



Agenda

Board of Adjustment

Tuesday, June 18, 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: Gary Cater

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

- a. Regular Board of Adjustment Meeting held May 7, 2019
- b. Regular Board of Adjustment Meeting held May 21, 2019

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

- a. **Case Number:** **BOA#19-100041**
Applicant/Owner: William and Ann Pinner Living Trust
Property Address: 1902 1st Street South
Parcel ID: 179297-0000
Legal Description: Lot 1 and the North ½ of Lot 2, Block “AA”, *Permenter’s Replat of South Pablo or Atlantic Camp Grounds*
Current Zoning: RM-2 (RS-3, per Conditional Use PC#9-19)
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)c.1, for a front yard setback of 10 feet in lieu of 20 feet required and 34-338(e)(1)e, for 49.5% lot coverage in lieu of 35% maximum to allow for construction of a new single family dwelling and detached one-car garage
Miscellaneous Info: One previously approved variance request (BOA#18-100045)

Notes: _____

- b. **Case Number:** **BOA#19-100068**
Applicant/Owner: Benjamin and Brooke Holway
Property Address: 240 40th Avenue South
Parcel ID: 180423-0000
Legal Description: West ½ of Lot 4 and all of Lot 5, Block 1, *Avalon Unit No. 2*
Current Zoning: RS-1
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 47.2% lot coverage in lieu of 35% maximum (42% previously approved) to allow for a pool and paver patio addition to an existing single family dwelling
Miscellaneous Info: One previously approved variance (13-100031) and one previously denied variance request (19-100031)

Notes: _____

c. Case Number: BOA#19-100070
Applicant/Owner: Nancy C. and David S. Massey
Property Address: 39 35th Avenue South
Parcel ID: 181486-0030
Legal Description: Lot 10, Block 6, *Atlantic Shores Oceanfront Section Division "A"*
Current Zoning: RS-1
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)c.1, for a front yard setback of 21 feet in lieu of 25 feet required; 34-336(e)(1)c.2, for side yard setbacks of 7.5 feet in lieu of 10 feet required; and 34-336(e)(1)e, for 47.2% lot coverage in lieu of 35% maximum to allow for construction of a new single family dwelling
Miscellaneous Info: No previous variance requests

Notes: _____

d. Case Number: BOA#19-100075
Applicant/Owner: Cynthia Williams Grossberg
Property Address: 1423 Constitution Place
Parcel ID: 181076-1050
Legal Description: Lot 26, *Constitution Cove*
Current Zoning: RS-2
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.3, for a rear yard setback of 16 feet in lieu of 30 feet required to allow for the conversion of an open patio into a covered screened porch at an existing single family dwelling
Miscellaneous Info: No previous variance requests

Notes: _____

- e. **Case Number:** BOA#19-100076
- Applicant/Owner: Jay and Katherine Villanti
- Agent: Jeff Swatkowski, Jr.
- Property Address: 1867 Arden Way
- Parcel ID: 178543-0000
- Legal Description: Lot 19, Block 14, *Ocean Forest Unit 3*
- Current Zoning: RS-1
- Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 47.5% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 4.8 feet in lieu of 5 feet required to allow for the addition of pavers around a pool inside of an existing screen pool enclosure at an existing single family dwelling**
- Miscellaneous Info: No previous variance requests

Notes: _____

PLANNING DEPARTMENT REPORT

The next scheduled meeting is July 2, 2019. There are five scheduled cases.

ADJOURNMENT

NOTICE

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

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

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

**Minutes of Board of Adjustment Meeting
held Tuesday, May 7, 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

Alternates: Gary Cater (*absent*)

Sylvia Osewalt

John Moreland (*absent*)

Building Official George Knight was also present.

Prior to the start of the meeting, Mr. Truhlar announced since only four Board Members are present, a quorum is created, and a tie vote means a motion does not pass. He added applicants have the opportunity to postpone their BOA case to another meeting date.

EX-PARTE COMMUNICATION:

Ms. Osewalt stated she spoke to City Council Member Sandy Golding regarding BOA 19-100036 and BOA 19-100038.

APPROVAL OF MINUTES:

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

- March 20, 2019
- April 2, 2019

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

(A) Case Number: BOA 19-100026

Owner: Patsy and Robert Williams Jr.

Applicant: Ross Kenneth Fanti

Property Address: 1419 North 4th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2, for a corner side yard setback of 10.4 feet, in lieu of 13 feet required; and 34-336(e)(1)c.3, for a rear yard setback of 21 feet, in lieu of 30 feet required; 34-336(e)(1)e., for 44.2% lot coverage, in lieu of 35% maximum;

Section 34-373(d) for a parking area setback of 0 feet, in lieu of 5 feet required; all to allow a carport to garage conversion and to relieve existing non-conformities, for property legally described as Lot 13, Block 7, *Surf Park Unit One*.

Owner: Amanda Davis stated she is requesting to alter the carport to make the house more square-shaped and allow the building of a garage. The home was purchased approximately two months ago and is undergoing renovations. She added she is reducing the footprint of the already-existing home and has spoken to her neighbor regarding carport changes, and he was in support of it. Mr. Knight informed the Board the current lot coverage is 37.1%, and the proposed construction reduces it by .1%. Mr. Truhlar questioned why the owner is maintaining the existing concrete driveway, which is a non-parking surface, and Ms. Osewalt added due to the lot's large size, there is no lot coverage issue.

Discussion ensued regarding the existing non-conformities. Mr. Cummings proposed to the owner removing the concrete to the left side of the property, and the Board incorporated additional ideas to reduce the proposed lot coverage and create privacy for the owners and the neighbor. Mr. Knight commented these propositions would reduce the size of the lot coverage by approximately 1%.

Public Hearing:

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

Discussion:

Mr. Cummings spoke about eliminating the 7.5-foot setback request after speaking with Ms. Davis, which would increase the parking area setback to 2.5 feet, in lieu of 5 feet required.

Motion:

It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve BOA# 19-100040, as written and read; for Sections 34-366(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet; 34-366(e)(1)c.2, for a westerly side yard setback of 7.5 feet in lieu of 10 feet required; 34-366(e)(1)c.2, for 37% lot coverage in lieu of 35% maximum; 34-366(e)(1)g., for an accessory structure (walkway) setback of 2.5 feet in lieu of 5 feet required; and 34-373(d), for a parking area setback of 2.5 feet, in lieu of 5 feet required; all to allow a carport to garage conversion and to relieve existing non-conformities.

Roll Call Vote:

Ayes – Sylvia Osewalt, Francis Reddington, Scott Cummings, and Jeff Truhlar

The motion was approved unanimously.

The agent of the next two applications, John Atkins, 786 North 2nd Street, Jacksonville Beach, elected to defer cases BOA 19-100036 and 19-100038 to another date due to the existence of a quorum. When Mr. Reddington asked about the violation of the previously-granted variance for these applications, Mr. Atkins responded it was a mistake unnoticed by different entities, including himself, the engineer, and the Planning and Development Department.

(B) Case Number: BOA 19-100036

Owner: The Palms of Jacksonville, LLC
Applicant: Atkins Builders, Inc.
Agent: John Atkins
Property Address: 2062 & 2088 North 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(1)f., for 45% lot coverage, in lieu of 41.5% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots I and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa Replat.*

(C) Case Number: BOA 19-100038

Owner: The Palms of Jacksonville, LLC
Applicant: Atkins Builders, Inc.
Agent: John Atkins
Property Address: 2016 & 2023 North 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(1)f., for 48.7% lot coverage, in lieu of 42.9% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots 1 and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa Replat.*

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, May 21, 2019**. There are four (4) scheduled case.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:40 P.M.

Submitted by: Sama Kaseer
Administrative Assistant

Approval:

Chairperson

Date

**Minutes of Board of Adjustment Meeting
held Tuesday, May 21, 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 Sylvia Osewalt John Moreland
Alternates: Gary Cater

Building Official George Knight and Attorney Denise May were also present.

EX-PARTE COMMUNICATION:

Ms. Osewalt stated she has spoken with City Councilmember Sandy Golding regarding BOA# 19-100036 and BOA# 19-100038. Mr. Cummings stated he had a conversation with John Atkins, the agent in BOA #19-100036 and #19-100038.

ANNOUNCEMENT:

Mr. Truhlar announced Mr. Moreland asked to be recused from the voting process due to his inability to thoroughly review the cases after some time away. Therefore, Mr. Cater would be a voting member.

APPROVAL OF MINUTES:

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

- April 16, 2019

CORRESPONDENCE: *None*

OLD BUSINESS:

(A) Case Number: BOA 19-100036

Owner: The Palms of Jacksonville, LLC
Applicant: Atkins Builders, Inc.
Agent: John Atkins
Property Address: 2062 & 2088 North 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(1)f., for 45% lot coverage, in lieu of 41.5% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots

I and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa Replat*.

Agent: John Atkins, 786 North 2nd Street, Jacksonville Beach, stated the hardship is present based on a miscalculation of a variance previously granted [BOA# 18-100057]. The applicant was originally approved for 41.5% lot coverage in the previous variance request. An as-built survey is done at the end of every construction project, and the buildings shown in the civil plans for this variance are five feet shorter than on the architectural and structural plans. He added this miscalculation was not found by the City, the Building Department, or himself.

Ms. Osewalt commented this area is normally very flooded. Discussion ensued regarding the different surveys on the agenda with relation to the previous variance. Ms. Osewalt stated a miscalculation is not a hardship. Mr. Atkins commented it is the same hardship from the previous variance, which is the lot is undersized. The construction on parcels one and two are 57.6 feet and 62.6 feet, respectively. A conforming lot is 6,000 square feet, with a 60-foot frontage, and the one in the variance conforms to that minimum. Ms. Osewalt commented that hardship could not be used. Mr. Atkins stated there is not one side of the home that was expanded, but the whole home was, and the distance between the two constructions did not change. Mr. Truhlar commented the liability is with the builder and asked if there were other ways the lot coverage can be reduced. Mr. Atkins responded the homes have already been sold.

Ms. Osewalt reiterated concerns about flooding and parking. Mr. Knight commented this error could happen, especially with recurring Jacksonville Beach builders, and the City bears some responsibility for this error as well. Ms. Osewalt read a letter addressed to the Board of Adjustment [*on file*] from Maureen and William Modrack expressing opposition to the variance request. They state Mr. Atkins has broken City codes and came back to the City for more variances. Mr. Cummings inquired about the process of City inspection of construction. Mr. Knight commented when construction is signed and sealed by a design professional, the City does not normally check every dimension. Mr. Atkins added he found the mistake and brought the error to the Planning and Development Department's attention.

Public Hearing:

Speakers of BOA #19-100038 were also given the chance to speak for this case, as the two variance applications are similar. The following spoke in favor of the variance application:

- Athena Mann, 11729 Alexander Court, Jacksonville, is the co-owner of 2088 1st Street North. Ms. Mann stated her family had owned the property for over 70 years. She commented it rarely floods on the property, and there was never an intent to not comply with the letter of the variance, but it was simply a mistake.
- Kristie Campbell, 103 19th Avenue North, Jacksonville Beach, neighbor to the north of the property in the variance, commented the builder helped alleviate any flooding that would occur.
- Bob Phillips, 1550 Selva Marina Drive, Atlantic Beach, the project's engineer, explained in detail how the error occurred.
- Daniel Klausner, 2016 1st Street North, Jacksonville Beach
- Vivian Smith, 1924 1st Street North, Jacksonville Beach, the neighbor to the south, praised the new construction's method of sending gutters straight to the drain.

The following were in favor of the variance request, but preferred not to speak:

- Athena Grainger, 20622034 1st Street North, Jacksonville Beach, co-owner of 2088 1st Street North
- Scott Campbell, 103 19th Avenue North, Jacksonville Beach, neighbor to the north of the property in the variance
- Richard Smith, 1924 1st Street North, Jacksonville Beach

The following were opposed to the variance request:

- Maureen and William Modrack, 1809 1st Street North, Jacksonville Beach [*letter on file*]

Mr. Truhlar closed the public hearing.

Mr. Reddington questioned Mr. Knight if there are fines builders must pay for mistakes like this, and Mr. Knight responded there are none. Discussion ensued regarding lot coverage minimum for RM-2 zoning. Mr. Atkins spoke of how the gutter is directly piped into the stormwater system in the new constructions. Ms. Osewalt stated there is still no hardship presented. Mr. Cummings responded there is a difficulty in altering something already built. Mr. Reddington expressed concerns regarding this issue reoccurring in the future. Mr. Knight stated the buildings currently have a Conditional Certificate of Occupancy.

Discussion:

There was no further discussion regarding this case.

Motion: It was moved by Mr. Reddington, seconded by Mr. Cummings, to approve BOA# 19-100036, as written and discussed.

Roll Call Vote: Ayes— Scott Cummings, Francis Reddington, Gary Cater, and Jeff Truhlar
Nays— Sylvia Osewalt

The motion was approved by a vote of 4-1.

(B) Case Number: BOA 19-100038

Owner: The Palms of Jacksonville, LLC
Applicant: Atkins Builders, Inc.
Agent: John Atkins
Property Address: 2016 & 2034 North 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(1)f., for 48.7% lot coverage, in lieu of 42.9% previously approved lot coverage to correct an error in calculations, and allow a larger footprint on a new two-family dwelling; for property legally described as part of Lots 1 and 2, Block 202, together with the East half of a 12 foot alley, closed by City of Jacksonville Beach, Ordinance No. 5386, Ocean Villa Replat.

Agent: John Atkins, 786 North 2nd Street, Jacksonville Beach, was present to discuss the case. The details of this variance applications are similar to and have been discussed in the previous application. Mr. Reddington commented there is a large difference between what was approved and

what was built in regard to lot coverage. Mr. Knight commented the same mistake was made in the two cases, but this lot is smaller than the lot in Parcel 1.

Public Hearing:

Speakers of BOA #19-100038 were called to speak during the Public Hearing for BOA #19-100036, as the two variance applications are similar.

Discussion:

There was no further discussion regarding this case.

Motion: It was moved by Mr. Reddington, seconded by Mr. Cummings, to approve BOA# 19-100052 [*actual case number for this motion is BOA# 19-100038*], as written and discussed.

Roll Call Vote: Ayes—Francis Reddington, Scott Cummings, Gary Cater, and Jeff Truhlar
Nays— Sylvia Osewalt

The motion was approved by a vote of 4-1.

NEW BUSINESS:

(A) Case Number: BOA 19-100046

Owner: R&S Property Solutions, LLC
Applicant: Gene Pruett
Property Address: 1012 South 1st Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-390(e)(l)c.3., for a rear yard setback of 12.9 feet, in lieu of 30 feet required; and for 34-390(e)(l)f., for 37.6% lot coverage, in lieu of 35% maximum; and section 34-373(d) for a parking area setback of 0 feet, in lieu of 5 feet required, to allow construction of a new two-family dwelling, for property legally described as part of Lot 1, Block 6, of West Pablo, *PT Govt*Lots 6, 7, Recorded O/R 18467-1271.*

Applicant: Gene Pruett, 4837 Headley Terrace, Jacksonville, has a 5,979 square-foot lot, and the current minimum required for RM-1 zoning is 6,000 square feet, with a 60-foot frontage. Mr. Pruett added the requested lot coverage is also for maintaining the home under three stories. Discussion ensued between Mr. Truhlar and Mr. Pruett regarding the shape of the driveway. Mr. Cummings asked if the applicant can separate the driveways to increase the parking area setback, and Mr. Pruett responded he could, and added he designed the structure with the intent of complimenting the neighborhood. Mr. Cummings commented he appreciates the design of the driveway to alleviate parking issues, as there is an elementary school nearby.

Public Hearing:

The following spoke in opposition to the variance application:

- Sam Thomas, 2249 South Beach Parkway, Jacksonville Beach, expressed concerns regarding parking. Mr. Thomas stated the notice he received and the property posting referenced construction of a single family home, not two-family. He did not find out it was a two-family construction until the meeting.

The following submitted a letter of opposition to the Planning Division [*on file*]:

- Bob and Teri Meyer, 1147 1st Avenue South, Jacksonville Beach

Mr. Pruett commented he prioritized parking when designing the structure. Mr. Truhlar discussed the elimination of the 0-foot parking setback.

Mr. Truhlar closed the public hearing.

Discussion:

Ms. Osewalt commented the applicant needs a variance to meet the lot size minimum, but other requested items are not necessary.

Motion: It was moved by Mr. Cummings, seconded by Mr. Reddington, to approve BOA# 19-100046, as written and discussed; with the exception that section 34-373(d) for a parking area setback of 2.5 feet, in lieu of 5 feet required.

Roll Call Vote: Ayes– Francis Reddington Scott Cummings, Gary Cater, and Jeff Truhlar
Nays– Sylvia Osewalt

The motion was approved by a vote of 4-1.

(B) Case Number: BOA 19-100052

Owner: Tom Braddock
Applicant: Bottom Line Ventures, Inc.
Property Address: 1132 North 5th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2, for an easterly side yard setback of 6.7 feet, in lieu of 10 feet required; and 34-336(e)(1)e., for 47.28% lot coverage, in lieu of 35% maximum; to ratify existing non-conformities on an existing single-family dwelling, for property legally described as *Lots 4 and 5, Block 3, Pine Grove Unit 2*.

Agent: Timothy Millard, 3409 Pinetree Road, Jacksonville, stated the property and its detached garage in the application were built in 1948 on three lots. Lots 4 and 5 contain these structures, and lot 3 is empty. The owners need the variances in order to sell lot 3. There would be no new or additional construction on the remaining two lots. Discussion ensued regarding lot separation and lot size minimums. The area of the lot is 13,200 square feet, and the detached garage is over 625 square feet. Ms. May stated there are no currently-existing nonconformities, but the agent would be creating the hardship when he separates and sells Lot 3. She added there is only one lot in the application(s), as there is only one residential structure on it.

Mr. Truhlar explained by selling the third lot, the owners would be creating nonconformities on the residence existing today. He added the owners currently have a conforming lot. Mr. Millard takes the perspective there are three lots in the discussion, and each should be a minimum of 10,000 square feet, which creates a hardship. Discussion ensued regarding how this application should be studied in regard to number of lots. Ms. Osewalt commented the lot is oversized for one address, but Mr. Millard believes the lots are undersized. Mr. Truhlar asked Mr. Knight about how the lots would be

treated in the future, Mr. Knight affirmed once the Board treats this property as having three lots, the variance would remain in the future. Further discussion ensued regarding the platting of the lots.

Ms. Osewalt questioned the agent about the intent of the owners regarding the currently-existing structures on the two lots, and Mr. Millard responded the structures would remain as is. The easterly side yard setback of 6.7 feet stems from the distance between the house on lot 4 and the property line between lots 3 and 4 if the case was treated as having three lots. Mr. Millard asked about the treatment of the 6.7-foot variance if the house was demolished, and two structures were built on each of the lots. Ms. May responded the variances travel with the land, according to the laws of the State of Florida. She reiterated for the purposes of property record, lots 3,4, and 5 are aggregated and treated as one.

Mr. Cummings asked Ms. May if the Board can make an amended proposal to limit the utilization of the variance to the currently-existing structure only, and if the structure is demolished or changed, then the variance does not apply. Ms. May responded while conditions for variances are uncommon, as variances are typically attached to the land and not properties or owners, the Board can add them to their motions.

Public Hearing:

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

Discussion:

There was no further discussion regarding this case.

Motion: It was moved by Ms. Osewalt to approve BOA# 19-100052, for section 34-336(e)(1)c.2, for an easterly side yard setback of 6.7 feet, in lieu of 10 feet required, only.

Ms. May commented there is also a lot coverage issue requiring a variance that would bring the already-existing house into conformance. The future of the variance was discussed.

Amended³Motion: It was moved by Mr. Cummings, seconded by Mr. Reddington, to approve BOA# 19-100052, as written and described, as long as the house exists today.

Mr. Knight clarified the amended motion to include: "as long as the house remains on the property, and if the house is demolished, then the variance will be rescinded." Mr. Cummings affirmed this addition.

Roll Call Vote: Ayes –Francis Reddington, Scott Cummings, Gary Cater, and Jeff Truhlar
Nays– Sylvia Osewalt

The motion was approved by a vote of 4-1.

(C) Case Number: BOA 19-100051

Owner: Tom Braddock
Applicant: Bottom Line Ventures. Inc.

Property Address: 1132 North 5th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 45.1% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, on Lot 3, for property legally described as Lot 3, Block 3, *Pine Grove Unit 2*.

Agent: Timothy Millard, 3409 Pinetree Road, Jacksonville Beach, stated the lot size is 6,600 square feet, and the minimum required is 10,000 square feet. He may also add a pool, with decking, that would increase the variance request from 39.4% to 45.1%. The pool is not included in the survey. He added no building restriction lines are being crossed.

Public Hearing:

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

Discussion:

Ms. Osewalt commented there is a hardship due to the undersized lot.

Motion: It was moved by Mr. Reddington, seconded by Ms. Osewalt, to approve BOA# 19-100051, as written and read.

Board discussed the possibility a larger house may be built, as the variance did not specify the pool decking addition.

Amended Motion: It was moved by Mr. Cummings, seconded by Mr. Reddington, to approve BOA# 19-100051, as shown and described; for 45.1% lot coverage, in lieu of 35% maximum; which must include a 375-foot patio pool deck.

Board chose to vote to turn-down the first motion. A "no" vote meant the first motion does not pass.

Roll Call Vote: Ayes – Sylvia Osewalt

Nays– Scott Cummings, Francis Reddington, Gary Cater, and Jeff Truhlar

The motion was denied by a vote of 4-1.

Board voted on the amended motion.

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

The amended motion was approved unanimously.

CITY ATTORNEY

The Board was given handouts on proposed Rules of Procedures to follow in upcoming meetings. Ms. May offered to discuss it later to give Board members enough time to review the handouts and prepare questions. She introduced herself and briefly explained in the Code there are requirements that allow each board to

install their rules. There are certain requirements the Board must abide by. For every meeting, there must be a notice, an opportunity to be heard, and competent substantial evidence.

Ms. May added in a quasi-judicial setting, the law is being applied to a set of facts, and the public speakers approaching the Board are putting evidence in the record. These public speakers need to be sworn-in, especially if the Board intends to rely on their testimonies. Mr. Cummings questioned Ms. May about the letters that serve as ex-parte communication, and she commented the Board had taken the correct measures when it read the letters into the record. There would also be further discussion regarding variance law. Ms. May later provided the Board with critiques, comments and examples of variance cases and common case laws and spoke of platting changes.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, June 4, 2019**. There are three (3) scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 9:30 P.M.

Submitted by: Sama Kaseer
Administrative Assistant

Approval:

Chairperson

Date



APPLICATION FOR VARIANCE

BOA No. 19-10004/1
HEARING DATE 6/18/2019

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.

MAR 22 2019

APPLICANT INFORMATION

Applicant Name: William & Ann Pinner Telephone: 904 662 6051
 Mailing Address: 1902 1st St South E-Mail: _____
Jacksonville Beach, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____

Landowner Name: Ann & William Pinner Telephone: 904-662-6051
 Mailing Address: 1902 1st St S. E-Mail: _____
JACK Bch, 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: 1902/1st St S RE # 179297-0000
 Legal description of property (Attach copy of deed): Lot 1, N 1/2 lot 2, Blk AA, Perimeters NP of South Public Bch
 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).
Section 34-340(e)(2) c.1 for a front yard setback of 10ft in lieu of 20ft required and Sect 34-340(e)(2) f for lot coverage of 47.5% in lieu of 35% required to allow for new construction of a 2 story single family home, a detached garage and an paved driveway

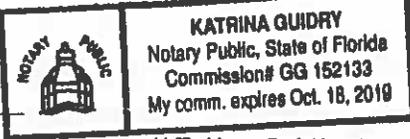
AFFIDAVIT

I, Ann Pinner, 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.

Ann Pinner APPLICANT SIGNATURE Ann Pinner PRINT APPLICANT NAME 3/22/19 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 22 day of March, 2019 by Ann Pinner, who is personally known to me or has produced FLDL as identification.

[Signature] NOTARY PUBLIC SIGNATURE Katrina Guidry PRINT NOTARY NAME  (Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 (RS-3, per PC #9-19) FLOOD ZONE: X+AE (9)
 CODE SECTION (S): 34-338 (e)(1) c.1, for a front yd setback of 10', i.e. 20' required;
34-338 (e)(1) e., for 47.5% lot coverage, i.e. 35% maximum, to
allow construction of a new single-family dwelling and
detached one-car garage.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-10004

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.		Existing 1906 house has substantial settling. Repairs to existine structure financially prohibitive
Special circumstances and conditions do not result from the actions of the applicant.		House built in 1906 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.		MAR 22 2019 NO 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.		Existing house repairs would be cost prohibitive
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.		New construction would be very close to present foot print



April 25, 2018

City of
Jacksonville Beach
City Hall

William and Ann Pinner
1902 1st Street South
Jacksonville Beach, FL 32250

11 North Third Street
Jacksonville Beach
FL 32250

RE: BOA# 18-100045
1902 South 1st Street
(Lot 1, North ½ Lot 2, Block AA, *Permenters Replat of South Pablo Beach*)

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

Dear Mr. and Mrs. Pinner,

www.jacksonvillebeach.org

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

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

- Sec 34-340(e)(2)c.1, for a front yard setback of 9.9 feet in lieu of 20 feet required;
- Sec 34-340 (e)(2)f., for lot coverage of 42.5% in lieu of 35% maximum;

To allow a building addition and a detached garage.

The Board **approved** the request as presented.

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

Sincerely,

William C. Mann III, AICP
Planning and Development Director





CERTIFIED MAIL RECEIPT# 7017 3040 0000 2086 0033

May 14, 2019

William and Ann Pinner
1902 South 1st Street
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 9-19**
Conditional Use Application for a new single-family dwelling located in a
Residential, multiple-family: RM-2 zoning district, located at 1902 South 1st
Street.

The City of Jacksonville Beach Planning Commission met on **Monday, May 13, 2019** in Council Chambers to consider your **Conditional Use Application** for a new single-family dwelling located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340(d)(12) of the Jacksonville Beach Land Development Code for property located at 1902 South 1st Street.

The request was approved.

Please remove the public notices posted on the property. Please provide a copy of this letter with any other applications or building permits. Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net

www.jacksonvillebeach.org



Proposed

ORDERED BY:



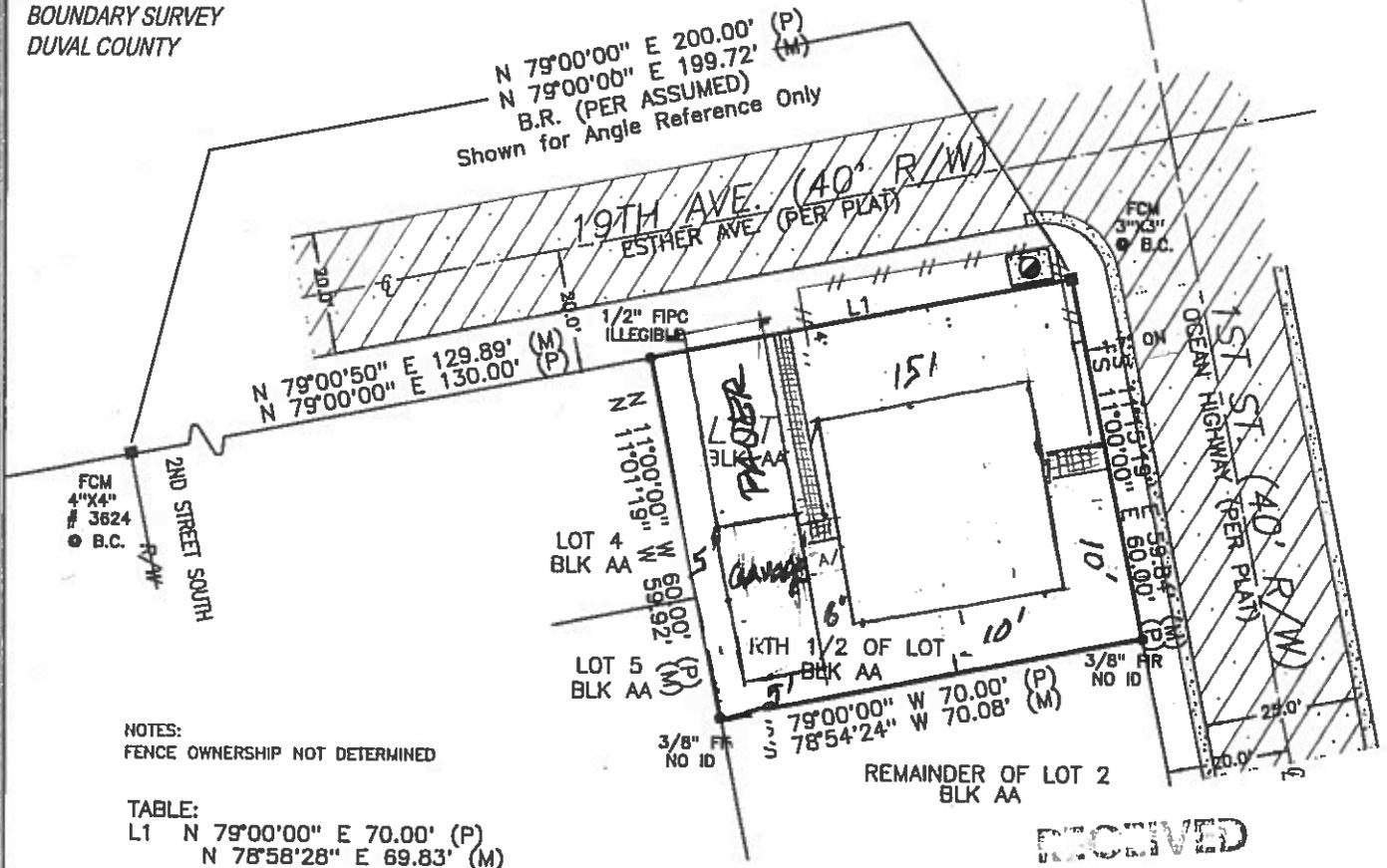
PROPERTY ADDRESS: 1902 FIRST STREET SOUTH JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL1507.0163

FIELD WORK DATE: 7/7/2015

REVISION DATE(S): (REV.0 7/10/2015)

FL1507.0163
BOUNDARY SURVEY
DUVAL COUNTY



NOTES:
FENCE OWNERSHIP NOT DETERMINED

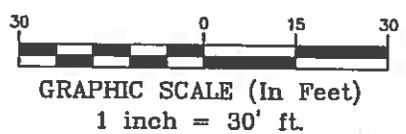
TABLE:
L1 N 79°00'00" E 70.00' (P)
N 78°58'28" E 69.83' (M)

RECEIVED

MAR 22 2019
19-10004
PLANNING & DEVELOPMENT

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.

WILLIAM E. LUCAS
State of Florida Professional Surveyor and Mapper
License No. 5782



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: LMT 15-1104 DATE: 7/10/2015

BUYER: WILLIAM W. PINNER AND ANN M. PINNER

SELLER: HATFIELD HOMESTEAD, LLC

CERTIFIED TO: WILLIAM W. PINNER AND ANN M. PINNER; LANDMARK TITLE; FIDELITY NATIONAL TITLE INSURANCE COMPANY; UNITED WHOLESALE MORTGAGE; ITS SUCCESSORS AND/OR ASSIGNS; AS THEIR INTERESTS MAY APPEAR

Florida Land Title Association AFFILIATE MEMBERS
FLTA

EXACTA Land Surveyors, Inc.
www.exactaland.com
P866-735-1916 • F.866-744-2882
11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913
LB# 7337

Existing

ORDERED BY:



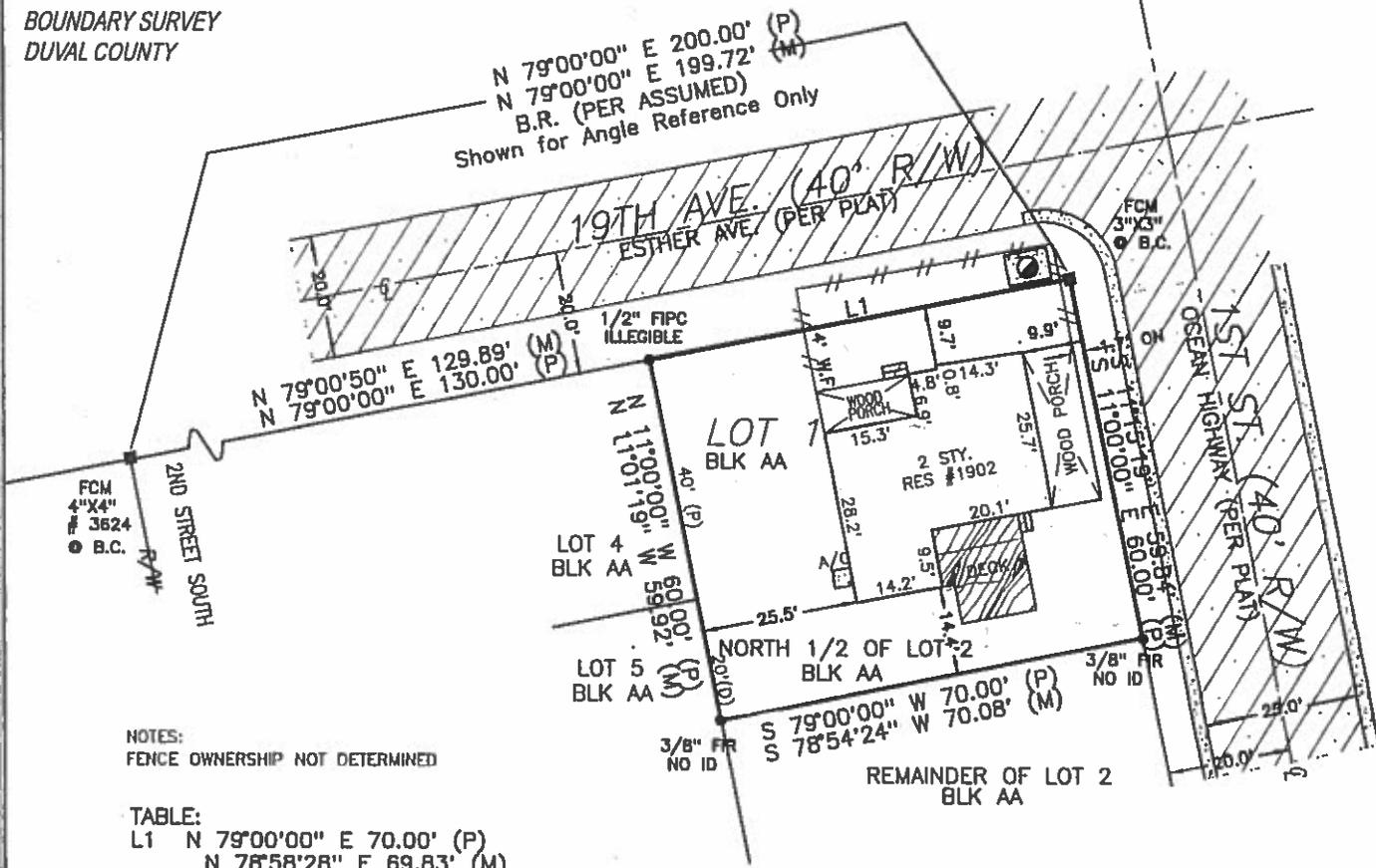
PROPERTY ADDRESS: 1902 FIRST STREET SOUTH JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL1507.0163

FIELD WORK DATE: 7/7/2015

REVISION DATE(S): (REV.0 7/10/2015)

FL1507.0163
BOUNDARY SURVEY
DUVAL COUNTY



NOTES:
FENCE OWNERSHIP NOT DETERMINED

TABLE:
L1 N 79°00'00" E 70.00' (P)
N 78°58'28" E 69.83' (M)

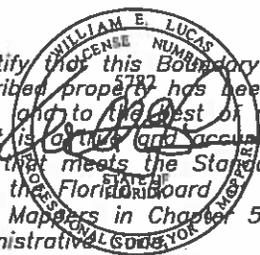
RECEIVED

MAR 22 2019

19-100041

PLANNING & DEVELOPMENT

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.



WILLIAM E. LUCAS
State of Florida Professional Surveyor and Mapper
License No. 5782



GRAPHIC SCALE (In Feet)
1 inch = 30' ft.



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: LMT 15-1104 DATE: 7/10/2015

BUYER: WILLIAM W. PINNER AND ANN M. PINNER

SELLER: HATFIELD HOMESTEAD, LLC

CERTIFIED TO: WILLIAM W. PINNER AND ANN M. PINNER; LANDMARK TITLE; FIDELITY NATIONAL TITLE INSURANCE COMPANY; UNITED WHOLESALE MORTGAGE; ITS SUCCESSORS AND/OR ASSIGNS; AS THEIR INTERESTS MAY APPEAR

Florida Land Title Association AFFILIATE MEMBERS

EXACTA Land Surveyors, Inc. www.exactland.com PB66-735-1916 • F.866-744-2882 11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913

June 3, 2019

BOA-19 100041

RECEIVED

JUN - 4 2019

JACKSONVILLE BEACH BOARD OF ADJUSTMENT
11 N 3RD ST.
JACKSONVILLE BEACH, FL 32250

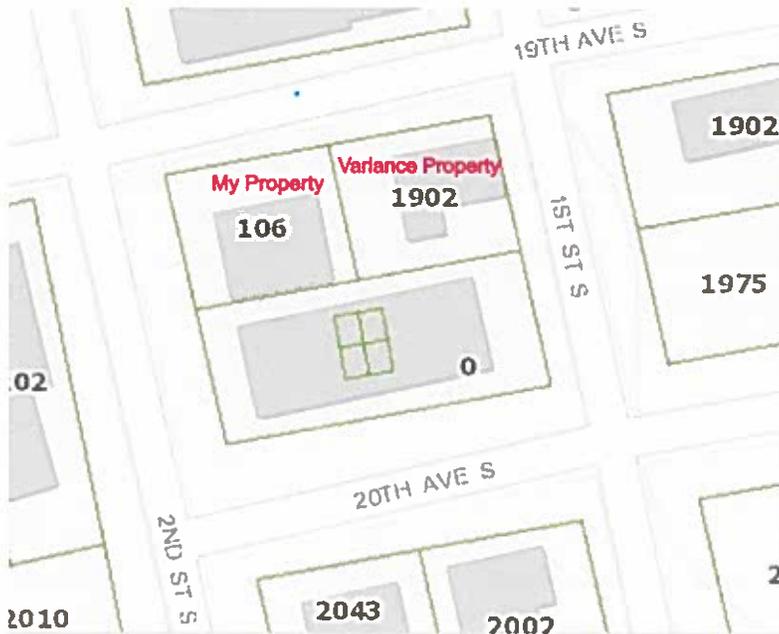
PLANNING & DEVELOPMENT

Please be advised that I **support** the Variance Application submitted by Bill and Ann Pinner for property located at 1902 South 1st St. I have reviewed the conceptual plans submitted to the city, prepared by AOR Harleston G. Parkes. I am confident that a satisfactory Drainage Plan can be submitted to Public Works to accommodate the additional 836 of impermeable surface resulting from 49.5% lot coverage. The owners with their architect have created an appealing design that will greatly enhance the neighborhood and preserve the character of the lot, and I support their effort.

Sincerely,



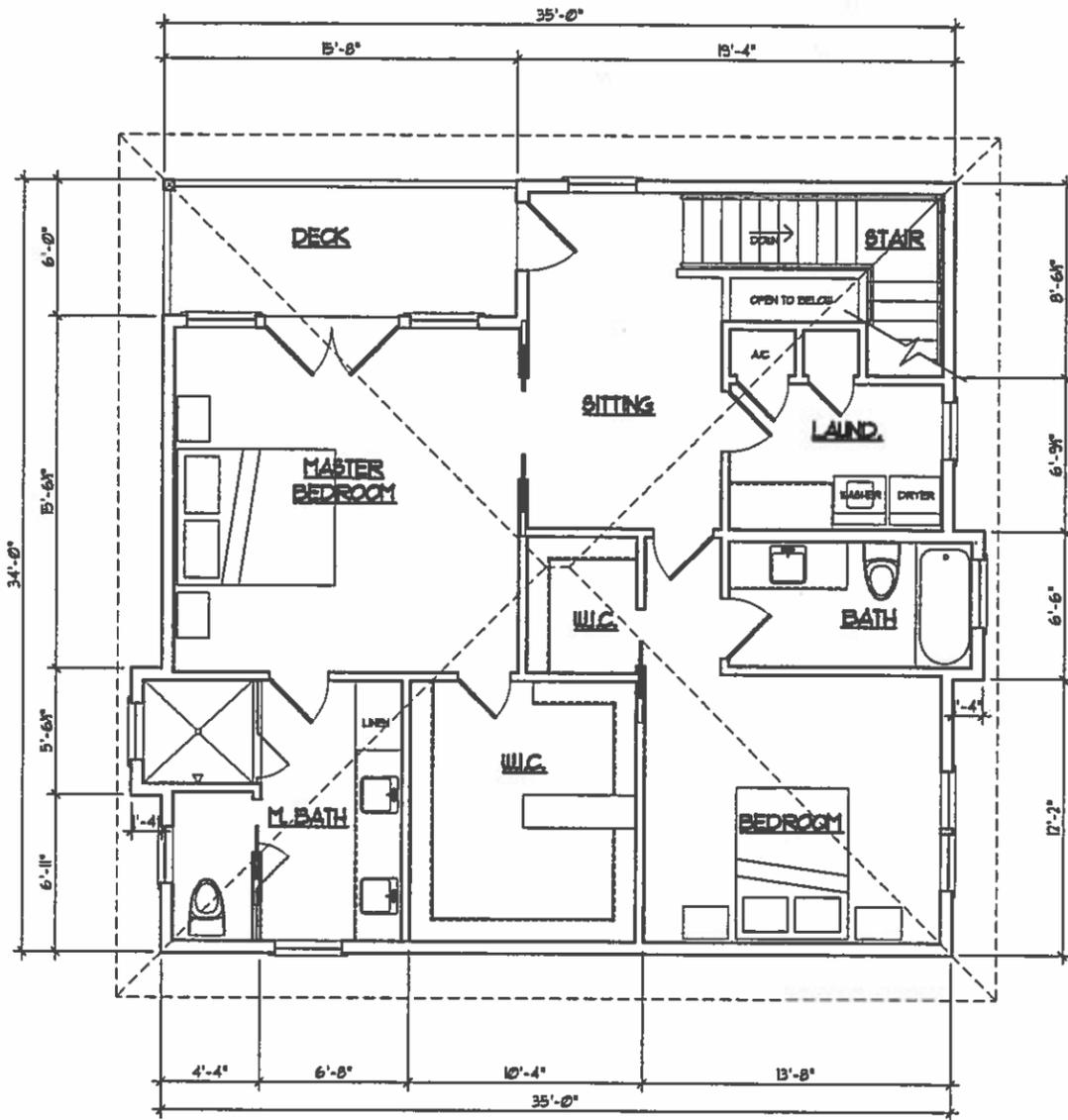
STEVEN W HAERTER, OWNER
106 19TH AVE SOUTH



106 19th Avenue South, Jacksonville Beach FL 32250

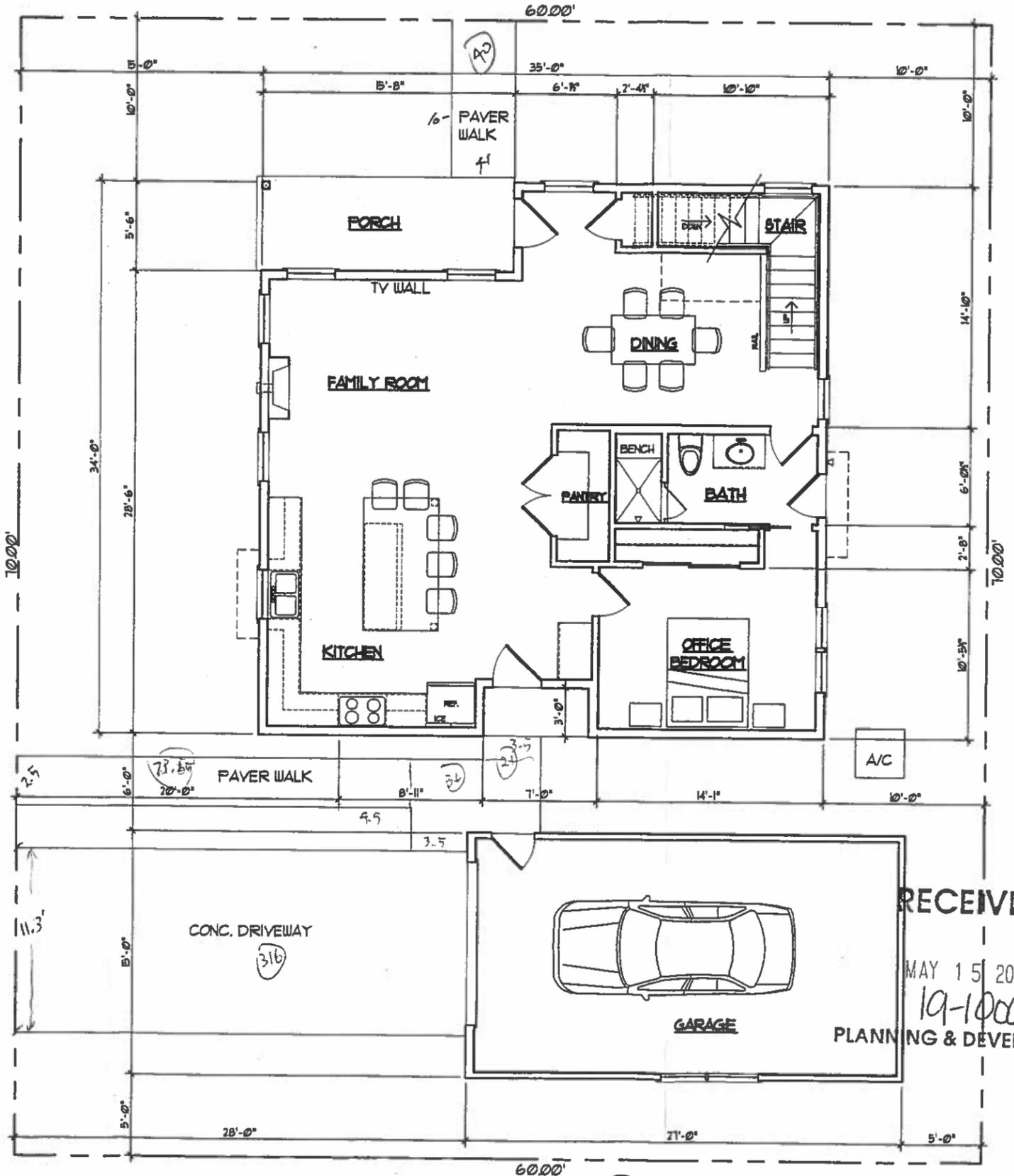
1st STREET SOUTH

19th STREET SOUTH



SECOND FLOOR PLAN
 SCALE: 1/8"=1'-0"
 AIR CONDITIONED AREA = 1112 SF.

IMPERVIOUS SURFACE CALCULATIONS:	
AREA:	POST CONSTRUCTION:
LOT	4200 SF.
HOUSE	1120 SF.
EQUIP. PAD	9 SF.
GARAGE	405 SF.
PAVER DRIVE & WALKS	475 SF.
TOTAL IMPERVIOUS SURFACE AREA	2068 SF.
% IMPERVIOUS	49.5



FIRST FLOOR / SITE PLAN
 SCALE: 1/8"=1'-0"
 AIR CONDITIONED AREA = 1081 SF.

RECEIVED
 MAY 15 2019
 19-100041
 PLANNING & DEVELOPMENT

REVISIONS

PINNER RESIDENCE
 1902 FIRST STREET SOUTH
 JACKSONVILLE BEACH, FLORIDA

ARCHITECT
 HOLLISTON G. PARKES, R.A.
 ATLANTIC BEACH, FL 32213
 ARCHITECTURE RESEARCH INSPECTION

DATE OF ISSUE
 5-7-19
 DRAWN BY:
 143P

SHEET NO.
 10004
A-1
 PINNER



APPLICATION FOR VARIANCE

BOA No. 19-100068

HEARING DATE 6/18/19

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 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
MAY - 7 2019

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Benjamin & Brooke Holway Telephone: (904) 718-5919
 Mailing Address: 240 40th Avenue South E-Mail: holway5@yahoo.com
Jacksonville Beach FL, 32250

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

Landowner Name: Benjamin & Brooke Holway Telephone: (904) 718-5919
 Mailing Address: 240 40th Avenue South E-Mail: holway5@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

Street address of property AND Real Estate Number: 240 40th Avenue South, Jax Beach FL (RE#180423-0000)
 Legal description of property (Attach copy of deed): West 1/2 of Lot 4 and all of Lot 5, Blk 1, Avalon Unit No. 2
 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).
Lot coverage increase to 47.2% to accommodate for pavers around pool as well as pool equipment pad.

Previously approved for 42% by builder in 2013

AFFIDAVIT

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

APPLICANT SIGNATURE

Benjamin Holway

PRINT APPLICANT NAME

5/7/19

DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 7th day of May, 2019 by Benjamin Holway, who is personally known to me or has produced FL Drivers License as identification.

NOTARY PUBLIC SIGNATURE

Chandra Medford

PRINT NOTARY NAME

(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 47.2% lot coverage I.L.O 35% maximum (42% previously approved). To allow a pool and paver patio addition to an existing single family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100068

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

MAY - 7 2019

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.

PLANNING & DEVELOPMENT

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	Sec 34-336 - Residential, single-family: RS-1 states minimum lot area is 10,000sqf where as our lot is only 7,650. This creates a hardship for an undersized lot to be able to add a pool with associated pavers
Special circumstances and conditions do not result from the actions of the applicant.	Yes	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	No adjacent properties will be effected negatively with this variance request. I have even discussed this variance request with my neighbors and they have no objections.



For Reference only

DEPARTMENT OF PLANNING & DEVELOPEME
BOA # 19-100068

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

March 21, 2013
Atlee Development Group, Inc.
5851 Timuquana Road, #301
Jacksonville, FL 32210

RE: BOA #13-100031
240 40th Avenue South

Dear Atlee Development Group, Inc.:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, March 19, 2012 to consider your variance application.

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

- 34-336(e)(1)c.1, for a 10 foot front yard limited to open porches, 15 feet for enclosed portions of habitable space, and 18 feet for garage walls in lieu of 25 feet required;
- 34-336(e)(1)c.2, for 15 feet in total for both side yards provided that no side yard is less than 5 feet, in lieu of 10 feet required, except when the lot is a corner lot. For a corner lot the side yard on the corner shall be 10 feet in lieu of 20 percent of the lot width or 10 feet whichever is greater;
- 34-336(e)(1)c.3, for 20 foot rear yards in lieu of 30 feet required; and
- 34-363(e)(1)e, for 50% lot coverage in lieu of 35% maximum;
- Conditioned that above includes the Avalon Neighborhood Architectural Guidelines as shown and submitted

The results of the meeting were *Amended and Approved*:

- 34-336(e)(1)c.1, for a 10 foot front yard limited to open porches, 15 feet for enclosed portions of habitable space, and 18 feet for garage walls in lieu of 25 feet required;
- 34-336(e)(1)c.2, for 15 feet in total for both side yards provided that no side yard is less than 5 feet, in lieu of 10 feet required, except when the lot is a corner lot. For a corner lot the side yard on the corner shall be 10 feet in lieu of 20 percent of the lot width or 10 feet whichever is greater;
- 34-336(e)(1)c.3, for 20 foot rear yards in lieu of 30 feet required; and
- 34-363(e)(1)e, for 42% lot coverage in lieu of 35% maximum;
- Conditioned that above includes the Avalon Neighborhood Architectural Guidelines as shown and submitted
- Limited to as discussed and presented

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) 247-6235.

Sincerely,

Jon Hays, CBO
Building Department

cc: Charles Roth





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

April 18, 2019

Benjamin and Brooke Holway
240 South 40th Avenue
Jacksonville Beach, FL 32250

RE: BOA# 19-100031
240 South 40th Avenue
(Lots 1 and 2, Block 202, together with the East half of a 12 foot alley,
closed by City of Jacksonville Beach, Ordinance No. 5386, *Ocean Villa
Replat*)

Dear Mr. and Mrs. Holway,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 16, 2019, 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 34-336(e)(1)e., for 49.4% lot coverage, in lieu of 35% maximum;
- Section 34-336(e)(1)g., for an accessory structure setback of 2 feet, in lieu of 5 feet required (from rear property line),

The Board *denied* the request.

To allow a pool and paver patio addition to an existing single-family dwelling.

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

Sincerely,

George Knight
Building Official



For reference only

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7017 3040 0000 2076 7264

BOA# 19-100068

MAP OF SURVEY

THE WEST 1/2 LOT 4 AND ALL OF LOT 5, BLOCK 1, AVALON UNIT No. 2
AS RECORDED IN PLAT BOOK 21, PAGE 63 OF THE CURRENT PUBLIC
RECORDS OF DUVAL COUNTY, FLORIDA.

40th AVENUE SOUTH
50' RIGHT OF WAY PAVED PUBLIC ROAD

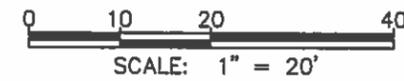
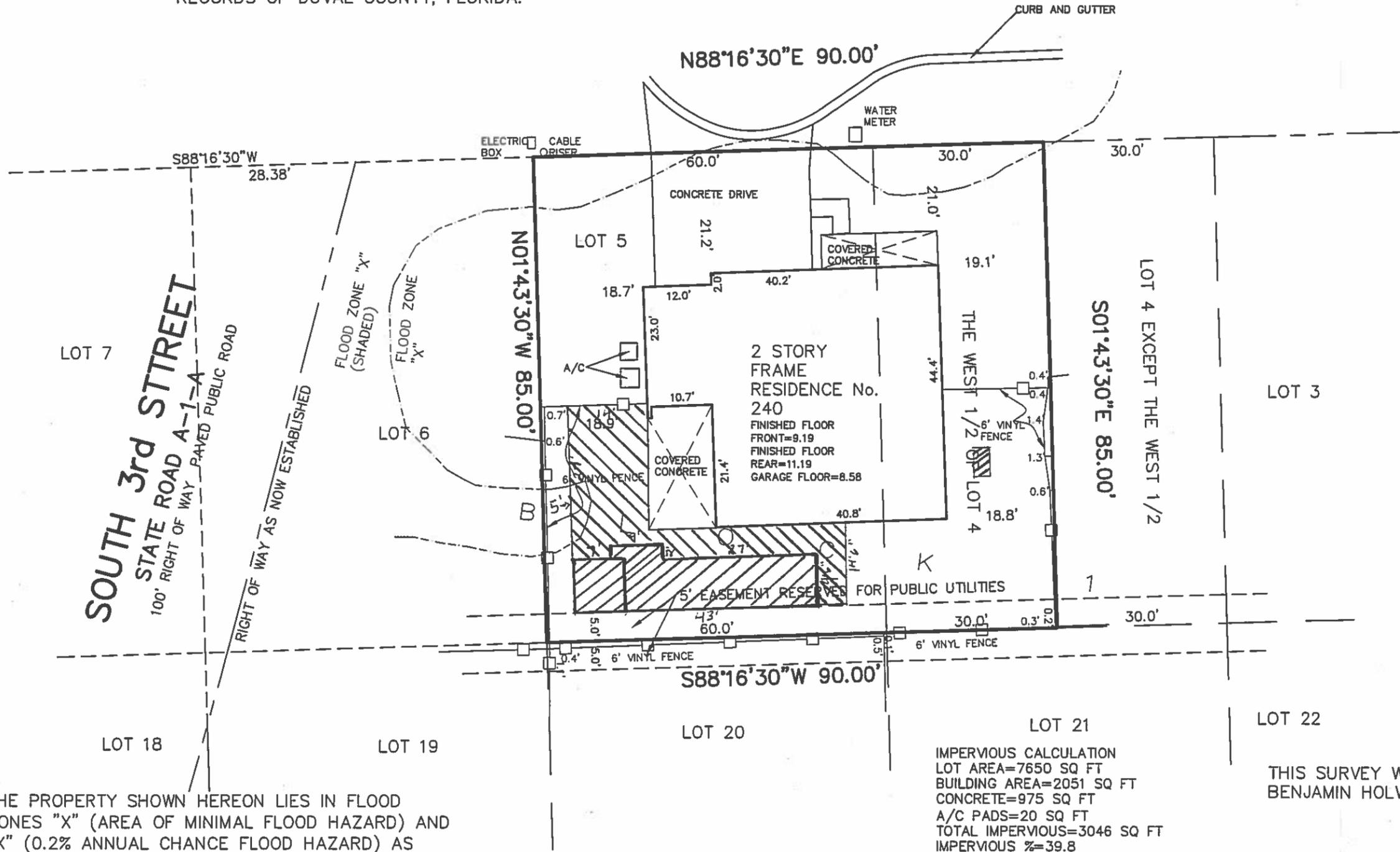
SITE BENCHMARK:
SET MAG NAIL AND DISK
ELEVATION=9.31 (N.A.V.D. 1988)

RECEIVED

MAY - 7 2019

19-100068

PLANNING & DEVELOPMENT



- NOTES:
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
 2. BEARINGS ARE BASED ON THE EAST LINE OF THE WEST 1/2 OF LOT 4, BEING SOUTH 01°43'30" EAST, AS PER PLAT.
 3. BENCHMARK USED IS A MAG NAIL NEAR THE NORTH PROPERTY LINE OF 201 41ST AVE SOUTH, HAVING AN ELEVATION OF 10.46 (N.G.V.D. 1929).
 4. ELEVATIONS CONVERTED FROM N.G.V.D. 1929 DATUM TO N.A.V.D. 1988 DATUM USING CORPSCON 6.0.1, USING A CONVERSION FACTOR OF -1.08'.
 5. SITE BENCHMARKS AS SHOWN HEREON.
 6. NO BUILDING RESTRICTION LINES PER PLAT.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONES "X" (AREA OF MINIMAL FLOOD HAZARD) AND "X" (0.2% ANNUAL CHANCE FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

IMPERVIOUS CALCULATION
LOT AREA=7650 SQ FT
BUILDING AREA=2051 SQ FT
CONCRETE=975 SQ FT
A/C PADS=20 SQ FT
TOTAL IMPERVIOUS=3046 SQ FT
IMPERVIOUS %=39.8
Pavers 47.2% (3611.5 Sq Ft)

THIS SURVEY WAS MADE FOR THE BENEFIT OF BENJAMIN HOLWAY.

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

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

CHECKED BY: _____ DRAWN BY: CL FILE: 2019-322

DATE: MARCH 1, 2019

SHEET 1 OF 1



APPLICATION FOR VARIANCE

BOA No. 19-100070

HEARING DATE 6/18/19

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.

MAY - 7 2019

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: NANCY CALVERT MASSEY Telephone: 904-228-8137
 Mailing Address: 2872 3rd ST. S E-Mail: nancymassey@hotmail.com
JACKSONVILLE BEACH, FL 32250

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

Landowner Name: NANCY CALVERT MASSEY + DAVID SCOTT MASSEY Telephone: 904-228-8137
 Mailing Address: 2872 3rd ST. S E-Mail: nancymassey@hotmail.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: 39 35th AVE. S (LOT 10) PARCEL ID # 181486-0000

Legal description of property (Attach copy of deed): LOT 10 BLOCK 6, ATLANTIC SHORES OCEAN FRONT SECTION,

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). DIVISION "A" ACCORDING TO PLAT BOOK 14 PAGE 11, OF THE PUBLIC RECORDS OF DUVAL COUNTY FL.

Our lot is substandard at 6,180 S.F. as opposed to a standard lot of 10,000 S.F. We are asking for a front setback of 21ft and a side yard of 7.5 ft on both east and west sides, lot coverage 47.2%. This would be 29.47% coverage of a standard 10,000 S.F. lot.

AFFIDAVIT

I, NANCY CALVERT MASSEY, 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.

Nancy C. Massey
APPLICANT SIGNATURE

NANCY CALVERT MASSEY
PRINT APPLICANT NAME

5-7-19
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 7th day of MAY, 2019 by Nancy C. Massey who is personally known to me or has produced FL Driver license as identification.

NOTARY PUBLIC SIGNATURE

Chandra Medford
PRINT NOTARY NAME

CHANDRA MEDFORD
Commission No. GG 283199
Expires December 21, 2022
(Notary Public, State of Florida)

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)c.1 for a front yard setback of 21' & 25' required and (e)(1)c.2 for side yard setbacks of 7.5' & 10' required and (e)(1)e for 47.2% lot coverage & 35% maximum to allow construction of a new single family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-10007

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

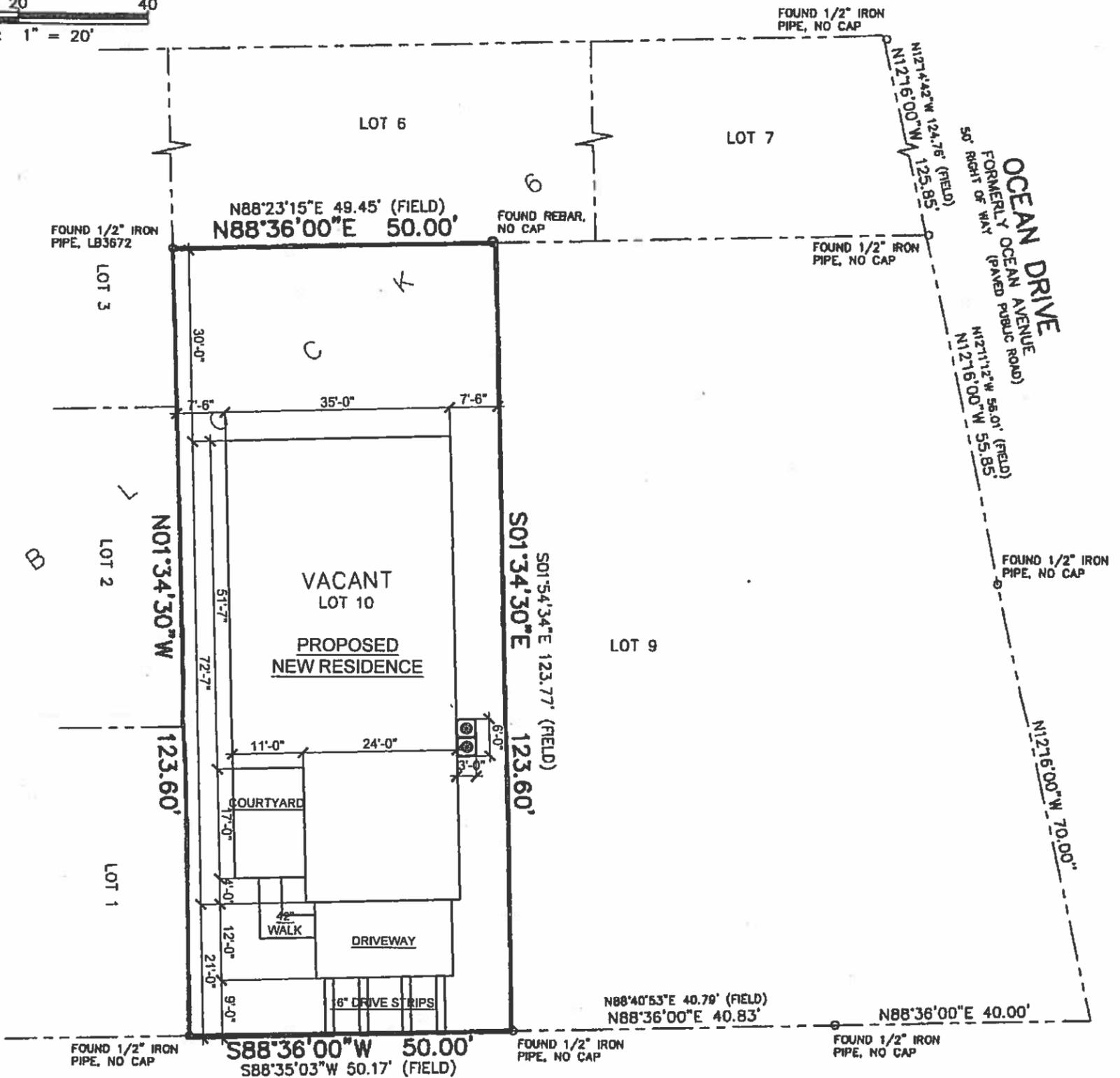
MAY - 7 2019

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	Lot is substandard as it measures 6,180 S.F. as opposed to a standard lot of 10,000 S.F.
Special circumstances and conditions do not result from the actions of the applicant.	YES	Our lot was platted prior to purchase
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	YES	We are basing our requests on similar variance approvals due to our substandard lot.
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	We have a hardship of a substandard lot. As proposed our plans would only be 29.47% lot coverage if constructed on a standard lot.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	Our plan was designed specifically for the substandard lot.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	Our plan was developed with no adverse affects to our adjacent neighbors?

MAP SHOWING SURVEY OF

LOT 10 BLOCK 6, ATLANTIC SHORES OCEAN FRONT SECTION DIVISION "A" AS RECORDED IN PLAT BOOK 14, PAGE 11, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



35TH AVENUE SOUTH
FORMERLY SARAGOSSA STREET
50' RIGHT OF WAY PAVED PUBLIC ROAD

LOT COVERAGE:

TOTAL LOT	6,180 S.F.
HOUSE	2,380 S.F.
FRONT COURTYARD	165 S.F.
DRIVEWAY & WALK	356 S.F. MAX.
A/C PAD	18 S.F.
TOTAL IMPERVIOUS	2,919 S.F. (47.2%)

NOTES:

1. THIS IS A BOUNDARY SURVEY.
2. BEARINGS BASED ON THE WESTERLY LINE OF LOT 10, BEING NORTH 01°34'30" WEST, AS PER PLAT, AS SHOWN HEREON.
3. NO BUILDING RESTRICTION LINES PER PLAT.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF RANDALL P. DELOACH, MICHAEL G. DELOACH & TERRELL L. DELOACH; NANCY & DAVID MASSEY; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; BRILEY & SEAL AND HANCOCK WHITNEY BANK.

RECEIVED

19-100070
MAY - 7 2019

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

REVISED DESCRIPTION - JANUARY 7, 2019

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

CHECKED BY: _____
DRAWN BY: DAF
FILE: 2019-0471

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

DATE:
MARCH 27, 2019
SHEET 1 OF 1



APPLICATION FOR VARIANCE

BOA No. 19-100075

HEARING DATE 06-18-19

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.

RECEIVED
MAY - 8 2019

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Cynthia Williams Grossberg Telephone: (904) 304-1339
 Mailing Address: 1423 Constitution Place E-Mail: grossber@bellsouth.net
Jax Bch Fl 32250

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

Landowner Name: Cynthia Williams Grossberg Telephone: 904 304-1339
 Mailing Address: 1423 Constitution PL E-Mail: same
same

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: 1423 Constitution Place, JB 32250
 Legal description of property (Attach copy of deed): Lot 26, Constitution Cove
 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).
I am seeking a variance to put in a screened in porch over an already existing concrete slab. RV of 16' ILO 30' required

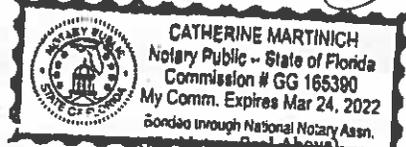
AFFIDAVIT

I, Cynthia W. Grossberg, 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.

Cynthia W. Grossberg Cynthia W. Grossberg 5/8/19
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:
 Sworn to and signed before me this 8th day of May, 2019 by Cynthia W. Grossberg who
~~is personally known to me or has produced~~ FDL as identification.

[Signature] CATHERINE MARTINICH
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

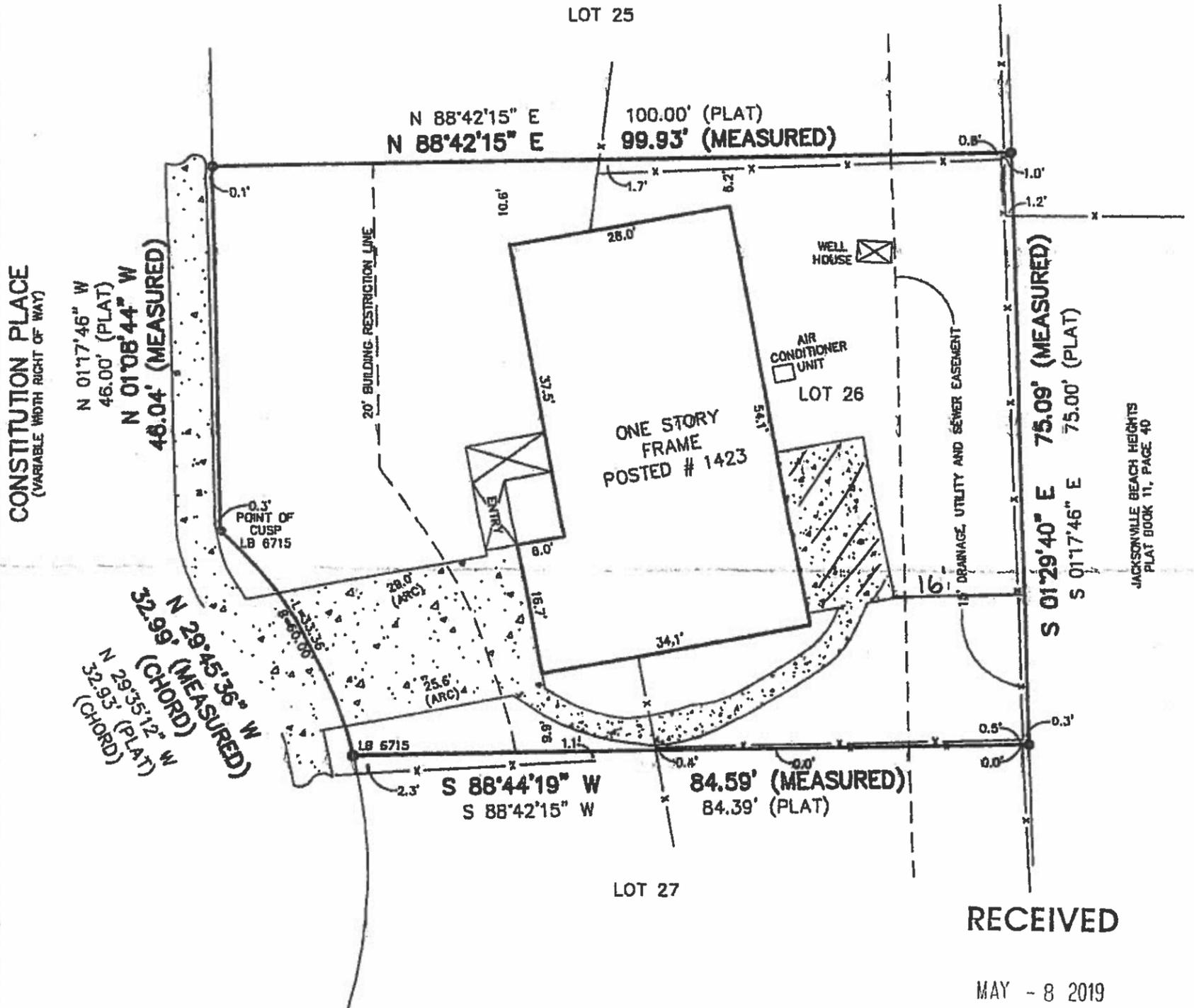
CURRENT ZONING CLASSIFICATION: RS-0 FLOOD ZONE: X

CODE SECTION (S): Section 34-337(e)(1)C.3 for a rear yard setback of 16' ILO 30' required to allow the conversion of an open patio into a covered screened porch at an existing single family dwelling.

MAP SHOWING BOUNDARY SURVEY OF

LOT 26, CONSTITUTION COVE, AS RECORDED IN PLAT BOOK 35,
PAGES 56 AND 56-A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JUSTIN ROSS
JPMORGAN CHASE BANK, NA
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



CONSTITUTION PLACE
(VARIABLE WIDTH OF WAY)

N 01°17'46" W
46.00' (PLAT)
N 01°08'44" W
46.04' (MEASURED)

N 29°45'36" W
32.99' (MEASURED)
N 29°35'12" W
32.93' (PLAT)

N 88°42'15" E
100.00' (PLAT)
N 88°42'15" E
99.93' (MEASURED)

S 01°29'40" E
75.09' (MEASURED)
S 01°17'46" E
75.00' (PLAT)

S 88°44'19" W
84.59' (MEASURED)
S 88°42'15" W
84.39' (PLAT)

JACKSONVILLE BEACH HEIGHTS
PLAT BOOK 11, PAGE 40

LEGEND:

- = SET 1/2" REBAR STAMPED PSM/6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- X- = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- (with dots) = CONCRETE

RECEIVED

MAY - 8 2019
19-100075
PLANNING & DEVELOPMENT

	Ray Thompson SURVEYING, Inc. Going the DISTANCE for You 4613 Phillips Highway, Suite 210 Jacksonville, Florida 32207 (Phone) 904-448-5125 (Fax) 904-448-5178		REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>12-19-2012</td> <td>UPDATE</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	DESCRIPTION	12-19-2012	UPDATE				
	DATE	DESCRIPTION									
12-19-2012	UPDATE										
JOB # 11246	DATE OF FIELD SURVEY: 4-5-2006	SCALE: 1" = 20'									
NOTES: 1: BEARINGS ARE BASED ON THE PLAT BEARING OF N 88°42'15" E ALONG THE NORTHERLY BOUNDARY LINE OF SUBJECT PARCEL. 2: BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: APRIL 17, 1989, COMMUNITY NUMBER: 120078 PANEL D002 D. 3: THIS SURVEY REFLECTS ALL EASEMENTS & RIGHT OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED. 4: THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.		CERTIFICATE I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 81G17-8, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.072, FLORIDA STATUTES. RAYMOND THOMPSON REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA LICENSE # BS 1985-86, 7469									
LAND SURVEYS ○	CONSTRUCTION SURVEYS ○	SUBDIVISIONS ○									



APPLICATION FOR VARIANCE

BOA No. 19-100076

HEARING DATE 6/13/19

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.

APPLICANT INFORMATION

Applicant Name: Jay Villanti Telephone: 802 343 1292
 Mailing Address: 1867 Arden Way E-Mail: Jay.villanti@villanti.com
Jacksonville Beach, FL 32250
 Agent Name: Jeff Swatkowski Telephone: 904 204 7530
 Mailing Address: 1681 Gervin Road E-Mail: none
Jacksonville, FL 32225
 Landowner Name: Jay Villanti Telephone: 802 343 1292
 Mailing Address: 1867 Arden Way E-Mail: Jay.villanti@villanti.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: 1867 Arden Way 178543-0000
 Legal description of property (Attach copy of deed): Lot 19, Block 14 Oceanforest 3
 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).
Lot Coverage 47.5%
ry pavers 4.8 feet to property line
(in screened enclosure)

AFFIDAVIT

I, Jay Villanti, 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.

Jay Villanti Katherine Lemmer Villanti
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE 5/10/19

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 10th day of MAY, 2019 by Katherine Villanti, who is personally known to me or has produced Vermont Driver License as identification.

[Signature] Chandra M. Medford
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME
 CHANDRA MEDFORD Commission No. GG 293199 Expires December 21, 2022 Notary Public State of Florida (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)a. for 47.5% lot coverage > 35% maximum and (e)(1)g. for an accessory structure setback of 4.8' > 5' required to allow for the addition of pavers around a pool inside a screen enclosure at an existing single family dwelling.
 Existing Lot Coverage 33%

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100076

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.

MAY 10 2019

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	yes	Lot is substandard under 10000 ft ²
Special circumstances and conditions do not result from the actions of the applicant.	yes	Platted that way and purchased that way.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	others have been issued similar variances.
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	others have been issued similar variances
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	We would like to put down pavers in complete enclosure, we could modify if necessary
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	

Chandra Medford

From: Jerry Stalnaker <zekestal@gmail.com>
Sent: Tuesday, June 4, 2019 1:57 PM
To: Planning Division
Subject: Public Notice

To: Jax Beach Board of Adjustment in reference to variance request by Mr & Mrs Jay Villanti who own a home directly across the street from me at 1867 Arden Way, Jax Beach.

These fine people are wonderful neighbors. Kay Villanti grew up in the house in question. Her family started a Memorial Day Tradition of putting small American Flags in front of every house on our block.

I wholeheartedly support their request for a variance. I have seen the pool in question and I have no problem with them adding a paved deck around their pool.

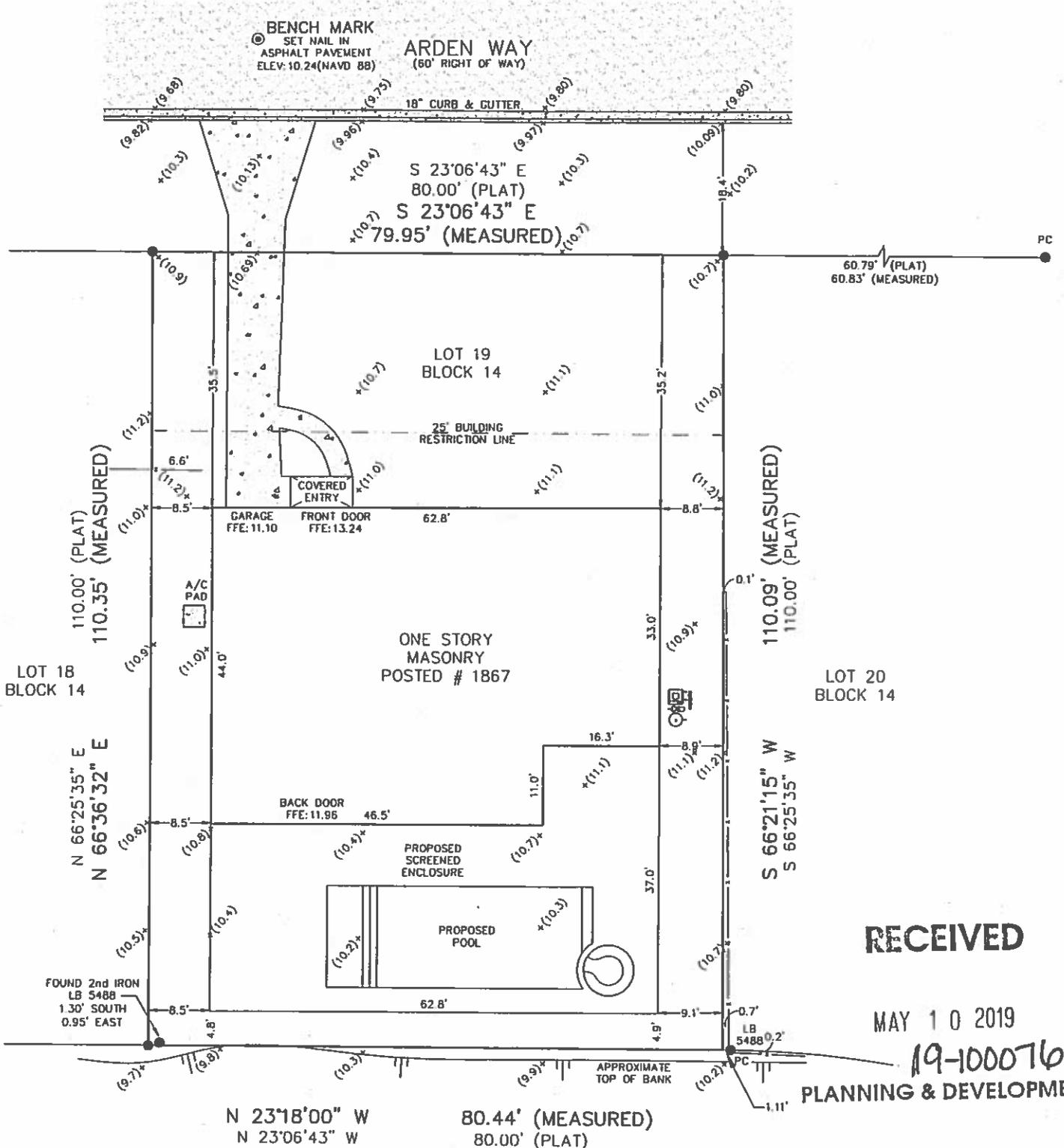
Respectfully Submitted,

Gerard W. Stalnaker
Colonel, USAF-Ret.
Commodore
Jax Vets
1868 Arden Way
Jax Beach, Fl 32250
zekestal@gmail.com
850 502-1864

Sent from my iPhone

MAP SHOWING BOUNDARY SURVEY OF
 LOT 19, BLOCK 14, OCEAN FOREST UNIT THREE, AS RECORDED IN PLAT BOOK 29,
 PAGES 33, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 KATHERINE L VILLANTI



RECEIVED

MAY 10 2019

19-100076

PLANNING & DEVELOPMENT

N 23°18'00" W 80.44' (MEASURED)
 N 23°06'43" W 80.00' (PLAT)

LOT AREA = 8881.34 SQUARE FEET
 IMPERVIOUS AREA = 4215.91 SQUARE FEET
 PROPOSED POOL/SPA AREA = 536.03 SQUARE FEET

PROPOSED SCREENED ENCLOSURE = 1275.70 SQUARE FEET
 (DOES NOT INCLUDE POOL/SPA AND IS INCLUDED IN TOTAL IMPERVIOUS AREA ABOVE)

50' DRAINAGE EASEMENT

- LEGEND:**
- = SET 1/2" REBAR STAMPED PSM#6146
 - = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
 - = 4"x4" CONCRETE MONUMENT
 - X— = FENCE
 - (with dot) = CONCRETE
 - PC = POINT OF CURVATURE
 - PT = POINT OF TANGENCY
 - PRC = POINT OF REVERSE CURVATURE
 - PCC = POINT OF COMPOUND CURVATURE
 - A/C = AIR CONDITIONER
 - + (10.9) = EXISTING ELEVATIONS

- NOTES:**
- BEARINGS ARE BASED ON THE PLAT BEARING OF S 23°06'43" E ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF ARDEN WAY.
 - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120078, PANEL D413 H
 - THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
 - THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
3-23-2017	SITE PLAN

JOB # 31897-A DATE OF FIELD SURVEY: 1-25-2017 SCALE: 1" = 20'



Ray Thompson SURVEYING, Inc.
 Going the DISTANCE for You
 1825 University Boulevard West
 Jacksonville, Florida 32217
 (Phone) 904-448-5125
 (Fax) 904-448-5178

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 409.07, FLORIDA STATUTES.

Raymond Thompson
 RAYMOND THOMPSON
 REGISTERED SURVEYOR AND MAPPER #6146 STATE OF FLORIDA
 LICENSE BUSINESS # 7469