



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda Amended

## Board of Adjustment

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Tuesday, June 16, 2020

7:00 PM

Council Chambers

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### 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

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

Alternates: Daniel Janson, Alexi Gonzalez

### EX-PARTE COMMUNICATION

### APPROVAL OF MINUTES

- a. Regular Board of Adjustment Meeting held February 18, 2020
- b. Regular Board of Adjustment Meeting held March 03, 2020

### CORRESPONDENCE

### OLD BUSINESS

**NEW BUSINESS**

**a. Case Number:      BOA#19-100201**

Applicant/Owner:      Cesar Castillo

Property Address:      221 19<sup>th</sup> Avenue North

Parcel ID:                175441-0000

Legal Description:      Lot 6, Block 203, *Elton Realty Co's Replat*

Current Zoning:        C-1 (per RM-2 Standards)

Motion to Consider:    **City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)c.2, for an easterly side yard setback of 6.4 feet and a westerly side yard setback of 7.3 feet each in lieu of 10 feet minimum and 34-340(e)(3)c.3, for a rear yard setback of 22 feet in lieu of 30 feet minimum to allow for an additional dwelling unit and addition to an existing dwelling unit**

Miscellaneous Info:    One previously approved conditional use for a multiple-family development (reference PC#34-19)

Notes: \_\_\_\_\_

**b. Case Number:      BOA#20-100019**

Applicant/Owner:      Nathan Kocher

Property Address:      727 4<sup>th</sup> Avenue North

Parcel ID:                174145-0000

Legal Description:      The east 40 feet of Lot 11 and the west 20 feet of Lot 10, Block 58, *Pablo Beach Improvement Company's Replat of the Northern Portion of Pablo Beach*

Current Zoning:        RS-2

Motion to Consider:    **City of Jacksonville Beach Land Development Code Section(s):34-337(e)(1)e, for 40% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling**

Miscellaneous Info:    No previous variance requests

Notes: \_\_\_\_\_

**c. Case Number: BOA#20-100021**

Applicant/Owner: Cheryl Kirkland

Property Address: 715 Palm Tree Road

Parcel ID: 177787-0000

Legal Description: The west 7 feet of Lot 8 and all of Lot 9, Block 5, *Pine Grove Unit 2*

Current Zoning: RS-1

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e**, for 41.8% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling

Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
\_\_\_\_\_

**d. Case Number: BOA#20-100023**

Applicant/Owner: Ryan Weilersbacher

Property Address: 806 Palm Tree Road

Parcel ID: 177821-0000

Legal Description: Lot 2 and the North 40 feet of Lot 3, Block 8, *Pine Grove Unit 2*

Current Zoning: RS-1

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e**, for 46% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback (pool deck) of 3 feet in lieu of 5 feet minimum to allow for the addition of a garage and to rectify existing (unpermitted) nonconformities at a single-family dwelling

Miscellaneous Info: Coping only pool installed in 2017 (reference pool permit #17-94)  
No previous variance requests

Notes: \_\_\_\_\_  
\_\_\_\_\_

**e. Case Number: BOA#19-100024**

Applicant/Owner: Elizabeth Evans

Agent: Jason Reisdorf

Property Address: 3671 America Avenue

Parcel ID: 181403-0122

Legal Description: Lot 19, Block 16, together with the westerly ½ of closed alley by Ordinance 7316 lying easterly thereof, *Ocean Terrace*

Current Zoning: RS-1

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 50.3% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 4 feet in lieu of 5 feet minimum to allow for the addition of pool pavers around a new pool at an existing single-family dwelling**

Miscellaneous Info: One previously approved variance request (reference BOA#12-100199)

Notes: \_\_\_\_\_  
\_\_\_\_\_**f. Case Numbers: BOA#20-100025 & BOA#20-100026**

Applicant: John Atkins

Owner: Atkins Builders, Inc.

Property Address: 201 18th Avenue North

Parcel ID: 175433-0000

Legal Description: Lot 10, Block 193, *Elton Realty Co's Replat*

Current Zoning: RM-2

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.2, for a corner side yard setback of 7.3 feet in lieu of 10.5 feet minimum and 34-340(e)(1)c.3, for a rear yard setback of 15 feet in lieu of 30 feet required, and 34-340(e)(1)f, for 45.98% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling**

Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
\_\_\_\_\_

**g. Case Number: BOA#19-100029**

Applicant/Owner: Janet L. Austin

Property Address: 1125 14<sup>th</sup> Avenue North

Parcel ID: 175314-0000

Legal Description: Lot 5, Block 12, *Beach Homesites - Unit Three*

Current Zoning: RS-1

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)c.2, for a westerly side yard of 8.3 feet and an easterly side yard of 9.5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 29 feet in lieu of 30 feet required; 34-336(e)(1)d, for no garage in lieu of a required one-car garage; and 34-373(a)(1), for off-street parking 7 feet wide in lieu of 9 feet minimum to rectify existing non-conformities and to allow for a substantial improvement to an existing single-family dwelling

Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
\_\_\_\_\_

**h. Case Number: BOA#20-100031**

Applicant/Owner: Brad L. & Angela Smith

Property Address: 3516 1<sup>st</sup> Street South

Parcel ID: 181458-0000

Legal Description: Lot 3, Block 4, *Atlantic Shores Oceanfront Section Division "A"*, together with the west 20 feet of closed street lying east thereof by Ordinance No. 7530

Current Zoning: RS-1

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)c.2, for side yard setbacks of 7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
\_\_\_\_\_

**i. Case Number: BOA#20-100032**

Applicant/Owner: Michael & Malloreay Smith  
 Property Address: 528 10<sup>th</sup> Avenue South  
 Parcel ID: 176669-0000  
 Legal Description: Lot 3, Block 106, *Oceanside Park*  
 Current Zoning: RS-3

Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)c.2, for an easterly side yard of 6.5 feet in lieu of 7.5 feet required and total side yards of 14 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for a rear yard setback of 22 feet in lieu of 30 feet required; and 34-338(e)(1)e, for 46.2% lot coverage in lieu of 35% maximum to allow for a patio expansion and pergola addition to an existing single-family dwelling

Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
 \_\_\_\_\_

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is Tuesday, July 7, 2020. There are eight 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. If you plan on attending or presenting at the hearing then you may use this website [www.jacksonvillebeach.org/publichearinginfo](http://www.jacksonvillebeach.org/publichearinginfo) for information concerning the hearing process. This information is also available in the City Hall first floor display case.*

Minutes of Board of Adjustment Meeting  
held Tuesday, February 18, 2020, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida



**CALL TO ORDER**

Chairperson Francis Reddington called the meeting to order.

**ROLL CALL**

*Chairperson:* Francis Reddington  
*Vice-Chairperson:* Scott Cummings  
*Board Members:* Sylvia Osewalt                      Jeff Truhlar                      John Moreland  
*Alternates:* Dan Janson                              Alexi Gonzalez (absent)

Building Official George Knight was also present.

**EX PARTE COMMUNICATION:** Mr. Cummings advised he received a communication in regards to BOA# 20-100008. He explained the process of coming before the Board and suggested the person reach out to the neighbors before the meeting. All other Board Members reported no ex parte communications.

**APPROVAL OF MINUTES:**

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

- January 22, 2020

**CORRESPONDENCE:** *None*

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

A. **Case Number:**            **BOA#20-100008**  
**Applicant/Owner:**        Jason Stanley  
**Agent:**                        Chris May  
**Property Address:**        2886 Merrill Boulevard

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to a single-family dwelling.

**Agent:** Chris May, 12864 Southern Hills Circle East, Jacksonville, stated the hardship is the property only had 62.5 feet of frontage where the standard is 75 feet. Ms. Osewalt added the standard lot size is 7,500 square feet, and this lot is 7,200 square feet, so the lot is also undersized.

**Applicant/Owner:** Jason Stanley, 2886 Merrill Boulevard, Jacksonville Beach, explained his plan to add a pool, paver patio, and a walkway to the back gate. Mr. Moreland asked if 49% was the

least amount of coverage needed. The Applicant stated he could reduce the lot coverage by “a couple of percents and it would still work.”

Ms. Osewalt stated the lot coverage is 33% now, and the maximum allowed is 35%. She asked if the owner could request less lot coverage.

**Public Hearing:**

No one came before the Board to speak about his case.

Mr. Cummings read a letter into the record (on file) from the following people in support of the variance application:

- Rachel and Tommy Sivert, 2951 Merrill Boulevard, Jacksonville Beach
- William Cowden, 2919 Merrill Boulevard, Jacksonville Beach
- Marc Blakely, 2790 Merrill Boulevard, Jacksonville Beach
- Mike Hollis, 2823 Merrill Boulevard, Jacksonville Beach
- Daniel Pastrana, 2822 Merrill Boulevard, Jacksonville Beach
- Nancy Ramirez, 2918 Merrill Boulevard, Jacksonville Beach
- Ginger Boney, 2887 Merrill Boulevard, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Mr. Moreland determined this was “barely” a substandard lot and thought this much coverage was excessive. Ms. Osewalt agreed.

**Motion:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve BOA# 20-100008, for 47% lot coverage, in lieu of 35% maximum to allow for a pool and paver patio addition to a single-family dwelling as presented and discussed.

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

**B. Case Number:** BOA#20-100010  
**Applicant/Owner:** Gregory and Lisa Phipps  
**Property Address:** 127 10<sup>th</sup> Avenue South

**City of Jacksonville Beach Land Development Code Section(s):** 34-340(e)(3)c.1, for a front yard of 14.7 feet in lieu of 20 feet required; 34-340(e)(3)c.2, for a westerly side yard of 4.1 feet in lieu of 10 feet minimum; 34-340(e)(3)d.1, for a one (1) bedroom dwelling unit size of 629 square feet in lieu of 700 square feet minimum, all to rectify existing non-conformities and convert an approved single-family use to a multiple-family use.

**Applicant/Owner:** Lisa Phipps, 127 10<sup>th</sup> Avenue South, Jacksonville Beach, said the hardship was the width and size of the lot: it is 50 feet wide by 125 feet deep and 6,250 square feet. She explained the multi-family unit, and the undersized apartment already existed on the lot. She said they did not intend to build anything else on the property.

Gregory Phipps, 127 10<sup>th</sup> Avenue South, Jacksonville Beach, said all of their neighbors supported the request.

**Public Hearing:**

The following spoke in support of the variance application:

- Cathy Sturms, 983 2<sup>nd</sup> Street South, Jacksonville Beach

Mr. Cummings read a letter into the record (on file) from the following neighbors who are in support of this variance application:

- John and Vicki Swindell, 115 10<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 20-100010, as presented and discussed.

Mr. Reddington asked Mr. Knight to clarify any changes would have to come before the Board again. Mr. Knight stated yes. Mr. Moreland modified his motion.

**Modified Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 20-100010, as presented and discussed with the condition that any future changes must be within the current footprint.

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

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, March 3, 2020**. There are two scheduled cases.

**ADJOURNMENT**

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 7:25 P.M.

Approval:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date

**Minutes of Board of Adjustment Meeting  
held Tuesday, March 3, 2020, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairperson Francis Reddington called the meeting to order.

**ROLL CALL**

*Chairperson:* Francis Reddington  
*Vice-Chairperson:* Scott Cummings  
*Board Members:* Sylvia Osewalt (absent) Jeff Truhlar (absent) John Moreland  
*Alternates:* Dan Janson Alexi Gonzalez

Building Official George Knight was also present.

**EX PARTE COMMUNICATION:** None

**APPROVAL OF MINUTES:**

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

- February 4, 2020

**CORRESPONDENCE:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

A. **Case Number:** BOA#20-100005  
**Applicant:** Rachel Powers and Landon Morehead  
**Owner:** Landon Morehead et al.  
**Property Address:** 1833 Arden Way

**City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 44.6% lot coverage in lieu of 35% maximum to rectify an existing non-conformity resulting from a pool and paver patio addition to an existing single-family dwelling.

**Owner:** Landon Morehead, 1833 Arden Way, Jacksonville Beach, stated their hardship is financial. Mr. Morehead hired a local pool contractor who submitted plans for a pool and pavers as required. The City approved the design of the pool and pavers, and the work was completed. During the final inspection, it was noted the project was actually over the maximum allowable lot coverage, and pavers would have to be removed to bring the project into compliance. Mr. Morehead advised it would be too expensive to have some of the pavers removed and decided to seek a variance instead. He also added that drainage on their lot was not an issue as the property is located near a creek. Mr.

Morehead provided photos (on file) of the property. Mr. Cummings asked if there was documentation showing the City approved the design. Mr. Morehead provided two surveys (on file) showing the plans submitted for approval. He acknowledged the first survey submitted for approval did not indicate impervious lot coverage, so a second one was submitted with that information.

Mr. Knight advised these owners were the victims of “not accurate permitting” by the pool contractor. He further stated this was not the first time something like this had occurred, and his department recently began requiring signed, sealed, and certified lot calculations on pool applications in an effort to deter these types of situations.

**Public Hearing:**

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

**Discussion:**

Board members discussed the fact financial consideration did not constitute a hardship. However, they also agreed this was not the fault of the homeowners but of the pool company.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#20-100005, as presented and discussed.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Dan Janson, Alexi Gonzalez and Francis Reddington  
The motion was approved unanimously.

**B. Case Number:** BOA#20-100018  
**Applicant:** Sean Shapiro  
**Owner:** Harry Thompson Living Trust  
**Property Address:** 912 19<sup>th</sup> Street North

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)g, for an accessory structure setback of 0.5 feet in lieu of 5 feet minimum for an existing building on Lot 5, Block 100 in order to separate Lot 5, Block 99 for development of a new single-family dwelling

**Applicant:** Sean Shapiro 1745 Pullian Street, Jacksonville Beach, said the structure was a water well pump house located on the Owner’s lot which backed up to Applicant’s property. Applicant stated he was aware the same request was denied in September 2014.

**Owner:** Harry Thompson, 912 19<sup>th</sup> Street North, Jacksonville Beach, said the pump house was on the property when he purchased it 40 years ago. He said there is a pump and several pipes in the pump house that provides water for his sprinkler system and he also stored equipment there.

Mr. Shapiro explained he needed the variance to build on lot 5 of block 99. Mr. Thompson’s property was on lot 5 of block 100.

**Public Hearing:**

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

**Discussion:**

Mr. Janson wanted to ensure granting the variance would not allow a six-inch setback in the future. Mr. Knight noted the variance specified it was for the existing building only and that could be reiterated in the motion.

**Motion:** It was moved by Mr. Janson, seconded by Mr. Moreland, to approve BOA#20-100018, with the condition the variance was limited expressly to the existing building.

**Roll Call Vote:** Ayes – John Moreland, Scott Cummings, Dan Janson, Alexi Gonzalez and Francis Reddington  
The motion was approved unanimously.

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Wednesday, March 18, 2020**. There are six scheduled cases.

**ADJOURNMENT**

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 7:28 P.M.

Submitted by: Sheila Boman  
Office Assistant

Approval:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date



# APPLICATION FOR VARIANCE

BOA No. 19-100201

HEARING DATE 3/18/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
6. Completed application.

RECEIVED

FEB - 4 2020

### APPLICANT INFORMATION

### PLANNING & DEVELOPMENT

Applicant Name: Cesar Castillo Telephone: (904) 248 0285  
 Mailing Address: 221 19th Ave. N. E-Mail: Cesar.Castillo@usa.com  
Jacksonville Beach, FL  
 Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Landowner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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: 221 19th Ave. N. Jacksonville, FL 17544-0000  
 Legal description of property (Attach copy of deed): Lot 6, BIK 203 Elton Realty Cof Replat  
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).  
side yard set backs and rear yard set back 22'-0"  
7'4" + 6'5"

### AFFIDAVIT

I, Cesar Castillo, 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.

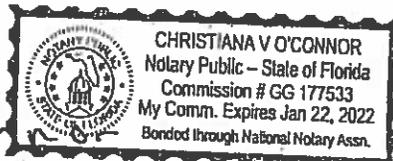
APPLICANT SIGNATURE \_\_\_\_\_ PRINT APPLICANT NAME Cesar Castillo DATE 02/03/20

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 3 day of February, 2020 by Cesar Castillo, who is personally known to me or has produced FLDL as identification.

Christian V. O'Connor

Christian V. O'Connor



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 (per RM-2 Standards) FLOOD ZONE: X-Shaded

CODE SECTION (s): \_\_\_\_\_

34-340(e)(3)c.2, for an easterly side yard setback of 6.4 feet and a westerly side yard setback of 7.3 feet each in lieu of 10 feet minimum and 34-340(e)(3)c.3, for a rear yard setback of 22 feet in lieu of 30 feet minimum to allow for an additional dwelling unit and addition to an existing dwelling unit

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 19-100201

*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.*

**RECEIVED**

**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.

FEB - 4 2020

**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	Substandard lot for a multifamily purpose. Lot too small. Side variances have been there since the 1950's and want to maintain existing house.
Special circumstances and conditions do not result from the actions of the applicant.	No	They are built into the lot
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	The point is that the zoning allows for a multifamily and this created the situation where the sides are smaller than current requirement
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	Several properties are in this situation. We are allowed to have a multifamily, but the current situation forces us to be requesting variance
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	We want to keep the current building
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.	No	



CERTIFIED MAIL RECEIPT# 7017 3040 0000 2086 0200

December 10, 2019

Cesar Castillo  
221 North 19th Avenue  
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 34-19**  
**Conditional Use Application** for a proposed multiple-family development  
for property located in a *Commercial, limited: C-1* zoning district.

The City of Jacksonville Beach Planning Commission met on **Monday, December 9, 2019** in Council Chambers to consider your **Conditional Use Application** for a proposed multiple-family development for property located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code, for property located at 221 North 19<sup>th</sup> Avenue.

The request was approved.

Please remove the public notices posted on the property. Please provide a copy of this letter with any other applications and building permits. Pursuant to Section 34-233, conditional use approval is not transferable, and granted only to the applicant. 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

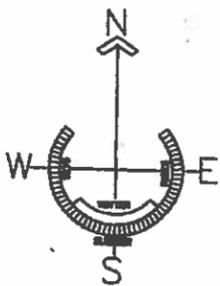
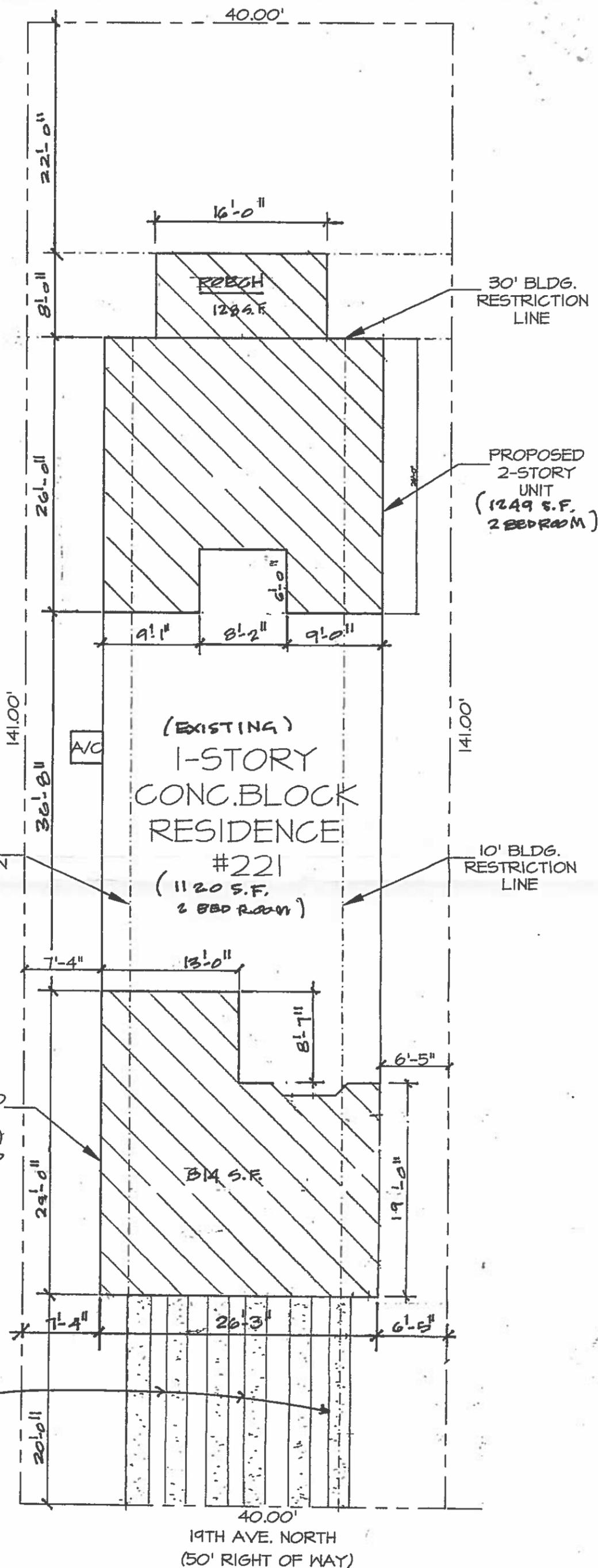


# VARIANCE REQUEST

SIDE YARD SET BACKS 7'-4" & 6'-5"  
 REAR YARD SET BACK 22'-0"

## LOT COVERAGE

TOTAL SITE AREA	5640 SF
EXISTING LOT COVERAGE	1620 SF
PROPOSED LOT COVERAGE	3198 SF
PERCENT LOT COVERAGE	56.7 %



PLANNING & DEVELOPMENT

19-100201

FEB - 4 2020

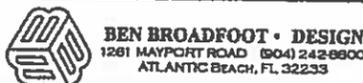
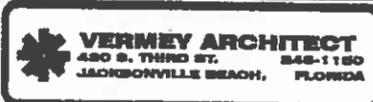
RECEIVED  
 PROPOSED

## SITE PLAN

SCALE: 1" = 10'-0"

PROPOSED ADDITION & REMODEL FOR:

Cesar Castillo  
 221 19th Ave. North  
 Jacksonville Beach, Florida 32250



NO.	DATE





# APPLICATION FOR VARIANCE

BOA No. 20-100019  
HEARING DATE 3/18/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
6. Completed application.

RECEIVED  
JAN 23 2020

PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

Applicant Name: Nathan Kocher Telephone: (904) 245-8784  
 Mailing Address: 727 4th Ave N Jacksonville Beach E-Mail: nathan.kocher@cmg.com

Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Landowner Name: Nathan Kocher Telephone: (904) 245-8784  
 Mailing Address: 727 th Ave N Jacksonville Beach E-Mail: nathan.kocher@cmg.com

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

### VARIANCE DATA

Street address of property and Real Estate Number: 727 4th Ave N Jacksonville Beach RE#174145-0000  
 Legal description of property (Attach copy of deed): Lot 11 Block 58 Pablo Beach N  
 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).  
Request Lot coverage variance from 35% to 45% to accommodate new pool and paver decking.

### AFFIDAVIT

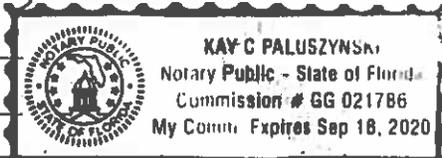
I, Nathan Kocher, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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.

NK \_\_\_\_\_ Nathan Kocher 1/22/20  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of  physical presence or  online notarization, this 22nd day of January, 2020, by Nathan Kocher, who is personally known to me or produced personally known as identification.

Kay Paluszynski  
 NOTARY PUBLIC SIGNATURE  
Kay Paluszynski  
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X-Shaded

CODE SECTION (s):  
34-337(e)(1)e, for 40% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100019

**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.

<b>Standard</b>	<b>Applies? Yes/No</b>	<b>Circumstances/ Explanation</b>
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	NO	
Special circumstances and conditions do not result from the actions of the applicant.	NO	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.		
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	NO	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	New pool deck square footage as proposed will increase total lot coverage by 5%, for a total of 40%. We are asking for a 5% variance of the 35% lot coverage for a total of 40%.
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	

Jacksonville Beach Building

1/23/2020

To: Variance Board

The lot coverage calculations for 727 4th Av N, Jacksonville Bch are as follows

Property: 7582.58 sf

House: 1684.24 sf

Pool Deck: 873 sf

Driveway and other concrete pads: 401 sf

Total coverage of lot: 3029 sf

$3029 \text{ sf} / 7582.58 \text{ sf} = 40\%$

RECEIVED

JAN 23 2020

20-100019

PLANNING & DEVELOPMENT

verified by phone call  
1/23/20 with Mike from  
Palace Pools

Sincerely,

Mike Paluszynski

Pres. Palace Pools Inc.

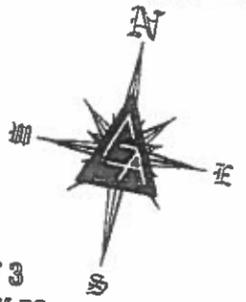
Proposed

**BOUNDARY SURVEY OF:**

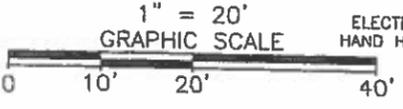
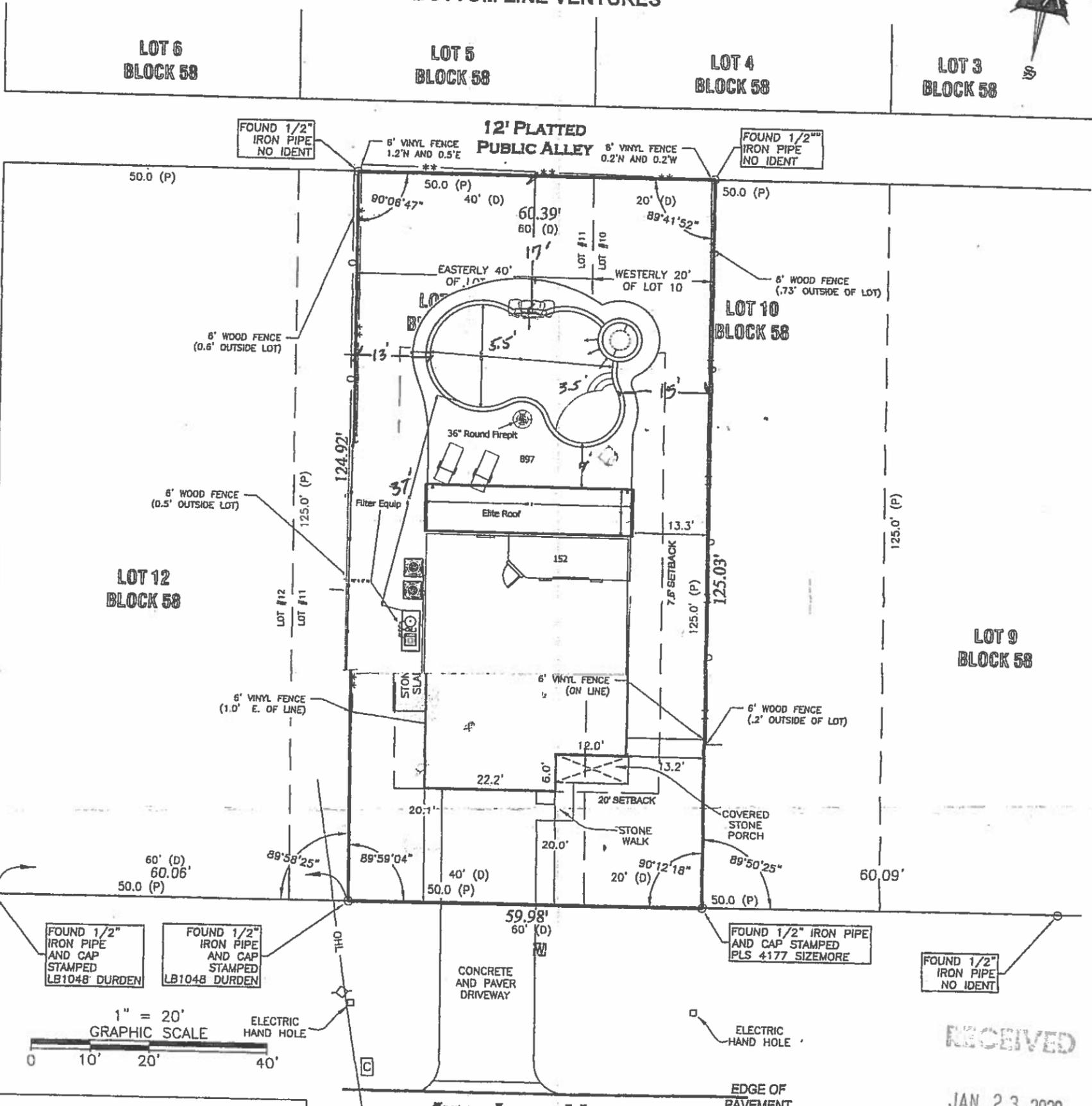
THE EAST 40 FEET OF LOT 11 AND THE WEST 20 FEET OF LOT 10, BLOCK 58, PABLO BEACH IMPROVEMENT COMPANY'S REPLAT OF THE NORTHERN PORTION OF PABLO BEACH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE(S) 66, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR:

**BOTTOM LINE VENTURES**



**EIGHTH STREET NORTH**  
50' UNIMPROVED RIGHT-OF-WAY



RECEIVED

JAN 23 2020  
20-100019  
PLANNING & DEVELOPMENT

**LEGEND**

- IDENT. IDENTIFICATION
- LB LICENSED BUSINESS
- PLS PROFESSIONAL LAND SURVEYOR
- (D) DEED DIMENSION
- (P) PLAT DIMENSION
- ◇ WOOD POWER POLE
- OHL- OVERHEAD LINE
- ⊞ WATER METER
- ⊞ BURIED CABLE PEDESTAL

**4TH AVE. NORTH**  
80' RIGHT-OF-WAY

**GENERAL NOTES:**

1. NO ELEVATIONS SHOWN HEREON.
2. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 120078, (MAP NO. 12031C0471H), WHICH BEARS AN EFFECTIVE DATE OF JUNE 3, 2013, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
3. UNDERGROUND IMPROVEMENTS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY, EXCEPT AS SHOWN HEREON.
4. MEASUREMENT METHODS USED FOR THIS SURVEY MEET STANDARDS OF PRACTICE FOR LAND SURVEYING AS SET FORTH IN FLORIDA ADMINISTRATIVE CODE CHAPTER 5 J-17.050-.052 REQUIREMENTS.
5. ALL DATA SHOWN HEREON ARE FIELD MEASURED UNLESS OTHERWISE NOTED.
6. NO BEARINGS SHOWN HEREON, RECORD PLAT HAS NO ANGULAR INFORMATION DENOTED.

**FOR THE BENEFIT OF:**

Nathan A. Kocher and Vanessa L. Kocher  
America's Choice Title Company  
Chicago Title Insurance Company  
Bank of England

JOB No. 18-19  
FILE No. A-152  
PARTY CHIEF: J. Lonnecker  
F.B. 723 PG 49  
DRAWN BY: R. Rain  
CHECKED BY: J. Thomas  
SURVEY DATE 02-22-2018

REVISION:	DATE:	BY:

CAD FILE: P:\18\18-019 COJB 727 4TH AVE N\DWG\18-019 COJB 727 4TH AVE N.DWG



**GHIOTTO & ASSOCIATES, INC.**  
NATIONALLY CERTIFIED SURVEYORS & MAPPERS  
CERTIFICATE OF AUTHORIZATION No. LB 6508  
2426 PHILIPS HIGHWAY  
JACKSONVILLE, FLORIDA 32207  
(904) 886-0071  
(904) 886-7174 FAX  
www.GHIOTTO.com

*Philip M. Ghiotto*  
PHILIP M. GHIOTTO P.S.M. No. 4195  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

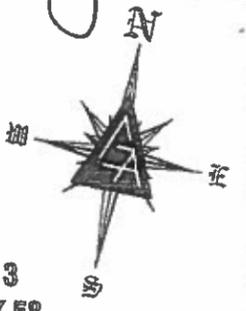
Existing

**BOUNDARY SURVEY OF:**

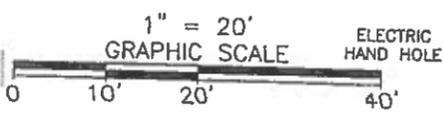
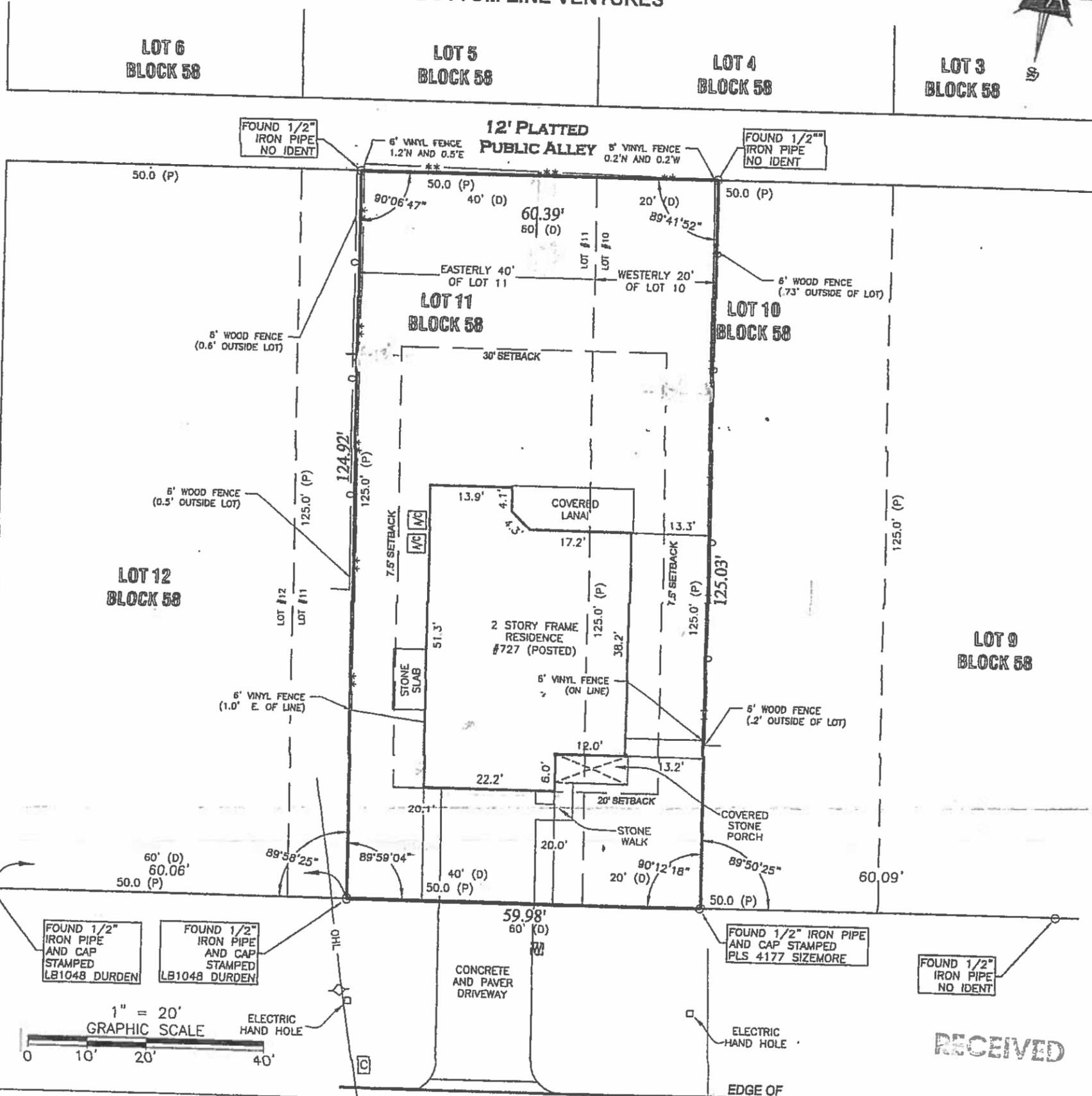
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FOR:

**BOTTOM LINE VENTURES**



**EIGHTH STREET NORTH**  
50' UNIMPROVED RIGHT-OF-WAY



LEGEND	
IDENT.	IDENTIFICATION
LB	LICENSED BUSINESS
PLS	PROFESSIONAL LAND SURVEYOR
(D)	DEED DIMENSION
(P)	PLAT DIMENSION
◇	WOOD POWER POLE
-OHL-	OVERHEAD LINE
⊞	WATER METER
⊞	BURIED CABLE PEDESTAL

**4TH AVE. NORTH**  
80' RIGHT-OF-WAY

**GENERAL NOTES:**

- NO ELEVATIONS SHOWN HEREON.
- BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE "X", AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 120078, (MAP NO. 12031C0471H), WHICH BEARS AN EFFECTIVE DATE OF JUNE 3, 2013, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE. ZONE "X" DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- UNDERGROUND IMPROVEMENTS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY, EXCEPT AS SHOWN HEREON.
- MEASUREMENT METHODS USED FOR THIS SURVEY MEET STANDARDS OF PRACTICE FOR LAND SURVEYING AS SET FORTH IN FLORIDA ADMINISTRATIVE CODE CHAPTER 5 J-17.050-.052 REQUIREMENTS.
- ALL DATA SHOWN HEREON ARE FIELD MEASURED UNLESS OTHERWISE NOTED.
- NO BEARINGS SHOWN HEREON, RECORD PLAT HAS NO ANGULAR INFORMATION DENOTED.

RECEIVED  
JAN 23 2020  
20-100019  
PLANNING & DEVELOPMENT

**FOR THE BENEFIT OF:**

Nathan A. Kocher and Vanessa L. Kocher  
America's Choice Title Company  
Chicago Title Insurance Company  
Bank of England

JOB No. 18-19  
FILE No. A-152  
PARTY CHIEF: J. Lonnecker  
F.B. 723 PG 49  
DRAWN BY: R. Rain  
CHECKED BY: J. Thomas  
SURVEY DATE 02-22-2018

REVISION:	DATE:	BY:

CAD FILE: P:\18\18-019 COJB 727 4TH AVE N\DWG\18-019 COJB 727 4TH AVE N.DWG



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*Philip M. Ghiotto*  
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



# APPLICATION FOR VARIANCE

BOA NO. 20-10002  
HEARING DATE 3/18/20

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 that shows the location of all existing improvements.
2. ✓ Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. ✓ Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. ✓ Non-refundable processing fee of \$500.00 (due at the time of application submittal).
6. ✓ Completed application.

**RECEIVED**  
JAN 29 2020

### APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Cheryl Kirkland Telephone: 904-234-4845  
 Mailing Address: 715 Palm Tree Rd E-Mail: Cheryl301@aol.com  
Jacksonville, Beach, FL 32250  
 Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 Landowner Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: same E-Mail: \_\_\_\_\_

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: 715 Palm Tree Rd #17718-1000  
 Legal description of property (Attach copy of deed): N 7 FT OF LOT 8 AND ALL LOT 9, BLOCK 15 DINGGROVE #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 of 41.8% for pool & decking on non conforming lot size for zone RS-1

### AFFIDAVIT

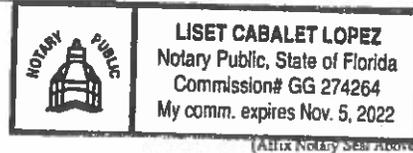
I, Cheryl Kirkland, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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.

Cheryl Kirkland  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE 1-24-2020

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of  physical presence or  online notarization, this 24<sup>th</sup> day of January, 2020, by Cheryl Kirkland, who is personally known to me or produced FL Driver's License as identification.

Liset Cabalet Lopez  
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X

CODE SECTION (s): 34-336(a)(1)e, for 41.8% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100021

**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.

JAN 29 2020

**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.

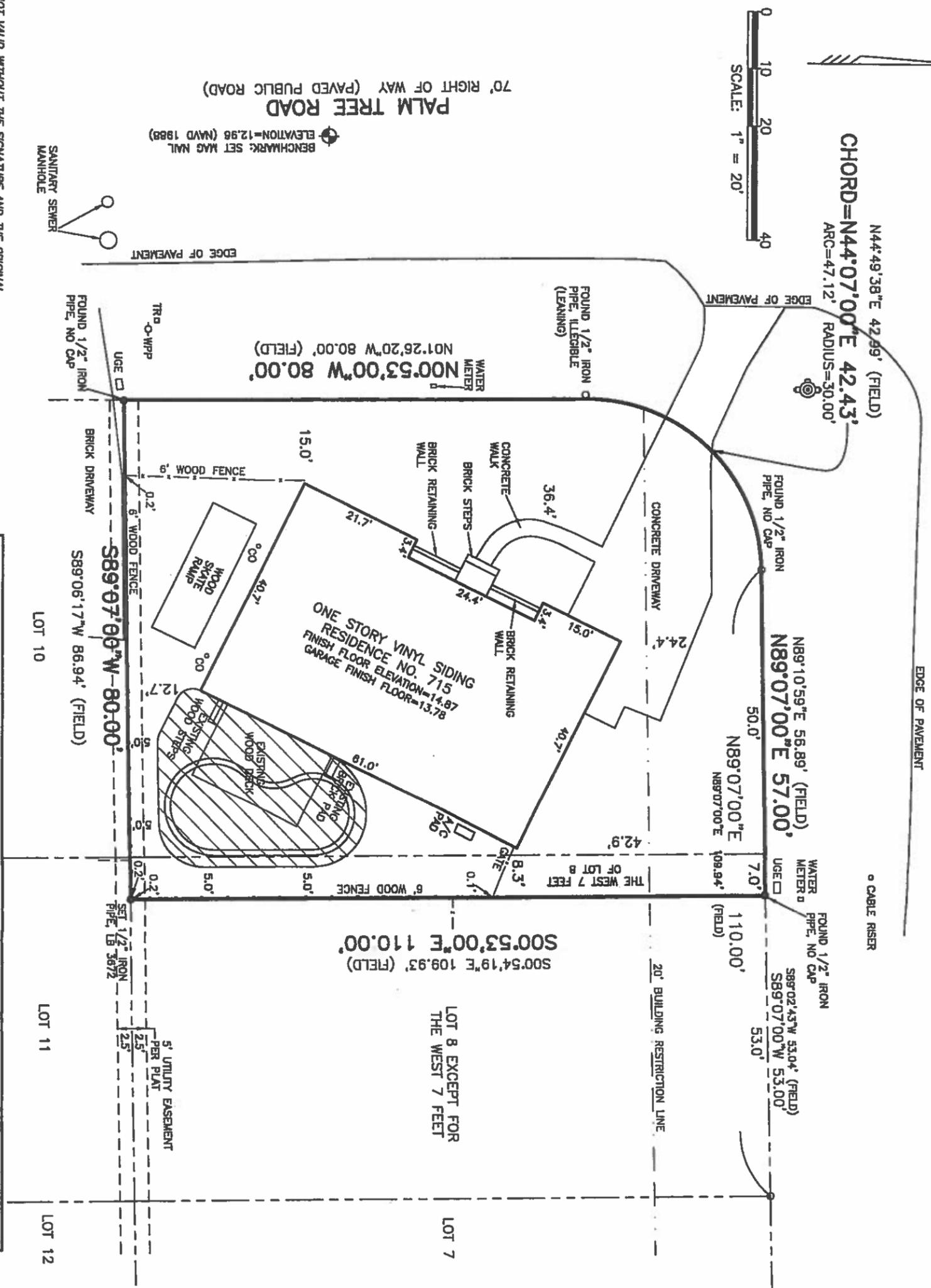
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	nonconforming lot size for zone RS-1 lot is under 10,000 sqft
Special circumstances and conditions do not result from the actions of the applicant.	Yes	previous owner exceeded lot coverage without variance preventing our addition.
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	only asking for reasonable variance consistent with other properties in zone.
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	Denial would prevent rights to add a pool commonly added & enjoyed by others in zone.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Requesting minimum variance to allow common use and enjoyment of property
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 impacts to neighboring properties

PROPOSED

7TH AVENUE NORTH  
70' RIGHT OF WAY (PAVED PUBLIC ROAD)

THE WEST 7 FEET OF LOT 8 AND ALL OF LOT 9, BLOCK 5, PINE GROVE  
UNIT 2 AS RECORDED IN PLAT BOOK 17, PAGE 18 OF THE CURRENT  
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

**PLOT PLAN**



- NOTES:
1. THIS IS A PLOT PLAN ONLY.
  2. BOUNDARY DATA SHOWN HEREON PER SURVEY BY THIS FIRM, BEING JOB NO. 2019-1820, DATED DECEMBER 31, 2019.
  3. 20' BUILDING RESTRICTION LINES AS PER PLAT.
  4. BENCHMARK SHOWN HEREON ESTABLISHED BY CLOSED LEVEL LOOP FROM A FOUND MAG NAIL LOCATED IN SOUTH EDGE OF PAVEMENT OF PALM CIRCLE, ALONG THE EAST PROPERTY LINE OF RESIDENCE NO. 1238 HAVING AN ELEVATION OF 15.34 AND ESTABLISHED BY GPS OBSERVATION IN NAVD 1988 DATUM, DATED NOVEMBER 17, 2015.
  5. GPS RUN USING SPECTRA PRECISION EPOCH 50 L1/L2 EQUIPMENT AND TRIMBLE VRS SOFTWARE.
  6. CO DENOTES CLEANOUT.
  7. TR DENOTES TELEPHONE RISER.
  8. UGE DENOTES UNDERGROUND ELECTRIC.
  9. WPP DENOTES WOOD POWER POLE.
  10. DIMENSIONS SHOWN AROUND PROPOSED POOL ARE TO EXISTING FENCE LINE.



RECEIVED

JAN 29 2020

20-100021

PLANNING & DEVELOPMENT

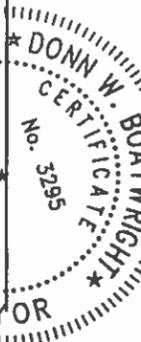
IMPERVIOUS:  
HOUSE=2397 SQUARE FEET  
CONCRETE & BRICK=917 SQUARE FEET  
WOOD=201 SQUARE FEET  
TOTAL IMPERVIOUS=3515 SQUARE FEET

LOT AREA=9377 SQUARE FEET  
PERCENTAGE OF IMPERVIOUS=37.5%  
PLANNING & DEVELOPMENT

PROPOSED IMPERVIOUS:  
POOL AREA=406 SQUARE FEET  
PERCENTAGE OF PROPOSED IMPERVIOUS=4.3%  
TOTAL COMBINED IMPERVIOUS=41.8%

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

THIS PLOT PLAN WAS MADE FOR THE BENEFIT OF  
CHERYL S. AND JACOB KIRKLAND.



**DONN W. BOATWRIGHT, P.S.M.**  
FLORIDA LIC. SURVEYOR and MAPPER No. 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 38725

DATE: JANUARY 27, 2020

REGISTERED LAND SURVEYOR  
SHEET 1 OF 1

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

FILE: 2020-0102

DRAWN BY: DAF

CHECKED BY:

BENCHMARK SET MAG NAIL  
ELEVATION=12.96 (NAVD 1988)

**PALM TREE ROAD**  
70' RIGHT OF WAY (PAVED PUBLIC ROAD)



CHORD=N44°07'00"E 42.43'  
ARC=47.12' RADIUS=30.00'

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





# APPLICATION FOR VARIANCE

BOA No. 20-100023  
HEARING DATE 3/18/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of **\$500.00** (due at the time of application submittal).
6. Completed application.

RECEIVED  
FEB - 3 2020

### PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

**Applicant Name:** Ryan Weilersbacher **Telephone:** (904) 403-6179  
**Mailing Address:** 806 Palm Tree Road **E-Mail:** weilersbacher@comcast.net  
Jacksonville Beach, FL 32250

**Agent Name:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**Landowner Name:** Ryan Weilersbacher **Telephone:** (904) 403-6179  
**Mailing Address:** 806 Palm Tree Road **E-Mail:** weilersbacher@comcast.net  
Jacksonville Beach, FL 32250

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

### VARIANCE DATA

Street address of property and Real Estate Number: 806 Palm Tree Road RE# 177821-0000  
 Legal description of property (Attach copy of deed): Lot 2 & North 40ft Lot 3, Block 8, Pine Grove Unit 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).  
Request to allow impervious surface to be 46% in lieu of 35% to allow the construction of a garage. The existing impervious surface is at 46% and a majority of the proposed garage lies on impervious surface. We propose removing 254sf of impervious surface to offset the proposed 246sf required for the garage.

### AFFIDAVIT

I, Ryan Weilersbacher, 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] Ryan Weilersbacher 2-3-20  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
 This instrument was acknowledged before me by means of  physical presence or  online notarization, this 3<sup>rd</sup> day of February, 2020, by Ryan Weilersbacher, who is personally known to me or produced \_\_\_\_\_ as identification.

[Signature]  
 NOTARY PUBLIC SIGNATURE  
Dana Michele Thomas  
 PRINT NOTARY NAME



Dana Michele Thomas  
 NOTARY PUBLIC  
 STATE OF FLORIDA  
 Comm# GG178139  
 Expires 1/17/2022

(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): \_\_\_\_\_  
34-336(e)(1)e, for 46% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback (pool deck) of 3 feet in lieu of 5 feet minimum to allow for the addition of a garage and to rectify existing (unpermitted) nonconformities at a single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100023

**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.

FEB - 3 2020

**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	EXISTING CONDITIONS ARE AT 46% IMPERVIOUS PROPOSED GARAGE INCLUDES IMP. REMOVAL FOR A NET DECREASE
Special circumstances and conditions do not result from the actions of the applicant.	NO	ADDITION OF A GARAGE WILL GET PROPERTY MORE CONSISTENT WITH SURROUNDING PROPERTIES
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	A MAJORITY OF HOMES IN THE ZONING DISTRICT HAVE GARAGES
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	THIS RESIDENCE HAS NO CARPORT OR GARAGE
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 ACTUALLY SEEKING APPROVAL TO DECREASE IMPERVIOUS SURFACE
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	HOUSES REQUIRE A GARAGE PER LDC. APPROVAL WOULD GET RESIDENCE INTO COMPLIANCE

**LeeAnn Bassabe**

---

**From:** Acuki <babyautumn2004@gmail.com>  
**Sent:** Friday, February 28, 2020 12:47 PM  
**To:** Planning Division  
**Subject:** building permit

I am writing on behalf of 806 Palm Tree Road (BOA #20-100023). It is my understanding that they would like permits to build a garage. I am in agreement with this build. I feel that it will clear up alot of the clutter tht is accumulated in their yard. They are a big family and are great neighbors , they really need this garage and my family supports them completely.

Diana Harden  
1309 Palm Cir, Jacksonville Beach, FL 32250

**LeeAnn Bassabe**

---

**From:** Jim Williams <lobsterbud@gmail.com>  
**Sent:** Sunday, March 1, 2020 9:00 PM  
**To:** Planning Division  
**Subject:** Variance at 806 Palm Tree Rd., and BOA #20-100023

I am a neighbor of Ryan Weilersbacher and I am in total support of the work he wants to do at his residence. He will only improve his property and the neighborhood with whatever he has done!! Thank you,

James Williams  
738

**LeeAnn Bassabe**

---

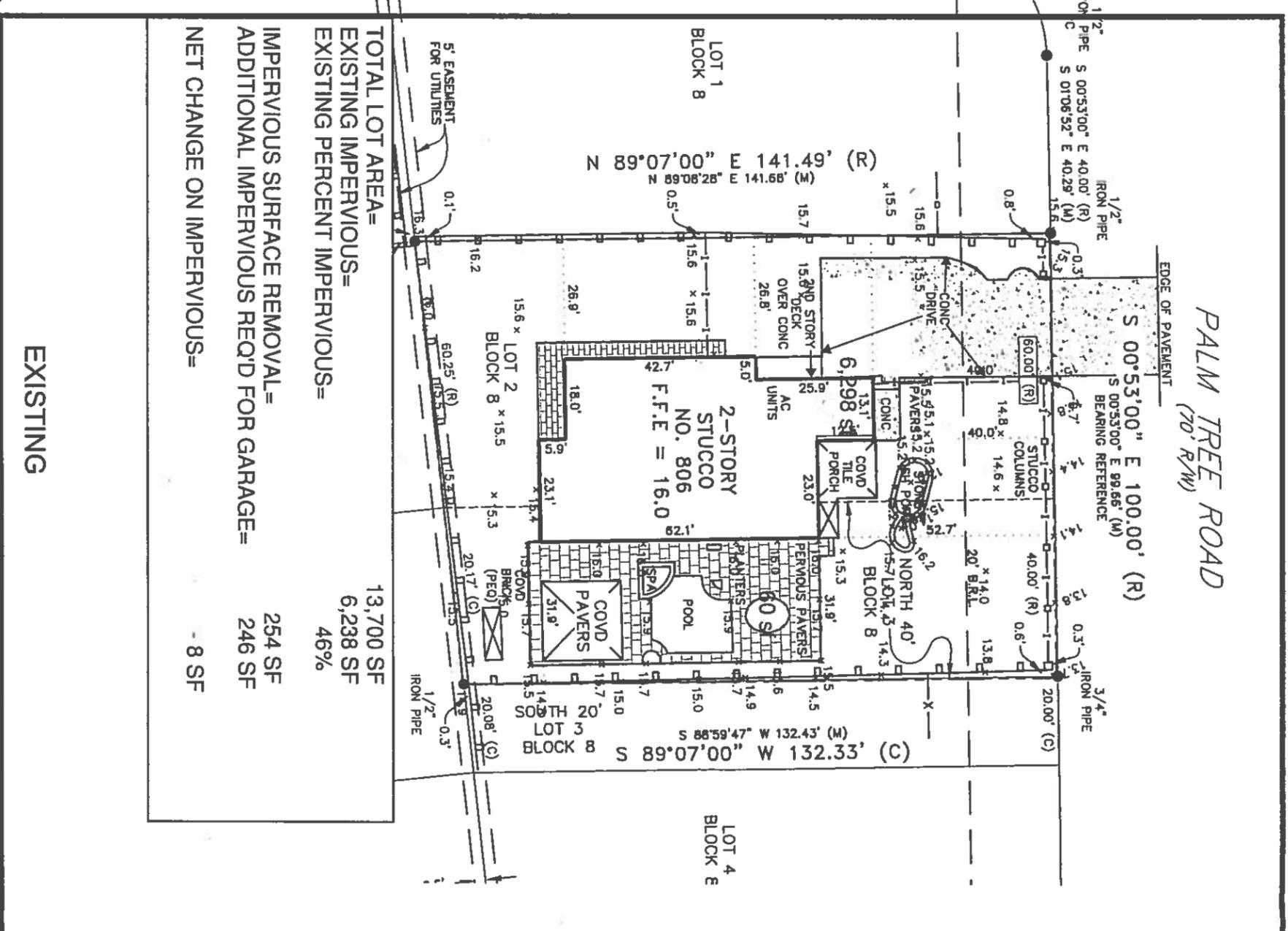
**From:** Isabel Ford <issymendez@hotmail.com>  
**Sent:** Tuesday, March 10, 2020 8:23 AM  
**To:** Planning Division  
**Subject:** 806 palm tree road, BOA #20-100023

To Whom it may Concern,

We support the approval of the variance at 806 Palm Tree Road (BOA #20-100023). Variances have been provided throughout Jacksonville Beach and should be provided here.

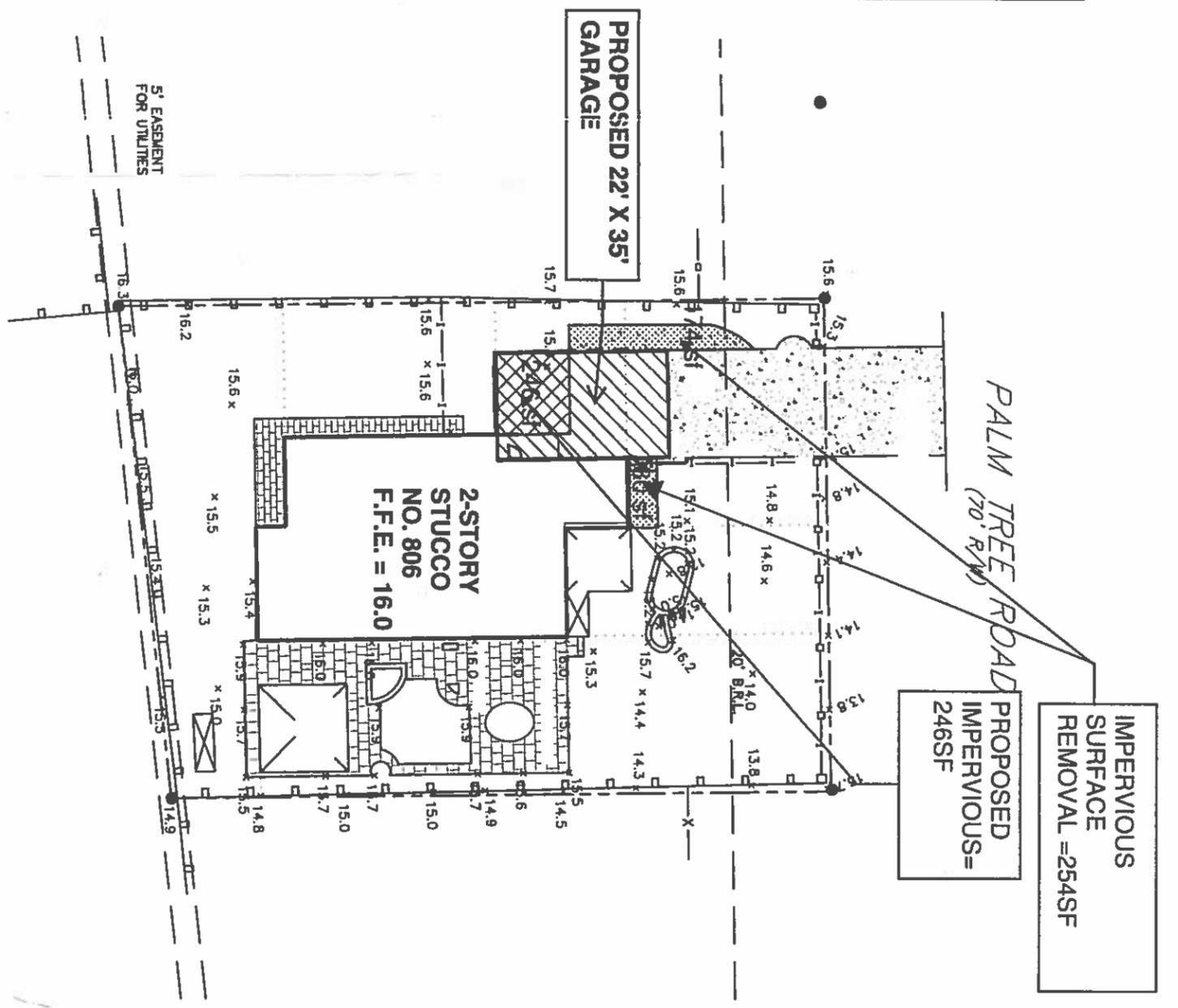
If you need any additional information, please contact me at this email address or 904-703-6311.

Kindly,  
Mrs. Ford  
1229 7th Ave N  
Jacksonville Beach, FL 32250



TOTAL LOT AREA = 13,700 SF  
 EXISTING IMPERVIOUS = 6,238 SF  
 EXISTING PERCENT IMPERVIOUS = 46%  
 IMPERVIOUS SURFACE REMOVAL = 254 SF  
 ADDITIONAL IMPERVIOUS REQ'D FOR GARAGE = 246 SF  
 NET CHANGE ON IMPERVIOUS = - 8 SF

EXISTING



IMPERVIOUS SURFACE REMOVAL = 254SF  
 PROPOSED IMPERVIOUS = 246SF

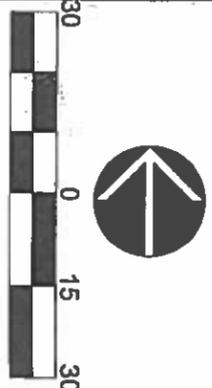
PROPOSED

806 PALM TREE ROAD,  
 JACKSONVILLE BEACH, FLORIDA  
 32250

WELLERSBACHER RESIDENCE

20-100023  
 FEB - 3 2020

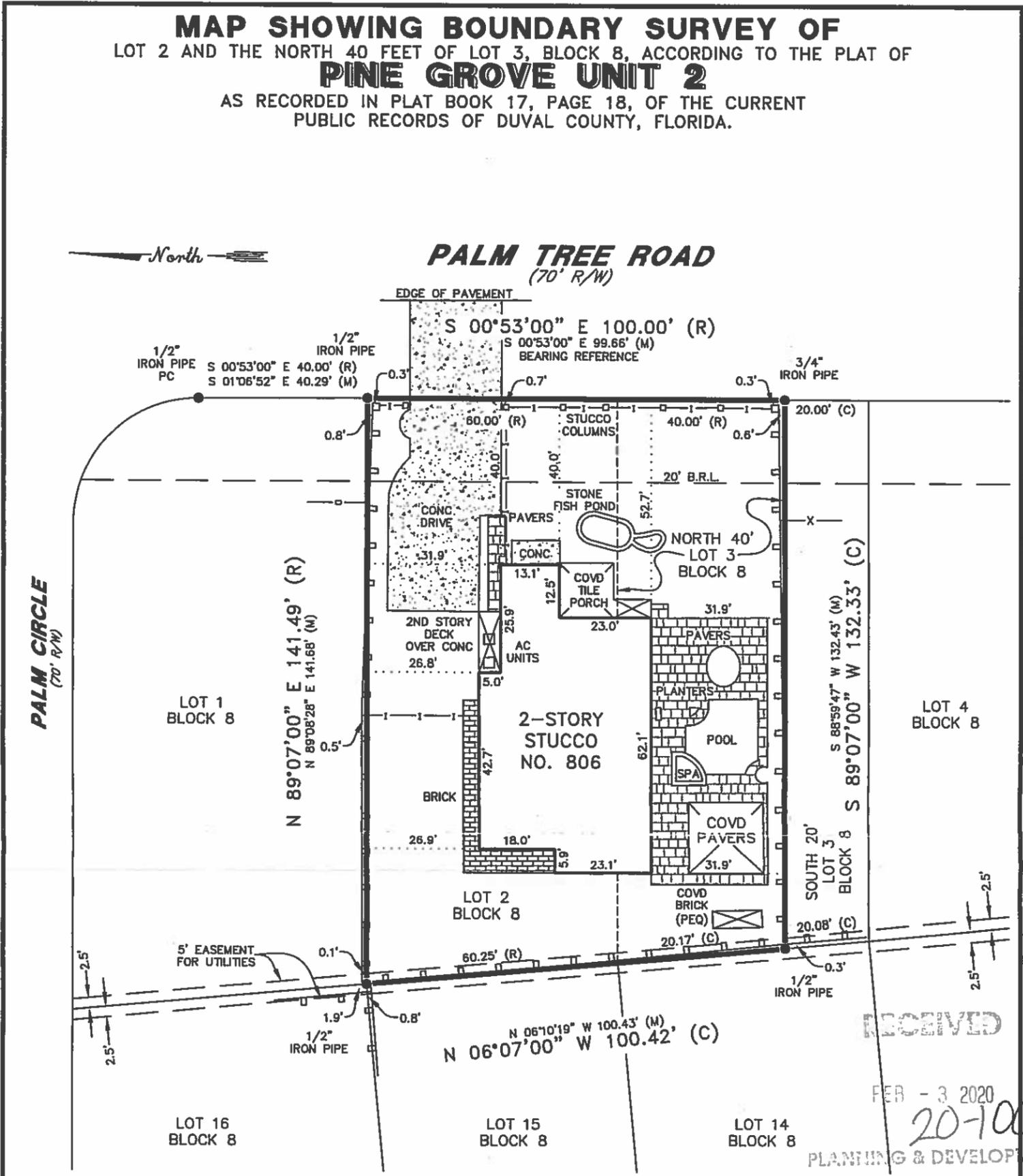
PLANNING & DEVELOPMENT



SITE PLAN

C2.0

**MAP SHOWING BOUNDARY SURVEY OF**  
 LOT 2 AND THE NORTH 40 FEET OF LOT 3, BLOCK 8, ACCORDING TO THE PLAT OF  
**PINE GROVE UNIT 2**  
 AS RECORDED IN PLAT BOOK 17, PAGE 18, OF THE CURRENT  
 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



RECEIVED

FEB - 3 2020

20-100023

PLANNING & DEVELOPMENT

FLOOD ZONE "X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN / FLOOD ZONE "X (SHADED)" = AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.



**ASSOCIATED SURVEYORS INC.**  
 LAND & ENGINEERING SURVEYS  
 3846 BLANDING BOULEVARD  
 JACKSONVILLE, FLORIDA 32210  
 904-771-6468

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 5J-17.050 THROUGH 17.052, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.

BY:  
 CHARLES B. HATCHER FLORIDA CERTIFICATE NO. 3771  
 CHARLES L. STARLING FLORIDA CERTIFICATE NO. 4579  
 RAYMOND J. SCHAEFER FLORIDA CERTIFICATE NO. 6132

JOB NO. 71253 DATE 01-12-2018  
 SCALE: 1" = 30' DRAFTER MDC

- GENERAL NOTES:**
- BEARINGS ARE BASED ON PLAT BOOK 17, PAGE 18.
  - STRUCTURE NO. 808 SHOWN HEREON LIES WITHIN FLOOD ZONE X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 417 DATED 06-03-2013
  - THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
  - JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY
  - THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE, COVENANTS, B.R.L.'S RESTRICTIONS, CLOSURES, TAKINGS OR ORDINANCES, ETC.
  - THE HEAVY LINE SHOWN HEREON, MAY NOT INDICATE ACTUAL OWNERSHIP.
  - UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

<p><b>LEGEND</b></p> <p>AC = AIR CONDITIONER          BRL = BUILDING RESTRICTION LINE          BT = BUILDING TIE          BTN = BETWEEN          (C) = COMPUTED FROM RECORD          CLR = COVENANTS &amp; RESTRICTIONS          CH = CHORD          (CNR) = CAN NOT READ          CONC = CONCRETE          CONVD = COVERED          COVD = COVERED          EB = ELECTRIC BOX          ET = ELECTRIC TRANSFORMER &amp; PAD          JEA = JACKSONVILLE ELECTRIC AUTHORITY          L = LENGTH OF ARC          LB = LICENSED BUSINESS          LS = LICENSED SURVEYOR          (M) = MEASURED          N&amp;D = NAIL &amp; DISC          DRB = OFFICIAL RECORDS BOOK          DRV = OFFICIAL RECORDS VOLUME          PC = POINT OF CURVE          PCC = POINT OF COMPOUND CURVE          PEQ = POOL EQUIPMENT PAD          PI = POINT OF INTERSECTION          PR = POINT OF REVERSE CURVE          PRM = PERMANENT REFERENCE MONUMENT          PT = POINT OF TANGENCY          PLS = PROFESSIONAL LAND SURVEYOR</p>	<p>PSH = PROFESSIONAL SURVEYOR &amp; MAPPER          R = RADIUS          (R) = RECORD          RLS = REGISTERED LAND SURVEYOR          R/W = RIGHT OF WAY          (TYP) = TYPICAL</p> <p>O . . . . . SET IRON PIPE (IP) OR REBAR "ASSOC SURV" OR LB. 5488          ● . . . . . FOUND IRON PIPE (IP) OR PIN          ■ . . . . . FOUND CONCRETE MONUMENT (CM)          x . . . . . CROSS CUT OR DRILL HOLE          ⊙ . . . . . NAIL &amp; DISC          -X-X-X-X-X- CHAIN LINK FENCE          -I-I-I-I-I- METAL FENCE          -W-W-W-W-W- WIRE FENCE          -U-U-U-U-U- WOOD FENCE          -V-V-V-V-V- VINYL FENCE          -O-O-O-O-O- OVERHEAD UTILITY          -H-H-H-H-H- FIRE HYDRANT          -R-R-R-R-R- PHONE RISER          -M-M-M-M-M- WATER METER          -U-U-U-U-U- UTILITY POLE          -D-D-D-D-D- DIAMETER          -A-A-A-A-A- GUY ANCHOR          △ . . . . . CENTRAL ANGLE</p>
---	--

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



# APPLICATION FOR VARIANCE

BOA No. 20, 100024  
HEARING DATE 3-18-2020

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.

FEB - 7 2020

### APPLICANT INFORMATION

### PLANNING & DEVELOPMENT

Applicant Name: Elizabeth Evans Telephone: 904-923-5003  
 Mailing Address: 3671 America Ave E-Mail: eevans@e2dc.net  
Jacksonville Beach, FL 32250  
 Agent Name: Jason Reisdorf Telephone: 904-305-1830  
 Mailing Address: 6900 Philips Hwy, Suite 31 E-Mail: jreisdorf@e2dc.net  
Jacksonville, FL 32216  
 Landowner Name: Same Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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: 3671 America Ave 181403-0122  
 Legal description of property (Attach copy of deed): lot 19, block 16, 1/2 closed alley, Ocean Terr. Sub.  
 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).  
Add 768 SF of paver decking to existing coping only pool  
Accessory Structure Setback of 4' in lieu of 5' ~50% 80%

### AFFIDAVIT

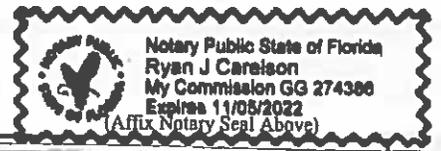
I, Elizabeth Evans, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary 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] Elizabeth Evans 2/7/20  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 7 day of February, 2020 by Elizabeth Evans, who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature] Ryan Carlson  
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 34-336(e)(1)e, for 50.3% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 4 feet in lieu of 5 feet minimum to allow for the addition of pool pavers around a new pool at an existing single-family dwelling

## VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 20-100024

*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	Undersized Lot
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Existing platted lot of record
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	Same or more generous variances have been granted.
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	Same or more generous variances have been granted.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Asking for minimum amount of coverage to create stable surface for existing pool + 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.	Yes	Will enhance property values in neighborhood.



RECEIVED

January 16, 2013

FEB - 7 2020

20-100024

PLANNING & DEVELOPMENT

Stephen B. Williams  
3731 Duval Drive  
Jacksonville Beach FL 32250

RE: BOA #12-100199  
3671 America Avenue

Dear Mr. Williams:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, January 15, 2012 to consider your variance application.

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

- 34-336(e)(1)c.2, side yards of 7.5 feet in lieu of 10 feet required; and
- 34-336(e)(1)e, for 40% lot coverage in lieu of 35% maximum

To allow for a new single family dwelling.

The results of the meeting were:

- Approved

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: Double D Construction LLC

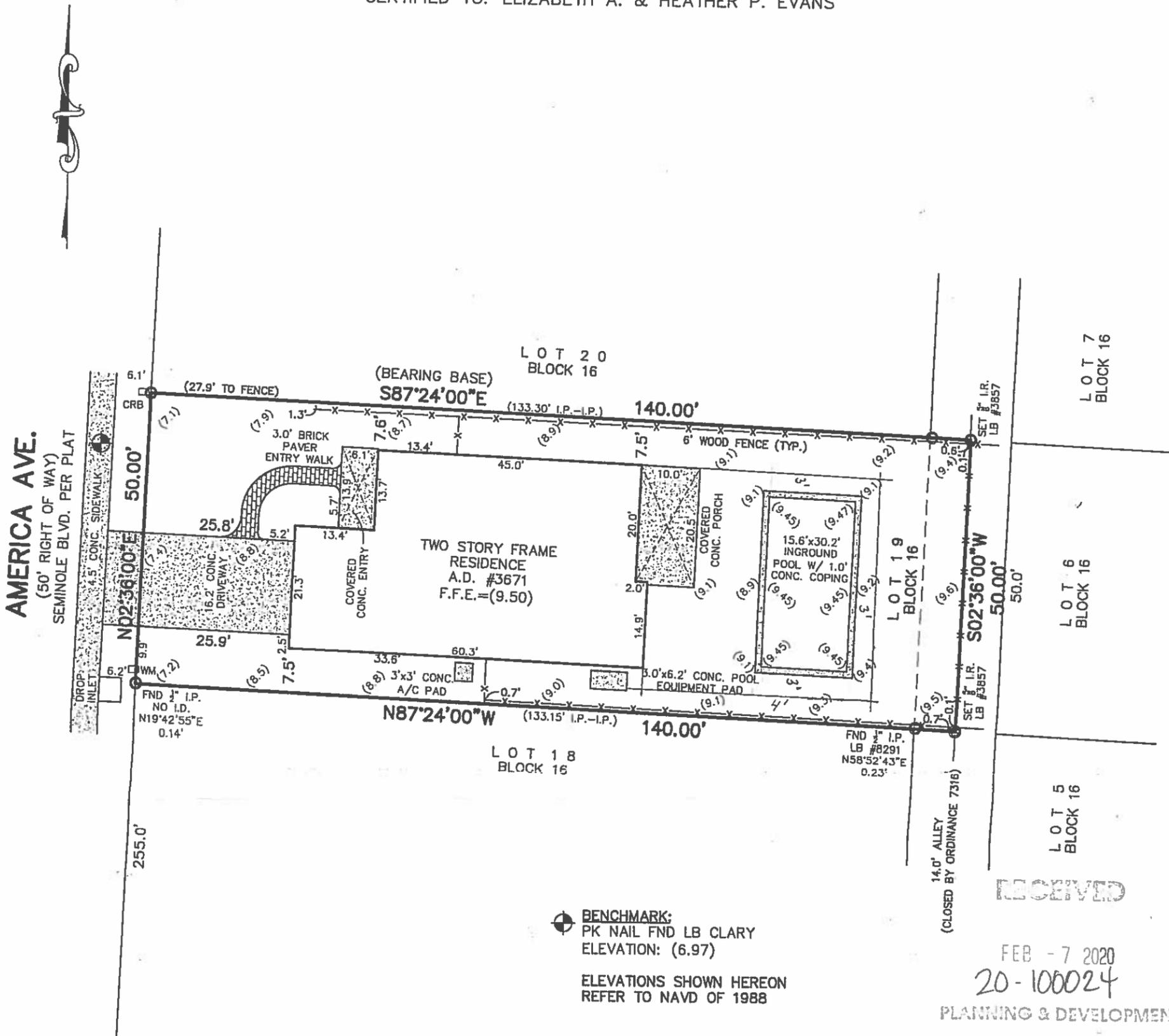
City of  
Jacksonville Beach  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
Phone: 904.247.6231  
Fax: 904.247.6107  
Planning@jaxbchfl.net  
www.jacksonvillebeach.org



# MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF DEED OF RECORD

LOT 19, BLOCK 16, TOGETHER WITH THE WESTERLY 1/2 OF CLOSED ALLEY BY ORDINANCE 7316 LYING EASTERLY THEREOF, OCEAN TERRACE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 2, IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

CERTIFIED TO: ELIZABETH A. & HEATHER P. EVANS



**BENCHMARK:**  
PK NAIL FND LB CLARY  
ELEVATION: (6.97)

ELEVATIONS SHOWN HEREON  
REFER TO NAVD OF 1988

RECEIVED  
FEB - 7 2020  
20-100024  
PLANNING & DEVELOPMENT

**JACKSONVILLE DR**  
(50' RIGHT OF WAY)

*Proposed Paver Decking 732SF*  
*Proposed Lot Coverage 50.3 %*

00.00 ✕ - DENOTES TOPOGRAPHIC SPOT ELEVATION (HARD SHOT)  
00.0 ✕ - DENOTES TOPOGRAPHIC SPOT ELEVATION (GROUND SHOT)

DIMENSIONS SHOWN HEREON ARE PER FOUNDATION PLAN

LOT 19, BLOCK 16	EVANS RESIDENCE
LOT SIZE	7,000± SQ. FT.
DRIVEWAY TO R/W	418± SQ. FT.
ENTRY WALK	74± SQ. FT.
APPROXIMATE SIDEWALK	225± SQ. FT.
RIGHT-OF-WAY LENGTH	50.00 FT.
TOTAL IMPERVIOUS COVERAGE	2,786± SQ. FT. 40%

TOPOGRAPHIC; W.O.#179693: 01-31-2020 (FIELD)

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

FOUND 3/4" IRON PIPE, NO I.D. UNLESS OTHERWISE SHOWN HEREON

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP 0419 J FOR DUVAL COUNTY, FLORIDA, F.I.R.M INDEX DATE 11-02-18

## ALL AMERICAN SURVEYORS OF FLORIDA, INC.

LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA, 32257 - 904/279-0088 - LICENSED LAND BUSINESS NO. 3857

Legend	
COV.	COVERED
FND.	FOUND
ESMT	EASEMENT
CONC	CONCRETE
MON.	MONUMENT
I.P.	IRON PIPE
I.R.	IRON ROD
Δ	DELTA ANGLE
CH	CHORD
A	ARC LENGTH
R	RADIUS
(C)	CALCULATED
(D)	DEED
(P)	PLAT
(R)	RADIAL LINE
E	CENTER LINE
R/W	RIGHT-OF-WAY
(A)	ACTUAL
(W)	WITNESS
F.F.E.	FINISH FLOOR ELEVATION
A/C	AIR CONDITIONER
LD.	IDENTIFICATION
P.R.M.	PERMANENT REFERENCE MONUMENT
P.T.	POINT OF TANGENCY
P.C.P.	PERMANENT CONTROL POINT
P.C.	POINT OF CURVE
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE
B.R.L.	BUILDING RESTRICTION
F.P.&L.	FLORIDA POWER & LIGHT (TYP.)
NGVD	NATIONAL GEODETIC VERTICAL DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
N.T.S.	NOT TO SCALE
LB	LICENSED BUSINESS
P.I.	POINT OF INTERSECTION
EDW	EDGE OF WATER
TOB	TOP OF BANK

THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO 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 472.027 / CHAPTER 546.126, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL  
JAMES D. HARRISON, JR., No. 2647  
MICHAEL A. GARRETT, No. 6643

SCALE 1"=20'

DATE 01-02-2020

2/3/2020  
FLORIDA REGISTERED SURVEYOR AND MAPPER

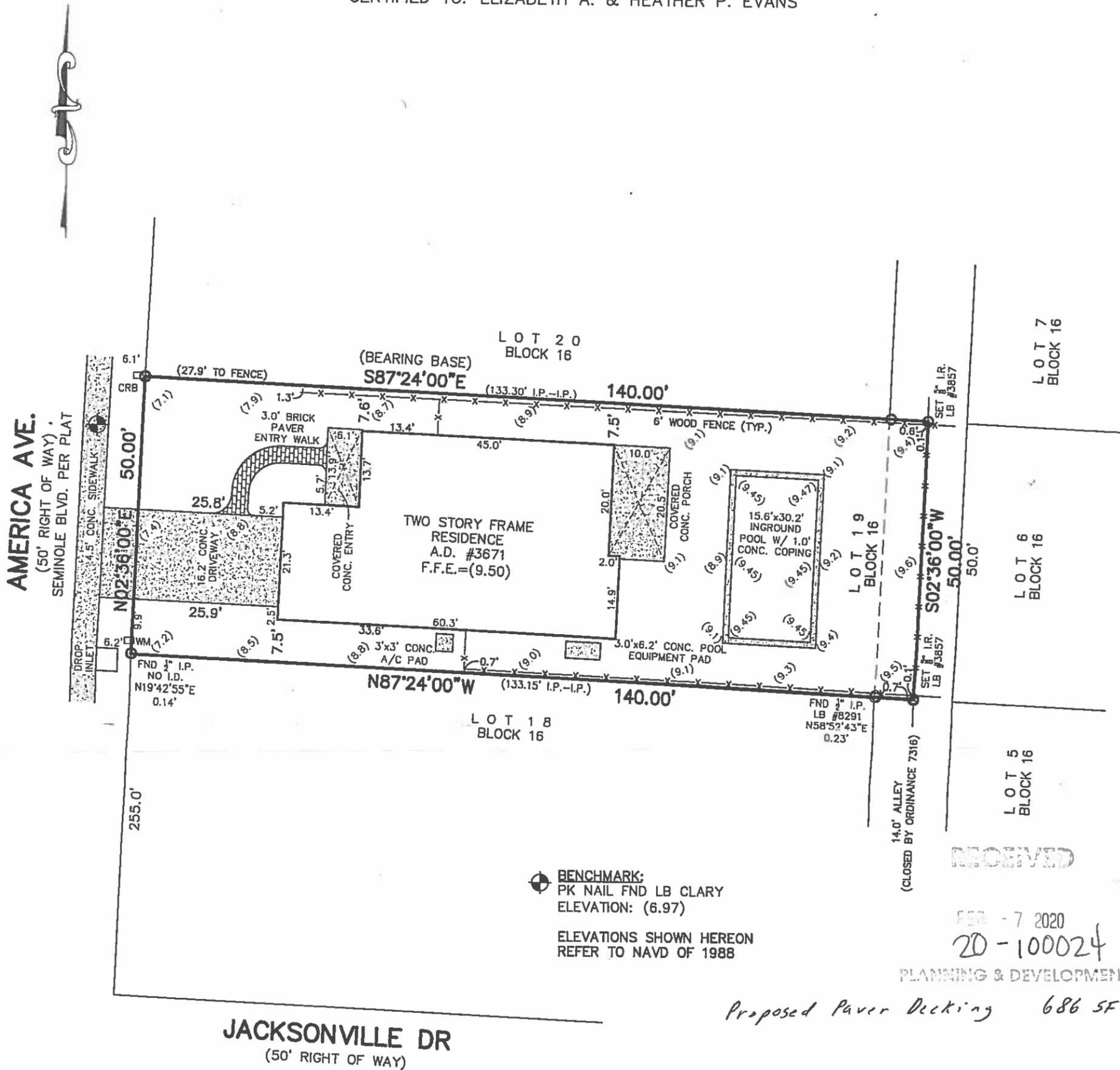


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CERTIFIED TO: ELIZABETH A. & HEATHER P. EVANS



**BENCHMARK:**  
PK NAIL FND LB CLARY  
ELEVATION: (6.97)

ELEVATIONS SHOWN HEREON  
REFER TO NAVD OF 1988

RECEIVED

FEB - 7 2020  
20-100024

PLANNING & DEVELOPMENT

Proposed Paver Decking 686 SF

00.00 - DENOTES TOPOGRAPHIC SPOT ELEVATION (HARD SHOT)  
00.0 - DENOTES TOPOGRAPHIC SPOT ELEVATION (GROUND SHOT)

DIMENSIONS SHOWN HEREON ARE PER FOUNDATION PLAN

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FOUND 1" IRON PIPE, NO I.D. UNLESS OTHERWISE SHOWN HEREON

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP 0419 J FOR DUVAL COUNTY, FLORIDA, F.I.R.M INDEX DATE 11-02-18

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LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA, 32257 - 904/279-0088 - LICENSED LAND BUSINESS NO. 3857

**Legend**

- COV. = COVERED
- FND. = FOUND
- ESMT = EASEMENT
- CONC = CONCRETE
- MON. = MONUMENT
- I.P. = IRON PIPE
- I.R. = IRON ROD
- Δ = DELTA ANGLE
- CH = CHORD
- A = ARC LENGTH
- R = RADIUS
- (C) = CALCULATED
- (D) = DEED
- (P) = PLAT
- (R) = RADIAL LINE
- C = CENTER LINE
- R/W = RIGHT-OF-WAY
- (A) = ACTUAL
- (W) = WITNESS
- F.F.E. = FINISH FLOOR ELEVATION
- A/C = AIR CONDITIONER
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- P.T. = POINT OF TANGENCY
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- NGVD = NATIONAL GEODETIC VERTICAL DATUM
- NAVD = NORTH AMERICAN VERTICAL DATUM
- N.T.S. = NOT TO SCALE
- LB = LICENSED BUSINESS
- P.I. = POINT OF INTERSECTION
- EDW = EDGE OF WATER
- T.O.B. = TOP OF BANK

THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO 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 472.027 / CHAPTER 561.017, FLORIDA STATUTES.

SCALE 1"=20'

DATE 01-02-2020

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL  
JAMES D. HARRISON, No. 12847  
MICHAEL A. GARRETT, No. 88843

FLORIDA REGISTERED SURVEYOR AND MAPPER  
2/3/2020





**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No.

JU-100 V/H  
20-100025

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<b>Standard</b>	<b>Applies? Yes/No</b>	<b>Circumstances/ Explanation</b>
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 undersized. Lots in RM-2 zoning must be a minimum of 60' wide and 6000 SF. Lot is only 52' wide and 5765 SF.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Lot was platted as is. <b>RECEIVED FEB - 5 2020 PLANNING &amp; DEVELOPMENT</b>
<del>Granting the variance will not confer upon</del> 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	Same or more generous variances have been granted to parcels in the same area.
<del>Literal interpretation and enforcement of the terms and provisions of this code would de</del> prive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	Same or more generous variances have been granted to parcels in the same area.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Applicant has used all methods to reduce lot coverage.
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	Granting of the variance will enhance the neighborhood.

BOA#20-100025 & 20-100026.

LeeAnn Bassabe

---

**From:** Jen Fortune <jfortune@fortunelegal.com>  
**Sent:** Thursday, June 4, 2020 3:57 PM  
**To:** Planning Division  
**Cc:** Scott Fortune  
**Subject:** Response to Public Hearing  
**Attachments:** Public Notice.pdf

To the City of Jacksonville Beach Board of Adjustment:

We received the attached public notice regarding an upcoming hearing to discuss a request for a variance application.

As business owners, we are happy to see new developments that positively impact our community. With that said, we **respectfully oppose** any and all variance requests that fail to meet the established code requirements. The requirements are set for a good reason – they establish a critical relationship between development and the associated drainage needs.

In the Elton Realty block, where this development is planned to occur, there is frequent flooding and slow drainage. The City of Jacksonville Beach with the support of the State has made great strides to improve the drainage in this area recently, but we must continue to do our parts and uphold the established codes for variances to support drainage and avoid property damage due to water intrusion.

Thank you for allowing us to respond to this request,

Jennifer Fortune  
FORTUNE LAW OFFICES, PA  
1807 3<sup>rd</sup> Street North  
Jacksonville Beach, FL 32250  
(904) 246-2125

Proposed

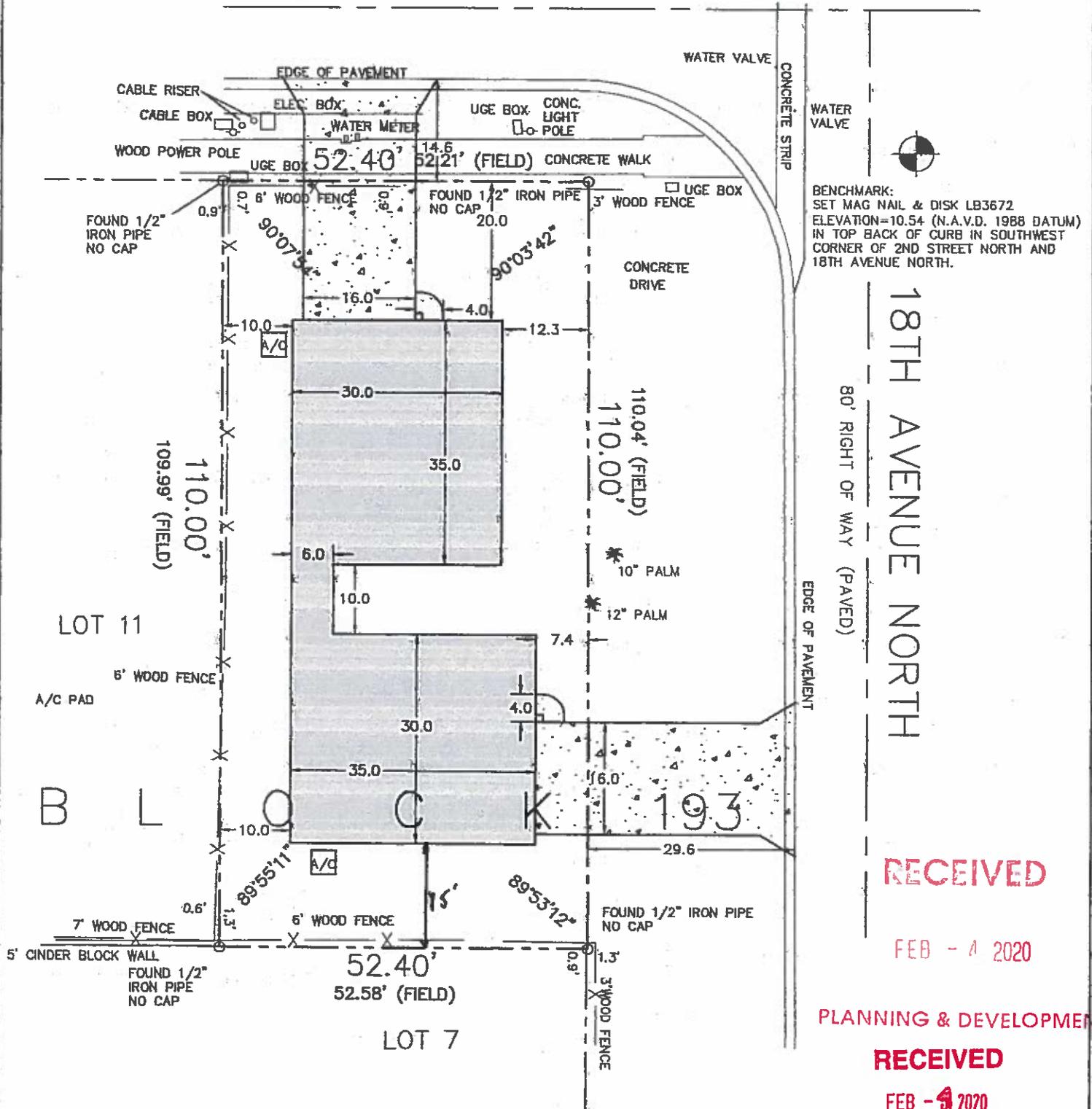
20-1000075 20-1000076

# MAP SHOWING SURVEY OF

LOT 10, BLOCK 193, ELTON REALTY CO'S REPLAT AS RECORDED IN PLAT BOOK 10, PAGE 14 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## SECOND STREET NORTH

50' RIGHT OF WAY (PAVED)



RECEIVED

FEB - 4 2020

PLANNING & DEVELOPMENT

RECEIVED

FEB - 4 2020

PLANNING & DEVELOPMENT

### DATA SUMMARY

POST-DEVELOPMENT DRAINAGE DATA:	
SITE AREA:	±5,765 SF
IMPERVIOUS AREA:	
BUILDINGS:	2,160 SF
CONCRETE PAVEMENT:	491 SF
TOTAL:	2,651 SF
PERCENT IMPERVIOUS:	45.98%
2,651 SF / 5,765 SF	



GRAPHIC SCALE

( IN FEET )  
1 inch = 20 ft.

CHECKED BY: RKP  
 DRAWN BY: DB  
 FILE: 1000-20

**18th AVE. N. & 2nd St. N.**  
**LOT 10, BLOCK 193**  
**JACKSONVILLE BEACH, FL**  
**POST-DEVELOPMENT**

# Atkins Builders

DATE: FEB 2020  
 SHEET 2 OF 2

Existing

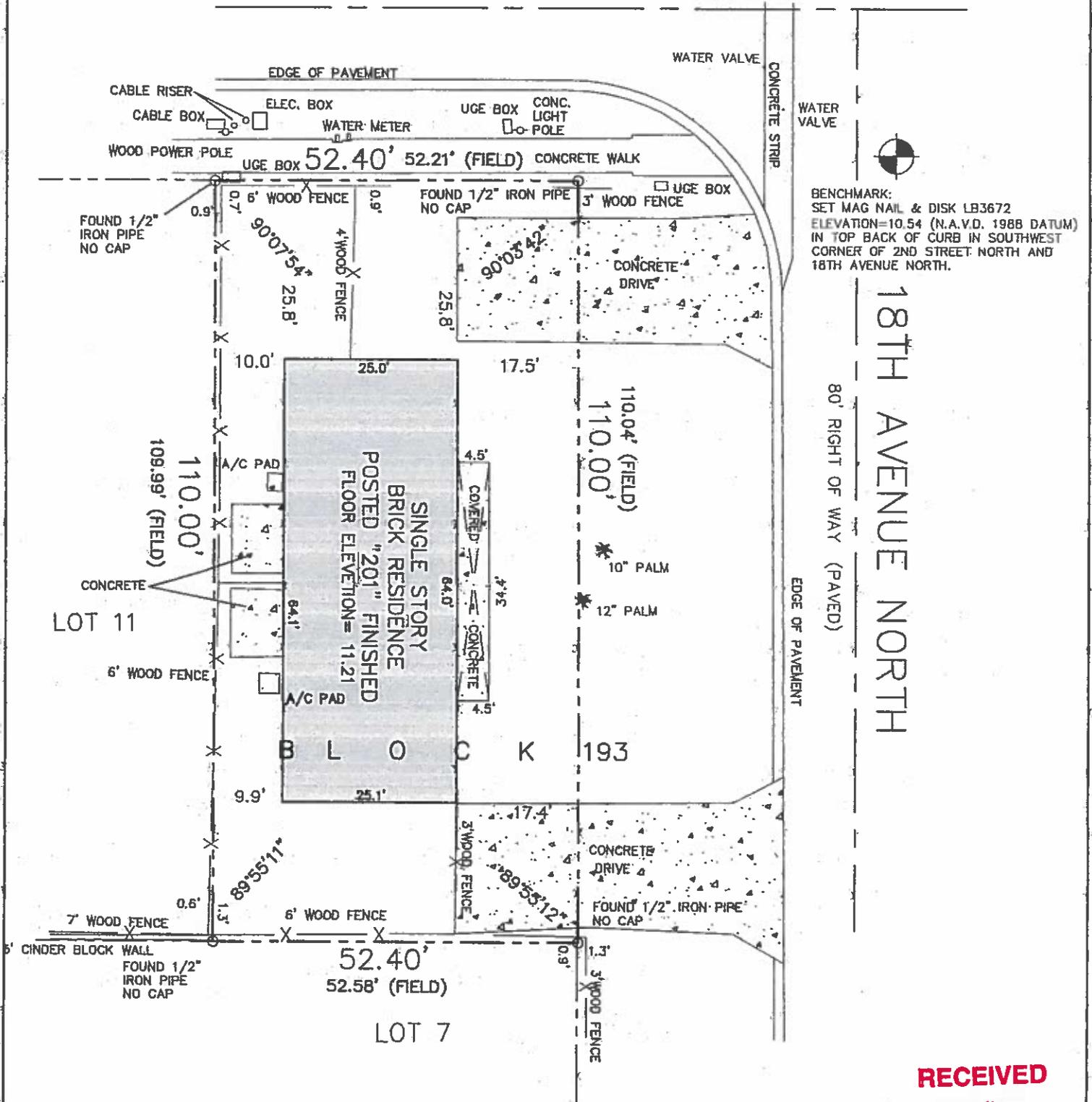
20-100075 20-100076

# MAP SHOWING SURVEY OF

LOT 10, BLOCK 193, ELTON REALTY CO'S REPLAT AS RECORDED IN PLAT BOOK 10, PAGE 14 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## SECOND STREET NORTH

50' RIGHT OF WAY (PAVED)



BENCHMARK:  
 SET MAG NAIL & DISK LB3672  
 ELEVATION=10.54 (N.A.V.D. 1988 DATUM)  
 IN TOP BACK OF CURB IN SOUTHWEST  
 CORNER OF 2ND STREET NORTH AND  
 18TH AVENUE NORTH.

18TH AVENUE NORTH

80' RIGHT OF WAY (PAVED)

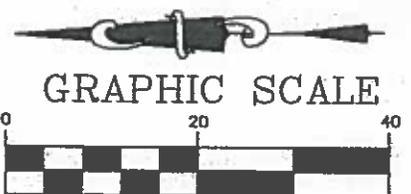
### DATA SUMMARY

PRE-DEVELOPMENT DRAINAGE DATA:	
SITE AREA:	±5,765 SF
IMPERVIOUS AREA:	
BUILDINGS:	1602 SF
CONCRETE PAVEMENT:	939 SF
TOTAL:	2,385 SF
PERCENT IMPERVIOUS:	
2,541 SF / 5,765 SF	44.08%

RECEIVED

FEB 4 2020

PLANNING & DEVELOPMENT



( IN FEET )

1 inch = 20 ft.

CHECKED BY: RKP  
 DRAWN BY: DB  
 FILE: 1000-20

18th AVE. N. & 2nd St. N.  
 LOT 10, BLOCK 193  
 JACKSONVILLE BEACH, FL  
 POST-DEVELOPMENT

# Atkins Builders

DATE: FEB 2020

SHEET 1 OF 2

20-100025  
20-100026



**PROPERTIES**  
DUVAL MAPS

**RECEIVED**

FEB - 4 2020

PLANNING &  
DEVELOPMENT





# APPLICATION FOR VARIANCE

BOA No. 20-100029  
HEARING DATE 4-7-2020

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED

FEB 20 2020

PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

Applicant Name: Janet L Austin Telephone: (904) 226-5917  
 Mailing Address: 1125 14th Ave N E-Mail: janetaustin1214@gmail.com  
Jacksonville Beach, FL 32250

Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Landowner Name: Janet L Austin / Michael Austin Et Al Telephone: (904) 226-5917  
 Mailing Address: 1125 14th Ave N E-Mail: janetaustin1214@gmail.com  
Jacksonville Beach, FL 32250

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

RE # 175314 - 0000

### VARIANCE DATA

Street address of property and Real Estate Number: 1125 14th Ave N Jacksonville Beach FL  
 Legal description of property (Attach copy of deed): Lot 5, Block 12 Beach Homesites unit 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).  
1. Keep side yard distance of 8ft from carport to property line in lieu of the new 10ft restrictions  
2. Convert carport to living space and not require to add enclosed garage as multiple neighbors not having one.

### AFFIDAVIT

I, Janet L. Austin, 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

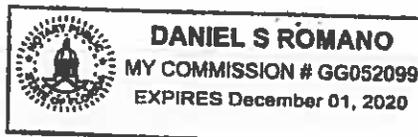
Janet L. Austin  
PRINT APPLICANT NAME

2/20/20  
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of  physical presence or  online notarization, this 20 day of February, 20 20, by Daniel Romano, who is personally known to me or produced DL A235 432 64 530 0 as identification.

[Signature]  
NOTARY PUBLIC SIGNATURE  
Daniel Romano  
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):  
 34-336 (e)(1)c.2, for a westerly side yard of 8.3 feet and an easterly side yard of 9.5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 29 feet in lieu of 30 feet required; 34-336(e)(1)d, for no garage in lieu of a required one-car garage; and 34-373(a)(1), for off-street parking 7 feet wide in lieu of 9 feet minimum to rectify existing non-conformities and to allow for a substantial improvement to an existing single-family dwelling

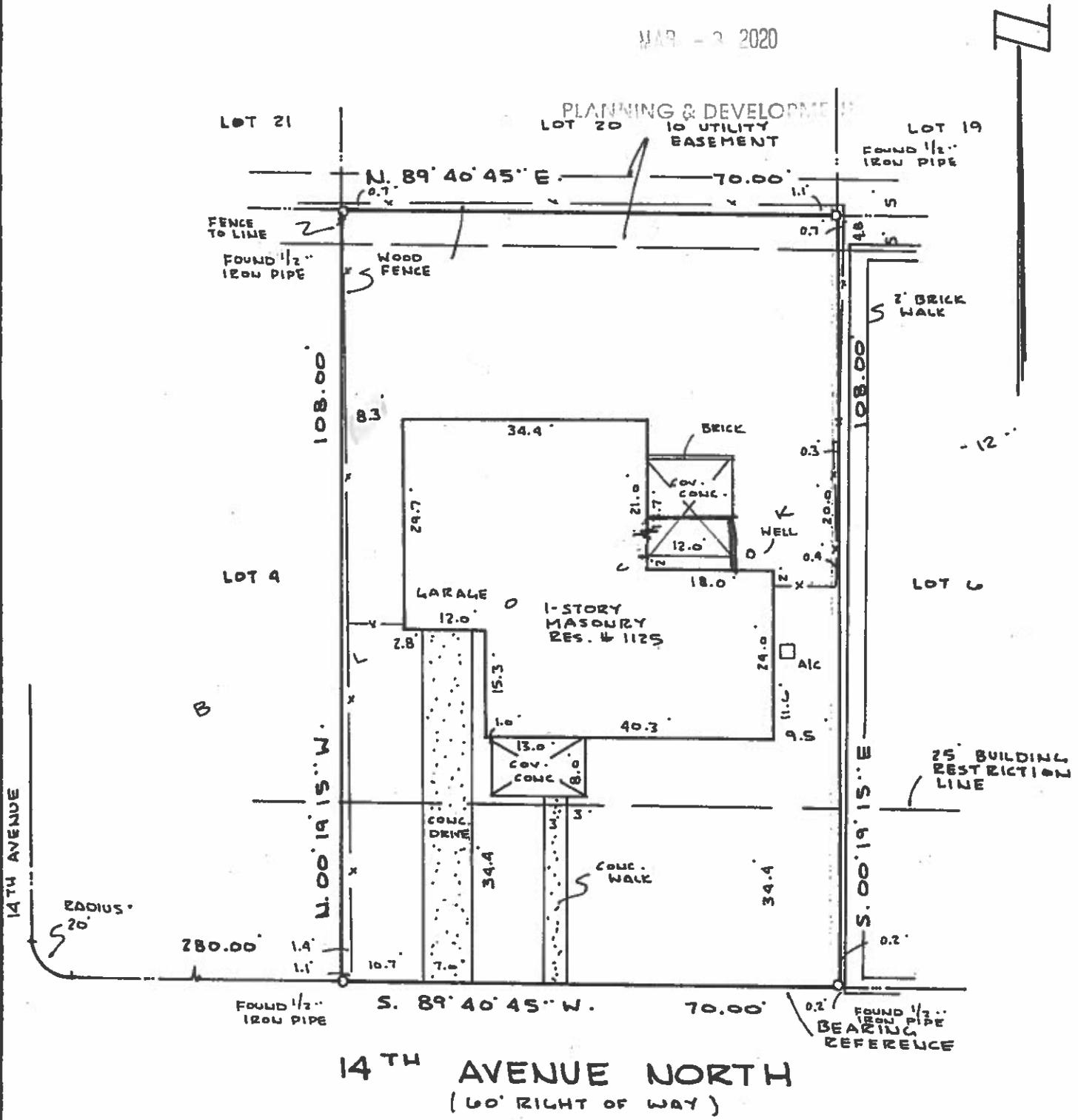
# MAP SHOWING SURVEY OF

LOT 5 BLOCK 12, BEACH HOMESITES - UNIT THREE

AS RECORDED IN PLAT BOOK 25, PAGE 38-38B OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

RECEIVED

MAR - 3 2020



**NOTE:**

THERE MAY BE ADDITIONAL RESTRICTIONS THAT APPLY THAT ARE NOT SHOWN ON THIS SURVEY BUT MAY BE FOUND IN THE PUBLIC RECORDS OR FACILITIES OF THIS COUNTY.

**NOTES:**

1. This is a boundary survey.
2. Flood zone X as best ascertained from Flood Insurance Rate Map, community panel no. 120078-00010 dated 4-17-89
3. Bearing datum based on NORTH R/W LINE OF 14<sup>TH</sup> AVENUE NORTH BEING S. 89° 40' 45" W.
4. THIS SURVEY IS NOT A DETERMINATION OF OWNERSHIP.
5. BUSINESS LICENSE NO. 6470

I HEREBY CERTIFY TO: MICHAEL G. & JANET AUSTIN, MORTGAGE SOURCE, INC., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY & AMERICAN FIRST COAST TITLE SERVICES, INC.

THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND CHAPTER 61G17-6 FLORIDA ADMINISTRATION CODE.

*Marvin R. Banks*  
FLORIDA REGISTERED SURVEYOR NO. 4470  
Marvin R. Banks

SIGNED SEPTEMBER 4 1996

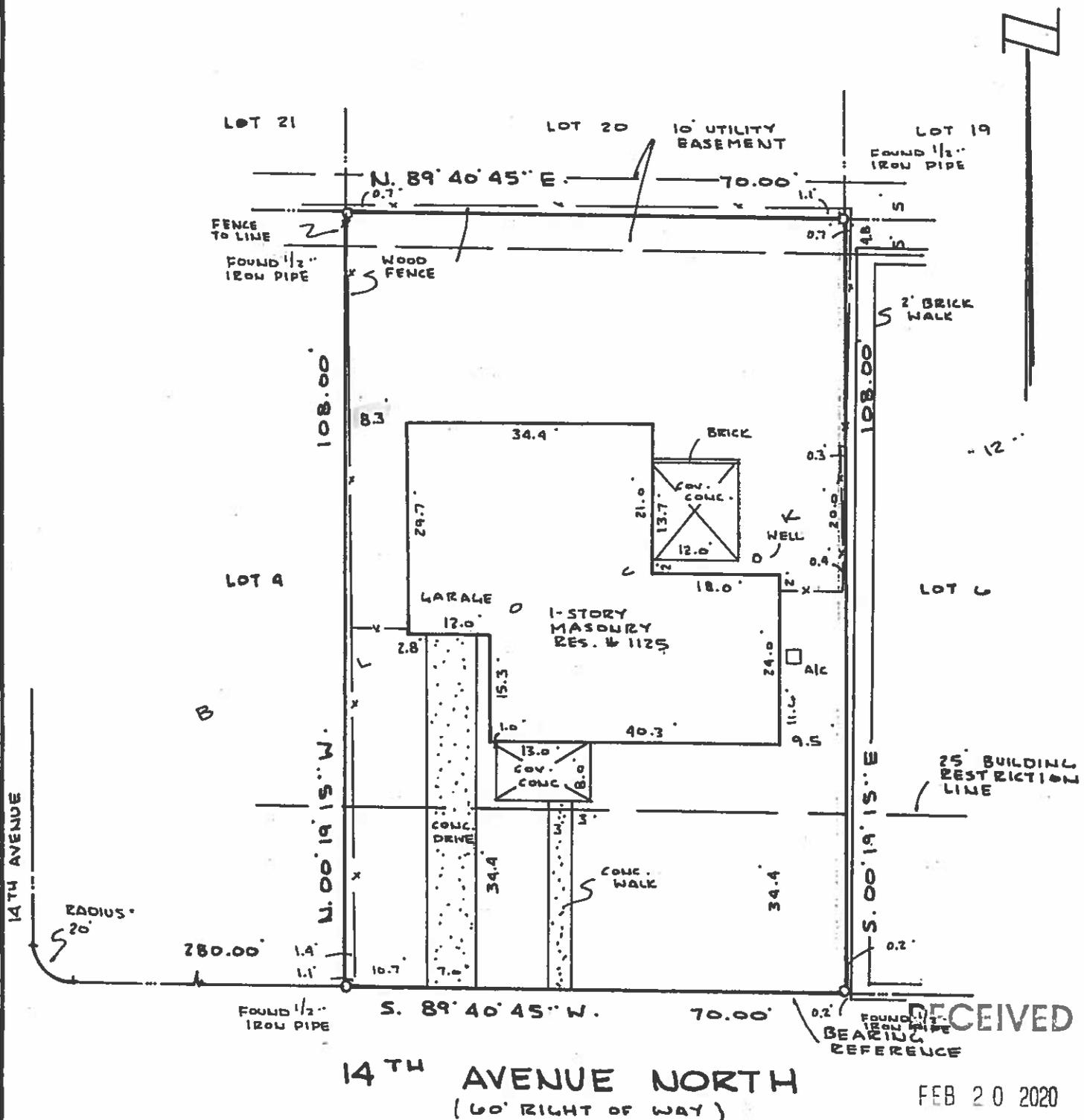
SCALE: 1"=20'

**Marvin R. Banks**  
Surveyors, Inc.  
2866 MANGROVE AVE.  
JACKSONVILLE, FLORIDA 32246  
(904) 641-2520

# MAP SHOWING SURVEY OF

LOT 5 BLOCK 12, BEACH HOMESITES - UNIT THREE

AS RECORDED IN PLAT BOOK 25, PAGE 38-38B OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



14<sup>TH</sup> AVENUE NORTH  
(60' RIGHT OF WAY)

FEB 20 2020

**NOTES:**

1. This is a boundary survey.
2. Flood zone X as best ascertained from Flood Insurance Rate Map, community panel no. 120078-000010 dated 4-17-89
3. Bearing datum based on NORTH R/W LINE OF 14<sup>TH</sup> AVENUE NORTH BEING S. 89° 40' 45" W.
4. THIS SURVEY IS NOT A DETERMINATION OF OWNERSHIP.
5. BUSINESS LICENSE NO. 6470

**NOTE:** THERE MAY BE ADDITIONAL RESTRICTIONS THAT APPLY THAT ARE NOT SHOWN ON THIS SURVEY BUT MAY BE FOUND IN THE PUBLIC RECORDS OR FACILITIES OF THIS COUNTY.

I HEREBY CERTIFY TO: MICHAEL G. & JANET AUSTIN, MORTGAGE SOURCE, INC., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY & AMERICAN FIRST COAST TITLE SERVICES, INC.

PLANNING & DEVELOPMENT  
THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND CHAPTER 61G17-6 FLORIDA ADMINISTRATION CODE.

**Marvin R. Banks**  
Surveyors, Inc.

2866 MANGROVE AVE.  
JACKSONVILLE, FLORIDA 32246  
(904) 641-2520

*Marvin R. Banks*  
FLORIDA REGISTERED SURVEYOR NO. 4470  
Marvin R. Banks

SIGNED SEPTEMBER 4 19 96

SCALE: 1"=20'

# 4984

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

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100020

**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	Substandard size lot Existing non-conforming structure dimension setback is not usable for intended purpose.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	none pre-existing
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	other homes in this neighborhood do not have carports or garages
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	other homes in this neighborhood that do not have carport or garage received this request
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	asking for minimal release to make a usable structure
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	<p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center;">FEB 20 2020</p> <p style="text-align: center;">PLANNING &amp; DEVELOPMENT</p>



# APPLICATION FOR VARIANCE

BOA No. 20-100031  
HEARING DATE 4/7/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. If applicant is not owner, notarized written authorization from owner is required.
5. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
6. Completed application.

RECEIVED

FEB 25 2020

PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

- Applicant Name: Brad and Angela Smith Telephone: 904-472-3971  
 Mailing Address: 519 Ruttle Dr E-Mail: b155880@gmail.com  
Ponte Vedra Beach, FL 32082

Agent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

- Landowner Name: Brad and Angela Smith Telephone: 904-472-3971  
 Mailing Address: 519 Ruttle Dr E-Mail: b155880@gmail.com  
Ponte Vedra Beach, FL 32082

Smith Family Land Trust

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: 3516 1st St S Jacksonville Bch 181458-0000  
 Legal description of property (Attach copy of deed): 14-11 10-3S-29E .161 Atlantic Shores R/P Div A Lot 3, W 20 FT CL ST  
 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): Lying E thereof Ord # 7530 Blk 4

We are requesting a 48 percent lot coverage, and 7 foot side setbacks in lieu of 10 foot setbacks

### AFFIDAVIT

I, Brad L. Smith, 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.

Brad L. Smith APPLICANT SIGNATURE      Brad L. Smith PRINT APPLICANT NAME      2/7/20 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
 This instrument was acknowledged before me by means of  physical presence or  online notarization, this 25th day of February, 2020, by Brad Smith, who is personally known to me or produced FL Driver License as identification.

NOTARY PUBLIC SIGNATURE  
Chandra Medford  
 PRINT NOTARY NAME

CHANDRA MEDFORD  
 Commission No. GG 283109  
 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 shaded  
 CODE SECTION (s):  
 34-336(e)(1)c.2, for side yard setbacks of 7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100031

**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.

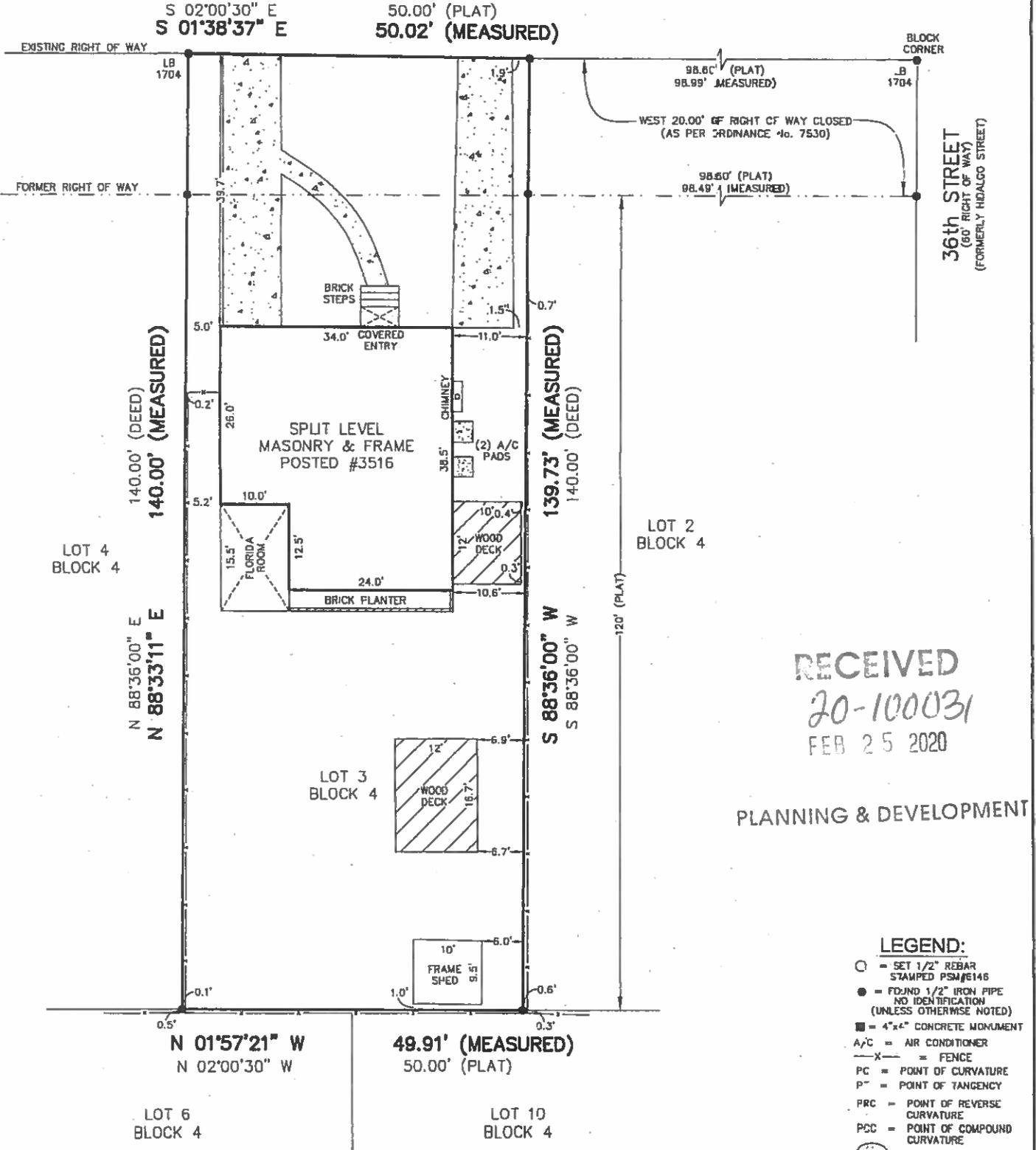
<b>Standard</b>	<b>Applies? Yes/No</b>	<b>Circumstances/ Explanation</b>
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	No	All other adjacent lots and most lots in the Atlantic Shores Neighborhood are non-conforming, similar to this lot.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	This lot is in the Atlantic Shores neighborhood of Jax Beach and is a typical non-conforming lot similar to adjacent lots. This variance request is consistent with other lots granted similar variances in the recent past.
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	This non-conforming lot (aprox. 140'x50') is typical of lot size of adjacent lots granted a similar variance, most notably, 3535 1st. St. S. across the street. As well as other adjacent parcels.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	There is no special request by granting this variance when compared to similar lots in the neighborhood which were granted similar variances in the recent past. This request is very typical of the standard for Atlantic Shores, non-conforming lots.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	As is typical for this neighborhood, this project will be a three story, two stall garage of aprox. 3200 SF of AC space. The adjacent property values reflect the need for this structure to be of similar size and scope, that can only be achieved by the granting of this variance.
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	This design will create (4) off street parking spaces. Drainage will be achieved through permeable surfaces consistent with adjacent new structures. The adjacent property values reflect the need for this structure to be of similar size and scope, that can only be achieved by the granting of this variance.

# MAP SHOWING BOUNDARY SURVEY OF

LOT 3, BLOCK 4, ATLANTIC SHORES OCEANFRONT SECTION DIVISION "A", AS RECORDED IN PLAT BOOK 14, PAGE 11, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE WEST 20.00 FEET OF CLOSED STREET LYING EAST THEREOF BY ORDINANCE No. 7533.

CERTIFIED TO:  
 EDGAR THOMAS VESCE & VANJA CAJIC VESCE  
 AQUA TITLE SERVICES  
 FIRST AMERICAN TITLE INSURANCE COMPANY

1st STREET SOUTH  
 (60' RIGHT OF WAY)  
 (FORMERLY COASTAL HIGHWAY)



RECEIVED  
 20-100031  
 FEB 25 2020

PLANNING & DEVELOPMENT

- LEGEND:**
- = SET 1/2" REBAR STAMPED PSM#E146
  - = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
  - = 4"x4" CONCRETE MONUMENT
  - A/C = AIR CONDITIONER
  - X- = FENCE
  - PC = POINT OF CURVATURE
  - P' = POINT OF TANGENCY
  - PRC = POINT OF REVERSE CURVATURE
  - PCC = POINT OF COMPOUND CURVATURE
  - ⊙ = CONCRETE

**NOTES:**

- BEARINGS ARE BASED ON THE PLAT BEARING OF S 88°36'00" W ALONG THE SOUTHERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120077, PANEL 0419.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

JOB # 32262 DATE OF FIELD SURVEY: 3-15-2017

SCALE: 1" = 20'

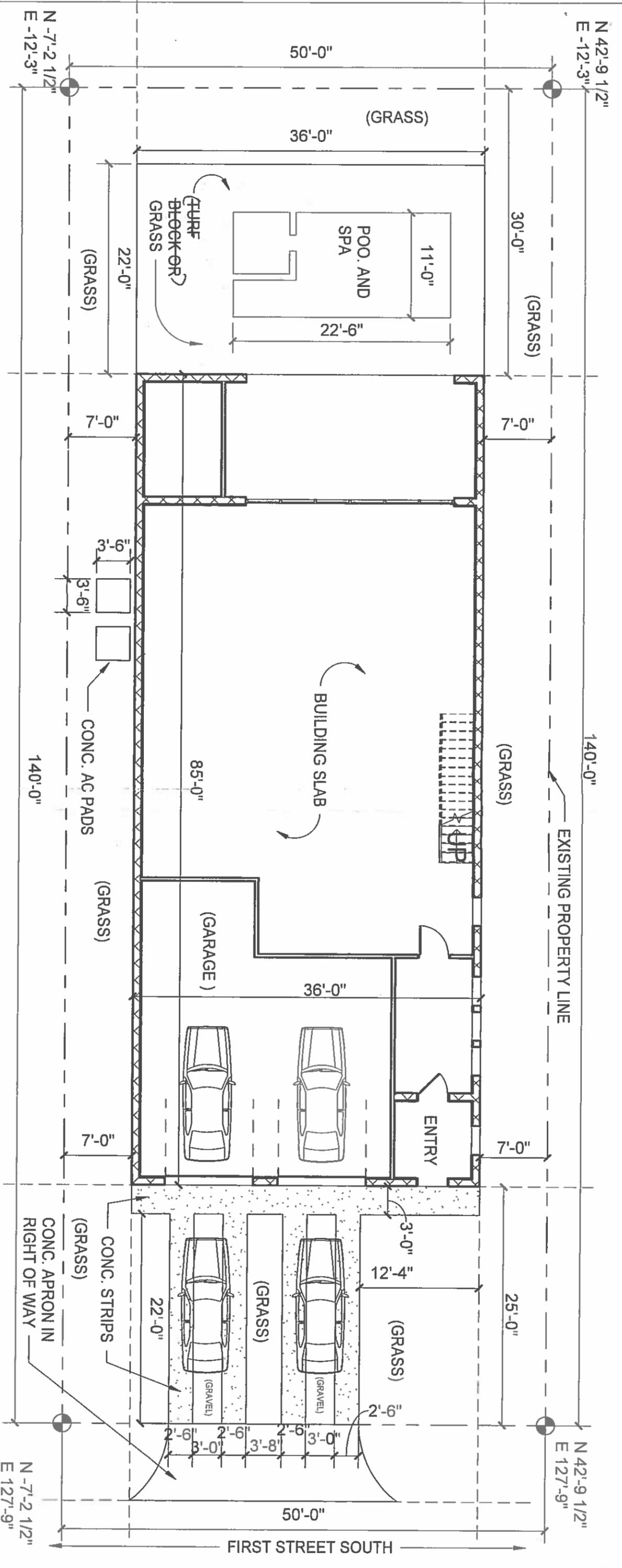


**Ray Thompson SURVEYING, Inc.**  
 Going the DISTANCE for You  
 1825 University Boulevard West  
 Jacksonville, Florida 32217  
 (Phone) 904-448-5125  
 (Fax) 904-448-5178

**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 55-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 470.07, FLORIDA STATUTES.

*Raymond Thompson*  
 RAYMOND THOMPSON  
 REGISTERED SURVEYOR AND MAPPER #5146 STATE OF FLORIDA  
 LICENSE BUSINESS # 7469



**1 SITE PLAN**  
A 300 1" = 10'-0"

PROPOSED BUILDING FOOTPRINT: 3060 SF  
~~PROPOSED TURF BLOCK POOL DECK: 552 SF~~  
 PROPOSED DRIVEWAY WITH CONC. STRIPS: 328 SF

TOTAL NON PERMEABLE SURFACES: 3,388 SF  
 PERCENT LOT COVERAGE: 48 % LOT COVERAGE

EXISTING SIDE SETBACKS: 10'-0"  
 PROPOSED SIDE SETBACKS: 7'-0"  
 EXISTING FRONT SETBACK: 25'-0"  
 EXISTING REAR SETBACK: 30'-0"  
 (4) OFF STREET PARKING SPACES CREATED.

RECEIVED  
 20-100051  
 FEB 25 2020



PLANNING & DEVELOPMENT



**MARK MACCO ARCHITECTS**

FORWARD DESIGN. UNPARALLELED EXECUTION.

www.MaccoArchitects.com

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

MARK MACCO, AIA NCARB  
 FLORIDA REGISTRATION: #  
 AR96004

**SMITH RESIDENCE**

**VARIANCE REQUEST**

Project Number #####

Date FEB. 25TH, 2020

Drawn By MWM

Checked By MWM

**A 502**



# APPLICATION FOR VARIANCE

BOA No. 20-100032HEARING DATE 4-7-2020

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

**RECEIVED**

FEB 26 2020

### APPLICANT INFORMATION

Applicant Name: Michael and Malloreay Smith  
 Mailing Address: 528 10th Ave South  
Jacksonville Beach, FL 32250  
 Agent Name: Michael and Malloreay Smith  
 Mailing Address: 528 10th Ave South  
Jacksonville Beach, FL 32250  
 Landowner Name: Michael and Malloreay Smith  
 Mailing Address: 528 10th Ave South  
Jacksonville Beach FL 32250

### PLANNING & DEVELOPMENT DEPARTMENT

Telephone: 352-792-4307  
 E-Mail: msmithufca@gmail.com  
 Telephone: 352-792-4307  
 E-Mail: \_\_\_\_\_  
 Telephone: 352-792-4307  
 E-Mail: \_\_\_\_\_

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

RE# 176664-0000

Street address of property and Real Estate Number: 528 10th Ave South Jacksonville Beach FL 32250  
 Legal description of property (Attach copy of deed): lot 3, Block 106, Oceanside Park, Plat Book 8 page 13  
 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).  
Extend existing cement patio back yard and build a Pergola, semi attached. Requesting an additional 38% lot coverage. Existing property already exceeds 35% lot coverage at 39.35% as purchased. (total coverage 43%)

### AFFIDAVIT

I, Michael Smith, 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

Michael Smith  
PRINT APPLICANT NAME

2/25/2020  
DATE

### STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of  physical presence or  online notarization, this 25th day of February, 2020, by Michael Smith, who is personally known to me or produced FLORIDA DRIVER LICENSE as identification.

[Signature]  
NOTARY PUBLIC SIGNATURE  
Chandra Medford  
PRINT NOTARY NAME



CHANDRA MEDFORD  
Commission No. GG 283199  
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-3 FLOOD ZONE: AE & X shaded  
 CODE SECTION (s):  
 34-338(e)(1)c.2, for an easterly side yard of 6.5 feet in lieu of 7.5 feet required and total side yards of 14 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for a rear yard setback of 22 feet in lieu of 30 feet required; and 34-338(e)(1)e, for 46.2% lot coverage in lieu of 35% maximum to allow for a patio expansion and pergola addition to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100032

**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 <del>NO</del>	Same as below; existing structure exceeds current code for permeable surface as built
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Existing home and driveway as purchased exceed the 35% lot coverage. A requested increase of 228 square feet would result in an increase of 3.65%.
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.	<del>NO</del> Yes NO	My neighbor has a similar variance approved, 522 10th ave South, Jax Beach FL 32250
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	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	<del>NO</del> Yes	only asking for additional 3% coverage
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 <del>NO</del>	<p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center;">FEB 26 2020</p> <p style="text-align: center;">PLANNING &amp; DEVELOPMENT</p>

**LeeAnn Bassabe**

---

**From:** vern johnson <vwj789@yahoo.com>  
**Sent:** Saturday, June 6, 2020 5:19 PM  
**To:** Planning Division  
**Subject:** BOA#20-100032

Re: Subject BOA on Tuesday, June 16, 2020

I do not have any objections to allowing the variance as described.

Vernon Johnson  
1107 6th St S.  
Jax Beach

ORDERED BY:



PROPERTY ADDRESS: 528 S 10TH AVENUE JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: FL1609.2667

FIELD WORK DATE: 9/22/2016

REVISION DATE(S): (REV.0 9/23/2016)

16092667

BOUNDARY SURVEY  
DUVAL COUNTY

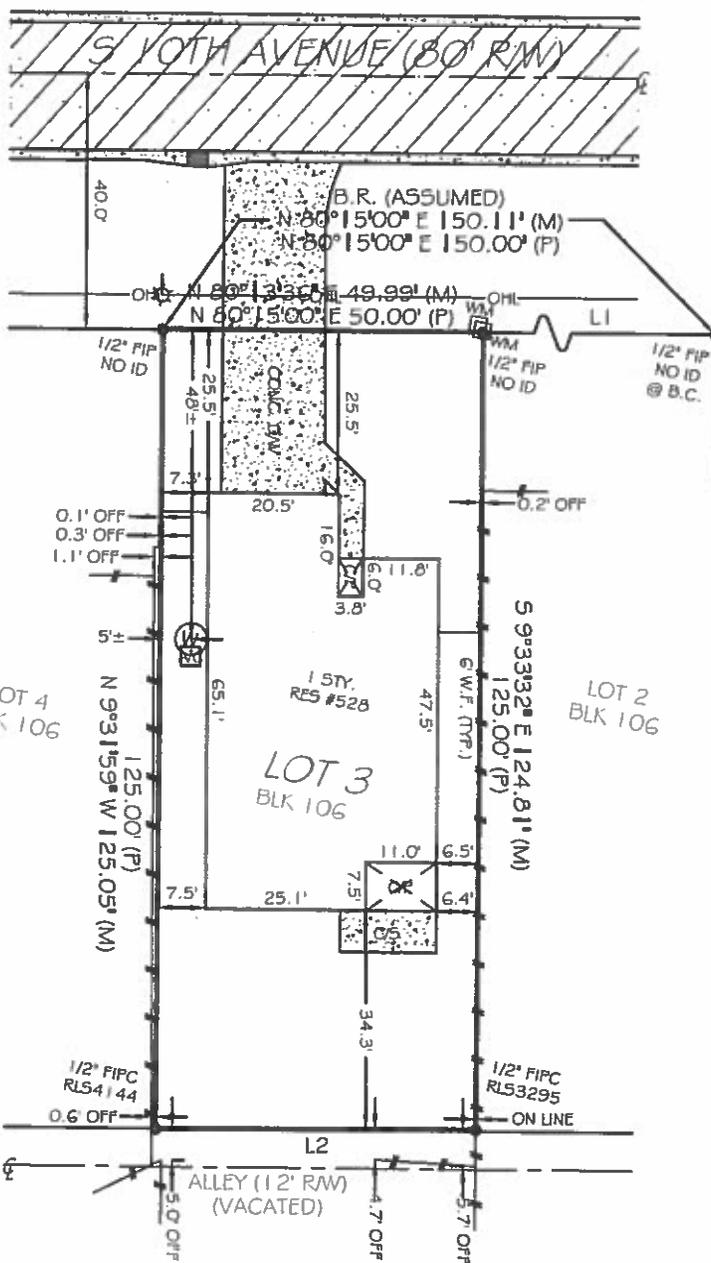
TABLE:

- L1 S 80°15'00" W 100.00' (P)  
S 80°15'42" W 100.11' (M)
- L2 S 80°15'00" W 50.00' (P)  
S 79°56'58" W 50.05' (M)

WELL TO RES. = 2±

NOTES:

LOT APPEARS TO BE SERVICED BY PUBLIC WATER AND SEWER.  
FENCE OWNERSHIP NOT DETERMINED

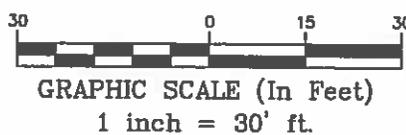


RECEIVED  
20-100032  
FEB 26 2020

PLANNING & DEVELOPMENT

C. BOYD ALLEN  
CERTIFICATE  
No 3932

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 & Mapmakers in Chapter 17 of the Florida Administrative Code.



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

FLOOD INFORMATION:

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

POINTS OF INTEREST  
NONE VISIBLE

CLIENT NUMBER: LMT 16-2145

DATE: 9/23/2016

BUYER: MIKE AND MALLOREY SMITH

SELLER: DAVID AND DANELLE STIDFOLE

CERTIFIED TO: MIKE AND MALLOREY SMITH; LANDMARK TITLE; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; SWBC MORTGAGE



Hickory Delegal



(904) 463-5664  
h.delegal@comcast.net  
www.startpackingjax.com

Delegal Group

EXACTA  
Land Surveyors, Inc.

LBA 7337

www.exactaland.com  
P866-735-1916 • F866-744-2882  
11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913



FIELD WORK DATE: 9/22/2016

REVISION DATE(S): (REV.0 9/23/2016)

16092667  
BOUNDARY SURVEY  
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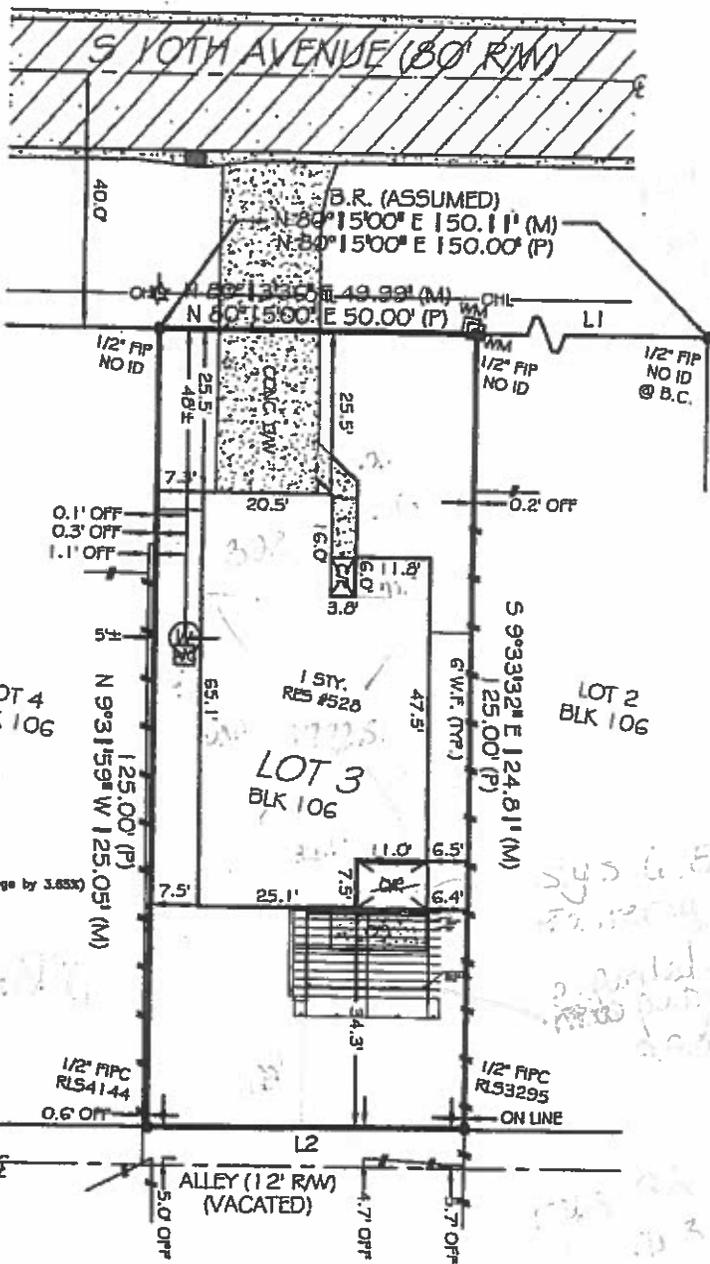
WELL TO RLS. = 2"

NOTES:

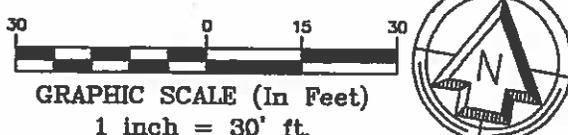
LOT APPEARS TO BE SERVICED BY PUBLIC WATER AND SEWER  
FENCE OWNERSHIP NOT DETERMINED

*Lot = 6250*  
*House = 328*  
*70.8*  
*1.772.51*  
*Eng - 60.8*  
*work*  
*wait for Existing PWD 105*

Lot Size: 6250 square feet  
House Square feet (including garage and old patio pad): 2111.3 square feet  
Driveway: 322.75 square feet  
Patio: 60.8 square feet  
TOTAL EXISTING LOT COVERAGE: 2499.85 square feet (39.35% lot coverage)  
Additional coverage of new concrete: 228 square feet (increase of lot coverage by 3.65%)  
New total lot coverage: 43%



**C. BOYD ALLEN**  
CERTIFICATE  
No 3932  
*C. Boyd Allen*  
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