



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, February 19, 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 January 15, 2019

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

- a. **Case Number:** **BOA 19-100001**
Applicant/Owner: William Kilgannon
Property Address: 2228 South 1st Street
Parcel ID: 179426-0050
Current Zoning: RM-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)**
34-338(e)(1)e., for 72% lot coverage in lieu of 35% maximum; and 34-338(e)(1)g., for an accessory structure setback of 0 feet in lieu of 5 feet required; to allow the replacement of a pool deck at an existing non-conforming single-family dwelling, for property legally described as *Lots 6 and 7, Block W, (Except the Easterly 5 feet of Lot 6 lying in First Street) Permenter's Replat of South Pablo or Atlantic Campgrounds.*
- Miscellaneous Info:** Two previous variance requests (BOA#73-2003, BOA#89-2002 withdrawn, and one conditional use PC#10-86, withdrawn).

Notes: _____

- b. **Case Number:** **BOA 19-100002**
Applicant/Owner: Lilyan V. Fleming
Agent: Howard Fleming
Property Address: 1602 North 7th Street
Parcel ID: 174881-0000
Current Zoning: RS-1
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)**
34-336(e)(1)e., for 40.7% lot coverage, in lieu of 35% maximum; to allow existing improvements that exceeds permitted work to remain at an existing single-family dwelling, for property legally described as Lot 1, Block 8, *Surf Park Unit One.*
- Miscellaneous Info:** No previous variance requests.

Notes: _____

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

There are five (5) scheduled cases.

ADJOURNMENT

NOTICE

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

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

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

**Minutes of Board of Adjustment Meeting
held Tuesday, January 15th, 2019 at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Jeff Truhlar called the meeting to order.

ROLL CALL

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

Building Official George Knight was also present.

EX-PARTE COMMUNICATION: *None*

APPROVAL OF MINUTES: *None*

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

(A) Case Number: BOA 18-100215

Applicant: James M. Vinci
Owner: Jeffery Schmidt
Property Address: 2509 St. Johns Boulevard

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.

Owner: Mr. Schmidt and Mr. Vinci, 214 Tallwood Road, Jacksonville Beach, both approached the Board to speak about this case. Mr. Schmidt identified the hardship as having a small, corner lot; making him and the agent responsible for an additional 1,200 square feet for the side near Osceola Avenue that does not count toward the total lot coverage, thereby reducing it by approximately 10%. He explained there is a 10-foot setback closer to Osceola Avenue that takes away from the overall lot coverage. Mr. Moreland commented that is true for every corner lot.

Ms. Osewalt mentioned the discussion regarding a previous variance application for this lot that came before the Board, requesting for 41% lot coverage, during which the owner ensured the Board the amount requested is more than sufficient for the changes he wants to make to his property. She then commented changes in construction were already undergoing for that previous application before it came before the Board and later referenced to the unpermitted wooden deck on this application, indicating it is a similar case. It was explained that due to a survey error, the wooden deck was not included on the previous application's survey, so the request for 41% lot coverage was not related to the wooden deck.

The requested additional lot coverage in this application is for the placement of pavers around the pool. The setback request is for the pool's location. Because the pool contractor used the incorrect fence line, rather than the property line, as the boundary of the lot, he built the pool in violation of setback laws.

Public Hearing:

The following spoke in opposition to the variance request:

- Ivan Richter, 2030 Horn Street, Jacksonville Beach, stated he feels uncomfortable regarding the 57% lot coverage request and how if this is approved, then other similar lots must be as well. He mentioned the owner's tendencies to construct first and ask for forgiveness later.
- Matt Lany, 2546 Horn Street, Jacksonville Beach, first asked if the intent of property use is considered by the Board, to which the Board answered that it is not factored in its decision. He then commented that if this property is used for commercial purposes, rather than residential purposes, then it becomes an issue according to how it is currently identified by law. Mr. Lany also added this would disturb the property's neighbors, which includes himself, due to noise intrusion that will affect their families. He also reiterated the point that changes are being done before permission is granted.
- Patti Mason, 3113 St. John's Boulevard, Jacksonville Beach, addressed already-existing parking issues that will erupt once this variance is allowed.

The following was opposed to the variance request, but preferred not to speak:

- Tina Nugent, 3180 St. Johns Boulevard, Jacksonville Beach
- Charles Mason, 3113 St. John's Boulevard, Jacksonville Beach,

Mr. Schmidt commented the decking already existed when the property was first constructed and is not a change he made. He explained the reasoning behind the double-wide driveway he intends to build, and that is to alleviate street parking, which was one of the issues discussed by opposers.

Mr. Vinci added this variance request is for placing pavers around the pool, which is an addition he would make that is not already-existing. Ms. Osewalt reiterated the owner's request for 16% additional lot coverage is just for adding pavers.

Mr. Truhlar closed the public hearing.

Discussion:

Ms. Osewalt spoke against the lot coverage request, and Mr. Reddington commented on the owner's previous behavior of making changes before permission is granted by the City.

Motion: It was moved by Mr. Moreland, and seconded by Mr. Reddington, to disapprove BOA# 18-100215 for exceeding the necessary minimum requirements to make reasonable use of the property and for conflicting with special privileges that were denied to others within the neighborhood.

The motion was withdrawn.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Moreland, to approve BOA# 18-100215, for 43.9% lot coverage and for a 3.3-foot setback for the pool, only.

Mr. Knight commented the unpermitted wooden deck (accessory structure) is part of the lot coverage, which is currently 43.99%. **The motion was withdrawn, and the original motion was restated.**

Motion: It was moved by Mr. Moreland, and seconded by Mr. Reddington, to disapprove BOA# 18-100215 for exceeding the necessary minimum requirements to make reasonable use of the property and for conflicting with special privileges that were denied to others within the neighborhood.

Roll Call Vote: Ayes –John Moreland, Francis Reddington, Jeff Truhlar, Sylvia Osewalt, and Gary Cater

The motion was approved unanimously.

(B) Case Number: BOA 18-100222

Applicant/Owner: Joshua Wicker
Agents: Steve Jarrett & Scott Rae
Property Address: 1126 North 5th Street

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*.

Agent: Scott Rae, 344 South Roscoe Boulevard, Ponte Vedra Beach, owner Joshua Wicker, and Steve Jarrett, 3741 South 1st Street, Jacksonville Beach, all approached the Board. Their hardship is the undersized, approximately 9,200 square foot property, in lieu of the 10,000 square foot minimum. Another hardship is an 80-foot right-of-way that was identified as unusually large and therefore further reduces the lot coverage. The 16 feet the owner is requesting on the side of the construction is for a courtyard in the back towards 11th Avenue and private space for the children. The owner assured the Board he spoke with his neighbor. Discussion ensued regarding the two driveways and the side yard setback.

Public Hearing:

No one came before the Board to speak about this case.
Mr. Truhlar closed the public hearing.

Discussion:

Ms. Osewalt stated there is no question this lot is non-conforming.

Motion:

It was moved by Ms. Osewalt, and seconded by Mr. Moreland, to approve BOA# 18-100222, as presented and discussed, for meeting the minimum variance requirements for suitable use of land.

Roll Call Vote:

Ayes – John Moreland, Francis Reddington, Sylvia Osewalt, Gary Cater and Jeff Truhlar

The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, February 5, 2019**. There are six (6) scheduled case.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:50 P.M.

Submitted by: Sama Kaseer
Administrative Assistant

Approval:

Chairperson

Date



APPLICATION FOR VARIANCE

BOA No. 19-100001
HEARING DATE 2-19-2019

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.

RECEIVED

JAN - 7 2019

APPLICANT INFORMATION

Applicant Name: William Kilgannon Telephone: PLANNING & DEVELOPMENT
 Mailing Address: 11235 St. Johns Industrial Pkwy N Suite 4 E-Mail: wpkilgannon@gmail.com
Jacksonville, FL 32246

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

Landowner Name: William Kilgannon Telephone: (904) 861-7133
 Mailing Address: 11235 St. Johns Industrial Pkwy N Suite 4 E-Mail: wpkilgannon@gmail.com
Jacksonville, FL 32246

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: 2228 S. 1st Street Jacksonville Beach, FL 32250 RE: 179426-0050
 Legal description of property (Attach copy of deed): 9-44 03-3S-29E .083 PERMENTERS REPLAT LOTS 6 7 (EX ELY 5FT IN RAW) BLK W
 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).
On the North and South sides of the property we request to make the setbacks 0 ft instead of the 5 ft. Increase the lot coverage to 72% instead of 65%. The previous owners installed a pool and a concrete pool deck. The pool started leaking and Beaches Energy requested that the pool be repaired to conserve water. In order to do that we had to rip up the nonconforming deck that already existed. We would like to go back in the same location around the pool with a more porous material, pavers.

AFFIDAVIT

I, William Kilgannon, 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.

William Kilgannon
APPLICANT SIGNATURE

William Kilgannon
PRINT APPLICANT NAME

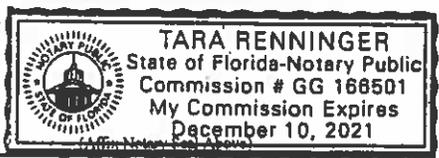
1/7/2019
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 7th day of JANUARY, 2019 by WILLIAM KILGANNON
is personally known to me or has produced _____ as identification.

Tara Renninger
NOTARY PUBLIC SIGNATURE

Tara Renninger
PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 (RS-3 Standards) FLOOD ZONE: _____
 CODE SECTION (S): Section 34-338 (e)(1)e. for 72% lot coverage ± 0.35% maximum and (e)(1)g. for an accessory structure setback of 0' ± 0.5' minimum to allow the replacement of a pool deck at an existing non conforming single family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100001

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	It is a nonconforming lot and in addition it was split off from a bigger property.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	It was purchased in this condition.
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	RECEIVED
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.	No	JAN - 7 2019 PLANNING & DEVELOPMEN
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We are requesting as minimal as we can to preserve what we already have, this only came about due to Beaches Energy and homeowner wanting to conserve water due to a leak in the pool.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	There will be no effect on the adjacent land because we want to go back with what was already there.



Reference

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

July 21, 2003

Christopher Cumberland
2224 S 1st Street #C
Jacksonville Beach FL 32250

RE: Case No. BOA 73-2003
2228 S. 1st Street

Dear Mr. Cumberland:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on July 17, 2003 to consider your variance application.

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

- Section 34-340 (e)(1) c.1., for a front yard of 12.4 feet in lieu of 20 feet required.
- Section 34-340 (e)(1) c.2., for a southerly side yard of 2.2 feet and a northerly side yard of 3.5 feet in lieu of 10 feet required.

To allow for improvements to a two-family dwelling.

The results of the meeting were

Approved

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required information to our office before you begin work on this project.

Please remove the public hearing notice posted on your property. If you have any questions regarding this variance, please feel free to call me at (904) 247-6231.

Sincerely,

[Signature]
Jonathan Hays, CBO
Building Department
Attachment(s)

JCH/EB

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Postage and Insurance Coverage Provided)

7099 3400 0000 1885 0512

BoA 73-03

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)

Street, Apt. No., or PO Box No.

City, State, ZIP+4

BP100I02

City of Jacksonville Beach
Land Miscellaneous Information Inquiry

Reference

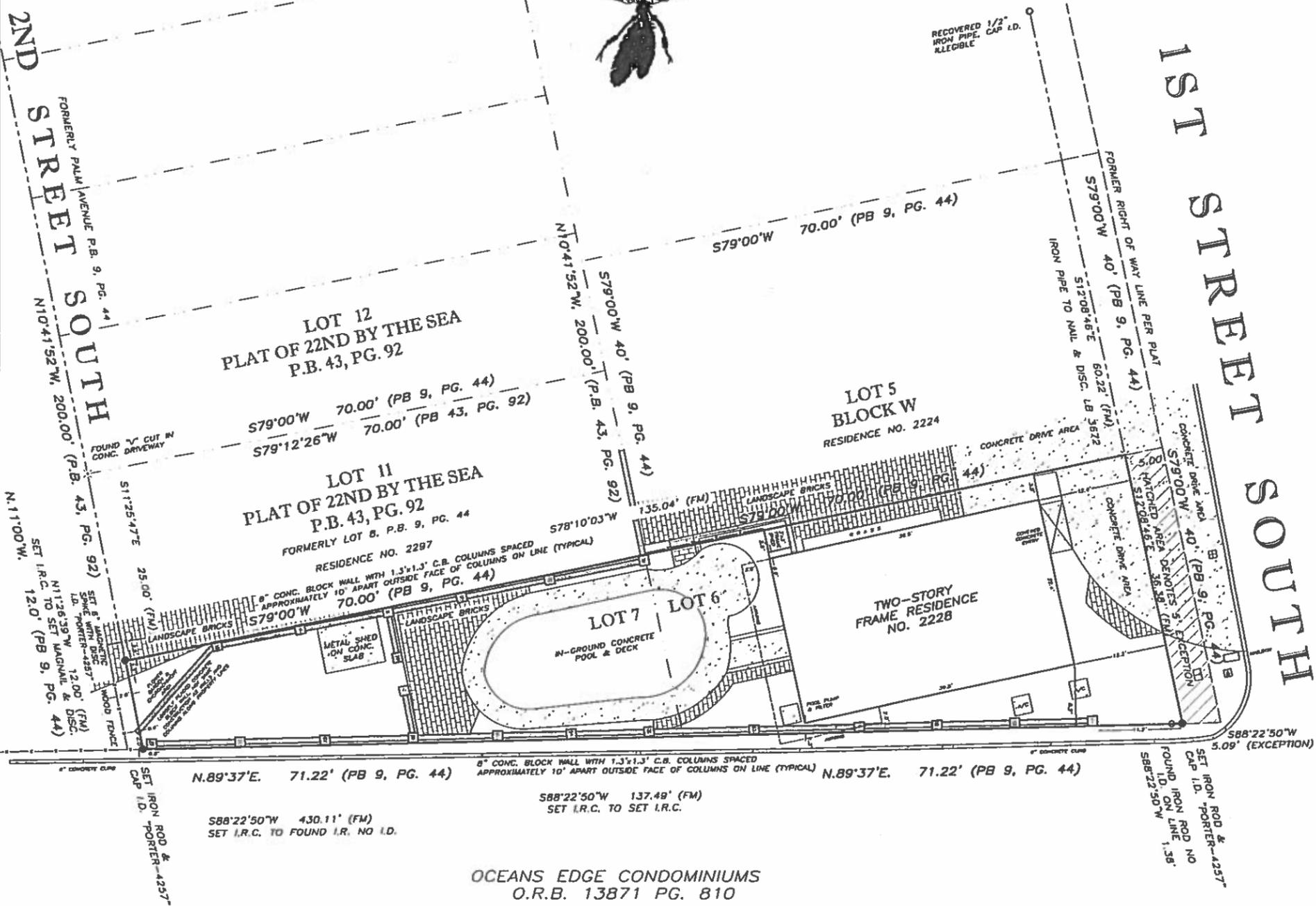
6/30/03
11:10:08

Property . . : 2228 S 1ST ST
179426.0050.

Code	System Dsgntr	Freeform information	Date	Display note at Appl Permit C.O.
VARI	BP	BOA 89-2002 *WITHDREW MTG 6-4-02 FOR FRN	6/30/03	
VARI	BP	YD OF 8' ILO 20' REQ, NO. SID YD OF 7' &	6/30/03	
VARI	BP	SO. SID YD OF 2.1' ILO 10' REQ, FOR REAR	6/30/03	
VARI	BP	YD OF 6' ILO 30' REQ & FOR 80% LOT COVG	6/30/03	
VARI	BP	ILO 65% MAX FOR IMPROVMNTS BEYOND 15% ON	6/30/03	
MLHZ	UT	NON-CONFORMING MULTI-FAMILY DEVELOPMENT	6/30/03	
CS	UT	EL - SO SIDE	6/30/03	
CS	UT	THIS IS A TOWN HOUSE AND STUDIO BOTH ON	10/07/97	
MLHZ	UT	ONE EL AND ONE WA MTR**COMMERCIAL PROP**	10/07/97	
		WA - FRONT	6/30/03	

Press Enter to continue.
F3=Exit F12=Cancel

MAP SHOWING BOUNDARY SURVEY OF:
 LOTS 6 AND 7, BLOCK W (EXCEPT THE EASTERLY 5 FEET OF LOT 6 LYING IN FIRST STREET), PERMETER'S REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 44 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



OCEANS EDGE CONDOMINIUMS
 O.R.B. 13871 PG. 810

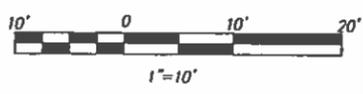
CERTIFICATION: I HEREBY CERTIFY TO WILLIAM KILGANNON, PONTE VEDRA TITLE, L.L.C., LOAN DEPOT.COM, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, WATHAWAY & REYNOLDS, PLLC, THAT THE LANDS HEREIN WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO OBSERVABLE ABOVE GROUND ENCROACHMENTS EXCEPT AS SHOWN, AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.017 / CHAPTER 51-17 FLORIDA STATUTES.

SURVEYED BY: CP/DP F.N. NO. 217389 PGS 1-2 DRAWN BY: CEP CHECKED BY: CEP ORIGINAL MAPPING DATE: 10/20/17
 REVISED MAPPING DATE:

SURVEY NOTES:
 1. BASIS OF BEARINGS SHOWN AS FIELD MEASURED (FM) REFERS TO THE FLORIDA STATE PLANE GRID SYSTEM, EAST ZONE 901, NAD83, IN ALL SURVEY FEET. PLAT BEARINGS SHOWN AS (P)
 2. UNDERGROUND UTILITIES OR FOUNDATIONS, OR PLUMBNESS OF STRUCTURAL WALLS SERVING THIS OR ADJACENT PROPERTIES HAVE NOT BEEN LOCATED, SHOWN, OR DETERMINED.
 3. THERE MAY BE EASEMENTS & CONDITIONS OF RECORD & NOT PART OF THIS RECORDED PLAT THAT HAVE NOT BEEN LOCATED OR SHOWN, WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY.
 4. THIS SURVEY IS TO BE CONSIDERED INVALID IF A MAP DOES NOT HAVE SURVEYORS ORIGINAL SIGNATURE AND AN EMBOSSED RAISED SURVEYORS SEAL.
 5. LAST DATE OF FIELD SURVEY IS OCTOBER 23, 2017, LEGAL DESCRIPTION FURNISHED BY CLIENT AND NO ATTEMPT HAS BEEN MADE TO RESEARCH THE PUBLIC RECORDS FOR OTHER MATTERS OF TITLE.
 6. THIS PROPERTY IS LOCATED IN FEMA FLOOD ZONE "X" AS DEPICTED ON FEMA FLOOD INSURANCE MAP NO. 1203 LC0418H, DATED JUNE 3, 2013.

ABBREVIATION & SYMBOL LEGEND

A/C = AIR CONDITIONER ON PAD B/C = BALCONY B O H = BUILDINGS OVERHANG/EAVE F/P = FOUND S/F = SEARCHED FOR NOTINGS FOUND F/S/T = F/2' MINT CONC. = CONCRETE COY. = COUNTRY CO = COUNTY D.W. = DRIVEWAY S.W. = SIDEWALK TR. = TRAIL ST = STAIR C.B. = CONCRETE CURB 1 = CENTERLINE 1 = BOUNDARY LINE 1 = PROPERTY LINE 1 = FLOW LINE 1 = DEGREE OF ARC 1 = ANGLE 1 = MISC OR LESS	D/W = DEED P/F = PLAT M/C = MEASUREMENT I.P. = IRON PIPE I.R. = IRON ROD Δ = DELTA ANGLE C/F/L = C/F/ROD C/R = CROWN IRONING A = ARC LENGTH R = RADIUS (R) = RADIAL (R.A.) = RADIAL R/W = RIGHT OF WAY MARGIN (V) = VENTILATION F.F. = FLOOR FINISH ELEVATION F.P.L. = FLORIDA POWER AND LIGHT F.E.A. = FLORIDA ELECTRIC AUTHORITY F.E.E. = FLORIDA ELECTRIC AUTHORITY E.A.S. = ELECTRIC AUTHORITY E.A.S. = ELECTRIC AUTHORITY	C.C.E. = CLAY ELECTRIC CO-OPERATIVE C.C.U.A. = CLAY COUNTY UTILITY AUTHORITY B.M. = BENCH MARK B.R.L. = BUILDING RESTRICTION LINE J.W.L. = JACOBSVILLE VERTICAL LINE T.B.M. = TEMPORARY BENCH MARK U.S. = UNDERGROUND U.S. = UNDERGROUND U.S. = UNOBTAINED DRAINAGE EASEMENT U.S.E. = UNDERGROUND ELECTRIC P.P. = POWER POLE P.B. = PLAT BOOK P.G. = PAGE U.P. = UTILITY POLE G.P.S. = GLOBAL POSITIONING SURVEY G.I.S. = GEOGRAPHIC INFORMATION SYSTEM LAT. = LATITUDE NORTH LONG. = LONGITUDE WEST P.C.C. = POINT OF CURVATURE I.P.A.L.S. = IRON PIPE AND LAMP P.O.B. = POINT OF BEGINNING	I.R. = IRON ROD P.O.C. = POINT OF CURVATURE P.I. = POINT OF INTERSECTION P.R.C. = POINT OF REVERSE CURVE P.R.M. = PERMANENT REFERENCE MONUMENT P.C.P. = PERMANENT CONTROL POINT P.R.L. = PAPER RAILROAD P.L.S. = PROFESSIONAL LAND SURVEYOR T.O.B. = TOP OF BANK B.O.B. = BOTTOM OF BANK F.O.W. = FOOT OF WALL S.M. = MASONRY MARK M.I.S. = MINIMUM STANDARD STANDARDS M.V.S. = NATIONAL GEODETIC VERTICAL DATUM NAVD83 = NORTH AMERICAN VERTICAL DATUM OF 1983 "C" = CUT IN CONCRETE T.S.M. = TRANSVERSE H = HORIZONTAL V = VERTICAL F.S. = FIELD BOOK F.N. = FIELD NOTES (M) = MEASURED
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CHARLES E. PORTER
 2465 STOCKTON DRIVE, FLEMING ISLAND, FL 32063
 OFFICE: 904-234-5574 / cporter@charlesporter.com

RECEIVED

JAN - 7 2019
 19-100001
 PLANNING & DEVELOPMENT

THIS DIGITAL SEAL IS BEING DISPLAYED BY PERMISSION OF CHARLES E. PORTER, PLS



APPLICATION FOR VARIANCE

BOA No. 19-100002HEARING DATE 2-19-2019

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.

JAN - 8 2019

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APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: LILYAN V. FLEMING Telephone: 615 268 9078
 Mailing Address: 1602 7th ST. N. E-Mail: firstflorida@yahoo.com
JACKSONVILLE BEACH, FL. 32250
 Agent Name: HOWARD FLEMING Telephone: 904-803-2323
 Mailing Address: 1602 7th ST. N. E-Mail: firstflorida@yahoo.com
JACKSONVILLE BEACH, FL. 32250
 Landowner Name: LILYAN V. FLEMING Telephone: 904 803 2323
 Mailing Address: 1602 7th ST. N. E-Mail: firstflorida@yahoo.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

1602 7th ST. N. JACKSONVILLE BEACH, FL. 32250Street address of property AND Real Estate Number: # 174881-0000Legal description of property (Attach copy of deed): See 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).

We purchased home as is and surveyor's estimate it to be at the coverage ratio without driveway walking, porch and AC ports. We renovated the interior with no exterior addition. Our understanding is to comply the home with today req. All interior remodeling has been completed and inspected.

AFFIDAVIT

I, Lilyan V. Fleming, 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

LILYAN V FLEMING
 PRINT APPLICANT NAME

1-7-19
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 7th day of January, 2019 by Lilyan V. Fleming, who is personally known to me or has produced _____ as identification.

[Signature]
 NOTARY PUBLIC SIGNATURE

Barbara A. Galvin
 PRINT NOTARY NAME



BARBARA A GALVIN
 Commission # GG 258194
 Expires December 2, 2022
 Bonded thru Budget Notary Services

(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X

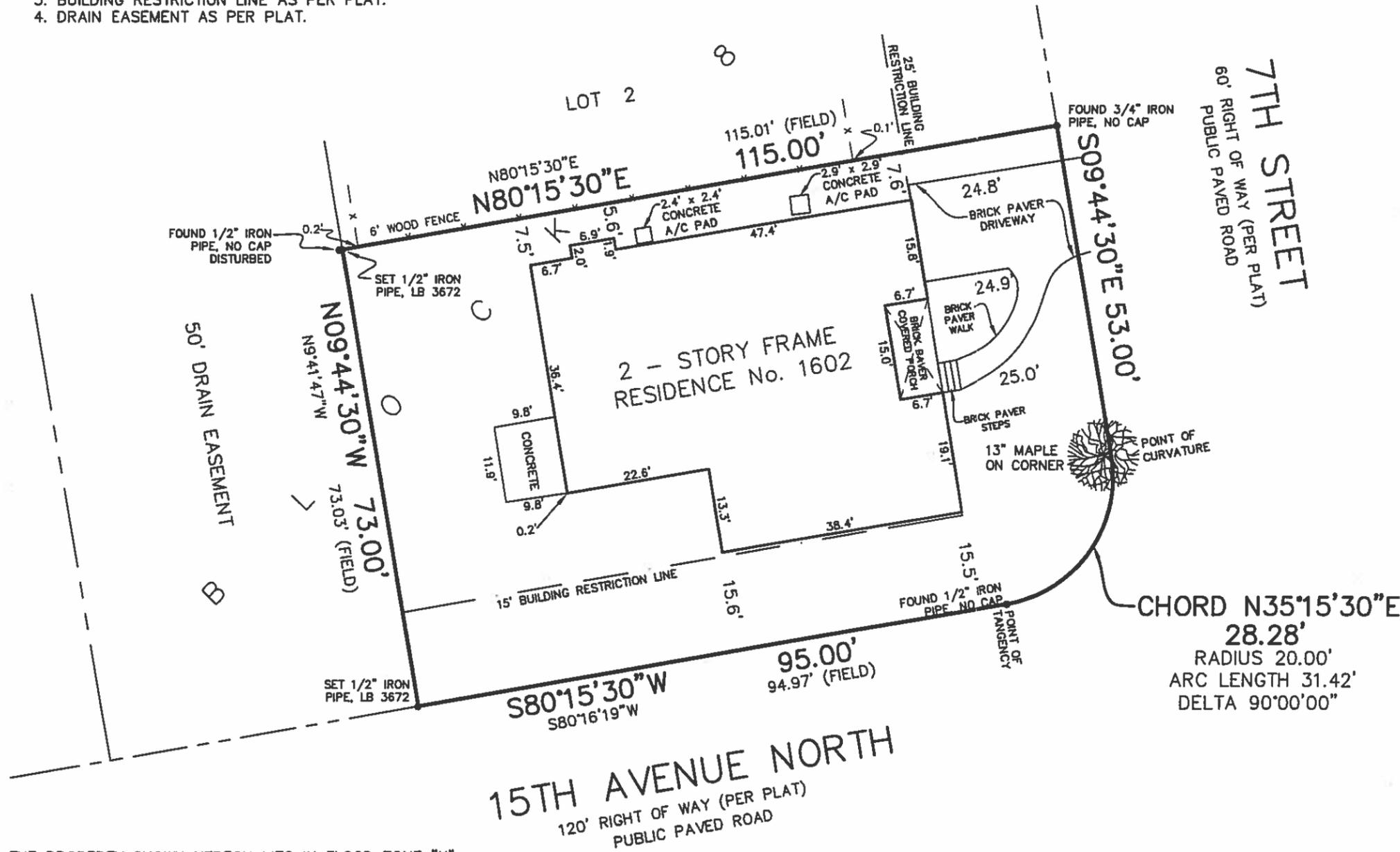
CODE SECTION (S): Section 34-336(e)(1)e for 40.7% lot coverage > 35% maximum to allow existing improvements that exceed permitted work to remain at an existing single family dwelling.

MAP SHOWING SURVEY OF

LOT 1, BLOCK 8, SURF PARK – UNIT ONE, AS RECORDED IN PLAT BOOK 19, PAGES 39 AND 39A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

NOTES:

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE NORTH LINE OF LOT 1, BLOCK 8, BEING NORTH 80°15'30" EAST, AS PER PLAT.
3. BUILDING RESTRICTION LINE AS PER PLAT.
4. DRAIN EASEMENT AS PER PLAT.



IMPERVIOUS AREAS

HOUSE	2,653.9 SQUARE FEET
CONCRETE	131.9 SQUARE FEET
BRICK	599.9 SQUARE FEET
TOTAL IMPERVIOUS AREA	3,385.7 SQUARE FEET
LOT SIZE	8,309.2 SQUARE FEET
PERCENTAGE	40.7%

RECEIVED

JAN - 8 2019
19-100002
PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF LILYAN V. FLEMING.



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

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0417J REVISED NOVEMBER 7, 2018 FOR DUVAL COUNTY, FLORIDA

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

BOATWRIGHT LAND SURVEYORS, INC.

1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

CHECKED BY: _____ DRAWN BY: TW FILE: 2018-1971

DATE: DECEMBER 19, 2018

SHEET 1 OF 1

2018-1971

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100002

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.

JAN - 8 2019

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	Purchased older home that has had various additions back in 50's 60's 70's that did not req. coverage calc's. The home alone, without driveways, porches etc pad's. The home is 3370. The minimal replacement of driveway and front walkway is req. for basic home use.
Special circumstances and conditions do not result from the actions of the applicant.	YES	The conditions were present at time of purchase. We actually removed other non-permitted concrete from areas.
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.	TRUE	We would be reaching a basic compliance as intended for family use. No additional requests.
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.	TRUE	We would not have a driveway, walkway to front door, a pad for A/C nor any other exterior space on an oversized corner lot.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	TRUE	This is the least required to have reasonable use of the home.
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.	TRUE	Granting this variance will provide a simple solution, moving forward, for older homes meeting the new standards.