Lucas Snyder
Nays – Sylvia Osewalt
The motion passed by a vote of 3-1.

(E) **Case Number:** BOA 18-100105

Name of Applicant: Coastal Oaks Beach Homes, LLC

Agent: Greg Barnett

Property Address: 1021 North 6th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 40% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family home, for property legally described as Lot 1, Block 2, *Palm Courts*.

Mr. Barnett and his business partner, Mr. Ryan Paulo requested a variance to bring their non-continuous driveway up-to-code. Prior to the building of the driveway, there was an over-lot coverage. After the driveway was built and properly inspected, it became apparent that it surpassed the lot coverage maximum, and is now in violation of code. The request for this variance was sent after the lot was constructed, meaning that it was not approved by the BOA.

Public Hearing:

Because there were no requests to speak in favor or in opposition to the application, Ms. Osewalt closed the public hearing.

Discussion: *There was no discussion on this application.*

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington, to reject the application for BOA# 18-1000105.

Roll Call Vote: Ayes – John Moreland, Sylvia Osewalt, Francis Reddington, Lucas Snyder
The motion to deny the application was approved unanimously.

PLANNING DEPARTMENT REPORT The next scheduled meeting is **Tuesday, July 17, 2018.**

There are two (2) scheduled cases.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 8:25 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:

Chairperson

Date



APPLICATION FOR VARIANCE

BOA No. 18-100141
Wednesday HEARING DATE 9-5-18

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. 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

JUL 12 2018

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Debra Applegate Telephone: 904-853-5358
 Mailing Address: 904 15TH AVE S JACKSONVILLE BEACH, FL E-Mail: DNews04@HOTMAIL.COM

Cell 727-597-0197

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

Cell 727-597-0197

Landowner Name: Debra Applegate Telephone: 904-853-5358
 Mailing Address: 904 15TH AVE S JACKSONVILLE BEACH E-Mail: DNews04@HOTMAIL.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

RE# 176959-0050

VARIANCE DATA

Street address of property AND Real Estate Number: 904 15TH AVE SOUTH JACKSONVILLE BEACH, FL

Legal description of property (Attach copy of deed): LOT 1, BEK160 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). THE DRIVEWAY DOES NOT GO UP TO THE HOUSE. BOTH PARENTS ARE HANDICAPPED AND NEED TO GET INTO THE GARAGE FROM THE OUTSIDE - PAVERS ARE NOT ENOUGH. MOBILITY SCOOTER DOES NOT GO OVER PAVERS WELL!

AFFIDAVIT

I, Debra Applegate, 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.

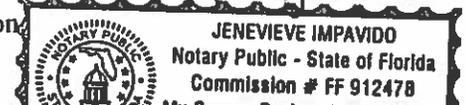
Debra Applegate
APPLICANT SIGNATURE

Debra Applegate
PRINT APPLICANT NAME

7-11-18
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 11 day of July, 2018 by Debra Applegate, who is personally known to me or has produced FDL as identification



VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100141

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	PARENTS ARE HANDICAPPED
Special circumstances and conditions do not result from the actions of the applicant.	No	RECEIVED
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	JUL 12 2018 PLANNING & DEVELOPMENT
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	

Existing

ORDERED BY:



CROCKETT LAW P.L.

REAL ESTATE LAW

10033 Sawgrass Drive West, Suite 125 | Ponte Vedra



PROPERTY ADDRESS: 904 15TH AVENUE SOUTH, JACKSONVILLE BEACH, FLORIDA 32250

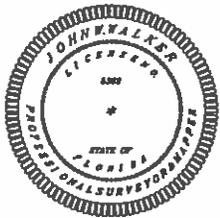
SURVEY NUMBER: FL1806.3188

FIELD WORK DATE: 6/25/2018

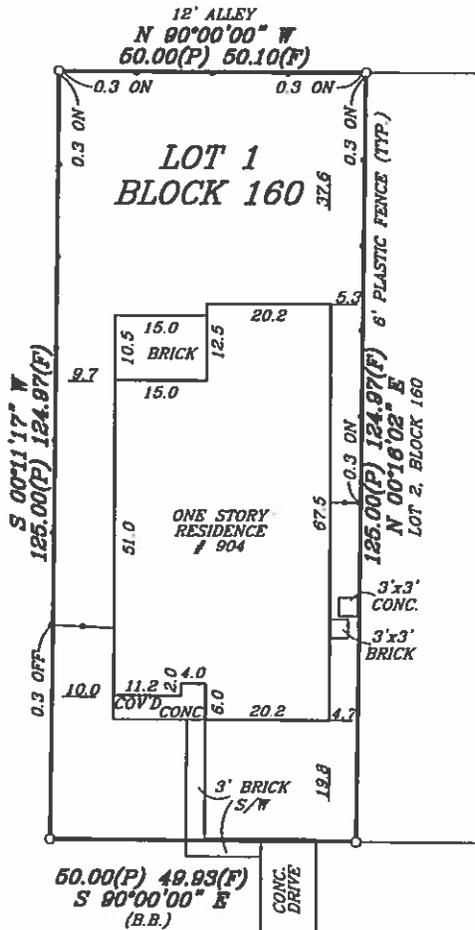
REVISION DATE(S): (REV.0 6/28/2018)

CERTIFIED BY: R.L.S. NO. 5362
JOHN V. WALKER

0=REC 3/4" I.P.
(NO ID)



9th STREET S.
50' PAVED PUBLIC R/W



15th AVENUE S.
80' PAVED PUBLIC R/W

BEARINGS BASED ON THE SOUTH R/W LINE OF 15th AVENUE S.
SAID BEARING BEING S 90°00'00" E

RECEIVED

JUL 12 2018
18-100141
PLANNING & DEVELOPMENT

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing herein shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, DATED 06/03/13.

CLIENT NUMBER: 2018-138

DATE: 06/28/18

BUYER: BORDEN APPEL GATE DECLARATION OF TRUST DEBRA APPEL GATEE

SELLER: SANDY BOTTOMS PROPERTIES LLC

CERTIFIED TO: BORDEN APPEL GATE DECLARATION OF TRUST DEBRA APPEL GATEE ; OLD REPUBLIC NATIONAL TITLE; OLD REPUBLIC

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST
NONE VISIBLE



Florida Land Title Association

AFFILIATE MEMBERS

EXACTA LAND SURVEYORS, INC.

11940 Fairway Lakes Drive, Suite 1, Ft. Myers, FL 33913
LB# 7337 | P: 866-735-1916 | F: 866-744-2882

Please Remit Payment To: 2132 E9th St | Suite 310, Cleveland, OH 44115

Proposed

ORDERED BY:



CROCKETT LAW P.L.
REAL ESTATE LAW

10033 Sawgrass Drive West, Suite 1251 Ponte Vedra



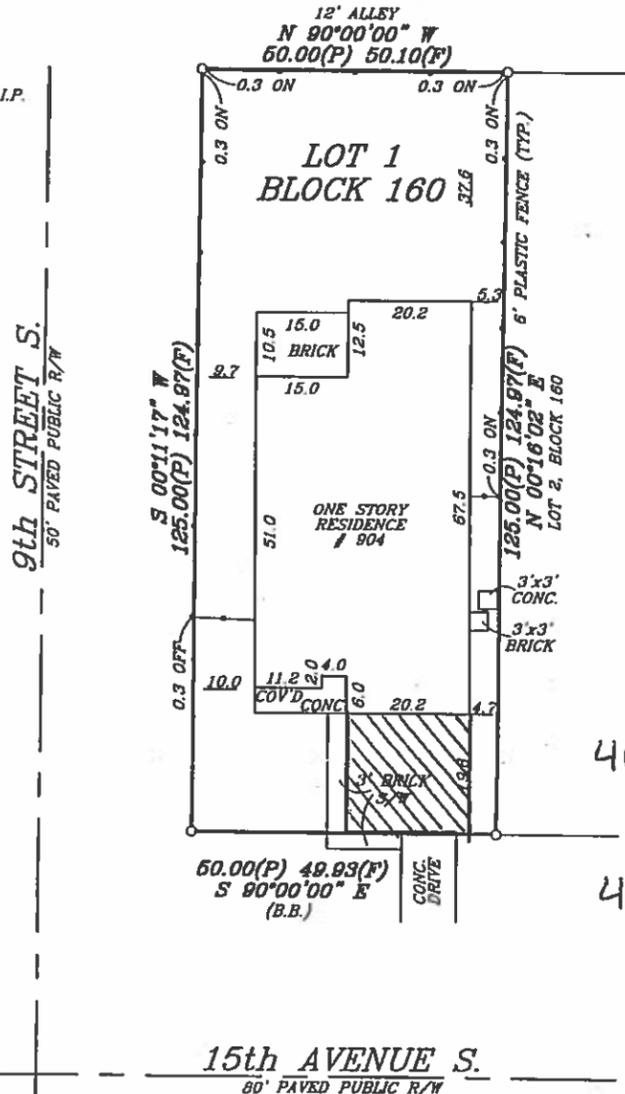
PROPERTY ADDRESS: 904 15TH AVENUE SOUTH, JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL1806.3188

FIELD WORK DATE: 6/25/2018

REVISION DATE(S): (REV.0 6/28/2018)

CERTIFIED BY:
JOHN V. WALKER
R.L.S. NO. 5362
O=REC. 3/4" I.P. (NO ID)



400# Driveway Addition

RECEIVED
40.8% Lot Coverage

JUL 12 2018

18-100141

PLANNING & DEVELOPMENT

15th AVENUE S.
80' PAVED PUBLIC R/W

BEARINGS BASED ON THE SOUTH R/W LINE OF 15th AVENUE S.
SAID BEARING BEING S 90°00'00" E

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Constructed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, DATED 06/03/13.

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SELLER: SANDY BOTTOMS PROPERTIES LLC

CERTIFIED TO: BORDEN APPELATE DECLARATION OF TRUST DEBRA APPELATEE ; OLD REPUBLIC NATIONAL TITLE; OLD REPUBLIC

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST
NONE VISIBLE



Florida Land Title Association

AFFILIATE MEMBERS

EXACTA LAND SURVEYORS, INC.

11940 Fairway Lakes Drive, Suite 1, Ft. Myers, FL 33913
LB# 7337 | P: 866.735.1916 | F: 866.744.2882

Please Remit Payment To: 2132 E9th St | Suite 310, Cleveland, OH 44115



APPLICATION FOR VARIANCE

BOA No. 18-100147
HEARING DATE 9-5-2018

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

JUL 24 2018

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: JAMES MICHAEL VINCI Telephone: 904-864-8259
 Mailing Address: PO BOX 10485 E-Mail: JAMES.M.VINCI@GMAIL.COM
JACKSONVILLE FL 32250

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

Landowner Name: JEFF SCHMIDT Telephone: 404-849-0381
 Mailing Address: 2509 ST. JOHNS BLVD E-Mail: SCHMIDTJEFF@GMAIL.COM
JACKSONVILLE BEACH FL 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 2509 ST JOHNS BLVD JAX BCH 32250 #180850-0000

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). AS IN MANY LOTS IN THIS ZONING DISTRICT, THIS ONE IS ONE OF THE SMALLER SIZE ON IN ORDER TO INSTALL A POOL AND PATIO, IT WILL BE SLIGHTLY OVER THE LOT COVERAGE.

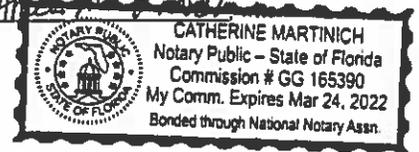
AFFIDAVIT

I, JAMES M VINCI, 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 JAMES M VINCI PRINT APPLICANT NAME 7/24/18 DATE

STATE OF FLORIDA, COUNTY OF DUVAL
 Sworn to and signed before me this 24th day of August, 2018 by James M Vinci
 is personally known to me or has produced JLDC as identification.

[Signature] NOTARY PUBLIC SIGNATURE CATHERINE MARTINICH PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-B FLOOD ZONE: X

CODE SECTION (S): Section 34-337(e)(1)e. for 41% lot coverage ILO 35% required to allow for a covered patio and pool addition to an existing single family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100147

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	THIS LOT IS SIMILAR SIZE TO OTHERS IN SAME ZONING DISTRICT THAT HAVE POOLS + PATIOS RECEIVED
Special circumstances and conditions do not result from the actions of the applicant.		JUL 24 2018 PLANNING & DEVELOPMENT
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	WE ARE NOT REQUESTING SPECIAL PRIVILEGES THAT HAVE NOT BEEN GRANTED TO OTHER PROPERTIES IN OUR 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	AS MENTIONED OTHER PARCELS IN ZONING DISTRICT HAVE POOLS AND PATIOS COVERING SIMILAR LAND AREAS
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	THE POOL SIZE IS ONE OF A SMALLER SCALE AND THE PATIO COVERING IS OF SIZE THAT WILL STILL ALLOW FOR OUTDOOR SPACE PROTECTED FROM THE WEATHER
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	THERE WILL BE NOT AFFECT ON ADJACENT PROPERTIES

From: Jeff Schmidt schmidtyjeff@gmail.com
Subject: 2509 St Johns Blvd
Date: July 24, 2018 at 10:44 AM
To: james.m.vinci@gmail.com



I hereby authorize James M Vinci to submit application and all associated paperwork for permits and variances at 2509 St Johns Blvd, Jacksonville, FL 32250.

Jeffrey Schmidt
Owner

Sent from my iPhone

RECEIVED

JUL 24 2018

18-100147
PLANNING & DEVELOPMENT



APPLICATION FOR VARIANCE

BOA No. 18-100149
HEARING DATE 9-5-18

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. 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

JUL 24 2018

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: David Mitchell Telephone: 404-372-2694
 Mailing Address: 3 21st Ave S., Jax B.C. FL 32250 E-Mail: _____

Agent Name: Marti McCay Telephone: 904-307-6771
 Mailing Address: Marti@reconstruction-team.com E-Mail: Marti@reconstruction-team.com
9210 Cypress green Dr, Jax FL 32256

Landowner Name: David Mitchell Telephone: 404-372-2694
 Mailing Address: 3 21st Ave S., Jax B.C. 32250 E-Mail: N/A

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: 3 21st Ave S, Jax B.C. 32250

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). Front Deck Needs rebuilt. We want to extend 3' like the neighbors
at 2 20th Aves + 4' 20th Ave. South Jax Beach Fl.

AFFIDAVIT

I, David Mitchell, 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.

David Mitchell
APPLICANT SIGNATURE

David Mitchell
PRINT APPLICANT NAME

7-24-18
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 24 day of July, 2018 by Harry David Mitchell who is personally known to me or has produced FL DL as identification.



VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA NO. 18-100149

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	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">JUL 24 2018</p>
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.		PLANNING & DEVELOPMENT
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	

Mr. Keller
continued
Roll call vote
on motion

asking for a variance.

Roll call vote on the motion to approve resulted in
the following: Bassett, aye, Castle, no, Craig, no,
McClure, aye, Miller, no, Sibley, no and Smith, no.
The variance was denied.

203-82
Byron & Fuller

Robert Byron and Mary Ann Fuller, 3 South 21st Avenue,
setback variance request.

Discussion

Terry Simmons, Architect, was present and presented the
plans which show encroachment on the second lot which
they are planning to sell to finance the house.

This is too large a house for this small lot. Both lots
would have to be utilized.

Motion to deny

Mr. McClure moved, seconded by Mr. Craig to deny the
request for variance.

Discussion:

There are two separate living quarters shown, two kitchens,
two entrances. It is apparently a duplex.

Mr. Simmons stated this was for Mrs. Fuller's mother.

This is too much building for this small lot, both lots
would have to be used.

Admiral Fuller was present and told the members they could
not afford to build if they could not sell one lot.

Vote to deny

The vote was unanimous to deny the variance request.

Adjournment

There being no further business, the meeting was adjourned
at 8:10 P.M.

cc: The Honorable Mayor and
Members of the City Council
Mr. Wayne Bowers, City Manager
Mr. Ray McGlynn, Building Official
Chief Frank Brunson, Fire Department

RECEIVED

JUL 24 2018

18-100149

PLANNING & DEVELOPMENT



CERTIFIED MAIL# 7012 2210 0002 4628 7176

April 12, 2016

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

Robert G. Vandermeer
179 Chatuge Village Circle
Hayesville, NC 28904

RE: BOA# 16-100035
4 20th Avenue South
(the Westerly 22.67 feet of the Easterly 50.34 feet of Lot 1 and the Westerly 22.67 feet of the Easterly 50.34 feet of the Northerly 20 feet of Lot 2, Block "M" *Permenters Replat of Atlantic Camp Grounds*)

www.jacksonvillebeach.org

Dear Mr. Vandermeer,

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 application for a variance from the requirements of the Land Development Code.

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

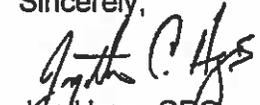
- 34-340(e)(4)c.1, for a front yard of 3.7 feet in lieu of 20 feet required

To allow for improvements to a townhouse dwelling.

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, CEO
Building Department





DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7012 2210 0002 4634 7023

September 18, 2015

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

Mr. Wayne McCoy
2 20th Avenue South
Jacksonville Beach FL 32250

RE: BOA# 15-100152
2 20th Avenue South
(the Easterly 27.67 feet of Lot 1 and the Easterly 27.67 feet of the Northerly 20 feet of Lot 2, Block M, *Permenter's Replat of South Pablo or Atlantic Camp Grounds*)

Dear Mr. McCoy,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, September 15, 2015, 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:

- 34-340(e)(4)c.1, for a front yard of 8.3 feet in lieu of 20 feet required; and
- 34-340(e)(4)c.2, for a corner side yard of 5 feet in lieu of 10 feet required

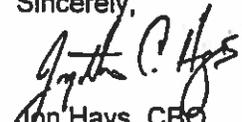
The Board **Amended** and **Approved** the request as follows:

- 34-340(e)(4)c.1, for a front yard of 8.3 feet in lieu of 20 feet required;
- 34-340(e)(4)c.2, for a corner side yard of 5 feet in lieu of 10 feet required; and
- Westerly demising wall not to be extended and decks are open air

To allow for improvements to a townhouse dwelling.

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, CEO
Building Department



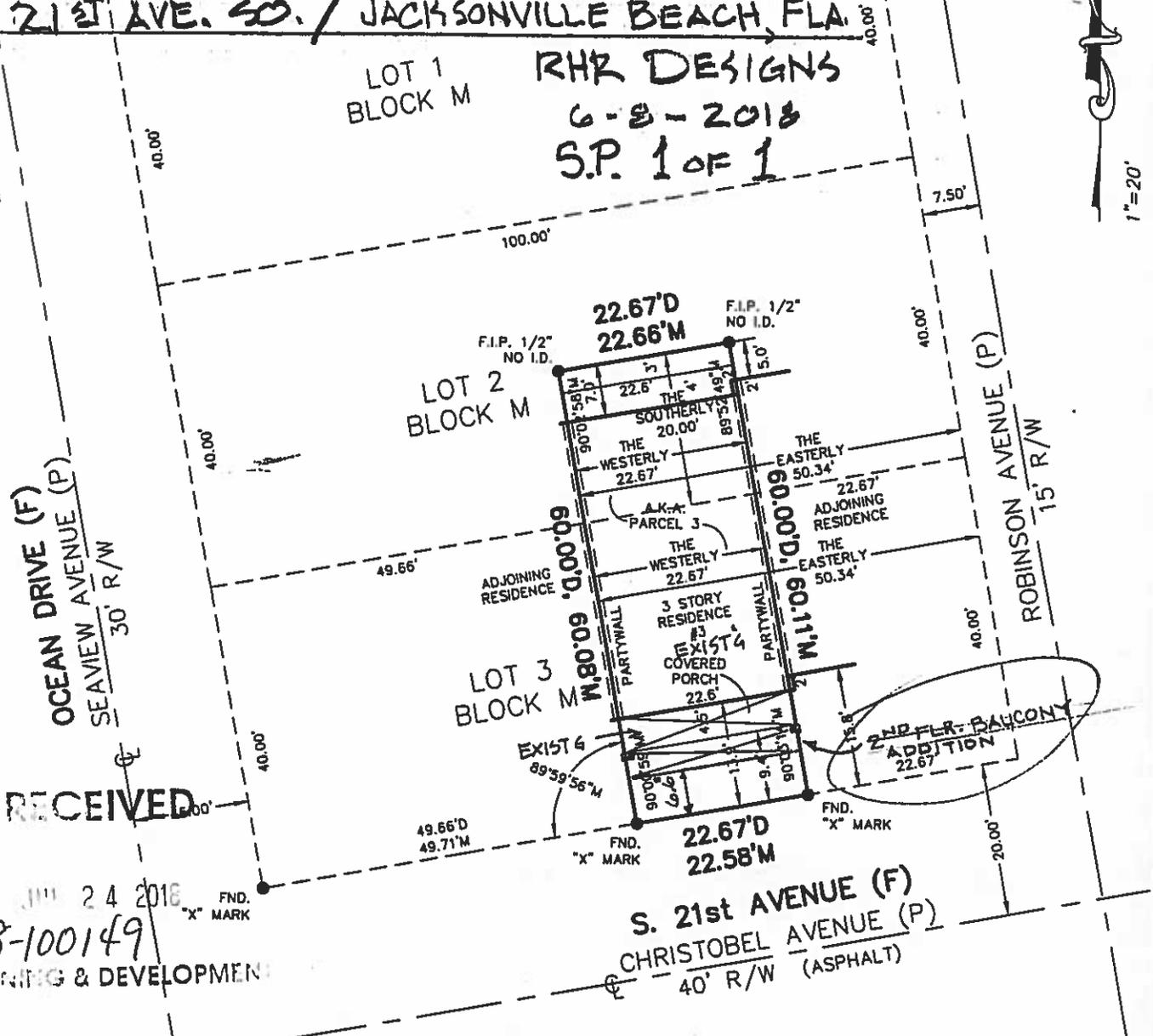
**BALCONY ADDITIONS TO
MITCHELL RESIDENCE**

UNIT # 2

21ST AVE. SO. / JACKSONVILLE BEACH, FLA.

LOT 1
BLOCK M

**RHR DESIGNS
6-8-2018
S.P. 1 OF 1**



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JUN 24 2018
18-100149
PLANNING & DEVELOPMENT

PAGE 2 OF 2 PAGES

BOUNDARY SURVEY

LB #6135



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.

(SIGNED) *Clyde O. McNeal*
Clyde O. McNeal
Digitally signed by Clyde O. McNeal
DN: CN = Clyde O. McNeal, E = US
C=US, o=2018.06.12 10:58:48 -0400

CLYDE O. McNEAL, PROFESSIONAL SURVEYOR AND MAPPER #2883



**TARGET
SURVEYING, INC.**

SERVING ALL FLORIDA COUNTIES

5601 CORPORATE WAY SUITE 210
WEST PALM BEACH, FL 33407
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FACSIMILE (561) 640-0578
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0578



APPLICATION FOR VARIANCE

BOA No. 18-100150
HEARING DATE 9-5-2018

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.

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JUL 24 2018

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Carrie Moon Telephone: 904-502-4300
 Mailing Address: 5 70th Ave S, Jacksonville Beach 32250 E-Mail: Carrie @ allcarehns.com

Agent Name: Marti McGary Telephone: 904-307-6771
 Mailing Address: 9800 Cypress Creek Dr, Jacksonville 32228 E-Mail: Marti@reconstruction.com

Landowner Name: CARRIE MOON Telephone: _____
 Mailing Address: 5 South 21st Avenue E-Mail: _____
Jax Beach Fl. 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 5 21st Ave S, Jacksonville Beach FL 32250
 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). Requesting to extend decks 3' out like the neighbors property at 2 70th Ave S, Jax Beach and 4 20th ave. S, Jax Beach. Decks need to be rebuilt, and we have engineered drawing to match neighbors.

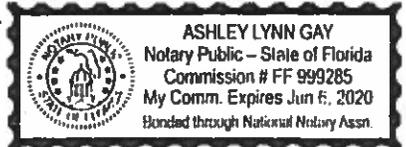
AFFIDAVIT

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.

Carrie Moon APPLICANT SIGNATURE CARRIE MOON PRINT APPLICANT NAME 7/24/18 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:
 Sworn to and signed before me this 24 day of July, 2018 by Carrie Moon, who is personally known to me or has produced Florida Drivers as identification.

Ashley Gay NOTARY PUBLIC SIGNATURE Ashley Gay PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: X
 CODE SECTION (S): Section 34.340(e)(4)C.1 for a front yard setback of 4.2' ILO 20' required to allow improvements to an existing townhome. (Extend 2nd Fl Balcony

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100150

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 RECEIVED
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	JUL 24 2016 PLANNING & DEVELOPMENT
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.		
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	Neighbors with the same town homes on 2 20th Ave. S. and 4 20th Ave South have extended their deck, Just like this
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	

Property address : 5 S 21ST AVE
PARCEL NUMBER : 179383.0700.

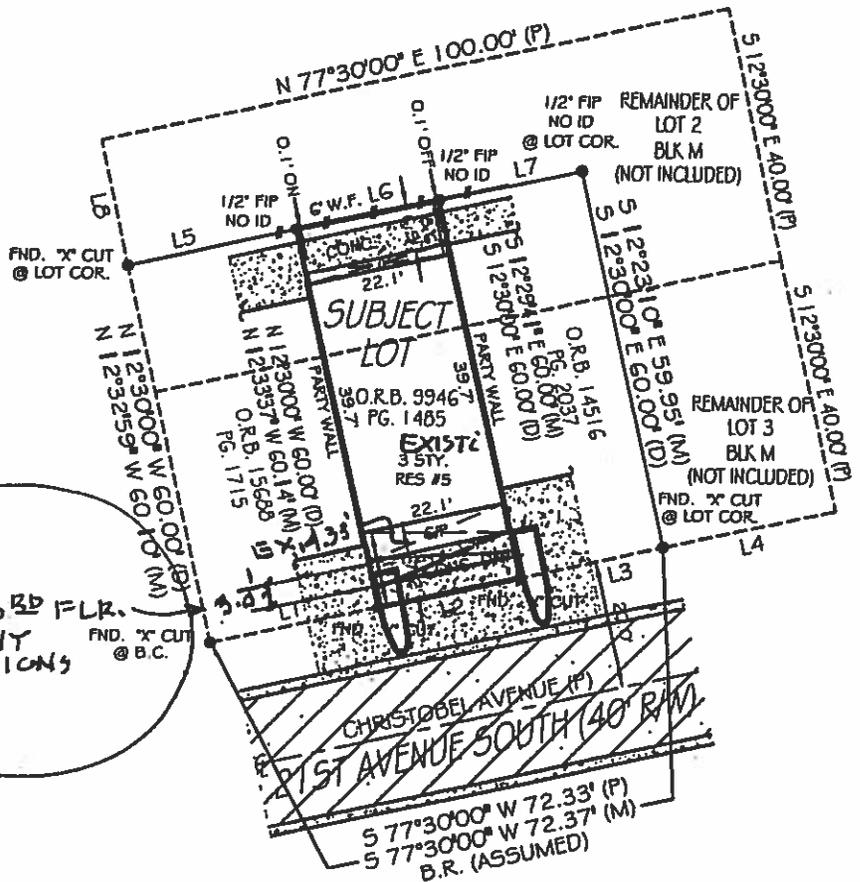
Source	Misc info code	Note	Date
LAND	VARI	ADMINISTRATIVE VARIANCE GRANTED 8-22-05	8/22/05
LAND	VARI	TO ALLOW A FY OF 2' TO ALLOW EXTENSION	8/22/05
LAND	VARI	OF 2ND STORY BALCONY	8/22/05

*Ref. BOA#
18-100150*

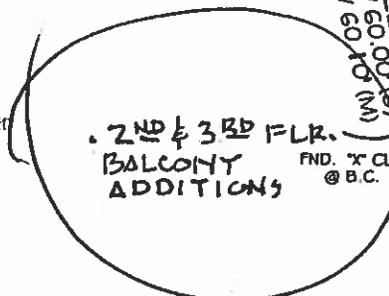
Press Enter to continue.
F3=Exit F12=Cancel

TABLE:

- L1 N 77°30'00" E 27.00' (D)
N 77°25'31" E 26.99' (M)
- L2 S 77°30'00" W 22.66' (D)
S 77°30'20" W 22.68' (M)
- L3 S 77°30'00" W 22.67' (D)
S 77°35'00" W 22.70' (M)
- L4 S 77°30'00" W 27.67' (D)
- L5 N 77°30'00" E 27.00' (D)
N 77°20'45" E 26.97' (M)
- L6 N 77°30'00" E 22.66' (D)
N 77°51'56" E 22.75' (M)
- L7 N 77°30'00" E 22.67' (D)
N 77°42'13" E 22.82' (M)
- L8 N 12°30'00" W 20.00' (D)



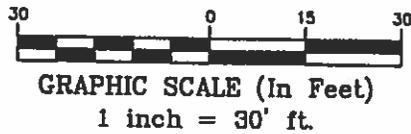
NOTES:
FENCE OWNERSHIP NOT DETERMINED



G. BOYD ALLEN
CERTIFICATE
No 3932

G. Boyd Allen

I hereby certify that this boundary survey of the hereon described property has been made under my direction, and to the best of my knowledge and belief, it is a true and accurate representation of a survey that meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17 of the Florida Administrative Code.



Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE BEACH, COMMUNITY NUMBER 120078, DATED 06/03/13.

POINTS OF INTEREST
NONE VISIBLE

CLIENT NUMBER: 11647-17-05083

DATE: 10/26/2017

BUYER: CARRIE MOON

SELLER: CHRIS AND LINDA FELKER

CERTIFIED TO: CARRIE MOON; NORTH AMERICAN TITLE COMPANY; CHICAGO TITLE INSURANCE COMPANY; CBC NATIONAL BANK

This is page 1 of 2 and is not valid without all pages.

Florida Land Title Association
AFFILIATE MEMBERS

FLTA
11901 Farway Lakes Drive, Suite 111, Dallas, TX 75243
1-800-253-7112 Fax 972-253-1916 TX 214-253-7112
Please Remit Payment To: 2132 E9th St | Suite 310, Cleveland, OH 44115

PROJECT SITE PLAN 1" = 30.0'

BALCONY ADDITIONS TO
MOON RESIDENCE
UNIT - # 5
- 21 ST AVE. SOUTH
JACKSONVILLE BEACH, FLA.

RHR DESIGNS
6-8-2018
S.P. 1 OF 1
RECEIVED

JUL 24 2018
18-100150
PLANNING & DEVELOPMENT