



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Board of Adjustment

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Wednesday, November 7, 2018

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**

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

Alternates: Lucas Snyder  
Gary Cater

#### **EX-PARTE COMMUNICATION**

#### **APPROVAL OF MINUTES**

October 2, 2018 and October 16, 2018

#### **CORRESPONDENCE**

None

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

- a. **Case Number:** BOA 18-100168  
**Applicant/Owner:** Lynn Wood  
**Agent:** Gary Carlee, SurfSide Pools, Inc.  
**Property Address:** 696 Bonaire Circle  
**Parcel ID:** 180949-1230  
**Current Zoning:** PUD  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) PUD Ordinance No. 2002-7843 for 50% lot coverage, in lieu of 45% maximum to allow for a pool and deck addition to an existing single family dwelling, located in the Ocean Cay Planned Unit Development (PUD) for property legally described as Lot 39, Block 24, *Ocean Cay Unit One.***  
  
**Miscellaneous Info:** No Previous Variance Requests.

Notes:

- b. **Case Number:** BOA 18-100170  
**Applicant/Owner:** Eric Cannon  
**Agent:** Joe Ofalt, Blue Haven Pools and Spas  
**Property Address:** 3857 Poincianna Boulevard  
**Parcel ID:** 181321-0100  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 47.4% lot coverage, in lieu of 35% maximum; to allow a pool and patio addition to an existing single-family dwelling for property legally described as Lot 20, Block 8, *Ocean Terrace.***  
  
**Miscellaneous Info:** No Previous Variance Requests.

Notes:

- b. **Case Number:** **BOA 18-100172**  
**Applicant/Owner:** Christopher Rij  
**Property Address:** 1822 North 2<sup>nd</sup> Street  
**Parcel ID:** 175424-0000  
**Current Zoning:** RM-2  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front yard setback of 15.1 feet, in lieu of 20 feet minimum; and 34-338(e)(1)(e), for 43% lot coverage, in lieu of 35% maximum; to allow for improvements to an existing single-family dwelling for property legally described as Lot 13, Block 183, *Elton Realty Company's Replat.***

**Miscellaneous Info:** No Previous Variance Requests.

Notes:

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**PLANNING DEPARTMENT REPORT** The next scheduled meeting is Tuesday, November 20, 2018.

There are six (6) scheduled cases.

**ADJOURNMENT**

**NOTICE**

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

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

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

**Minutes of Board of Adjustment Meeting  
held Tuesday, October 2<sup>nd</sup>, 2018 at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Scott Cummings called the meeting to order. Prior to Roll Call, Mr. Cummings explained there are only four Board members present, and any cases that result in a tie would not be approved. The applicants were given the opportunity to postpone the hearing of their case until the next meeting.

**ROLL CALL**

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

Director of Planning and Development Bill Mann was also present.

**EX-PARTE COMMUNICATIONS: *None***

**APPROVAL OF MINUTES:**

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

- June 5<sup>th</sup>, 2018
- August 21<sup>st</sup>, 2018
- September 5<sup>th</sup>, 2018
- September 18<sup>th</sup>, 2018

**CORRESPONDENCE: *None***

**OLD BUSINESS: *None***

**NEW BUSINESS:**

**(A) Case Number: BOA 18-100162**

**Applicant/Owner:** Taylor and Sara Thompson  
**Agent:** Randy McKnight  
**Property Address:** 3218 Horn Court

**City of Jacksonville Beach Land Development Code Section(s) 34-377(e)(1)e., for 44% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, for property located at 3218 Horn Court, legally described as Lot 10, Block 13, Jacksonville Beach Heights.**

**Agent:** Randy McKnight, 4987 Christina Lane South, Jacksonville, FL, explained that his hardship is a 6000 square foot substandard lot, and he would like to increase the lot coverage to 44% to match the size of the neighborhood's homes. Mr. Cummings stated he is familiar with the community.

**Public Hearing:**

No one came forward to speak about the case.  
Mr. Cummings closed the public hearing.

**Discussion:**

Mr. Reddington stated the discussed lot is undersized, and Mr. Cummings agreed.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Moreland, to approve BOA# 18-100162, as written and read.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Francis Reddington, and Gary Cater.

The motion was approved unanimously.

**(B) Case Number: BOA 18-100163**

**Applicant/Owner:** Stefan Kirshenbaum  
**Property Address:** 125 South 3<sup>rd</sup> Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-340 (e)(1)c.2, for a westerly side yard setback of 4 feet, in lieu of 10 feet required; and 34-340 (e)(1)f., for 49.6% lot coverage, in lieu of 35% maximum; to allow for an addition to an existing two-family dwelling for property located at 125 South 3<sup>rd</sup> Avenue, legally described as the westerly 40 feet of the southerly 80 feet, of Lot 7, Block 22, *Pablo Beach South*.

**Applicant:** Stefan Kirshenbaum, Smyrna, Georgia, explained it is hard for his disabled wife to use the stairs and other home features in order to perform daily functions. Mr. Mann helped clarify Mr. Kirshenbaum's explanation and stated he has an exceptionally substandard lot that is only about half the square footage a standard lot would be, and that is a type of hardship. The applicant is requesting a small second story addition for a laundry room and a bathtub. He has spoken to his next-door neighbor on the eastern side of his property regarding this request.

Mr. Mann commented this is the only unit amongst the four-unit project with a side yard lacking a variance request. Mr. Kirshenbaum reiterated he is requesting for 105 square feet addition on the second floor, only.

**Public Hearing:**

The following Jacksonville Beach residents were in favor of the agenda item, but did not wish to speak:

- Todd and Jennifer Kirshenbaum, 1378 Eastwind Drive, Jacksonville Beach

Mr. Cummings closed the public hearing.

**Discussion:**

The Board agreed the lot is substandard. Mr. Moreland stated that if the other three lots in the parcel were granted this variance, then this request sounds reasonable, and Mr. Cummings agreed.

**Motion:** It was moved by Mr. Moreland, and seconded by Mr. Reddington, to approve BOA# 18-100163, as submitted and discussed.

**Roll Call Vote:** Ayes – John Moreland, Francis Reddington, Scott Cummings, and Gary Cater.

The motion was approved unanimously.

**(C) Case Number: BOA 18-100164**

**Applicant/Owner:** Julie Scott  
**Agent:** Gary Carley  
**Property Address:** 1030 North 24<sup>th</sup> Street

**City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 37.3% lot coverage, in lieu of 35% maximum; to allow for a room addition to an existing single-family dwelling, for property located at 1030 North 24<sup>th</sup> Street, legally described as Lot 4, and the North ½ of Lot 5, Block 33, Section "A" Jacksonville Beach.**

**Applicant:** Agent Gary Carley, 1129 Sebago Ave South, Atlantic Beach, and Julie Scott, 1030 North 24<sup>th</sup> Street, Jacksonville Beach, stated that while the 15,750 square foot lot itself conforms to the RS-2 zoning code, the 35% coverage maximum limit would not allow for a room addition for their family or for the beautification of the property's front. Mr. Carley stated the hardship is the 35% lot coverage restriction, as no other municipality in Northeast Florida has that restriction. Mr. Cummings explained on the flip side, that there are many other undersized lots that still abide by Code, and Code says that a land hardship needs to be present for a variance to be approved.

Discussion ensued between Board members and the owner regarding any alterations that can be made to the property and that would possibly not need a variance. Ms. Scott stated she spoke with her neighbors to the right, left, and across from her, and they were in favor of her request.

**Public Hearing:**

No one came forward to speak about the case.  
Mr. Cummings closed the public hearing.

**Discussion:**

The Board agreed there are other ways the owner can maintain a conforming lot with the room addition Mr. Carley requested for in the variance.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Moreland, to deny BOA# 18-100164, as submitted and discussed.

**Roll Call Vote:** Ayes – Francis Reddington, Scott Cummings, John Moreland, and Gary Cater.

The motion to deny was approved unanimously.

**(D) Case Number: BOA 18-100165**

**Applicant/Owner:** Jeffrey Toler  
**Property Address:** 1025 Owen Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-337(e)(1)c.3, for a rear yard setback of 23 feet, in lieu of 30 feet required; and 34-337(e)(1)e., for 48% lot coverage, in lieu of 35% maximum; to allow a room addition to an existing single-family dwelling, for property located at 1025 Owen Avenue, legally described as Lots 8 and 9, Block 6, *Williams Coastal Boulevard Heights*.

**Applicant:** Jeffrey Toler, 1025 Owen Avenue, Jacksonville Beach, stated he has a 5,750 square foot substandard lot, and he requested for a 14x20 room addition to accommodate his expanding family.

**Public Hearing:**

No one came forward to speak about the case.  
Mr. Cummings closed the public hearing.

**Discussion:**

Mr. Reddington stated the applicant has adequately provided a hardship.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Moreland, to approve BOA# 18-100165, as submitted and discussed.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Francis Reddington, and Gary Cater.

The motion was approved unanimously.

**(E) Case Number: BOA 18-100159**

**Applicant/Owner:** Alex Sifakis

**Appeal of the Planning and Development Director's Interpretation of Land Development Code Section(s)** 34-373(d), 34-393(c), and 34-339(e)(4)(h), as it applies generally to properties located in the city, and as it applies to the proposed development of residential townhomes on the properties located at 1010 North 2<sup>nd</sup> Avenue, 314 and 322 North 12<sup>th</sup> Avenue, and 0 North 4<sup>th</sup> Avenue.

**Applicant:** Alex Sifakis, 340 8<sup>th</sup> Street, Atlantic Beach, is appealing the City of Jacksonville Beach ruling on interior lot lines on townhomes. He referred to statements by Mr. Loretta and townhomes' lot criteria to support his case [on file]. He is concerned with interpretation of sections 34-373(d),

34-393(c), and 34-339(e)(4)(h) of Land Development Code, which he has previously discussed with the City's Planning Commission, and remarked that in 2016, there was a change of interpretation by the current Board.

**Public Hearing:**

The following Jacksonville Beach residents spoke in opposition to the agenda item:

- Jim Sorrell, 1410 Pinewood Road, Jacksonville Beach, asked the Board to follow facts stated by City ordinances.
- Mary Phillips, 934 North 10<sup>th</sup> Street, Jacksonville Beach, stated that parking and drainage are two major issues facing Jacksonville Beach today, and the Board should do its best to eliminate any stressors to this issue. She identified JWB Real Estate; BCEL 5, LLC; BCEL 7, LLC; BCEL 9, LLC; and BCEL 10, LLC as currently holding 34 properties in the 32250 zip code and using them to provide passive income for investors. She urged the Board to deny the appeal.
- Tony Komarek, 533 South 11<sup>th</sup> Avenue, Jacksonville Beach, stated he was personally impacted by the projects and provided a printout of the outcomes of previous variance requests involving Mr. Sifakis [on file]. He spoke about Code interpretation issues relating to interior line setbacks and parking and referred to Mr. Loretta's money donations as likely influencers.

Mr. Sifakis explained his reasoning behind his appeal of the Land Development Code to the residents.

**Discussion:**

Mr. Mann gave the Board members a copy of the May 22<sup>nd</sup>, 2018 Board of Adjustment letter sent to Mr. Sifakis, and explained that Mr. Sifakis has attempted to appeal the same interpretation of the Land Development Code before the Board in the past (BOA# 18-100081). The letter states that his request has been denied. Mr. Mann later followed with explanations of Land Development Code facts and added there is ongoing litigation in regards to this interpretation issue.

Mr. Moreland stated he changed his mind in 2016 regarding the Land Development Code interpretation because it created garage problems. Mr. Cummings agreed with Mr. Moreland and added it was not a sudden change, but a timely one in observation of the changes in the city in the previous years.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Moreland, to deny BOA# 18-100159, as written and discussed.

**Roll Call Vote:** Ayes – John Moreland, Francis Reddington, Gary Cater, and Scott Cummings.

The motion to deny was approved unanimously.

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, October 16, 2018**. There is one (1) scheduled case.

**ADJOURNMENT**

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 8:00 P.M.

Submitted by: Sama Kaseer  
Administrative Assistant

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**Minutes of Board of Adjustment Meeting  
held Tuesday, October 16, 2018 at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairperson Sylvia Osewalt called the meeting to order.

**ROLL CALL**

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

Building Official George Knight was also present.

**EX-PARTE COMMUNICATION:**

Ms. Osewalt stated she received an email from the BOA# 18-100166 applicant while she was out of town, but replied she could not accept it. Mr. Moreland and Mr. Reddington commented they also received an email from Patrick McKinley regarding the meeting's BOA case, but did not meet with him. Mr. Truhlar added he met with Mr. McKinley on October 12, 2018.

**APPROVAL OF MINUTES:** *None*

**CORRESPONDENCE:** *None*

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

**(A) Case Number: BOA 18-100166**

**Applicant:** Regency Centers  
**Owner:** Julian Jackson Investment Company, Inc.  
**Agent:** Wade Olszewski, CPH, Inc.  
**Property Address:** 2218 South 3<sup>rd</sup> Street

**City of Jacksonville Beach Land Development Code Section(s) 34-342(e)5, 93.3% lot coverage, in lieu of 85% maximum; and 34-373(c) for 13.5 feet turning space, in lieu of 23 feet required; and 34-373(d) for 0 foot parking area setback, in lieu of 5 feet required; and 34-377 for 11 parking spaces, in lieu of 13 required; and 34-425(b)(1) for no right-of-way adjacent landscaping, in lieu of a 5 foot strip required; to allow substantial renovations to an existing commercial building for properties legally described as Lots 3 and 4, Block 12, *Ocean Park*.**

**Agent:** Mr. Patrick McKinley with Regency Centers stated he wants to renovate the .17 acre property in the Pablo Plaza shopping center to upgrade its appearance, but the size restricts his ability to make these changes. Mr. Knight clarified the lot already exists at a 93.3% coverage, and this variance was requested to make it conforming before renovations would start. Mr. Knight also added the applicant is not requesting for additional square footage to the lot but is correcting what is already existing to comply with Land Development Code.

In explanation of his renovations to the site plan, Mr. Mckinley stated he wants to turn the lot into a shopping center and include a Whole Foods Market store. He would be adding 70 non-required parking spots and a landscaping area to the development. Ms. Osewalt asked the applicant to focus on the lot in the variance application, to which Mr. Mckinley responded this concerns the convenience store building in the area.

**Public Hearing:**

The following speaker was opposed to the requested variance:

- Jim Sorrell, 428 North 10<sup>th</sup> Avenue, Jacksonville Beach, stated he was not opposed to the variance, but wanted to share his concerns about what is not addressed, the about the amount of parking available and the unsafe condition when backing up to exit onto 3<sup>rd</sup> Street.

The following speaker was in support of the requested variance:

- Steven Diebenow, 1 Independent Drive, Suite 1200, Jacksonville, clarified parking can be accessed in a better way in the new development, and entrances and exits would remain the same. He added the site clearly has a hardship and stressed the variance be granted so the applicant can integrate it with the overall development.

Ms. Osewalt closed the public hearing.

**Discussion:**

Mr. Reddington stated if the Board grants the variance, it would only be approving what is already there, and Ms. Osewalt explained the variance would make the property conforming.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Truhlar, to approve BOA# 18-100166, as written and read.

**Roll Call Vote:** Ayes – John Moreland, Francis Reddington, Jeff Truhlar, Sylvia Osewalt, and Lucas Snyder.

The motion was approved unanimously.

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, November 7, 2018**. There are two (2) scheduled cases. Mr. Truhlar reported he would not be attending the November 7, 2018, meeting.

**ADJOURNMENT**

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 8:27 P.M.

Submitted by: Sama Kaseer  
Administrative Assistant

Approval:

\_\_\_\_\_

Chairperson

\_\_\_\_\_

Date



# APPLICATION FOR VARIANCE

BOA No. 18-100168  
HEARING DATE 11-7-2018

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

### REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. 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.

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PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

Applicant Name: LYNN WOOD Telephone: (334) 750-9184  
 Mailing Address: 696 BONAIRE CIR E-Mail: LYNNW@NORTHBEACHESRX.COM  
JACKSONVILLE BEACH, FL  
 Agent Name: GARY CARLEE Telephone: (904) 246-2666  
 Mailing Address: 313 BEACH BLVD E-Mail: GARY@SURFSIDEPOLS.NET  
JACKSONVILLE BEACH, FL  
 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: 696 BONAIRE CIR. - RE: 180949-1230  
 Legal description of property (Attach copy of deed): 51-65 09-3S-29E .16 OCEAN CAY UNIT 1 LOT 39  
 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).  
INCREASE LOT COVERAGE FROM 45% (MAXIMUM ALLOWED IN OCEAN CAY) TO 50% TO ACCOMODATE HARD  
SCAPE AROUND NEW SWIMMING POOL

### AFFIDAVIT

I, Judy L Wood, 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.

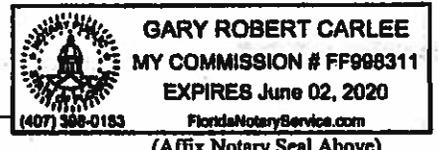
Judy L. Wood APPLICANT SIGNATURE      Judy L Wood PRINT APPLICANT NAME      9-10-18 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 10 day of SEPTEMBER, 2018 by SAME, who is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
NOTARY PUBLIC SIGNATURE

GARY R CARLEE  
PRINT/NOTARY NAME



PUD Ord. No. 2002-7843 THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: PUD FLOOD ZONE: \_\_\_\_\_

CODE SECTION (S): Section 34-348, for 50% Lot Coverage I to 45% maximum (PUD) to allow for a pool and deck addition to an existing single family dwelling located in the Ocean Cay Planned Unit Development (PUD)

43% existing L.C.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 18-100168

*Variations 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.	✓	
Special circumstances and conditions do not result from the actions of the applicant.	✓	
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.	✓	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or 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.	✓	

PLANNING AND DEVELOPMENT DEPARTMENT    11 NORTH 3<sup>RD</sup> STREET    PHONE (904) 247-6231    FAX (904) 247-6107

**RECEIVED**

SEP 11 2018

PLANNING & DEVELOPMENT

Introduced by: Councilman Shore  
1st Reading: November 4, 2002  
2nd Reading: November 18, 2002

**ORDINANCE NO. 2002-7843**

**AN ORDINANCE AMENDING ORDINANCE NO. 97-7704, REZONING A 52.1 ACRE PARCEL OF LAND LOCATED IN THE SOUTHEAST QUADRANT OF THE SOUTH BEACH PARKWAY / OSCEOLA AVENUE INTERSECTION, FROM RESIDENTIAL, SINGLE FAMILY: RS-1 TO PLANNED UNIT DEVELOPMENT: PUD.**

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the owners of certain lands more particularly described herein have received City Council approval for the rezoning of those lands from Residential, single family: RS-1 to Planned Unit Development: PUD, via Ordinance No. 97-7704, and

WHEREAS, said owners desire to amend said PUD Ordinance No. 97-7704, and to the PUD project Narrative attached thereto, to allow residents within the PUD development to apply to the City of Jacksonville Beach for certain rear yard and lot coverage dimensional variances.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:**

**SECTION 1.** That Section 1 of Ordinance No. 97-7704, adopted by the City of Jacksonville Beach, Florida on April 21, 1997, be and the same is hereby amended by the addition of a new paragraph, Paragraph F., which shall read as follows:

F. Notwithstanding Land Development Code Section 34-283, Authorized Variances, variances may be sought from the rear yard setbacks and lot coverage standards specified in Section 1.E of Ordinance 97-7704, solely for the purposes of the construction of swimming pool, patio, and unenclosed deck accessory structures.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS 18<sup>th</sup> DAY OF November, 2002.

  
Bob Marsden, MAYOR

  
Heidi Reagan, CITY CLERK

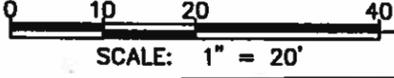
Existing

RECEIVED

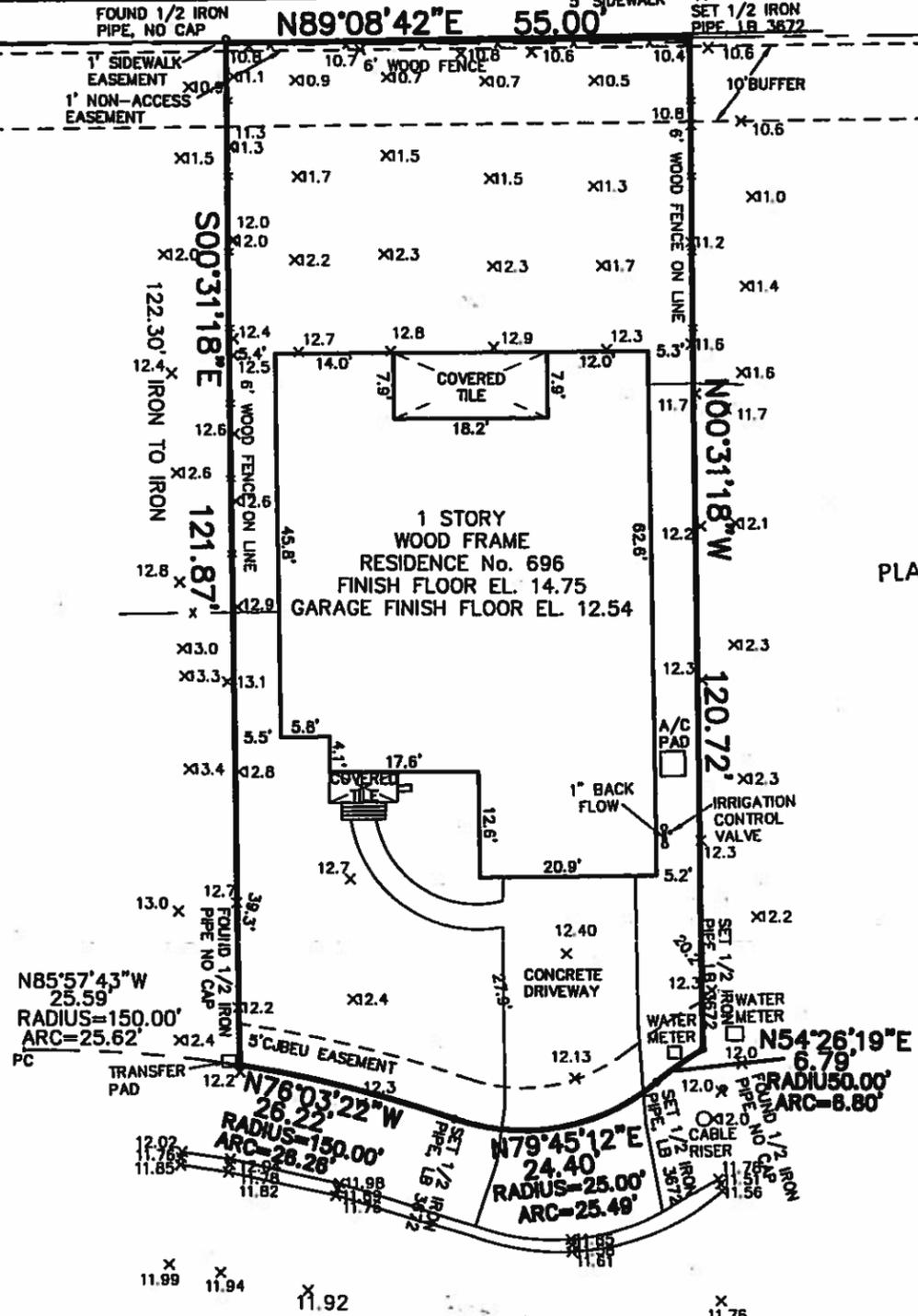
# MAP SHOWING SURVEY OF

LOT 39, BLOCK 24, OCEAN CAY UNIT ONE, AS RECORDED IN  
PLAT BOOK 51, PAGES 65, 65A THROUGH 65E OF THE  
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

SEP 12 2018  
18-108168  
PLANNING & DEVELOPMENT



OSCEOLA AVENUE  
50' RIGHT OF WAY



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SEP 12 2018  
PLANNING & DEVELOPMENT

**BONAIRE CIRCLE**  
A VARIABLE RIGHT OF WAY

- NOTES
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
  2. NO BUILDING RESTRICTION LINE PER PLAT.
  3. BEARING BASE ON THE WEST LINE OF LOT 39, BLOCK 24, OF OCEAN CAY UNIT ONE, BEING SOUTH 00°31'18" EAST.
  4. ELEVATION WAS ESTABLISHED BY GPS, USING SPECTRA PRECISION EPOCH 50 L1/L2, RUNNING TRIMBLE VRS SOFTWARE.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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

THIS SURVEY WAS MADE FOR THE BENEFIT OF WILLIAM WOOD

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

CHECKED BY: \_\_\_\_\_  
DRAWN BY: AC  
FILE: 2018-1345

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

DATE: AUGUST 29, 2018  
SHEET 1 OF 1

PROPOSED

# MAP SHOWING SURVEY OF

LOT 39, BLOCK 24, OCEAN CAY UNIT ONE, AS RECORDED IN PLAT BOOK 51, PAGES 65, 65A THROUGH 65E OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

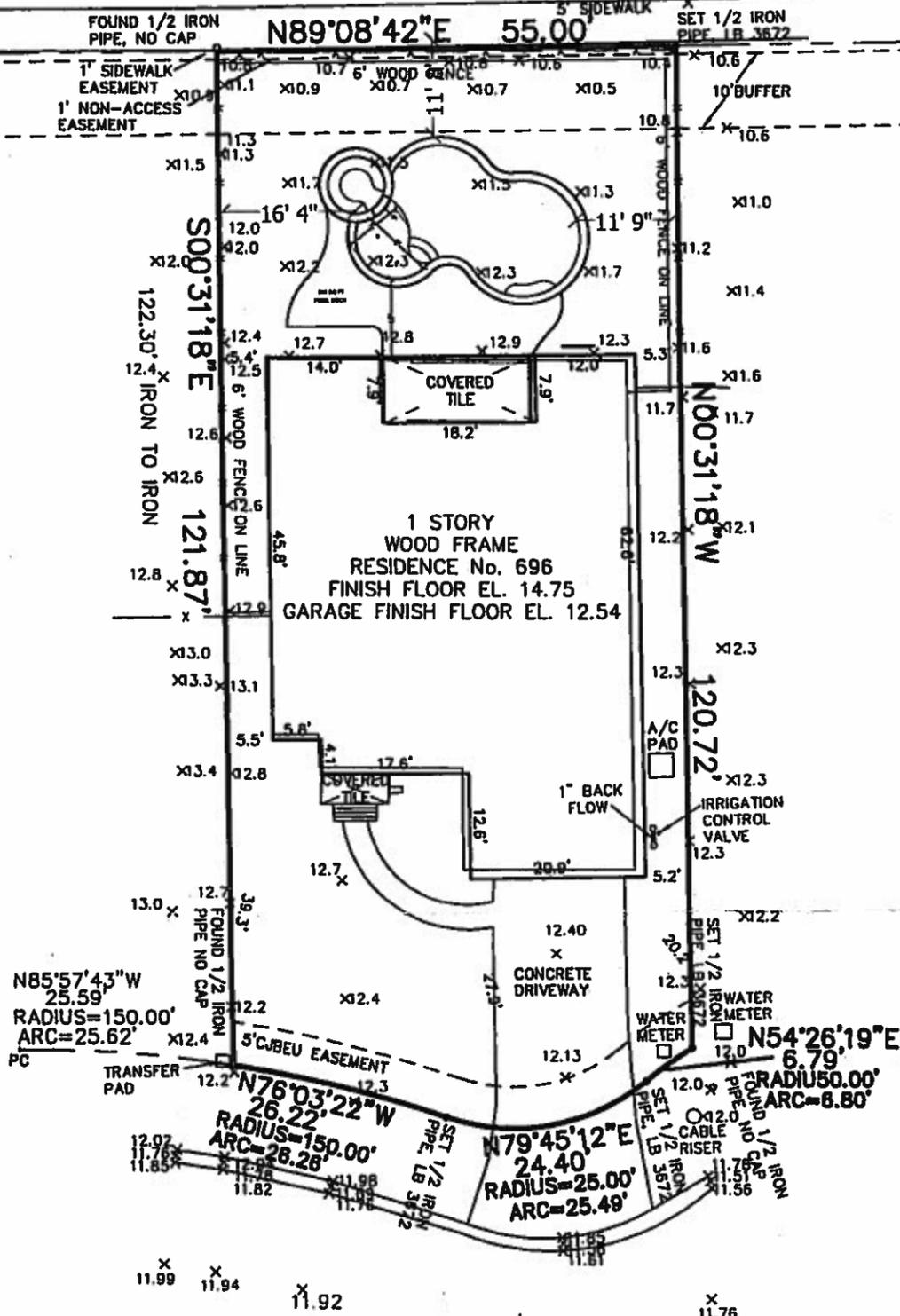
RECEIVED

SEP 11 2018

18-100168  
PLANNING & DEVELOPMENT

OSCEOLA AVENUE

50' RIGHT OF WAY



EXISTING IMPERVIOUS 43.3%  
PROPOSED IMPERVIOUS 50.0%

TOTAL LOT AREA: 7,000 SQUARE FEET  
TOTAL HOUSE: 2452 SQUARE FEET  
TOTAL DRIVEWAY AND PORCH: 574 SQUARE FEET  
TOTAL A/C PAD: 8 SQUARE FEET  
TOTAL IMPERVIOUS AREA: 3034 SQUARE FEET  
% IMPERVIOUS: 43.3%

**BONAIRE CIRCLE**  
A VARIABLE RIGHT OF WAY

- NOTES
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
  2. NO BUILDING RESTRICTION LINE PER PLAT.
  3. BEARING BASE ON THE WEST LINE OF LOT 39, BLOCK 24, OF OCEAN CAY UNIT ONE, BEING SOUTH 00°31'18" EAST.
  4. ELEVATION WAS ESTABLISHED BY GPS, USING SPECTRA PRECISION EPOCH 50 L1/L2, RUNNING TRIMBLE VRS SOFTWARE.

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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

THIS SURVEY WAS MADE FOR THE BENEFIT OF WILLIAM WOOD

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

CHECKED BY: \_\_\_\_\_  
DRAWN BY: AC  
FILE: 2018-1345

**BOATWRIGHT LAND SURVEYORS, INC.**

1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE: AUGUST 29, 2018  
SHEET 1 OF 1



# APPLICATION FOR VARIANCE

BOA No. 18-100170

HEARING DATE 11-7-18

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

### REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller)
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
5. Completed application.

RECEIVED

SEP 17 2018

PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

Applicant Name: Eric Cannon Telephone: (906) 280-7676  
 Mailing Address: 3857 Poinciana Blvd E-Mail: ericcannon@pgatourhq.com  
Jacksonville Beach, FL 32250

Agent Name: Joe Ofalt - Blue Haven Pools and Spas Telephone: (904) 620-0090  
 Mailing Address: 2375 St Johns Bluff Rd S - Ste. 107 E-Mail: bluehavenjoe@gmail.com  
Jacksonville, FL 32246

Landowner Name: Eric Cannon Telephone: (906) 280-7676  
 Mailing Address: 3857 Poinciana Blvd E-Mail: ericcannon@pgatourhq.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

Ret# 181321-0100

### VARIANCE DATA

Street address of property AND Real Estate Number: 3857 Poinciana Blvd  
 Legal description of property (Attach copy of deed): Lot 20 Block 8 PB 10 Page 2 Subdivision Ocean Terrace  
 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).  
 The lot is undersized which creates a hardship to meet a 35% lot coverage for a swimming pool with minimal deck. Requesting 40.3% coverage. Requesting a 5'3" setback for decking SY. Requesting a 6'6" setback for pool EQ SY. Requesting a 8'3" setback for decking RY.

### AFFIDAVIT

I, Eric Cannon, 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.

Eric Cannon  
APPLICANT SIGNATURE

Eric Cannon  
PRINT APPLICANT NAME

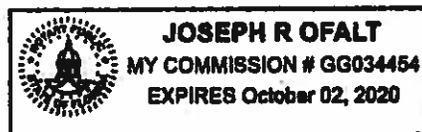
9/17/18  
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 17 day of September, 2018 by Eric Cannon, who is personally known to me or has produced \_\_\_\_\_ as identification.

Joseph R. Ofalt  
NOTARY PUBLIC SIGNATURE

Joseph R. Ofalt  
PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X

CODE SECTION (S): Section 34-336(e)(1)e. for 47.4% lot coverage & 35% maximum  
to allow pool and patio addition to an existing single family dwelling.

W

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 18-100170

*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	This is an undersized, non-conforming lot  <b>RECEIVED</b>
Special circumstances and conditions do not result from the actions of the applicant.	No	SEP 17 2018  PLANNING & DEVELOPMENT
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	

Existing

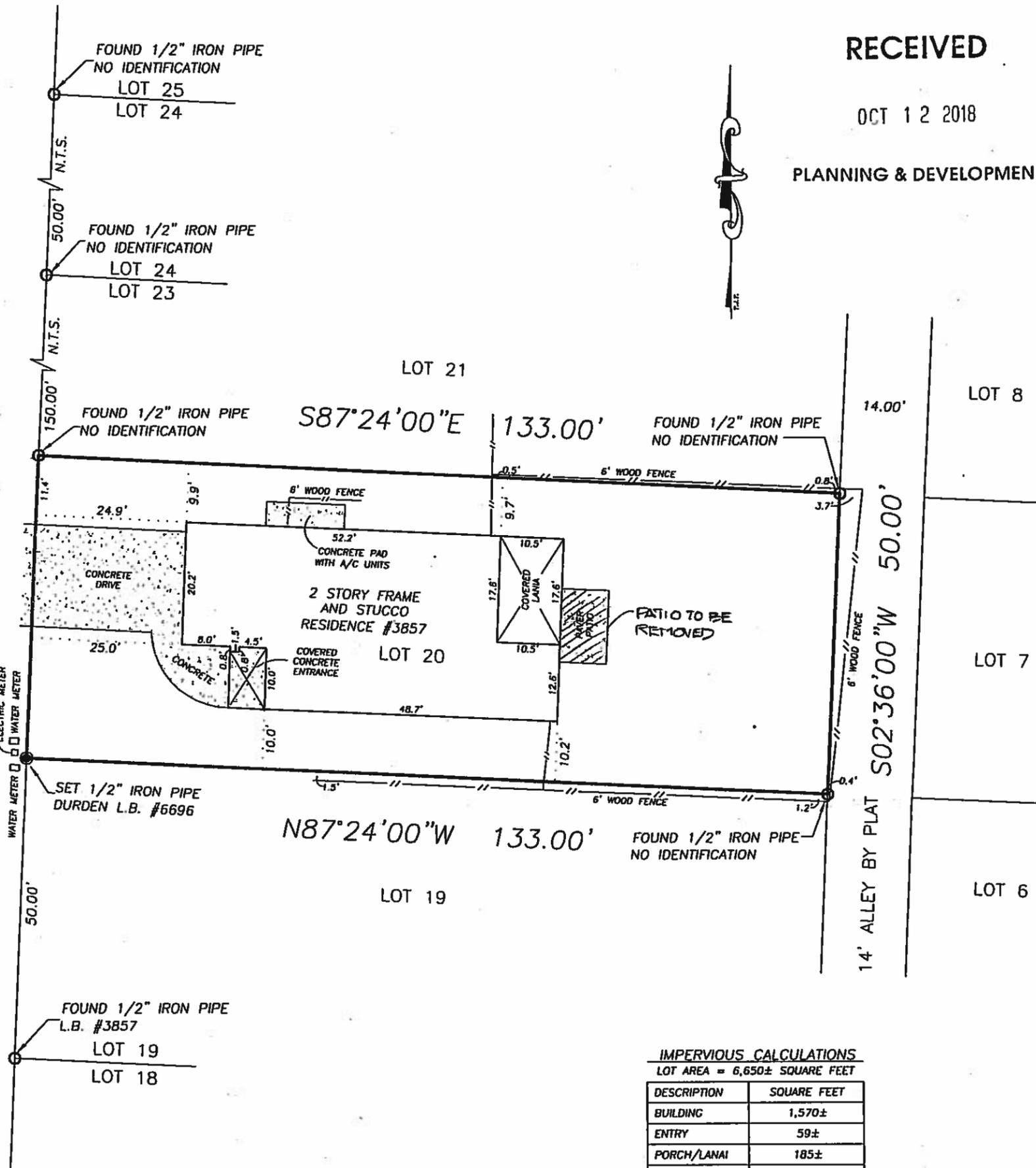
# MAP SHOWING BOUNDARY SURVEY OF: LOT 20, BLOCK 8, OCEAN TERRACE, AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

RECEIVED

OCT 12 2018

PLANNING & DEVELOPMENT

POINCIANNA BOULEVARD  
50' RIGHT-OF-WAY  
N02°36'00"E 50.00'



### IMPERVIOUS CALCULATIONS

LOT AREA = 6,650± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING	1,570±
ENTRY	59±
PORCH/LANAI	185±
CONC/PAVER	621±
A/C PAD(S)	52±

TOTAL IMPERVIOUS AREA = 2,487±  
TOTAL COVERAGE = 37.4%

### NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY No. 12007B (JACKSONVILLE BEACH), MAP/PANEL No. 12031C-0419-H, REVISED JUNE 3, 2013

BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF POINCIANNA BOULEVARD AS BEING N 02°36'00" E (PER PLAT)

NO BUILDING RESTRICTION LINE BY PLAT

N.T.S. DENOTES NOT TO SCALE

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 8

--- DENOTES 6' WOOD FENCE EXCEPT AS NOTED

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

ERIC R. CANNON

**DURDEN**  
SURVEYING AND MAPPING, INC.  
1825-B 3RD STREET NORTH  
JACKSONVILLE BEACH, FLORIDA 32250  
(904) 853-6822 FAX 853-6825  
LICENSED BUSINESS NO. 6696

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027 Florida Statutes and Chapter 5J17 Florida Administrative Code

*Bruce Durden Jr.*  
FLORIDA REGISTERED SURVEYOR No. 4701  
H. BRUCE DURDEN, JR.

SIGNED OCTOBER 8, 2018

SCALE: 1" = 20'

WORK ORDER NUMBER: 18676

B-9373

**SURVEYOR'S NOTE:**  
THE SURVEY HEREON WAS MADE WITHOUT THE BENEFIT OF ABSTRACT OR SEARCH OF TITLE AND THEREFORE THE UNDERSIGNED AND DURDEN SURVEYING AND MAPPING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT OR SEARCH OF TITLE. THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.

Proposed

# MAP SHOWING BOUNDARY SURVEY OF: LOT 20, BLOCK 8, OCEAN TERRACE, AS RECORDED IN PLAT BOOK 10, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

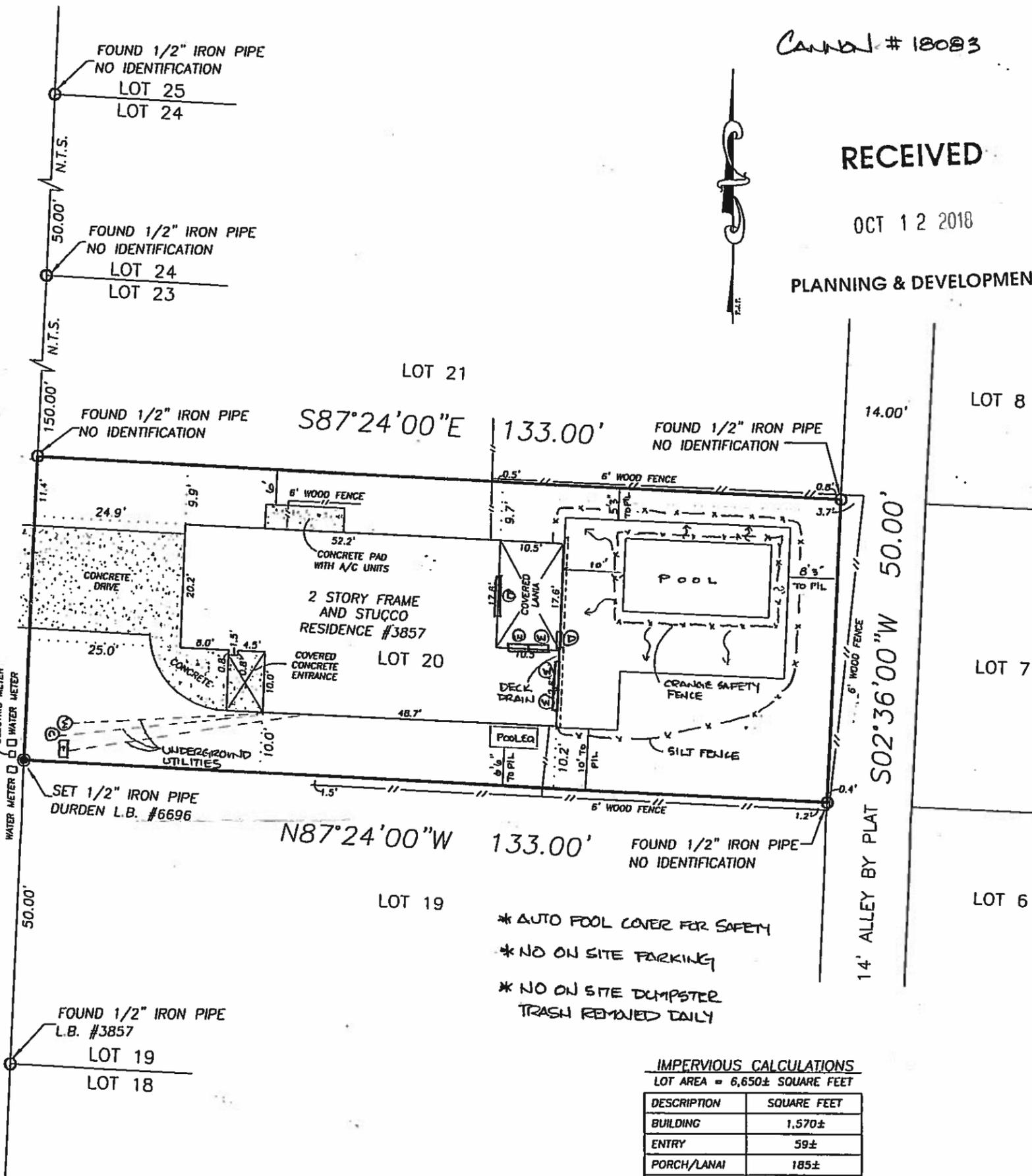
CANNON # 18083

RECEIVED

OCT 12 2018

PLANNING & DEVELOPMENT

POINCIANNA BOULEVARD  
50' RIGHT-OF-WAY  
NO2°36'00"E 50.00'



- \* AUTO POOL COVER FOR SAFETY
- \* NO ON SITE PARKING
- \* NO ON SITE DUMPSTER TRASH REMOVED DAILY

### IMPERVIOUS CALCULATIONS

LOT AREA = 6,650± SQUARE FEET

DESCRIPTION	SQUARE FEET
BUILDING	1,570±
ENTRY	59±
PORCH/LANAI	185±
CONC/PAVER	621±
A/C PAD(S)	52±

TOTAL IMPERVIOUS AREA = 2,487±  
 TOTAL COVERAGE = 37.4%  
 PATIO REMOVAL - <96>  
 POOL DECK - 738  
 POOL EQ PAD - 24

TOTAL IMPERVIOUS - 3153 = 47.4%

CERTIFIED TO:

ERIC R. CANNON

JOSEPH R. OFALT  
PAGE 1 OF 20.0070

NOTES:  
 THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY No. 120078 (JACKSONVILLE BEACH), MAP/PANEL No. 12031C-0419-H, REVISED JUNE 3, 2013  
 BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF POINCIANNA BOULEVARD AS BEING N 02°36'00" E (PER PLAT)  
 NO BUILDING RESTRICTION LINE BY PLAT  
 N.T.S. DENOTES NOT TO SCALE  
 ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 8  
 --- DENOTES 6' WOOD FENCE EXCEPT AS NOTED  
 THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

**DURDEN**  
 SURVEYING AND MAPPING, INC.  
 1825-B 3RD STREET NORTH  
 JACKSONVILLE BEACH, FLORIDA 32250  
 (904) 853-6822 FAX 853-6825  
 LICENSED BUSINESS NO. 6696

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027 Florida Statutes and Chapter 5J17 Florida Administrative Code

*H. Bruce Durden, Jr.*  
 FLORIDA REGISTERED SURVEYOR No. 4707  
 H. BRUCE DURDEN, JR.

SIGNED OCTOBER 8, 2018  
 SCALE: 1" = 20'  
 WORK ORDER NUMBER: 18676

B-9373

SURVEYOR'S NOTE:  
 THE SURVEY HEREON WAS MADE WITHOUT THE BENEFIT OF ABSTRACT OR SEARCH OF TITLE AND THEREFORE THE UNDERSIGNED AND DURDEN SURVEYING AND MAPPING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT OR SEARCH OF TITLE. THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.



# APPLICATION FOR VARIANCE

BOA NO. 11-7-2018(5)  
HEARING DATE 18-1001724

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variances. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

### REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller)
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
5. Completed application.

### APPLICANT INFORMATION

Applicant Name: Christopher Rij Telephone: 732-492-9752  
 Mailing Address: 1822 2nd St N E-Mail: crij1127@gmail.com  
Jacksonville Beach, FL 32250

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

Landowner Name: Christopher Rij Telephone: 732-492-9752  
 Mailing Address: 1822 2nd St N E-Mail: crij1127@gmail.com  
Jacksonville Beach, FL 32250

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

### VARIANCE DATA

Street address of property AND Real Estate Number: 1822 2nd St N & 175424-0000  
 Legal description of property (Attach copy of deed): RES HD 20-60 UNITS PER AC  
 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 is for 45% impervious in lieu of 35% and for an allowance to encroach on the 20' front set back requirement to allow for the new deck to align with the existing structure 15.1' off the front property line.  
Our goal is to maintain the existing structure while bringing it up to date having it be an added asset to the neighborhood/community. It is cost prohibitive to tear it down and rebuild.

*Lot 13 Bck 183*  
*Elton Realty COS*  
**RECEIVED**  
*RP PT 1820*  
*Beach South*  
 SEP 24 2018

### AFFIDAVIT

PLANNING & DEVELOPMENT

I, Christopher Rij, 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] Christopher Rij 9/24/18  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
 Sworn to and signed before me this 24 day of September, 2018 by Christopher Rij, who is personally known to me or has produced FL DL as identification.

[Signature] [Signature]  
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME



THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 FLOOD ZONE: X  
 CODE SECTION (S): Section 34-338(e)(1)C.1 for a front yard setback of 15.1' ILO 20' minimum and (e)(1)E. for 43% lot coverage ILO 35% maximum to allow improvements to an existing single family dwelling.  
 \* Legal non conforming SF (RS-3)  
 \*

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 18-100172

*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	<del>This parcel is in zoning district RM 2, which requires</del> single-family dwellings to be constructed in accordance to RS-3. RS-3 requires a minimum lot area of 6,000 s.f. This lot is a substandard lot of 5,760 s.f. The existing non-conforming structure is 15.1' set-back from the front property line. The new design meets the 15' total side set-back and the 30' rear set-back required by this zoning.
Special circumstances and conditions do not result from the actions of the applicant.	NO	<b>RECEIVED</b>  SEP 24 2018
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	<b>PLANNING &amp; DEVELOPMENT</b>
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	The substandard lot and existing structure creates a hardship in maintaining the existing zoning district requirements. The existing house meets the side and rear set back requirements and does not meet the front set-back required. The new deck addition would be a second floor deck, which would exceed the 35% max lot coverage.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	Because of the location and substandard lot size, a variance would be required to create an environment for a family to renovate and reside in the existing structure reasonably.
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	The requests made in this variance are consistent with construction standards required in this jurisdiction. This variance would have no negative impact on surrounding properties, but would enhance the existing property.

Existing

PAGE 1 OF 1  
**BOUNDARY SURVEY**

**LEGAL DESCRIPTION:**  
 LOT 13, BLOCK 183, ELTON REALTY CO'S REPLAT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 14, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

**CERTIFIED TO:**  
 CHRISTOPHER PETER RUJ & BRITTANY NICOLE RUJ; PONTE VEDRA TITLE, LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; U.S. BANK N.A., ITS SUCCESSORS AND/OR ASSIGNS.

**COMMUNITY NUMBER:** 120078  
**PANEL:** 0417 SUFFIX: H  
**FLOOD ZONE:** X  
**FIELD WORK:** 6-6-2018

**PROPERTY ADDRESS:**  
 1822 N 2ND STREET  
 JACKSONVILLE BEACH, FL 32250

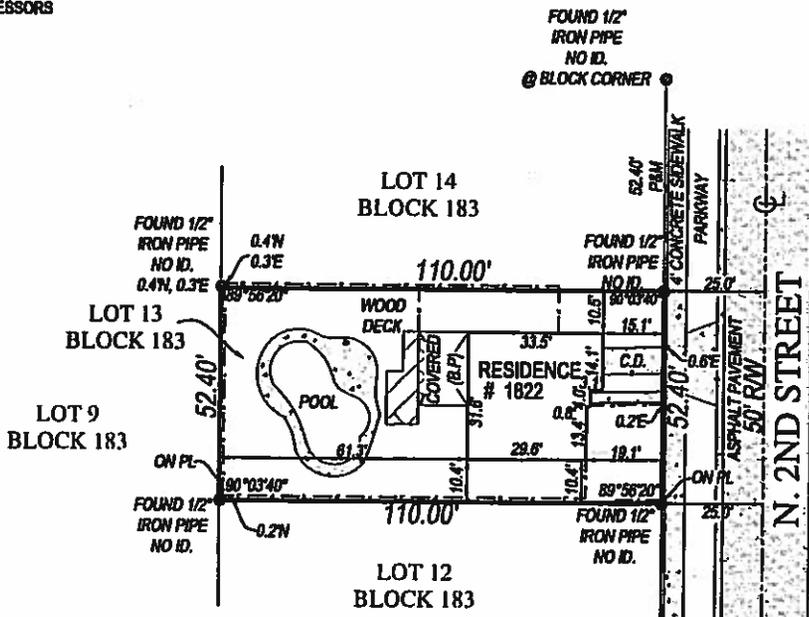
**SURVEY NUMBER:** 329550  
**CLIENT FILE NUMBER:** 18-1463

**SYMBOL DESCRIPTIONS:**

- |  |                    |  |                 |
|--|--------------------|--|-----------------|
|  | CATCH BASIN        |  | MISC. FENCE     |
|  | CENTERLINE ROAD    |  | PROPERTY CORNER |
|  | COVERED AREA       |  | UTILITY BOX     |
|  | EXISTING ELEVATION |  | UTILITY POLE    |
|  | HYDRANT            |  | WATER METER     |
|  | MANHOLE            |  | WELL            |
|  | METAL FENCE        |  | WOOD FENCE      |

**ABBREVIATION DESCRIPTION:**

- |          |                                  |
|----------|----------------------------------|
| AC       | AIR CONDITIONER                  |
| C        | CENTERLINE                       |
| Δ        | CENTRAL / DELTA ANGLE            |
| I.D.     | IDENTIFICATION                   |
| L        | LENGTH                           |
| LB       | LICENSED BUSINESS                |
| N.A.V.D. | NORTH AMERICAN VERTICAL DATUM    |
| N.G.V.D. | NATIONAL GEODETIC VERTICAL DATUM |
| OH       | OVERHEAD UTILITIES               |
| P.C.     | POINT OF CURVATURE               |
| P.C.C.   | POINT OF COMPOUND CURVE          |
| P.K.     | PIVOT KYLON NAIL                 |
| P.R.C.   | POINT OF REVERSE CURVE           |
| PSM      | PROFESSIONAL SURVEYOR MAPPER     |
| P.T.     | POINT OF TANGENCY                |
| R        | RADIAL / RADIUS                  |
| R/W      | RIGHT OF WAY                     |



**RECEIVED**

SEP 24 2018  
 18-100172

PLANNING & DEVELOPMENT

- SURVEY NOTES**
- CONCRETE WALK AND DRIVEWAY CROSSING OVER PROPERTY LINE ON EASTERLY SIDE OF LOT.
  - THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY
  - C.D. DENOTES CONCRETE DRIVEWAY
  - B.P. DENOTES BRICK PAVEN

**GENERAL NOTES:**

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS ARE LOCATED.

- DIMENSIONS SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1829 DATUM, UNLESS OTHERWISE NOTED.
- IN SOME INSTANCES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

**REVISIONS:**

LB #7883  
 SERVING FLORIDA  
 8250 N. MILITARY TRAIL, SUITE 102  
 WEST PALM BEACH, FL 33407  
 PHONE (561) 940-4800  
 STATEWIDE PHONE (800) 228-4807  
 WEBSITE: <http://targetsurveying.net>

**TARGET SURVEYING, LLC**

**SURVEYORS CERTIFICATE:**  
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE

Digitally signed by  
**Kenneth J. Osborne**  
 Date: 2018.09.06 15:58:21 -0400

**Osborne**  
 KENNETH J. OSBORNE  
 PROFESSIONAL SURVEYOR AND MAPPER #6115

PAGE 1 OF 1  
**BOUNDARY SURVEY**

**LEGAL DESCRIPTION:**

LOT 13, BLOCK 183, ELTON REALTY CO'S REPLAT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 14, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

**CERTIFIED TO:**

CHRISTOPHER PETER RUJ & BRITTANY NICOLE RUJ; PONTE VEDRA TITLE, LLC; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; U.S. BANK N.A., ITS SUCCESSORS AND/OR ASSIGNS.

COMMUNITY NUMBER: 120078

PANEL: 0417 SUFFIX: H

FLOOD ZONE: X

FIELD WORK: 6-6-2018

**PROPERTY ADDRESS:**

1822 N 2ND STREET  
 JACKSONVILLE BEACH, FL 32250

SURVEY NUMBER: 329550

CLIENT FILE NUMBER: 18-1463

**SYMBOL DESCRIPTIONS:**

- |  |                      |  |                   |
|--|----------------------|--|-------------------|
|  | = CATCH BASIN        |  | = MISC. FENCE     |
|  | = CENTERLINE ROAD    |  | = PROPERTY CORNER |
|  | = COVERED AREA       |  | = UTILITY BOX     |
|  | = EXISTING ELEVATION |  | = UTILITY POLE    |
|  | = HYDRANT            |  | = WATER METER     |
|  | = MANHOLE            |  | = WELL            |
|  | = METAL FENCE        |  | = WOOD FENCE      |

**ABBREVIATION DESCRIPTION:**

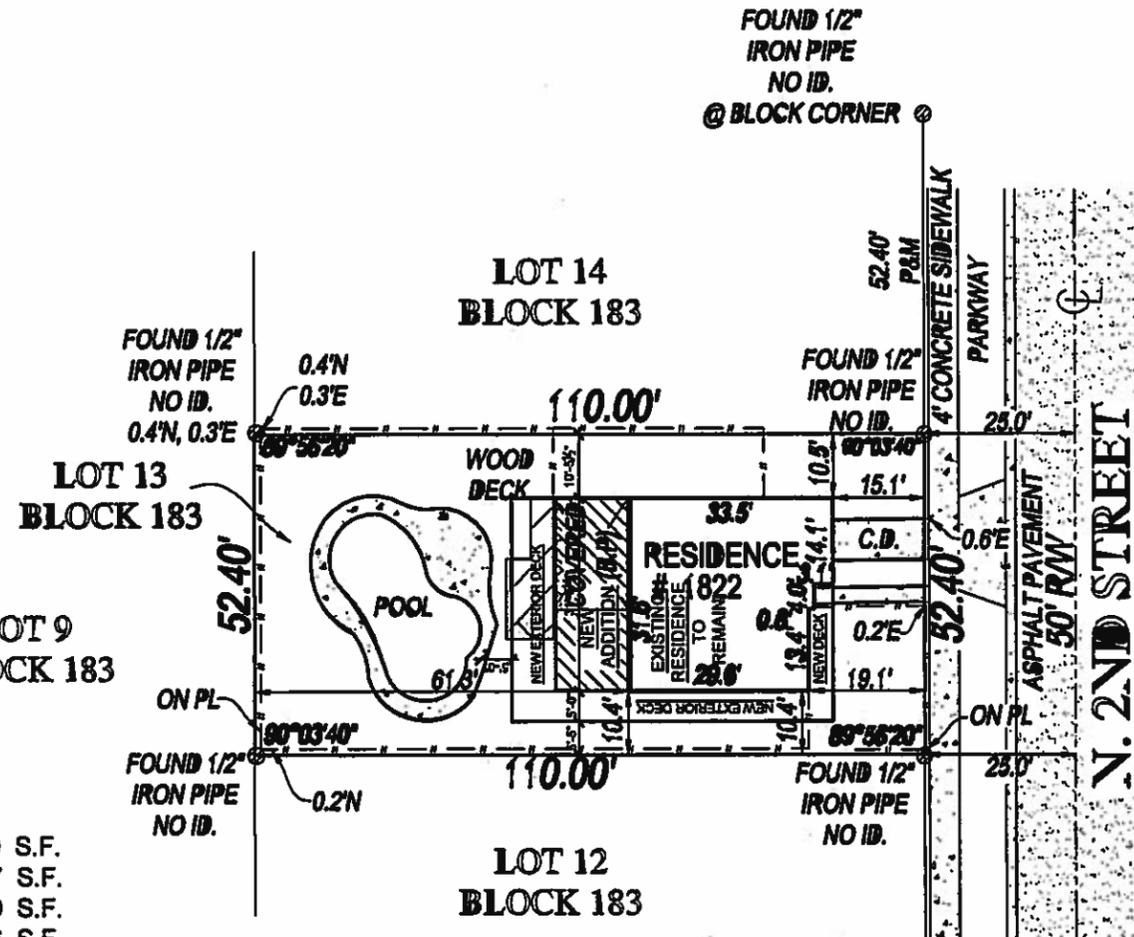
- |          |                                  |
|----------|----------------------------------|
| A/C      | AIR CONDITIONER                  |
| C        | CENTERLINE                       |
| Δ        | CENTRAL / DELTA ANGLE            |
| I.D.     | IDENTIFICATION                   |
| L        | LENGTH                           |
| LB       | LICENSED BUSINESS                |
| N.A.V.D. | NORTH AMERICAN VERTICAL DATUM    |
| N.G.V.D. | NATIONAL GEODETIC VERTICAL DATUM |
| O.H.     | OVERHEAD UTILITIES               |
| P.C.     | POINT OF CURVATURE               |
| P.C.C.   | POINT OF COMPOUND CURVE          |
| P.K.     | PARKER KYLON NAIL                |
| P.R.C.   | POINT OF REVERSE CURVE           |
| PSM      | PROFESSIONAL SURVEYOR MAPPER     |
| P.T.     | POINT OF TANGENCY                |
| R        | RADIAL / RADIUS                  |
| R/W      | RIGHT OF WAY                     |

**LOT COVERAGE:**

TOTAL LOT	5,760 S.F.
EXISTING HOUSE	997 S.F.
DRIVEWAY & WALK	139 S.F.
POOL DECK	386 S.F.
EXISTING TOTAL	1,522 S.F.
NEW DECK	560 S.F.
NEW ADDITION	391 S.F.

TOTAL IMPERVIOUS  
 2,473 S.F. (42.9%)

REQUEST FOR VARIANCE: 45% COVERAGE  
 FRONT SET-BACK ALLOWANCE FOR NEW DECK TO  
 ALIGN WITH EXISTING.



SCALE  
 1" = 30'

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**SURVEY NOTES**

- CONCRETE WALK AND DRIVEWAY CROSSING OVER PROPERTY LINE ON EASTERLY SIDE OF LOT.
- THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY
- C.D. DENOTES CONCRETE DRIVEWAY
- B.P. DENOTES BRICK PAVER

**GENERAL NOTES:**

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS ARE LOCATED.

- DIMENSIONS SHOWN HEREON ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED
- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS, IF SHOWN, ARE BASED ON N.G.V.D. 1829 DATUM, UNLESS OTHERWISE NOTED.
- IN SOME INSTANCES, GRAPHIC REPRESENTATION HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.

**REVISIONS:**

SURVEYORS CERTIFICATE:  
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE  
 AND CORRECT REPRESENTATION OF A SURVEY PREPARED  
 UNDER MY DIRECTION. NOT VALID WITHOUT A RAISED  
 EMBOSSED SEAL AND SIGNATURE.

(SIGNED)  
 KENNETH J. OSBORNE

**TARGET**  
 SURVEYING, LLC

LB #7893  
 SERVING FLORIDA  
 6250 N. MILITARY TRAIL, SUITE 102  
 WEST PALM BEACH, FL 33407  
 PHONE (561) 640-4800  
 STATEWIDE PHONE (800) 226-4807  
 STATEWIDE FACSIMILE (800) 741-0876  
 WEBSITE: <http://targetsurveying.net>

Proposed

Julianne N. Overby, RA  
Architectural and Interior Design

Julianne N. Overby, R.A.  
2452 Pullian Street  
Jacksonville Beach, Florida 32250  
904-704-8628  
Email: joverby@att.net  
FL AR-0017060 FL ID-4621

RIJ RESIDENCE RENOVATION  
1822 2ND STREET NORTH  
JACKSONVILLE BEACH, FL

DATE ISSUED:  
SEPTEMBER 12, 2018

NOTE:  
DO NOT SCALE DRAWINGS.  
IF PRINTED ON 11"x17"  
MEDIA, DRAWING SCALE  
IS HALF-SIZED.

RENOVATION  
PLANS

A1

DESIGN SET

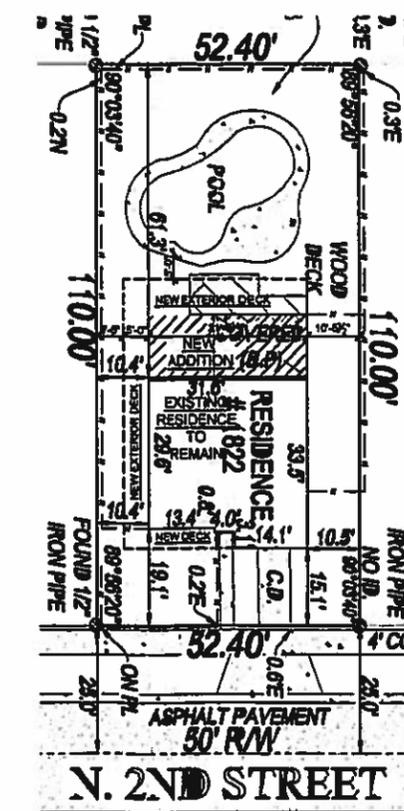
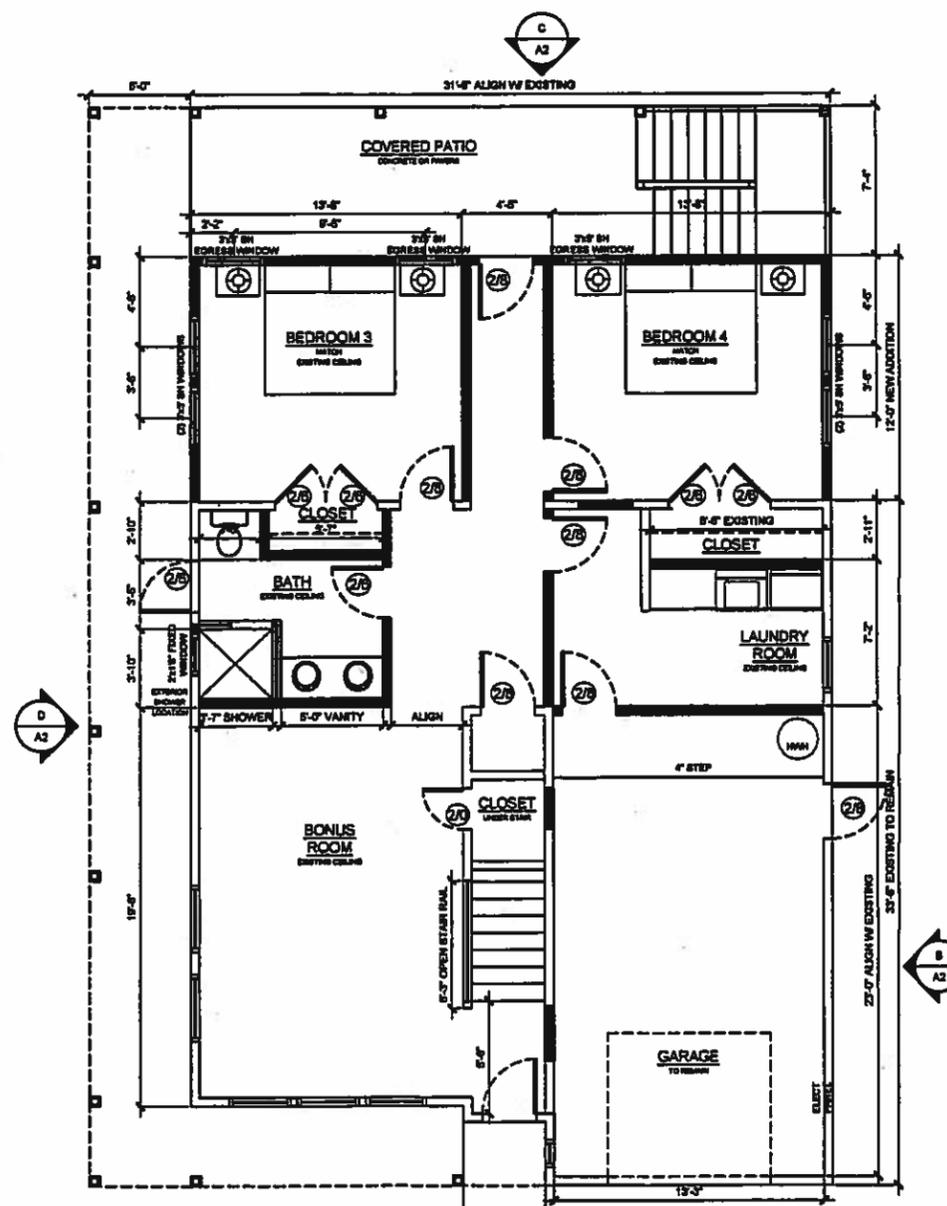
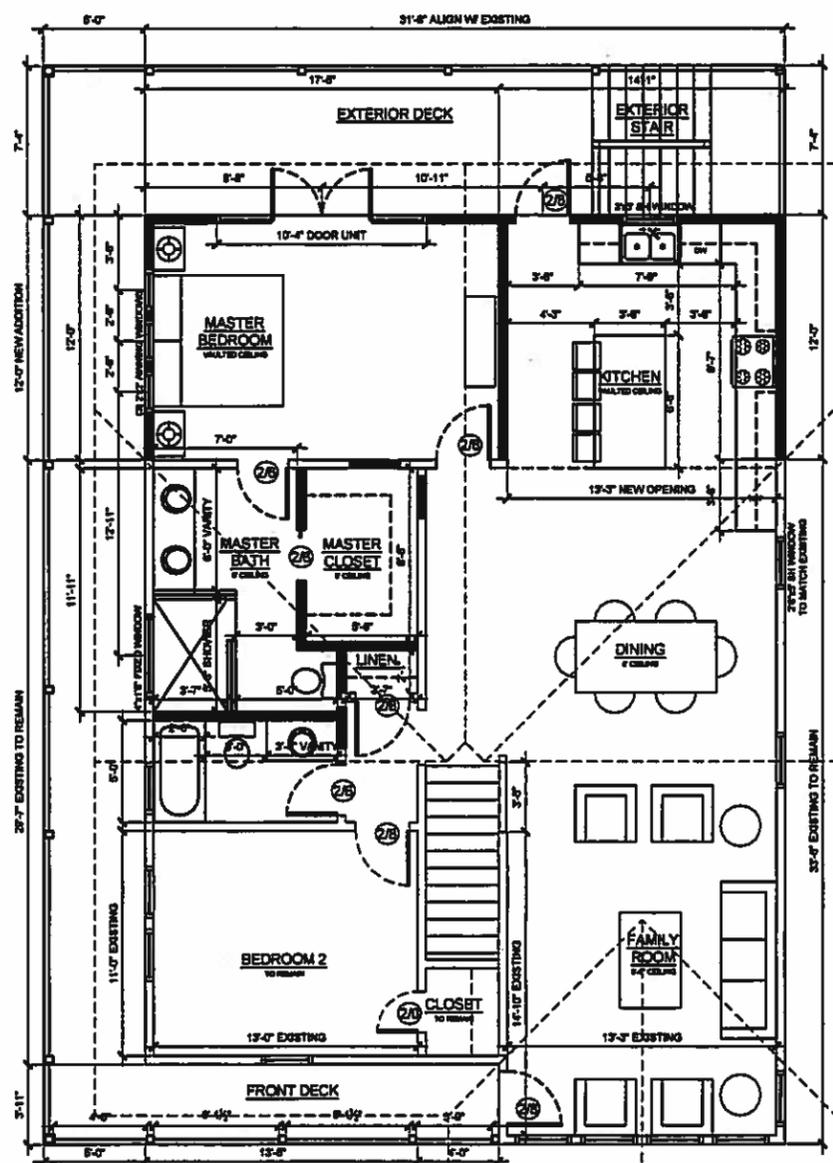
<b>BUILDING CODE SUMMARY</b>
CODE ENFORCEMENT JURISDICTION: CITY OF JACKSONVILLE BEACH
WIND ZONE: 130 MPH (WIND-BORNE DEBRIS)
Florida Building Code 8th Edition (2017) Building Florida Building Code 8th Edition (2017) Residential Florida Building Code 8th Edition (2017) Plumbing National Electric Code 2011 - NFPA 70-2011 Florida Building Code 8th Edition (2017) Energy Conservation Florida Building Code 8th Edition (2017) Mechanical Florida Fire Prevention Code 8th Edition
OCCUPANCY CLASSIFICATION: RESIDENTIAL (R-3)
ALTERATION LEVEL: LEVEL 2
CONSTRUCTION TYPE: V-8 (WOOD FRAME) SPRINKLED: NO FIRE DISTRICT: NO
WORK AREA: NEW AC ENCLOSED - 710 S.F.

**FLOOR PLAN NOTES**

1. DO NOT SCALE DRAWINGS. USE ONLY DIMENSIONS SHOWN ON DRAWINGS. IF DIMENSIONS ARE IN QUESTION, THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING CLARIFICATION BEFORE CONTINUING WITH CONSTRUCTION. BUILDER SHALL VERIFY ALL DIMENSIONS & CONDITIONS AT JOBSITE.
2. DIMENSIONS SHOWN ARE TO FACE OF FRAMING OR CENTERLINE OF STRUCTURE UNLESS OTHERWISE NOTED.
3. LOCATE DOORS SO THAT DOOR CASING ABUTS WALL FINISH OF ADJACENT WALL UNLESS OTHERWISE NOTED.
4. BUILDER SHALL COORDINATE ALL SHELVING & STORAGE REQUIREMENTS WITH DESIGNER OR OWNER.
5. IN THE EVENT OF ANY DISCREPANCIES, IMMEDIATELY NOTIFY THE OWNER. DO NOT PROCEED WITH AFFECTED WORK UNTIL ALL SUCH ISSUES HAVE BEEN FULLY RESOLVED.
6. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL CODES, REGULATIONS, AND RESTRICTIONS HAVING JURISDICTION.

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FL. AR-0017060 FL. ID-4621

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1822 2ND STREET NORTH  
JACKSONVILLE BEACH, FL

DATE ISSUED:  
SEPTEMBER 12, 2018

NOTE:  
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MEDIA, DRAWING SCALE  
IS HALF-SIZED.

EXTERIOR  
ELEVATIONS

A2

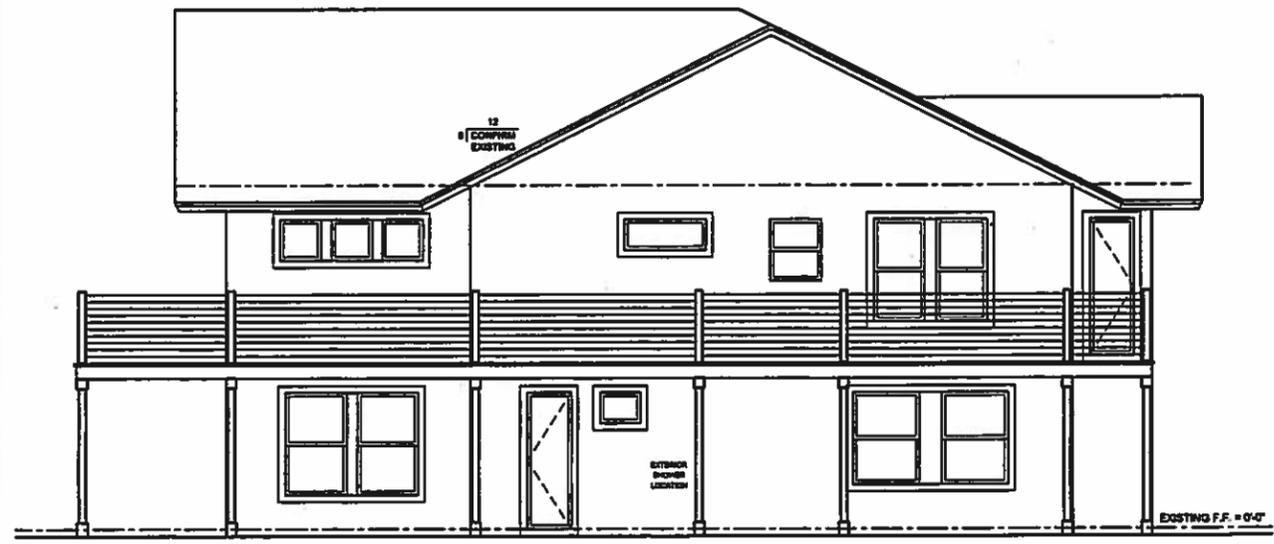
DESIGN SET



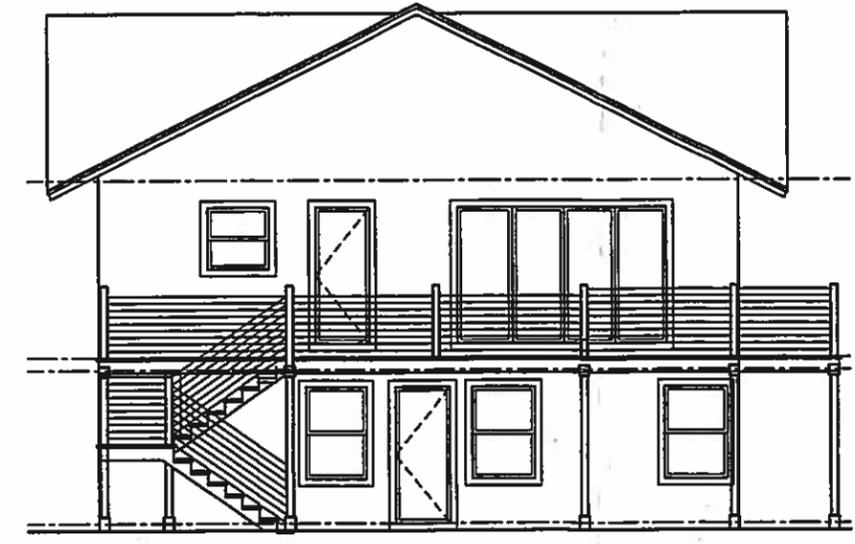
B SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



A FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



D SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



C REAR ELEVATION  
SCALE: 1/4" = 1'-0"