



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, January 15, 2019

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

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

Alternates: Lucas Snyder
Gary Cater

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES None

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

- a. **Case Number:** **BOA 18-100215**
Applicant: James M. Vinci
Owner: Jeffrey 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 57% lot coverage in lieu of 35% maximum; and 34-337(e)(1)g., for 0 foot accessory structure setback, to allow an existing unpermitted wood deck in the side yard to remain, a wider driveway, a pool constructed closer to the property line, and a proposed paver patio that connects to the public sidewalk to the north, and lot 14 to the east, all at an existing single-family dwelling, for property legally described as Lot 1, Block 3, *Jacksonville Beach Heights*.

Miscellaneous Info: One previous variance request, BOA# 18-100147.

Notes:

- b. **Case Number:** **BOA 18-100222**
Applicant/Owner: Joshua Whicker
Agents: Steve Jarrett & Scott Rae
Property Address: 1126 North 5th Street
Parcel ID: 174954-0000
Current Zoning: RS-1
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)**
34-336(e)(1)e., for 44.8% lot coverage in lieu of 35% maximum; 34-336(e)(1)c.2, for a corner side yard setback of 10 feet, in lieu of 16 feet required; to allow construction of a new single-family dwelling, for property legally described as Lot 1, Block 1, *Beach Homesites Unit 1*.

Miscellaneous Info: No previous variance requests.

Notes:

PLANNING DEPARTMENT REPORT The next scheduled meeting is **Tuesday, February 5, 2019.**

There are six (6) 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.



APPLICATION FOR VARIANCE

BOA No. 18-100215

HEARING DATE 1-2-2019
HTA moved 1-15-19

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. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

NOV 20 2018

APPLICANT INFORMATION

Applicant Name: JAMES M VINCI **Telephone:** 904 864-8257
Mailing Address: 2509 ST JOHNS BLVD **E-Mail:** JAMES.M.VINCI@GMAIL.COM
JACKSONVILLE BEACH FL 32250

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

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

PLANNING & DEVELOPMENT

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 PARCEL ID 180850-0000
 Legal description of property (Attach copy of deed): _____
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

SIDE PORCH IS NOT 5' FROM PROPERTY LINE. THIS WAS THE ORIGINAL DESIGN OF THE PROPERTY AND THE ONLY WAY TO ACCESS THE BACKYARD FROM HOUSE WITHOUT GOING THROUGH A BEDROOM
POOL IS 3'3" AWAY FROM PROPERTY LINE. THIS MAY BE AN ERROR BY POOL COMPANY AND THEY MEASURED FROM FENCE LINE NOT PROPERTY LINE
INCREASE LOT COVERAGE FROM 43% TO 60% TO ALLOW FOR POOL PAVER DECKING

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 VINCI
PRINT APPLICANT NAME

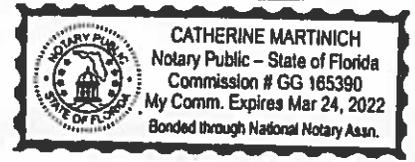
11/20/18
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 20th day of November, 2018 by JAMES VINCI, who is personally known to me or has produced _____ as identification.

[Signature]
NOTARY PUBLIC SIGNATURE

CATHERINE MARTINICH
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)e for 57% lot coverage <= 35% maximum and (e)(1)g. for a 0' accessory structure setback to allow an existing unpermitted wood deck in the side yard to remain, a wider driveway, a pool constructed closer to the property line and a proposed paver patio that connects to the public sidewalk to the north and lot 14 to the east all at an existing single family vacation rental.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100215

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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.

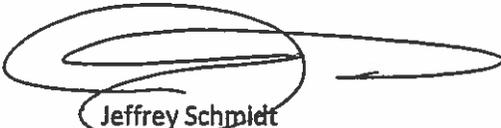
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	SMALL LOT IS UNCONFORMING AND CORNER LOT DOES NOT COUNT 10' OF PREVIOUS MATERIAL ON PROPERTY
Special circumstances and conditions do not result from the actions of the applicant.	NO	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	WE ARE NOT REQUESTING ADDITIONAL COVERAGE COMPARED TO OTHER PROPERTIES IN THE AREA
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	NO ALLES FROM INTERIOR LIVING SPACE TO BACKYARD WITHOUT GOING THROUGH A BEDROOM
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	RECEIVED
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	NOV 20 2018 PLANNING & DEVELOPMENT

Jeffrey Schmidt
2509 St Johns Blvd
Jacksonville Beach, FL 32250

September 7th, 2018

To Whom It May Concern,

I hereby authorize James M Vinci to submit permit applications and all other paperwork associated with 2509 St Johns Blvd, Jacksonville Beach, FL 32250.



Jeffrey Schmidt
Owner

RECEIVED

NOV 20 2018

PLANNING & DEVELOPMENT

RECEIVED

SEP 10 2018

18-100215

PLANNING & DEVELOPMENT

JACKSONVILLE BEACH

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

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7017 30400 0000 2076 6403

September 6, 2018

Jeff Schmidt
2509 St Johns Boulevard
Jacksonville Beach, FL 32250

RE: BOA# 18-100147
2509 St Johns Boulevard
(Lot 1, Block 3, *Jacksonville Beach Heights*)

Dear Mr. Schmidt,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Wednesday, September 5, 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:

- Section 34-337(e)(1)e., for 41% lot coverage, in lieu of 35% maximum;

The Board *approved* the request as read.

To allow for a covered patio and pool addition to an existing single-family 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 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,

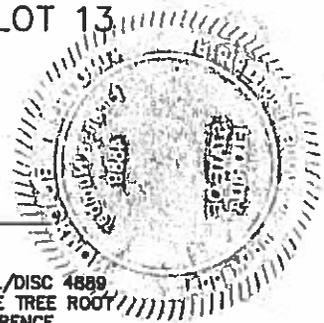
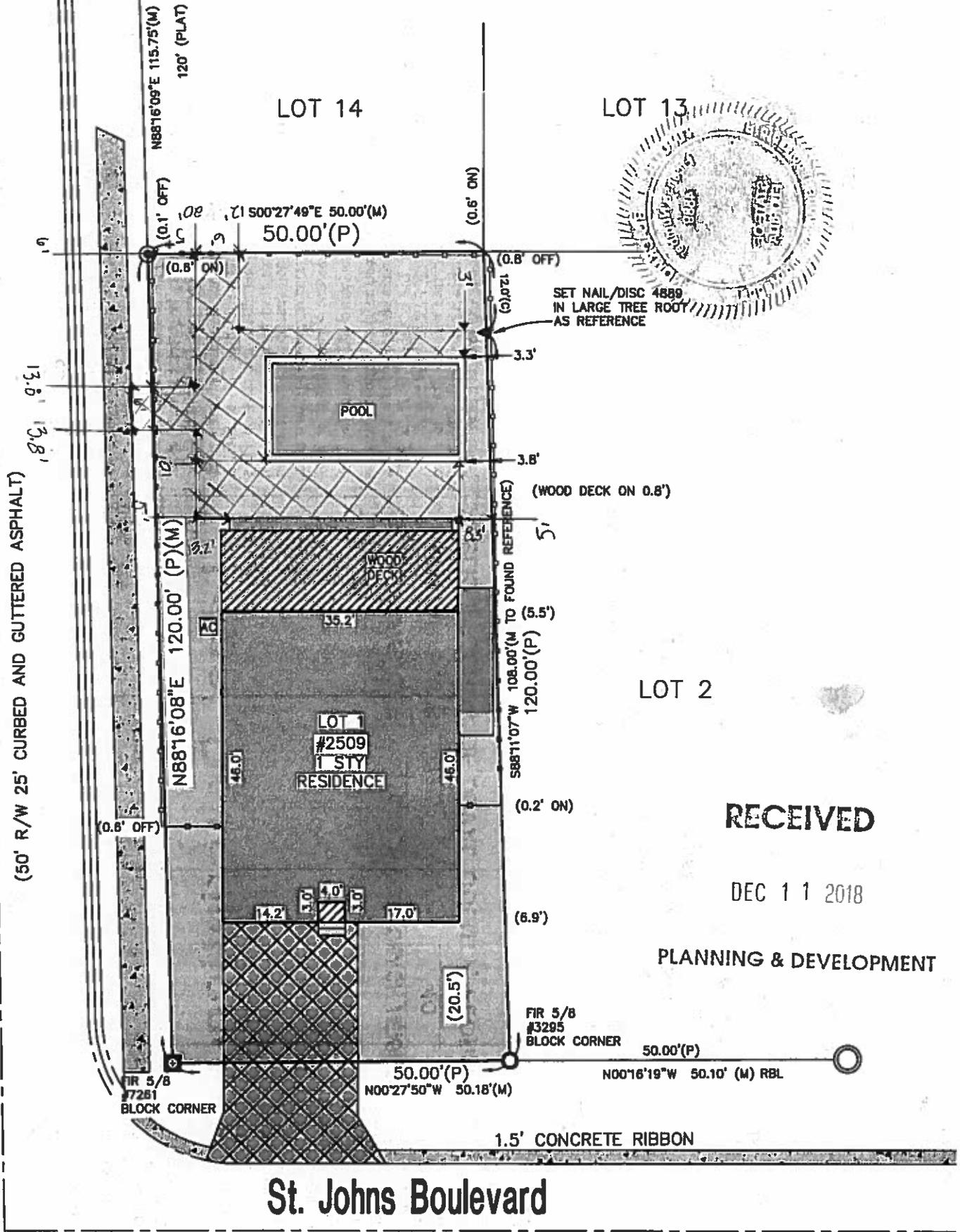


George Knight
Building Official



Osceola Avenue

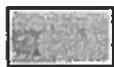
(50' R/W 25' CURBED AND GUTTERED ASPHALT)



RECEIVED

DEC 11 2018

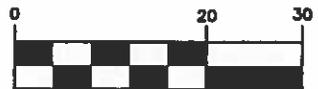
PLANNING & DEVELOPMENT

-  = CONCRETE
-  = YARD/LOT
-  = COVERED OR ENCLOSED
-  = PAVER
-  = WATER

PLAT HEREON CONTAINS NO ANGLES OR BEARINGS FOR COMPARISON TO FIELD MEASURED VALUES
 PLEASE SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION, CERTIFICATIONS, FHA/VA WELL AND SEPTIC TANK DIMENSIONS (If applicable), LEGEND, SYMBOLS, ABBREVIATIONS, NOTES, SIGNATURE AND SEAL ETC.

SHEET 2 OF 2 ALONE DOES NOT CONSTITUTE A FLORIDA BOUNDARY SURVEY
 BUILDING SETBACK LINES, IF SHOWN, ARE TAKEN FROM PLAT

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.



Sheet 2 of 2

Boundary Survey # 050318.7 for Schmidt



APPLICATION FOR VARIANCE

BOA No. 18-100222
HEARING DATE 1/15/19

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REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

RECEIVED

DEC - 3 2018

APPLICANT INFORMATION

Applicant Name: Joshua Whicker Telephone: (904)525-5674 PLANNING & DEVELOPMENT
 Mailing Address: 1126 5th St. N. E-Mail: jwhicker@comcast.net
Jacksonville Beach, FL 32250

Agent Name: Scott Rae, Architect and Steve Jarrett, Realtor Telephone: (904)591-5914 (Steve)
 Mailing Address: 3741 1st St S. E-Mail: Steve@OldBeach.com
Jacksonville Beach, FL. 32250

Landowner Name: Joshua Whicker Telephone: (904)525-5674
 Mailing Address: 1126 5th St. N. E-Mail: twhicker@comcast.net
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 1126 5th St. N, Jax Beach, FL. RE# 174954-0000
 Legal description of property (Attach copy of deed): Lot 1 Block 1 Beach Homesites Unit 1
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
10 ft North side vard variance in lieu of 16 ft corner setback per code
45% Impervious coverage variance in lieu of 35% per code
TEAR DOWN EXISTING HOME AND BUILD NEW HOME

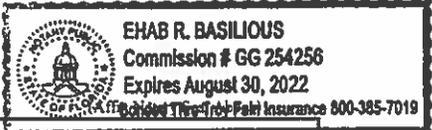
AFFIDAVIT

I, JOSH WHICKER, 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.

JW APPLICANT SIGNATURE JOSH WHICKER PRINT APPLICANT NAME 11.3.18 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:
 Sworn to and signed before me this 13th day of December, 2018 by Joshua Whicker, who is personally known to me or has produced Florida Driver License as identification.
W260421760490

[Signature] NOTARY PUBLIC SIGNATURE Ehab R Basilius PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X shaded
 CODE SECTION (S): Section 34-336 (e)(1)e, for 44.8% lot coverage ILO 35% maximum to allow construction of a new single family dwelling.
Sec. 34-336(e)(1)c.2 for a corner side yard setback of 10', in lieu of 16' required;

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 18-100222

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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

RECEIVED
DEC - 3 2018

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

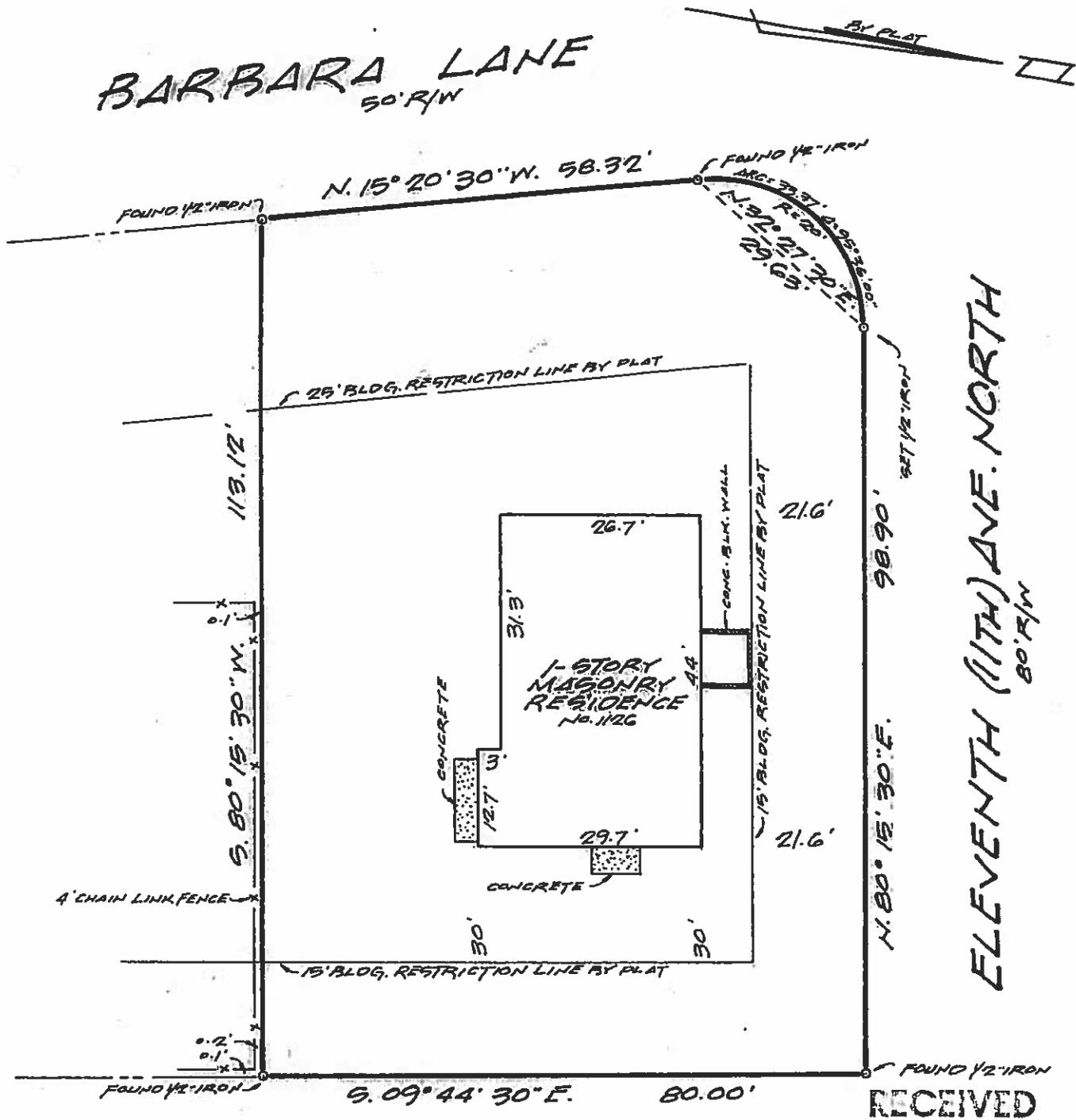
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	Code lot size calls for 90' minimum with 10,000 sq ft lot size. Original 1950's platted lot is 80 ft with 9218 sq ft.
Special circumstances and conditions do not result from the actions of the applicant.	No	Very consistent with current new construction efforts in neighborhood
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	Corner setback request takes into consideration the extra-wide 11th Ave 80' ROW which leaves proposed structure still over 38 ft from back of curb & pavement.
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.		Proposed construction would be a tremendous improvement over the existing structure and add significant value to the surrounding neighborhood.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.		Applicant bought property in 2007 and has since been married and family has grown to include 2 children. Outgrowing current 1200 sq ft structure built in 1948.
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	Very in line with current new construction efforts taking place in neighborhood and throughout North Jacksonville Beach

MAP SHOWING SURVEY OF

Existing

LOT 1, BLOCK 1, BEACH HOMESITES UNIT ONE, AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR: ROBERT G. STEWART



RECEIVED

FIFTH (5TH) STREET NORTH
50' R/W

DEC - 3 2018

18-100222
PLANNING & DEVELOPMENT

- THIS PROPERTY LIES IN FLOOD ZONE 'C', WHICH IS OUTSIDE OF THE 500 YEAR FLOOD AREA
- THIS IS A LAND SURVEY

H. A. DURDEN & ASSOCIATES INC.
LAND & HYDROGRAPHIC SURVEYORS
Post Office Box 60870
830 Beach Boulevard
Jacksonville Beach, Florida 32260

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.07 Florida Statutes.

Rahnda M. Mafford
REGISTERED SURVEYOR NO. 3802 FLA.

SIGNED APRIL 25 19 03

SCALE: 1" = 20'

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

