



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, June 6, 2017

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the Board of Adjustment
City of Jacksonville Beach, Florida

Board Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Board of Adjustment.

CALL TO ORDER

ROLL CALL

John Moreland (Chairperson), Sylvia Osewalt (Vice-Chairperson), Scott Cummings, Thomas Buck, Jeff Truhlar,
Alternates: Francis Reddington, Chase Sams

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES April 18, 2017, May 2, 2017, May 16, 2017

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number:** **BOA 17-100058**
 Applicant/Owner: Vikki Mesich and Rich Tomporowski
 Property Address: 1855 Riley Street
 Parcel ID: 179904-0000
 Current Zoning: RS-2
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e., for 41% lot coverage in lieu of 35% maximum; to allow for a swimming pool and deck addition to an existing single-family dwelling, for property **legally described** as Lot 25 and 26, Block 11, *Williams Coastal Boulevard Heights*.
 Miscellaneous Info: No previous variance requests.

Notes:

- b. **Case Number:** **BOA 17-100071**
 Applicant/Owner: Louise S. Johnson
 Property Address: 905 North 2nd Avenue
 Parcel ID: 173859-0000
 Current Zoning: RS-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.3, for a rear yard setback of 25.5 feet in lieu of 30 feet required; 34-337(e)(1)e., for 41.3% lot coverage, in lieu of 35% maximum, to allow for an addition to a single-family dwelling, for property **legally described** as Lot 12, Block 40, *Atlantic Park*.
 Miscellaneous Info: No previous variance requests.

Notes:

c. Case Number: BOA 17-100072 **WITHDRAWN, due to Concept Plat for Subdivision Denied, Monday May 22, 2017 Planning Commission Hearing

Applicant: Payne Roberts LLC
 Owner: First Baptist Church
 Property Address: 505 North 3rd Avenue, 426 North 5th Street, 0 North 5th Street
 Parcel ID: 173885-0000, 426 North 5th Street, 173876-0000
 Current Zoning: RM-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)c.3, for a rear yard setback of 20 feet, in lieu of 30 feet required; for 34-339(e)(4)h., for accessory structure setbacks of 0 feet, in lieu of 5 feet required; and 34-373(d), for parking area setback of 2.5 feet, in lieu of 5 feet required; to allow development of two six-unit townhouse structures, for property **legally described** as Lots 1, 2, 11 and 12, Block 46, *Atlantic Park Replat*.

Miscellaneous Info: One previous variance request (BOA 13-100058 and Two Conditional Use applications (PC# 21-99, PC# 26-15), and One Concept Plat application (PC# 23-17).

Notes:

d. Case Number: BOA 17-100073
 Applicant/Owner: Kevin Newsome
 Property Address: 1125 North 13th Avenue
 Parcel ID: 178239-0000
 Current Zoning: RS-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e., for 45% lot coverage in lieu of 35% maximum; to allow for a swimming pool and deck addition to an existing dwelling, for property **legally described** as Lot 12, Block 3, *San Pablo Manor*.

Miscellaneous Info: Two previous variance requests (BOA# 17-100020 & BOA#14-2003).

Notes:

e. **Case Number:** **BOA 17-100076 **WITHDRAWN, due to Concept Plat for Subdivision Denied, Monday May 22, 2017 Planning Commission Hearing**

Applicant/Agent: Ben Ossi
 Owner: John H. White
 Property Address: 417 and 429 North 2nd Avenue
 Parcel ID: 173832-0000
 Current Zoning: RM-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)h., for 0 foot accessory structure (sidewalk) in lieu of 5 feet required; 34-373(d), for a parking area setback of 0 feet, in lieu of 5 feet required; to allow for construction of a two-building, 12-unit townhouse development for property **legally described** as Lots 8, 9, 10,11, and 12, Block 35, *Atlantic Park*.
 Miscellaneous Info: No previous variance requests, and One previous Concept Plat application (PC# 20-17).

Notes:

f. **Case Number:** **BOA 17-100089**

Applicant: Timothy S. Franklin, Esp.
 Property Address: 2818 Madrid Street
 Parcel ID: 180677-0000
 Current Zoning: RS-1
 Motion to Approve: **Appeal of the Planning and Development Director's Interpretation** of Article VIII, Site Plan Development Standards Section 34-406(b)(4)b., related to fence height restrictions for portions of a fence exceeding 6 feet in height, as applicable to the approval of a fence permit application, (Permit No. 16-605) for property **legally described** as Lot 34 and the south 27 feet of lot 33, Block 22, *Unit-1 Atlantic Shores*.
 Miscellaneous Info: No previous variance requests.

Notes:

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, June 20, 2017**. There are eight (8) 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, April 18, 2017, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairperson John Moreland.

Roll Call

Tom Buck
Jeff Truhlar (*absent*)
John Moreland (Chairperson)
Sylvia Osewalt (Vice Chairperson) (*absent*)
Scott Cummings

Alternates:

Francis Reddington (*absent*)
Chase Sams (*absent*)

Ex-Parte Communications

Mr. Moreland noted that he had a conversation with the owner and general contractor on case 17-100039 during his site visit.

Approval of Minutes

It was moved by Mr. Buck, seconded by Mr. Cummings, and approved unanimously, to approve the following minutes, as presented:

- Board of Adjustment meeting held on March 21, 2017

Correspondence

Mr. Moreland noted that there was one letter that would be read when that agenda item was addressed.

NEW BUSINESS:

(A) Case Number: BOA 17-100036

Name of Applicant: DSM Renovation, LLC

Property Address: 11 North Pablo Circle

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Cummings, to approve a request for 7.7 feet side yards, each in lieu of 10 feet required; for a rear yard of 25 feet in lieu of 30 feet required; for no garage, in lieu of a required one-car garage; for one off-street parking space, in lieu of two required; to allow for substantial improvement and addition to an existing non-conforming single-family dwelling.

Applicant: The applicants, John McPherson, 1433 A1A South, Ponte Vedra Beach, and Ben Broadfoot, 1083 17th Street North, Jacksonville Beach, introduced themselves. Mr. Broadfoot noted that there was a mistake on one of the side yards that needed addressed to fit in a garage. Ms. Ireland noted that what she had differed than the exhibit referenced. Mr. Broadfoot pointed out where the rotted garage used to be.

Mr. Broadfoot noted that the 7.5-foot setbacks already existed. He described how the house will be rebuilt. Mr. Cummings confirmed with staff that because there is a garage, the request for the off-street parking was no longer necessary.

Public Hearing:

Ronald Pendleton, 1825 Live Oak Lane, Atlantic Beach, stated that he saw a 3,300-square foot house going in. Now he confirmed that there is a garage and the house is only 1,800 square feet. He stated with this new information he had no problems.

Catherine Bethea, 9 San Pablo Circle North, Jacksonville Beach, also thought that if the issue of the garage and on-street parking was addressed then she did not have a problem with it.

Discussion:

Mr. Buck stated that he had issues with the original proposal but stated that with an amended motion he should be satisfied.

Amended Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Cummings, to approve a request for 7.7 feet side yards, each in lieu of ten feet required; and for a rear yard of 25 feet in lieu of 30 feet required; allow for substantial improvement and addition to an existing non-conforming single-family dwelling.

Roll Call Vote on Amended Motion: Ayes – Cummings, Moreland, and Buck. The amended motion was approved unanimously.

(B) Case Number: BOA 17-100037

Name of Applicant: Benjamin Subercaseaux

Property Address: 512 Palm Tree Road

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Cummings, to approve a request for no garage in lieu of a required one-car garage for an existing single-family dwelling.

Applicant: The applicant, Benjamin Subercaseaux, 512 Palm Tree Road, Jacksonville Beach, explained that the hardship was that the garage is currently parallel to Palm Tree Road, making it very difficult to navigate into the garage.

Mr. Moreland stated that he thought there was enough space for parking. Mr. Subercaseaux confirmed that parking on the street was not common there. He added that it would not be aesthetically negative to approve the request.

Mr. Cummings stated that down the road there could be an issue with this proposal. Mr. Subercaseaux stated that he did have a storage shed in the back yard and stated that this road is not very narrow.

Public Hearing:

Paige Thomas, 1218 6th Avenue North, Jacksonville Beach, stated that the streets were very wide and there haven't been any problems with cars parking on the street. She added that the driveway is wider than normal at this house.

Mr. Buck stated that there is always the possibility that there will be an increase in number of vehicles at any residence. Ms. Thomas asked if they could change the application if possible. Ms. Ireland stated you could apply in a year or change 25%.

Discussion:

Mr. Cummings stated that there are examples of cars being parked on the street in his neighborhood and worried about what could happen in the future.

Mr. Buck noted that most people wouldn't have applied for a variance, and stated that he appreciated what was proposed.

Mr. Moreland stated that he was not concerned about this setting a precedent, and thought there was ample space for additional vehicles. Mr. Cummings noted that there was no hardship.

Roll Call Vote: Ayes – Buck and Moreland.

Nays – Cummings.

The amended motion was denied 2-1.

(C) Case Number: BOA 17-100038

Motion: It was moved by Mr. Buck, seconded by Mr. Cummings, and passed unanimously, to continue Case Number BOA 17-100038 to May 16.

(D) Case Number: BOA 17-100039

Name of Applicant: James C. Wallace, Jr. and Jennifer P. Wallace

Property Address: 807 South 15th Avenue South

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Cummings, to approve a request for 44% lot coverage in lieu of 35% maximum to allow a swimming pool and deck addition and driveway improvements to a single-family dwelling.

Applicant: The applicant, James Wallace, Jr., and Jennifer Wallace 1887-1 Beach Avenue, Atlantic Beach, stated that the lot is older and is only 6,200 square feet. They would not need the variance if the size was up to Land Development Code standards for the lot.

Mr. Cummings stated that it was pretty straightforward. Mr. Buck asked if they could live with any less lot coverage. Mr. Wallace responded that they thought the request was reasonable. Ms. Wallace stated that she did not want her kids playing in the street.

Public Hearing:

There was no one present to speak in favor of or in opposition to the request.

Discussion:

Mr. Cummings stated that if the lot was of size there would be no discussion, and he stated that the 44% requested was not unreasonable.

Roll Call Vote: Ayes –Cummings, Moreland, and Buck.
The motion was approved unanimously.

Planning Directors Report

None

Adjournment

It was moved by Mr. Cummings, seconded by Mr. Buck, and passed unanimously, to adjourn the meeting.

Board of Adjustment Meeting
Tuesday, April 18, 2017

The meeting adjourned at 7:34 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

Chairman

Date: _____

**Minutes of Board of Adjustment Meeting
held Tuesday, May 2, 2017, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairman John Moreland.

Roll Call

Thomas Buck
Jeff Truhlar
John Moreland (Chairperson)
Sylvia Osewalt (Vice Chairperson)
Scott Cummings

Alternates:
Francis Reddington
Chase Sams (*absent*)

Ex-parte Communications

None

Approval of Minutes

None

Correspondence

None

NEW BUSINESS:

(A) Case Number: BOA 17-100047

Name of Applicant: Carol Lynn Barrs

Property Address: 173 South 20th Avenue

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for a corner side yard of 2.2 feet in lieu of 12 feet required, to allow a second story deck addition to a unit in a four-unit condominium building.

Applicant: The agent for the applicant, William Towers, 1541 Ingleside Avenue, Jacksonville, stated that they were asking for some outdoor living space for the

condo owner. He added that the setback does not allow for an extension outside of the building envelope.

Ms. Osewalt asked which side yard that they were looking at. Mr. Towers stated that there were four addresses there at this townhouse. Ms. Osewalt stated that the application was for a condo. Ms. Osewalt noted that there was already a variance requested for an eight-foot side yard in lieu of a ten-yard side yard. Mr. Towers stated that was for a different yard.

Mike Farnsworth, 1808 Stanford Road North, Jacksonville, stated that he represented the client. Ms. Osewalt noted that Atlantic Builders was the agent for the applicant that could speak for them.

Public Hearing:

Zach Miller, 202 19th Avenue South, Jacksonville Beach, stated that the applicant has to meet six factors to get a variance, and they haven't met any. He noted the factors and explained how this proposal did not meet them. He noted that they had reasonable use of the property without the variance.

Mr. Buck asked Mr. Miller about the location of his property. Mr. Miller responded that he was across the street on 2nd Street.

Mike Farnsworth, 1808 Stanford Road North, Jacksonville, explained the location of the proposed deck. He stated that they would be willing to put a six-foot screen on that side for privacy. Mr. Reddington asked if there was a condo association. Mr. Farnsworth stated no. Ms. Osewalt asked to explain the hardship. Mr. Farnsworth stated they have no outdoor space.

Mr. Towers stated that it was not common for a house to be right on the setback line prohibiting any expansion. He noted that the 35-foot setback is a large one, so even gaining some back leaves a pretty large setback here.

Mr. Cummings stated the plans were good, but he didn't see any hardship here. Mr. Towers stated that the required setback was the hardship. Ms. Osewalt asked for clarification of the request and the request approved in 1995. Mr. Towers explained the 1995 variance. Mr. Mann stated that the 1995 variance was for the side yard to allow for construction of the dwelling.

Discussion:

Ms. Osewalt stated that she has not heard anything that would constitute a hardship.

Mr. Cummings stated that it would be a precedent as well and he did not see a hardship.

Mr. Moreland agreed that it would look nice but there just was not a hardship.

Roll Call Vote: Nays - Buck, Cummings, Moreland, Osewalt, and Truhlar.
The motion was denied unanimously.

By unanimous motion, the Board adjourned for the training session.

(B) Board Member Training

Mr. Mann explained the reason for the training, noting that some of the Board members are new. Mr. Mann noted that it was important for the Board and all participants to always speak into the microphone to get a record of the meeting. He then introduced Ms. Susan Erdelyi, City Attorney, to review the material.

Ms. Erdelyi reviewed the outline that she provided, addressing City of Jacksonville Beach Variance Procedures, Appeals, Land Development Code authority applicable to the Board of Adjustment, and Board of Adjustment decisions.

Planning Directors Report

Mr. Mann stated that there are eight cases for the May 16, 2017, meeting.

Adjournment

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:57 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

Chairman

Date: _____

**Minutes of Board of Adjustment Meeting
held Tuesday, May 16, 2017, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairperson John Moreland.

Roll Call

Thomas Buck
Jeff Truhlar (*absent*)
John Moreland (Chairperson)
Sylvia Osewalt (Vice Chairperson)
Scott Cummings

Alternates:
Francis Reddington
Chase Sams

Ex-Parte Communications

None

Approval of Minutes

It was moved by Mr. Cummings, seconded by Mr. Reddington, and passed unanimously, to approve the minutes of the following, as presented:

- Board of Adjustment meeting held on April 4, 2017

Correspondence

None

NEW BUSINESS:

(A) Case Number: BOA 17-100048

Name of Applicant: Jennie and Albert Dean

Property Address: 914 South 15th Avenue

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for an easterly side yard of 6.9 feet, in lieu of 8.2 feet required; for side yards totaling 13.7 feet in lieu of 15 feet required; and for lot

coverage of 42% in lieu of 35% maximum, to allow an addition to an existing single-family dwelling.

Applicant: The agent for the applicant, Willard Dean, 3512 Cesery Boulevard, Jacksonville, noted that they wanted to extend on the house for a wheelchair-accessible bathroom.

Mr. Moreland stated that the physical hardship on the residents was not a reason, but the hardship would be that the lot itself was substandard.

Public Hearing:

There was no one present to speak in favor of or in opposition to the proposed application.

Discussion:

Ms. Osewalt asked about the requested side yard request. Mr. Mann noted that there is the requirement for side yards to total 15 feet.

Mr. Moreland asked about the new format. Mr. Mann noted that it is at the discretion of the Board if they need to ask the applicant or staff a question.

Motion: It was moved by Mr. Reddington and seconded by Mr. Cummings to approve the request of the applicant, as written.

Roll call vote: Ayes – Buck, Cummings, Moreland, Osewalt, and Reddington.
The motion was approved unanimously.

(B) Case Number: BOA 17-10049

Name of Applicant: Richard Thompson

Property Address: 1250 Jacksonville Drive

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for a northerly side yard of nine feet, in lieu of ten feet required; and for 44% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Applicant: The applicant, Richard Thompson, 408 15th Avenue South, Jacksonville Beach, noted that the lots are non-conforming and the request is to build new custom homes on all four lots. This lot is the corner lot. Mr. Mann noted that the same exhibit was used for all four applications. Mr. Moreland noted that this lot was different than the other three, which are identical.

Mr. Thompson noted that the house existing on the site will be torn down. Mr.

Reddington asked on which two lots the house was located. Mr. Thompson noted that the house was on lots 14 and 15. He noted that the request was to allow for an additional foot of buffer on Jacksonville Drive.

Ms. Osewalt asked if 44% lot coverage was the least that could be given. Mr. Thompson noted that there has been 45% lot coverage variances granted in the past.

Public Hearing:

Justin Threet, 3970 Palm Way, Jacksonville Beach, expressed his concern about the impacts of the houses on the large oak trees on the properties.

Mr. Moreland noted that Ian Hawkins, 3878 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Miguel Malespin, 3900 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Dana Moser, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Nathan Fabrick, 3886 Grande Boulevard, Jacksonville Beach, stated that he was not opposed to residential development, but was concerned that the block would be damaged if the units were put together closer than allowed. He thought the request for a nine-foot setback was reasonable. Mr. Fabrick also noted that there were concerns with drainage.

Mr. Moreland noted that Adam Feber, 3916 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that G. Bahn, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Thompson noted the reason he was asking for different spacing and then stated that he would be satisfied with a ten-foot setback for this item. He stated that the intent was to create openness for each of the homes.

Ms. Osewalt asked if he could reduce the lot coverage. Mr. Thompson stated that the least he could get by with was 42.6% lot coverage. In response to Mr. Cummings, Mr. Thompson stated that he could make the houses shorter than what was proposed.

Mr. Thompson stated that he was going to try to preserve trees as best he could. Mr. Mann noted that the applicant would have to meet the tree standards. Mr. Mann also stated that drainage will be addressed through Public Works.

Discussion:

Mr. Buck stated that the lots were considerably smaller than a regular RS-1 lot. He noted that there were no setback variances requested for the front and back yards. He added that he would like the applicant to respect the required ten-foot side setbacks.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Buck, to approve BOA 17-100049, to allow for 42.6% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Roll call vote: Ayes – Cummings, Moreland, Osewalt, and Buck.
Nays – Reddington.
The motion was approved 4-1.

Mr. Moreland asked if we could consider the next three as a group. Mr. Mann explained that the requests were different so they had to be considered individually.

(C) Case Number: BOA 17-100050

Name of Applicant: Richard Thompson

Property Address: 1250 Jacksonville Drive

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for a northerly side yard of five feet, in lieu of ten feet required; and for 47% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Applicant: The applicant, Richard Thompson, 408 15th Avenue South, Jacksonville Beach, stated that the lot was non-conforming for RS-1. He added that driveways go into the calculation of percentage of lot coverage. He set he wanted the setbacks to so there would be more expanse from the driveway to the unit next door.

Mr. Buck showed 45.82% lot coverage, and asked Mr. Thompson if he could live with 45.8%. Mr. Thompson stated he could live with 45%. Ms. Osewalt asked if he could live with 7.5-foot side yard setbacks. Mr. Thompson said he could.

Public Hearing:

Mr. Moreland noted that G. Bahn, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Adam Feber, 3916 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Nathan Fabrich, 3886 Grande Boulevard, Jacksonville Beach, stated that if there were a concession to be made, maybe keep the setback requirements for the second floor of the home. Mr. Buck asked where he lived in relation to these lots. Mr. Fabrich stated that they were across the street.

Mr. Moreland noted that Dana Moser, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Miguel Molespin, 3900 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Ian Hawkins, 3878 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Justin Threet, 3970 Palm Way, Jacksonville Beach, expressed his concern about the impacts of the houses on the large oak trees on the properties. Mr. Buck asked if the oak trees were close to his property line. Mr. Threet stated about 15 feet. Mr. Mann noted that there is an undeveloped 12-foot public alley between the properties.

Mr. Thompson responded that they would try to preserve as many oak trees as possible.

Mr. Mann asked about structural problems with offsetting the second floor. Mr. Thompson stated it would be expensive and the Code might not allow it.

Discussion:

Mr. Reddington stated that he had a problem with the lot coverage. Mr. Buck noted that the lot was not at 10,000 square feet that would be a standard-sized lot in RS-1.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Cummings, to approve BOA 17-100050 to allow for a northerly and southerly side yards of 7.5 feet in lieu of ten feet required and for 45% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Roll call vote: Ayes – Osewalt, Buck, Cummings, and Moreland.

Nays – Reddington.

The motion to approve the application, as modified, was approved 4-1.

(D) Case Number: BOA 17-100051

Name of Applicant: Richard Thompson

Property Address: 1250 Jacksonville Drive

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for a southerly side yard of five feet, in lieu of ten feet required; and for 47% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Applicant: The applicant, Richard Thompson, 408 15th Avenue South, Jacksonville Beach, stated that the lot was non-conforming for RS-1. He stated that he was willing to agree to 45% lot coverage and 7.5 feet side yard setbacks.

Public Hearing:

Mr. Moreland noted that G. Bahn, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Adam Feber, 3916 Grande Boulevard, Jacksonville Beach, stated that his opposition is not the lot coverage but was the side yard variances. He thought that these units would look like townhomes with the setbacks requested.

Nathan Fabrich, 3886 Grande Boulevard, Jacksonville Beach, stated his opposition but did not wish to add anything to what had been said.

Mr. Moreland noted that Dana Moser, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Miguel Molespin, 3900 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Ian Hawkins, 3878 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Justin Threet, 3970 Palm Way, Jacksonville Beach, stated his opposition but didn't have anything to add.

Matt Fennell, 3997 American Avenue, Jacksonville Beach, asked if a tree survey had been done on the properties. He stated that the side yard setbacks should be approve considering the location of the trees. Mr. Mann stated that these setbacks shouldn't affect whether the trees are affected.

Discussion:

Mr. Reddington stated that he still had a problem with the lot coverage.

Motion: It was moved by Mr. Cummings, and seconded by Mr. Buck, to approve BOA 17-100051 to allow for a northerly and southerly side yards of 7.5 feet in lieu of ten feet required and for 45% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Roll call vote: Ayes – Buck, Cummings, Moreland, and Osewalt.
Nays – Reddington.

The motion to approve the application as modified was approved 4-1.

(E) Case Number: BOA 17-100052

Name of Applicant: Richard Thompson

Property Address: 1250 Jacksonville Drive

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for a northerly side yard of five feet, in lieu of ten feet required; and for 47% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Applicant: The applicant, Mr. Richard Thompson, 408 15th Avenue South, Jacksonville Beach, stated that the lot was non-conforming for RS-1. Mr. Thompson amended his request to 45% lot coverage and for 7.5-foot side yard setbacks.

Mr. Buck asked how this lot affected Lot 18. He stated that he would be concerned with 7.5 feet setback on that side.

Public Hearing:

Mr. Moreland noted that G. Bahn, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Adam Feber, 3916 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Nathan Fabrich, 3886 Grande Boulevard, Jacksonville Beach, stated he nothing more to add.

Mr. Moreland noted that Dana Moser, 3877 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Miguel Molespin, 3900 Grande Boulevard, Jacksonville Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Ian Hawkins, 3878 Grande Boulevard, Jacksonville

Beach, did not wish to address the Board but was opposed to the request.

Mr. Moreland noted that Matt Fennell, 3997 American Avenue, Jacksonville Beach., did not wish to address the Board but was opposed to the request.

Justin Threet, 3970 Palm Way, Jacksonville Beach, stated that he had nothing new to add.

Discussion:

Ms. Osewalt noted that the one neighbor impacted by the setback didn't wish to speak.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Cummings, to approve BOA 17-100052 to allow for a northerly and southerly side yards of 7.5 feet in lieu of ten feet required and for 45% lot coverage lieu of 35% maximum, to allow construction of a new single-family dwelling.

Roll call vote: Ayes – Buck, Cummings, Moreland, and Osewalt.

Nays – Reddington.

The motion to approve the application as modified was approved 4-1.

(F) Case Number: BOA 17-100053

Name of Applicant: Kristin Scheurer

Property Address: 1330 North 2nd Avenue

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a request for 37% lot coverage lieu of 35% maximum, to allow for a pool and deck addition to a proposed single-family dwelling.

Applicant: The applicant, Timothy Millard, 230 15th Street South, Jacksonville Beach, stated that the lot was substandard for RS-1 zoning. He stated that the house was a little under 35% lot coverage. He stated that if the lot was conforming it would be at 24% lot coverage.

Public Hearing:

There was no one present to speak in favor of or in opposition to the proposed application.

Discussion:

Ms. Osewalt stated that 37% seemed reasonable. Mr. Reddington stated he had no

problem with it.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Reddington, to approve BOA 17-100053, as published.

Roll call vote: Ayes – Cummings, Moreland, Osewalt, Reddington, and Buck.
The motion to approve the application was approved unanimously.

(G) Case Number: BOA 17-100054

Name of Applicant: Nicholas Altenburger

Property Address: 402 North 9th Avenue

Application: Ms. Osewalt read into the record the applicant's request, which was for approval of a front yard of 4.4 feet, in lieu of 20 feet required; and for 68% lot coverage lieu of 65% maximum; to allow for a deck addition to an existing townhouse dwelling unit.

Applicant: The applicant, Nicolas Altenburger, 402 9th Avenue North, Jacksonville Beach, stated that have a 2nd story deck now, and they would like to connect the existing side deck to a new deck in the front of the home. He stated that there was extensive City right-of-way in front of the lot that allowed for much space at the property. He stated that the front walkway exists where more than half the deck would cover.

Mr. Reddington asked if they had spoken to the neighbors. Mr. Altenburger stated he had and there were no objections.

Public Hearing:

There was no one present to speak in favor of or in opposition to the proposed application.

Discussion:

Ms. Osewalt noted that there were six requirements that should be met to meet a variance. She stated that there was already a reasonable use of the structure. Mr. Moreland stated that he thought there was a hardship because they can't make use of the second story doorways in the front. Ms. Osewalt stated that there were two other units that did not have that type of deck.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Cummings, to deny BOA 17-100054 as published because there is already reasonable use of the property.

Mr. Buck noted that a positive vote is to deny the proposed application.

Roll call vote: Ayes - Cummings, Moreland, and Osewalt.
Nays – Reddington and Buck.
The motion to deny the application was approved 3-2.

Planning Directors Report

Mr. Mann stated that there are six cases for the June 6, 2017, meeting. He also noted that there is also a Planning Director interpretation pending. Discussion followed on how the last case could be heard at a later date, with Mr. Mann explaining how this would occur.

Adjournment

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

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

Chairman

Date: _____



APPLICATION FOR VARIANCE

BOA No. 17-100058

HEARING DATE 10-6-2017

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, 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 **\$250.00** (due at the time of application submittal).
5. Completed application.

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APR 10 2017

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: Vikki Mesich & Rich Tomporowski Telephone: 646-831-7737
 Mailing Address: 1855 Riley St. E-Mail: vikki_mesich@yahoo.com
Jax Beach, FL 32250

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

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

← communicate C. Vikki ← will speak @ hearing

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.

Ref# 179940-0000

VARIANCE DATA

Street address of property and/or Real Estate Number: 1855 Riley St, Jax Beach
 Legal description of property (Attach copy of deed): lots 25 and 26, Block 11, Williams Coastal Blvd
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). We relocated to Florida to have a pool and a tropical backyard to enjoy the year round sunshine. We both have large families that will be visiting frequently from out-of-town. We need space for everyone to gather.

Applicant's Signature: Vikki Mesich Date of Application: 4/10/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: _____
 CODE SECTION (S): 34-337(e)(1)(e) for 41% lot coverage, in lieu of 35% maximum; to allow for a swimming pool and deck addition to an existing single-family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100058

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.	No	<p>RECEIVED</p> <p>APR 10 2017</p>
Special circumstances and conditions do not result from the actions of the applicant.	No	<p>PLANNING & DEVELOPMENT</p>
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	

MESICH VIKKI
 1855 RILEY ST
 JACKSONVILLE BEACH, FL 32250
TOMPOROWSKI RICHARD A

Primary Site Address
 1855 RILEY ST
 Jacksonville Beach FL 32250

Official Record Book/Page
 17365-01487

Tile #
 9504

POA# 17-100058

1855 RILEY ST

Property Detail

RE #	179940-0000
Tax District	USD2B
Property Use	0100 Single Family
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03256 WILLIAMS COASTAL BV HEIGH
Total Area	7004

Value Summary

	2016 Certified	2017 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$242,858.00	\$248,298.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$141,400.00	\$151,500.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$384,258.00	\$399,798.00
Assessed Value	\$384,258.00	\$392,327.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$7,471.00 / \$0.00
Exemptions	\$50,000.00	See below
Taxable Value	\$334,258.00	See below

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification [Learn how the Property Appraiser's Office values property.](#)

Taxable Values and Exemptions - In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value

Assessed Value	\$392,327.00
Homestead (HX)	-\$25,000.00
Homestead Banding 196.031(1)(b) (HB)	-\$25,000.00

Taxable Value \$342,327.00

SJRWMD/FIND Taxable Value

Assessed Value	\$392,327.00
Homestead (HX)	-\$25,000.00
Homestead Banding 196.031(1)(b) (HB)	-\$25,000.00

Taxable Value \$342,327.00

School Taxable Value

Assessed Value	\$392,327.00
Homestead (HX)	-\$25,000.00

Taxable Value \$367,327.00

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
17365-01487	11/5/2015	\$480,000.00	SW - Special Warranty	Qualified	Improved
17179-01314	5/15/2015	\$77,500.00	WD - Warranty Deed	Unqualified	Vacant
17179-01312	5/15/2015	\$77,500.00	WD - Warranty Deed	Unqualified	Vacant
16650-01958	1/3/2014	\$22,200.00	QC - Quit Claim	Unqualified	Vacant
11232-01047	6/30/2003	\$100.00	MS - Miscellaneous	Unqualified	Improved
10221-01143	11/6/2001	\$100.00	MS - Miscellaneous	Unqualified	Improved
07321-00583	4/24/1992	\$19,500.00	WD - Warranty Deed	Qualified	Vacant
06208-01593	9/18/1986	\$8,000.00	WD - Warranty Deed	Unqualified	Vacant
05747-01152	9/1/1983	\$100.00	MS - Miscellaneous	Unqualified	Vacant
03501-00839	3/28/1973	\$3,800.00	WD - Warranty Deed	Unqualified	Vacant

Extra Features

No data found for this section

Land & Legal

Land

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value
1	0100	RES LD 3-7 UNITS PER AC	JRS-2	50.00	140.00	Common	50.00	Front Footage	\$151,500.00

Legal

LN	Legal Description
1	10-19 04-3S-29E
2	WILLIAMS COASTAL BLVD HEIGHTS
3	LOTS 25,26 BLK 11

Buildings

Building 1

Building 1 Site Address
 1855 RILEY ST Unit
 Jacksonville Beach FL 32250

Element	Code	Detail
Exterior Wall	8	8 Horizontal Lap

Prepared by and Return to:
Sunshine Title Corporation

8613 Old Kings Road South, Suite 100
Jacksonville, Florida 32217
Our File Number: STC #107528
179940-0000

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Duval)

SPECIAL WARRANTY DEED

THIS INDENTURE, made this November 5, 2015, between SMS Capital Group, LLC, a Florida Limited Liability Company, whose mailing address is: 5 Fairway Lane, Jacksonville Beach, Florida 32250, party of the first part, and Vikki Mesich, and Richard A. Tomporowski, wife and husband, whose mailing address is: 1855 Riley Street, Jacksonville Beach, Florida 32250, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit:

Lots 25 and 26, Block 11, Williams Coastal Boulevard Heights, according to the plat thereof as recorded in Plat Book 10, Page 19, of the current public records of Duval County, Florida.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on November 5, 2015.

Signed, sealed and delivered
in the presence of:

SMS Capital Group, LLC, a Florida Limited Liability Company

Rikki A. Thomas

Witness signature

RIKKE A. THOMAS

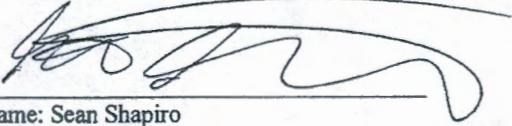
Print witness name

Pam McCafferty

Witness signature

PAM McCAFFERTY

Print witness name

By: 

Print Name: Sean Shapiro

Title: Managing Member

RECEIVED

APR 10 2017
17-100058

PLANNING & DEVELOPMENT

State of Florida
County of Duval



2016 NOTICE OF AD VALOREM & NON-AD VALOREM ASSESSMENTS REAL ESTATE TAX NOTICE

Michael Corrigan, Duval County Tax Collector

231 E. Forsyth Street, Suite 130, Jacksonville, FL 32202-3370 • (904) 630-1916, option 4 • duvaltaxcollect.net

Account Number: 179940-0000

Payor Code/Name: 002038 BANK OF AMERICA
Location Address: 1855 RILEY ST
32250

Legal Description:
10-19 04-3S-29E
WILLIAMS COASTAL BLVD HEIGHTS
LOTS 25,26 BLK 11

91
7 - 55534

MESICH VIKKI
TOMPOROWSKI RICHARD A
1855 RILEY ST
JACKSONVILLE BEACH FL 32250-3146



**DO NOT PAY—INFORMATIONAL NOTICE ONLY
THIS TAX BILL HAS BEEN SENT TO YOUR ESCROW AGENT.**

AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE \$	EXEMPT VALUE \$	TAXABLE VALUE \$	TAXING DISTRICT	MILLAGE RATE	TAX AMOUNT \$	EXEMPTIONS APPLIED
CITY OF JACKSONVILLE	384258	50000	334258	USD2B	8.1512	2724.60	HX,HB
ST JOHNS RIVER WTR MGMT DIST	384258	50000	334258	USD2B	0.2885	96.43	
FL INLAND NAVIGATION	384258	50000	334258	USD2B	0.0320	10.70	
USD2-JAX BEACH	384258	50000	334258	USD2B	3.7947	1268.41	
SCHOOLS	384258	25000	359258	USD2B	6.8020	2443.67	
AD VALOREM TOTALS					19.0684	6543.81	

NON-AD VALOREM ASSESSMENTS

PURPOSE	AMOUNT \$
NON-AD VALOREM TOTALS	0.00

REMARKS:

RECEIVED

APR 10 2017

17-150058

PLANNING & DEVELOPMENT

PAY ONE AMOUNT

IF PAID BY:	NOV 30 2016	DEC 31 2016	JAN 31 2017	FEB 28 2017	MAR 31 2017	APR 30 2017
	4% DISC	3% DISC	2% DISC	1% DISC	GROSS AMT	INT & FEES*
PLEASE PAY:	\$ 6282.06	\$ 6347.50	\$ 6412.93	\$ 6478.37	\$ 6543.81	\$ 6754.12

DUVAL COUNTY 2016 REAL ESTATE TAX NOTICE

Account Number: 179940-0000

Folio Number: 1356982.0000
Payor Code/Name: 002038 BANK OF AMERICA
Taxing District: USD2B
Owner Name: MESICH VIKKI
Location Address: 1855 RILEY ST
32250

MICHAEL CORRIGAN, TAX COLLECTOR
PO BOX 44009
JACKSONVILLE, FL 32231-4009



MAKE CHECKS PAYABLE TO: **MICHAEL CORRIGAN
TAX COLLECTOR**

IF PAID BY:	PLEASE PAY ONE AMOUNT:
<input type="checkbox"/> NOV 30 2016	\$ 6282.06
<input type="checkbox"/> DEC 31 2016	\$ 6347.50
<input type="checkbox"/> JAN 31 2017	\$ 6412.93
<input type="checkbox"/> FEB 28 2017	\$ 6478.37
<input type="checkbox"/> MAR 31 2017	\$ 6543.81
<input type="checkbox"/> APR 30 2017*	\$ 6754.12
*INCLUDES INTEREST & FEES	
FOR ONLINE BILL PAYMENT	
USE ACCOUNT NUMBER: 179940-0000	

**DO NOT PAY—INFORMATIONAL NOTICE ONLY
THIS TAX BILL HAS BEEN SENT TO YOUR ESCROW AGENT.**

Please Retain this Portion for your Records. Receipts Available Online.

Existing

MAP SHOWING BOUNDARY SURVEY OF:

LOTS 25 AND 26, BLOCK 11, WILLIAMS COASTAL BOULEVARD HEIGHTS, AS RECORDED IN PLAT BOOK 10, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

RECEIVED

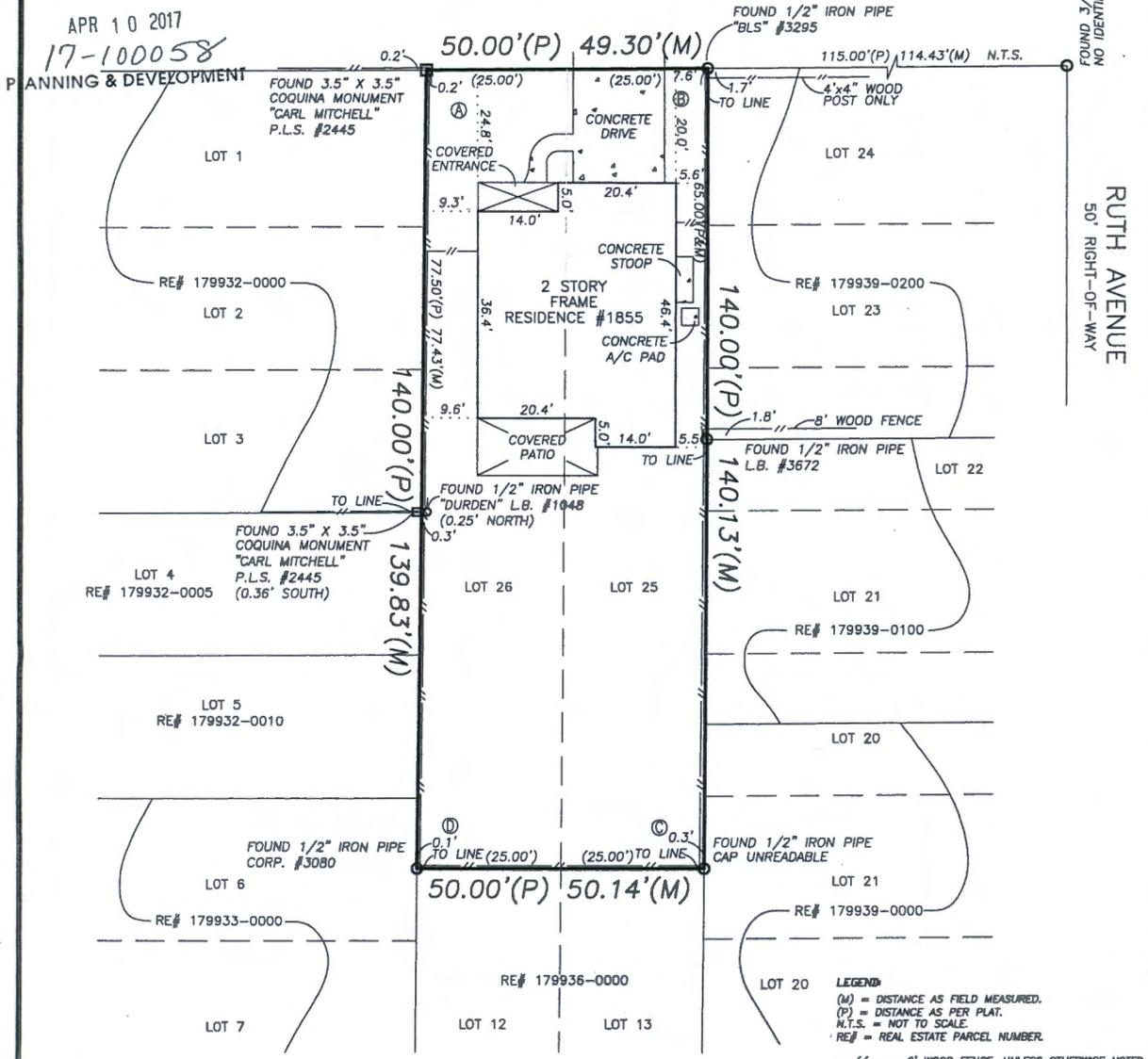
RILEY STREET

50' RIGHT-OF-WAY

ANGLE TABLE

A	= 90°55'13"
B	= 89°25'22"
C	= 90°13'25"
D	= 89°26'00"

APR 10 2017
17-100058
PLANNING & DEVELOPMENT



NOTES:

THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0419-H, REVISED JUNE 3, 2013.

ALL INTERIOR ANGLES SHOWN HEREON ARE AS FIELD MEASURED AND POSSESSED.

NO BUILDING RESTRICTION LINE BY PLAT.

ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 11.

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:

VIKKI MESICH AND RICHARD A. TOMPOROWSKI
BANK OF AMERICA
SUNSHINE TITLE COMPANY
FIDELITY NATIONAL TITLE INSURANCE COMPANY

REVISED OCTOBER 19, 2015 TO SHOW FINAL SURVEY.
REVISED MAY 5, 2015 TO ADD TREE LOCATIONS ONLY.
REVISED MAY 4, 2015 TO ADD CERTIFICATIONS ONLY.



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. 4707
H. BRUCE DURDEN, JR.

SIGNED: MARCH 9, 2015
SCALE: 1" = 20'
WORK ORDER NUMBER: 15073/15378

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

B-8678



APPLICATION FOR VARIANCE

BOA No. 17-100071

HEARING DATE 6-6-2017

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, 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 **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

APR 25 2017

APPLICATION INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: LOUISE S JOHNSON Telephone: 904 483-6769
 Mailing Address: 905 2ND AVENUE NORTH E-Mail: LJINTHE GARDEN
JACKSONVILLE BEACH FL 32250

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

Landowner Name: LOUISE S JOHNSON 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

Per 173859-0000

Street address of property and/or Real Estate Number: 905 2ND AVENUE NORTH
 Legal description of property (Attach copy of deed): LOT 12 BLOCK 40, ATLANTIC PARK
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). THE NEW SET BACK RESTRICTION DO NOT ALLOW FOR THE SMALL RESIDENCE BUILT IN THE 1930'S TO BE MADE LARGER TO ACCOMMODATE MY GROWING FAMILY

Applicant's Signature: Louise A Johnson Date of Application: 4-24-2017

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: _____
 CODE SECTION (S): 34-337(E)(V.C.3. for a rear yard setback of 25'-5', in lieu of 30' required.
34-337(E)(D) e for 41.3% lot coverage, in lieu of 35% maximum,
to allow an addition to a single-family dwelling.

Prepared by and return to:
Rachel Woodward
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: PVT160291

RECEIVED

(Space Above This Line For Recording Data)

APR 25 2017

17-100071
PLANNING & DEVELOPMENT

Warranty Deed

This Warranty Deed made this 12th day of May, 2016, between **Stephanie K. Scribner F/K/A Stephanie K. Kampschmidt, a married woman**, whose post office address is **1121 6th Street South, Fargo, ND 58103**, grantor, and **Louise S. Johnson, an unmarried woman** whose post office address is **905 2nd Avenue North, Jacksonville Beach, FL 32250**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Duval County, Florida**, to-wit:

Lot 12, Block 40, Atlantic Park, a subdivision according to the plat thereof recorded at Plat Book 9, Page 15, in the Public Records of Duval County, Florida.

Parcel Identification Number: 1738590000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

SUBJECT TO covenants, conditions, restrictions, easements of record and taxes for the current year.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except as specified herein.

The property described in this instrument is not, nor has it ever been, the constitutional homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household(s) of Grantor(s) reside thereon or have ever resided thereon.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

TWO DIFFERENT WITNESSES HAVE SIGNED BELOW (THE NOTARY MAY BE ONE OF THE WITNESSES) AND NEITHER WITNESS NOR THE NOTARY IS RELATED TO THE GRANTOR OR HAS A BENEFICIAL INTEREST IN THE SALE OF THE PROPERTY DESCRIBED IN THIS WARRANTY DEED.

Signed, sealed and delivered in our presence:

RECEIVED

* Marie L. Lantz
Witness 1 Signature

George C. Carter
Witness 1 Printed Name

Sign Here

Stephanie K. Scribner
Stephanie K. Scribner

APR 25 2017
17-100071
PLANNING & DEVELOPMENT

* Bre H. Tyler
Witness 2 Signature

Bre H. R. Tyler
Witness 2 Printed Name

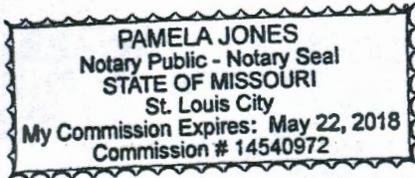
State of Missouri
County of City of St. Louis

The foregoing instrument was acknowledged before me this 6th day of May, 2014, by Stephanie K. Scribner F/K/A Stephanie K. Kampschmidt, she () is personally known to me or () has produced driver's licenses as identification.

Pamela Jones
Notary Public

Printed Name: Pamela Jones

My Commission Expires: 5/22/18



notarize here

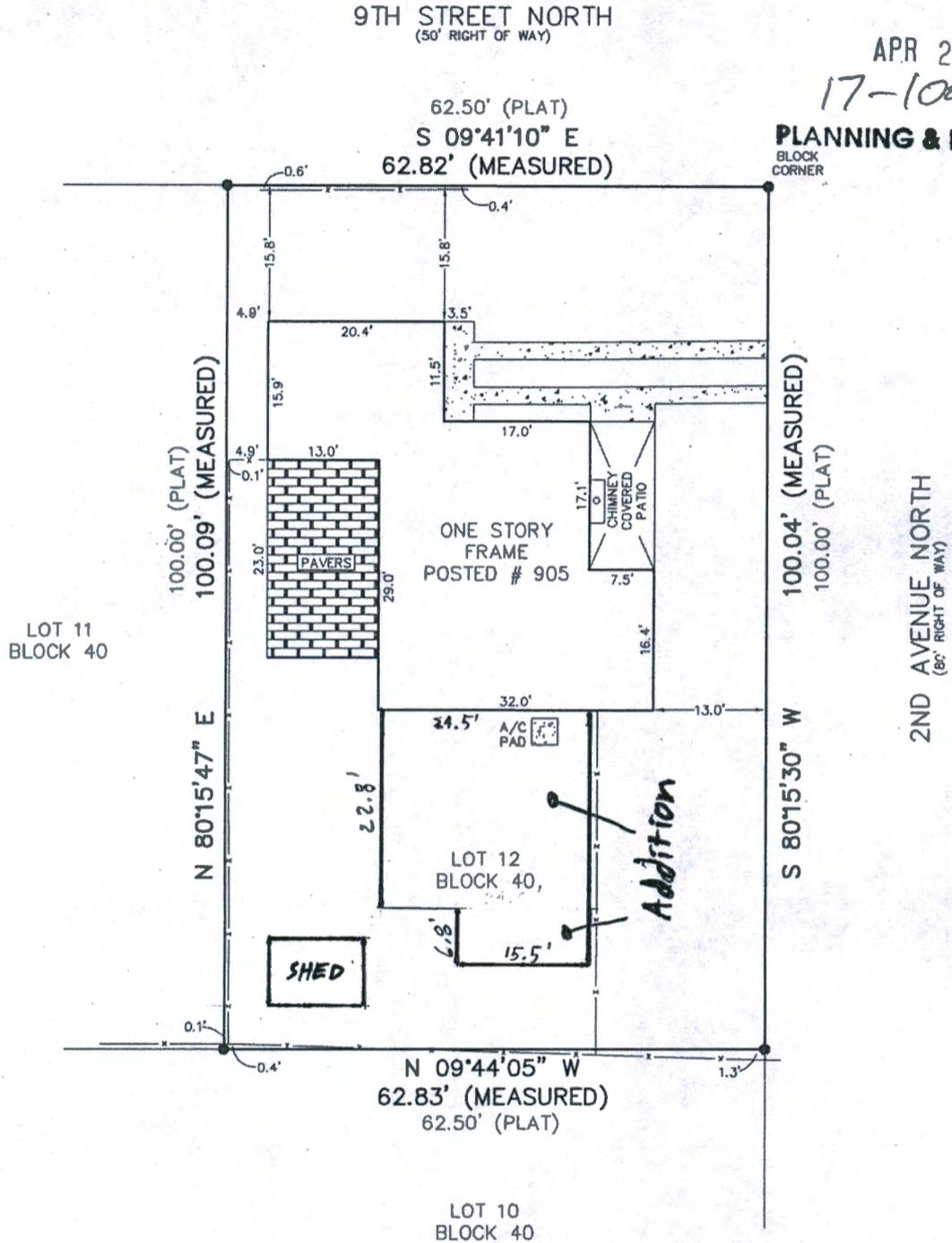
MAP SHOWING BOUNDARY SURVEY OF
 LOT 12, BLOCK 40, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9,
 PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 LOUISE S. JOHNSON
 EVERBANK, ITS SUCCESSORS AND/OR ASSINGNS
 PONTE VEDRA TITLE, LLC
 OLD REPUBLIC NATIONAL TITLE INSURANCE

RECEIVED

APR 25 2017
 17-100071

PLANNING & DEVELOPMENT



LEGEND:

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

Scale
 Survey

	Ray Thompson SURVEYING, Inc. Going the DISTANCE for You 1825 University Boulevard West Jacksonville, Florida 32217 (Phone) 904-448-5125 (Fax) 904-448-5178	PONTE VEDRA TITLE, L.L.C.	REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	DATE	DESCRIPTION								
	DATE	DESCRIPTION											
JOB # 29649	DATE OF FIELD SURVEY: 05-04-16	SCALE: 1" = 20'											

NOTES:

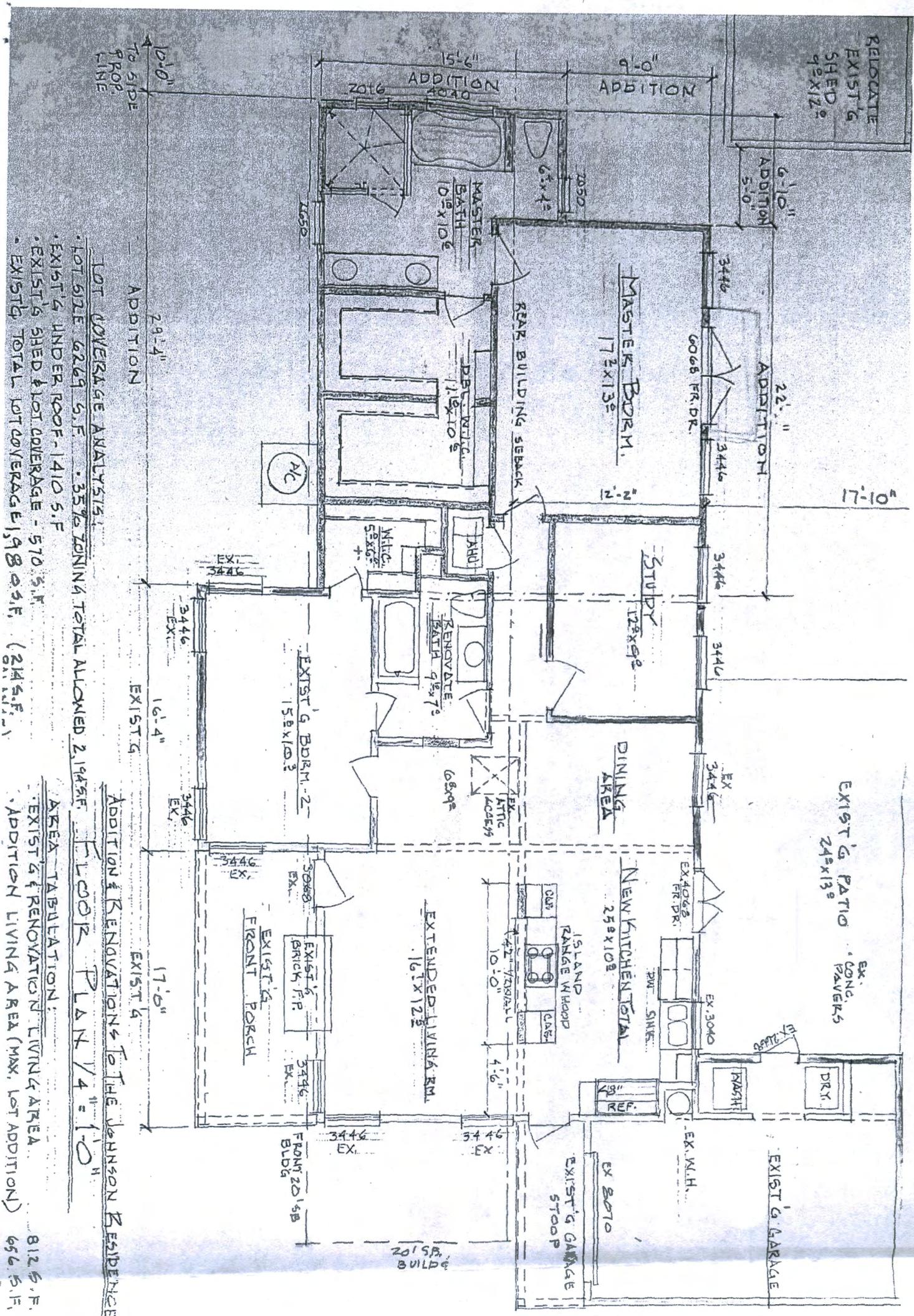
- BEARINGS ARE BASED ON THE ASSUMED BEARING OF S 80°15'30" W ALONG THE SOUTH BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: JUNE 3, 2013, COMMUNITY NUMBER: 120077 PANEL 0417 H.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHT OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07, FLORIDA STATUTES.

Raymond Thompson

RAYMOND THOMPSON
 REGISTERED SURVEYOR AND MAPPER #6146 STATE OF FLORIDA
 LICENSE NO. 7469



LOT COVERGAGE ANALYSIS:
 LOT SIZE 6269 S.F. - 35% ZONING TOTAL ALLOWED 2,194 S.F.
 EXIST'G UNDER ROOF - 1410 S.F.
 EXIST'G SHED & LOT COVERGAGE - 570 S.F.
 EXIST'G TOTAL LOT COVERGAGE 1,980 S.F. (214 S.F. EX. S.F.)

AREA TABULATION:
 EXIST'G & RENOVATION LIVING AREA 812 S.F.
 ADDITION LIVING AREA (MAX. LOT ADDITION) 656 S.F.

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APR 25 2017

17-100071

PLANNING & DEVELOPMENT



APPLICATION FOR VARIANCE

BOA No. 17-100073

HEARING DATE 6-6-2017

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. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, **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 **\$250.00** (due at the time of application submittal).
5. Completed application.

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APR 25 2017

APPLICATION INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Kevin W. Newsome Telephone: 904-591-5311
 Mailing Address: 1125 13th Ave. N. E-Mail: Screenmn@hotmail.com
Jacksonville Bch. 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Same as above 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

178239-0000

Street address of property and/or Real Estate Number: 1125 13th Ave. N. Jax. Bch. Fl. 32250
 Legal description of property (Attach copy of deed): San Pablo Manor Lot 12 Block 3
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Previous homeowner maxed out original allowed lot coverage with additions to the home. I'm requesting 45% lot coverage to install an inground pool + pool enclosure as I've decided to make the property my permanent residence and will be removing existing patio's to accommodate.

Applicant's Signature: [Signature] Date of Application: 4-24-17

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 45% lot coverage, in lieu of 35% maximum, to allow for a swimming pool and deck addition to an existing dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100073

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	Original 35% lot coverage allowed is being taken up by the entire residence due to additions built by original homeowner
Special circumstances and conditions do not result from the actions of the applicant.	NO	RECEIVED
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	APR 25 2017 PLANNING & DEVELOPMENT
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	There are many homes in the same zoning district that are or have been granted variances allowing as much as 50% 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	My last request of 47% with 1' side setback was denied. I've made adjustments to accommodate on this request.
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	Nothing uncommon about my new request for the area.

To whom it may concern,

My previous variance request was denied without negotiation. This time I am not requesting the 1 ft sideyard setback as previously requested which will keep all structures including the pool enclosure within required setbacks. I will be removing the patios on the side of the house, as well as the existing patio and concrete pad in the back yard that serves absolutely no purpose other than being an eye sore. Therefore by removing those areas and adding planters around the pool area my request is going from 39% coverage now due to the previous homeowner getting a variance for the existing patio room in 2002 to 45% lot coverage that will include any and all equipment and A/C pads as well. I'm asking you to strongly consider the approval of my request as I am making this home my permanent residence after owning it as rental property since 2005. As you can see on the survey, the lot coverage was maxed out by the previous owners with the large garage addition on the east side of the home which obviously limits my ability to make any improvements to the property with any hardscapes or accessories without the variance. Your consideration is greatly appreciated.

Sincerely,

Kevin Newsome

1125 13th Ave. N

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APR 25 2017

17-100073

PLANNING & DEVELOPMENT



CERTIFIED MAIL# 7016 2140 0000 5138 6154

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

March 23, 2017

Mr. Kevin W. Newsome
1125 North 13th Avenue
Jacksonville Beach, FL 32250

RE: BOA# 17-100020
1125 North 13th Avenue
(Lot 12, Block 3, *San Pablo Manor*)

Dear Mr. Newsome,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, March 21, 2017, to consider your application for a variance from the requirements of the Land Development Code.

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

- 34-336(e)(1)e., for lot coverage of 47% in lieu of 35% maximum; and
- 34-336(e)(1)g., for accessory structure setback of 1 foot in lieu of 5 feet minimum along the easterly property line;

To allow a swimming pool and deck addition to an existing single-family dwelling.

An amendment was proposed as follows:

- 34-336(e)(1)e., for lot coverage of 47% in lieu of 35% maximum;

The Board **denied** the request.

The original motion was read again as follows;

- 34-336(e)(1)e., for lot coverage of 47% in lieu of 35% maximum; and
- 34-336(e)(1)g., for accessory structure setback of 1 foot in lieu of 5 feet minimum along the easterly property line;

The Board **denied** the request.

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

Sincerely,

Heather Ireland, AICP
Senior Planner



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

July 21, 2003

Michealyn Adams
 1125 N. 13th Avenue
 Jacksonville Beach FL 32250

RE: Case No. BOA 71-2003
 1125 N. 13th Avenue

Dear Ms. Adams:

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

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

- Section 34-336 (e)(1) c.3., for a rear yard of 12 feet in lieu of 30 feet required
- Section 34-336 (e)(1) e., for 39% lot coverage in lieu of 35% maximum

To allow for improvements to a single family dwelling.

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

- As per plan to remain a screen room as submitted.

You are required to apply for a building permit for this project. A copy of the building permit application and a checklist for the required submittals is attached. Please complete and submit the application along with the required informatic 1 to our office before you begin work on this project.

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

Sincerely,

Jonathan Hays
 Jonathan Hays, CBO
 Building Department

Attachment(s)

JCH/EB

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only, No Insurance Coverage Provided)</i>	
Article Sent To:	BoA 71-03
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Name (Please Print Clearly) (to be completed by mailer)	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	

7099 3400 0000 1885 0451

Postmark Here

Prepared by and return to:
Marc Anderson
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: PVT170241

(Space Above This Line For Recording Data)

Quit Claim Deed

This Quit Claim Deed made this 27th day of March, 2017, between **Kevin M. Newsome and Lorraine M. Newsome, husband and wife**, whose post office address is **1125 13th Avenue North, Jacksonville Beach, FL 32250** grantor, and **Kevin W. Newsome and Lorraine M. Newsome, husband and wife**, whose post office address is **1125 13th Avenue North, Jacksonville Beach, FL 32250**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in the **Duval County, Florida**, to-wit:

Lot 12, Block 3, SAN PABLO MANOR, a subdivision according to the plat thereof recorded at Plat Book 27, Page 97, in the current Public Records of Duval County, Florida.

Parcel Identification Number: 1782390000

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Note to Clerk: This is a conveyance of encumbered real property, wherein the outstanding balance of all encumbrances on the property is \$ 130,576.40. Documentary Taxes on this conveyance are based off of 1/2 of the outstanding encumbrance or \$ 65,288.20. Therefore, Documentary Taxes in the amount of \$ 457.10, are being paid in connection with the recording of this conveyance.

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APR 25 2017

17-100073

PLANNING & DEVELOPMENT

Signed, sealed and delivered in our presence:

Cassandra M. English
Witness Name: Cassandra M. English

Kevin W. Newsome
Kevin W. Newsome

Marc Anderson
Witness Name: Marc Anderson

Lorraine M. Newsome
Lorraine M. Newsome

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 29 day of March, 2017, by Kevin W. Newsome and Lorraine M. Newsome, husband and wife, they () are personally known to me or () have produced Valid FL ID as identification.

Cassandra M. English
Notary Public Cassandra M. English

Printed Name CASSANDRA M. ENGLISH
Commission # FF 207657
Expires March 9, 2019
My Commission Expires March 9, 2019
Notary Public State of Florida Provided thru Troy Fain Insurance 800-385-7019

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APR 25 2017
17-100073
PLANNING & DEVELOPMENT

Existing

1125N13THAVE
FLOOD ZONE: X

MAP SHOWING SURVEY OF

SECTION: 28

DATE OF SURVEY: 12-27-2004

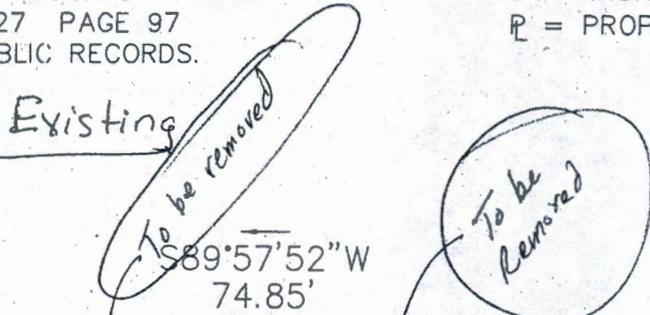
1125 13TH AVENUE NORTH

TOWNSHIP: 2 SOUTH

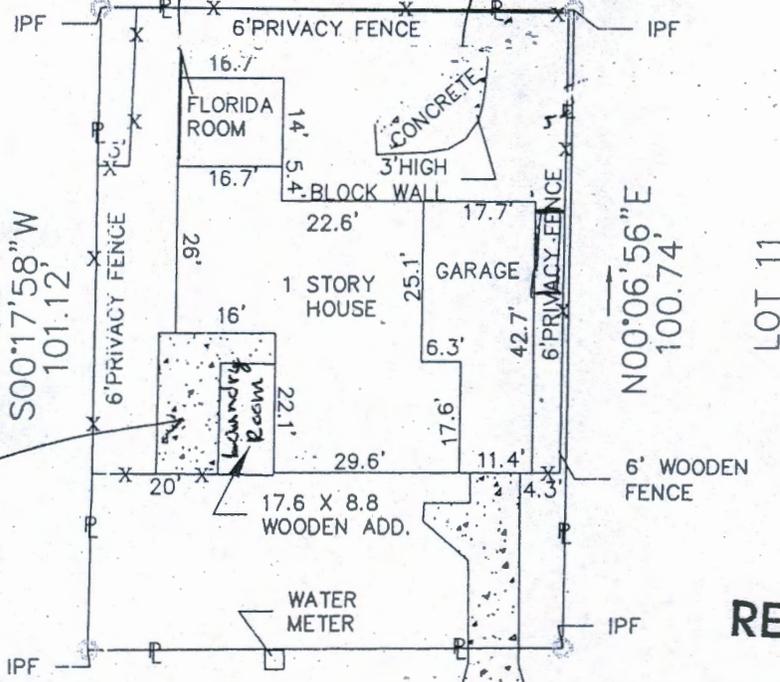
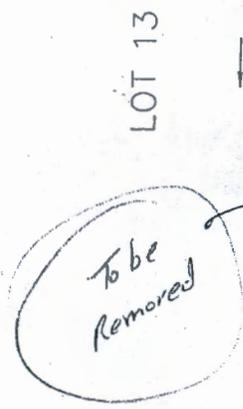
RANGE: 29 EAST

LEGAL DESCRIPTION:
SAN PABLO MANOR LOT 12 BLOCK 3
AS SHOWN IN PLAT BOOK 27 PAGE 97
OF THE DUVAL COUNTY PUBLIC RECORDS.

NOTES:
-IPF= IRON PIN FOUND
P = PROPERTY LINE



Existing
Lot \square 7585.52
Imp. Cov. 2970 \square
Total cov. .39%



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APR 25 2017
17-100073
PLANNING & DEVELOPMENT

THE SURVEY DEPICTED HERE IS COVERED BY PROFESSIONAL LIABILITY INSURANCE PHOTO COPYING IS FORBIDDEN

* THIS IS TO CERTIFY THAT A SURVEY WAS PERFORMED ON THE PROPERTY DESCRIBED HEREON UNDER MY RESPONSIBLE CHARGE AND THAT SAID SURVEY IS DEPICTED HEREON. THIS SURVEY WAS PREPARED FOR THE EXPLICIT PURPOSE OF OBTAINING A MORTGAGE AND/OR TITLE POLICY THEREON, UNLESS STATED OTHERWISE HEREON. THIS SKETCH OF SURVEY SHOWS THE CONSTRUCTED IMPROVEMENTS THAT WERE LOCATED. THIS SURVEY IS BASED SOLELY UPON THE EXISTING MONUMENTATION AS SHOWN HEREON.
THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7042, FOR A PERIOD OF 90 DAYS FROM THE DATE OF CERTIFICATION.
THIS SURVEY IS NOT AN ALTA/ACSM LAND TITLE SURVEY.
SUBJECT TO THE NOTES AND NOTATIONS HEREON.

TYPE OF SURVEY: RECORD/AS-BUILT
FOR REFERENCE ONLY: SURVEY IS NOT VALID UNLESS SEALED WITH SURVEYORS EMBOSSED SEAL AND SIGNED IN RED INK.
CERTIFIED TO:
KEVIN WAYNE NEWSOME
RICHARD T MOREHEAD P.A.
OCEANSIDE BANK

NO UNDERGROUND IMPROVEMENTS LOCATED UNLESS SHOWN. NO TITLE SEARCH BY THE SURVEYOR OR FURNISHED TO THE SURVEYOR BY CLIENT OR OTHERS. LEGAL DESCRIPTION AS FURNISHED BY THE CLIENT OR OTHERS. DISCREPANCIES BETWEEN PROPERTY LINES OF ADJOINING PARCELS NOT VERIFIED UNLESS NOTED HEREON. BEARINGS ARE BASED ON ASSUMED DATUM UNLESS PLAT BEARINGS ARE INDICATED ON MAP.

BY: *Jim J. Alger* DATE: 12-27-2004
JIM J. ALGER PLS # 5080

COASTAL SURVEYING, INC. 10650-1 HAVERFORD ROAD JACKSONVILLE, FL 32218 PHONE: (904) 751-0346 FAX: (904) 751-3107	JIM J. ALGER PROFESSIONAL SURVEYOR & MAPPER	PREPARED FOR: RICHARD T MOREHEAD P.A. 444 3RD STREET NEPTUNE BEACH, FL 32266 TEL: 904-247-5147 FAX: 904-247-6087	REVISIONS:	DATE:

Proposed

1125N13THAVE

FLOOD ZONE: X

DATE OF SURVEY: 12-27-2004

MAP SHOWING SURVEY OF

1125 13TH AVENUE NORTH

SECTION: 28

TOWNSHIP: 2 SOUTH

RANGE: 29 EAST

LEGAL DESCRIPTION:

SAN PABLO MANOR LOT 12 BLOCK 3
AS SHOWN IN PLAT BOOK 27 PAGE 97
OF THE DUVAL COUNTY PUBLIC RECORDS.

NOTES:

IPF = IRON PIN FOUND
P = PROPERTY LINE

Proposed

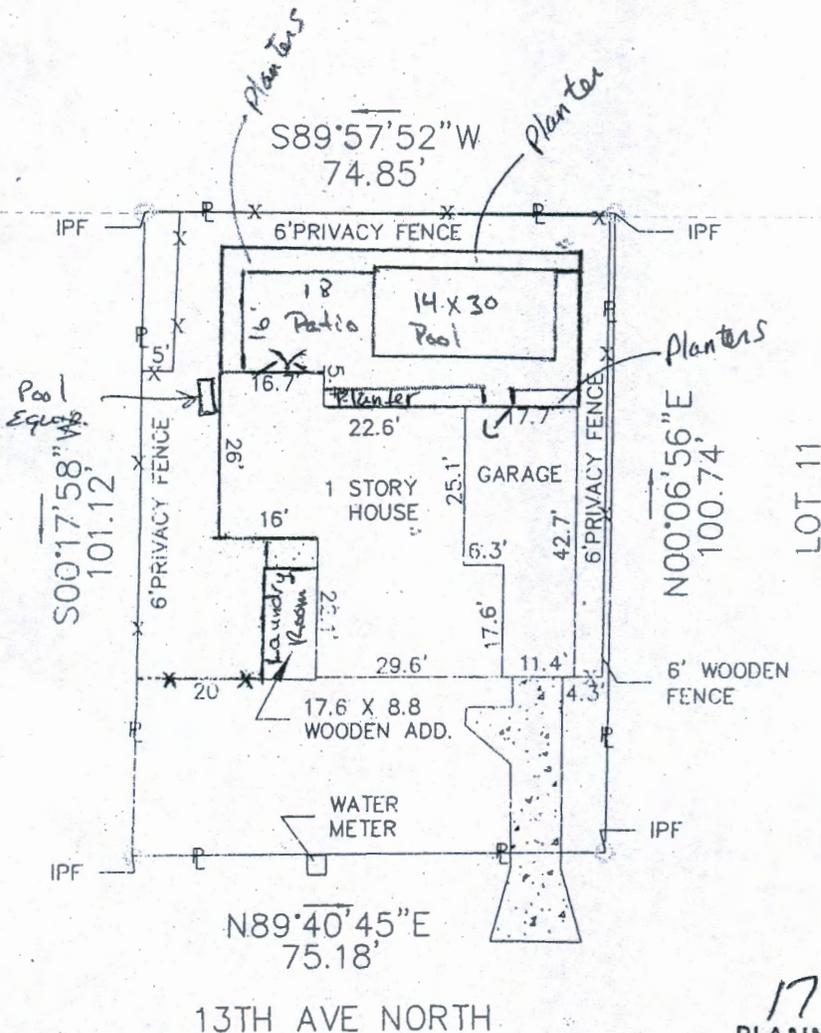
Lot # 7585.52

Imp. Cov. 3410^{sq}

Total cov. 45%

Includes equipment
& A.C. pads

LOT 13



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APR 25 2017

17-100073
PLANNING & DEVELOPMENT

THE SURVEY DEPICTED HERE IS COVERED BY PROFESSIONAL LIABILITY INSURANCE

PHOTO COPYING IS FORBIDDEN

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- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- THIS SURVEY IS VALID IN ACCORDANCE WITH F.S. 627.7942, F.33 A PERIOD OF 90 DAYS FROM THE DATE OF CERTIFICATION.
- THIS SURVEY IS NOT AN ALTA/ACSM LAND TITLE SURVEY.
- SUBJECT TO THE NOTES AND NOTATIONS HEREON.

TYPE OF SURVEY: RECORD/AS-BUILT

FOR REFERENCE ONLY:
SURVEY IS NOT VALID UNLESS SEALED WITH SURVEYORS EMBOSSED SEAL AND SIGNED IN RED INK.

CERTIFIED TO:
KEVIN WAYNE NEWSOME
RICHARD T. MOREHEAD P.A.
OCEANSIDE BANK

NO UNDERGROUND IMPROVEMENTS LOCATED UNLESS SHOWN. NO TITLE SEARCH BY THE SURVEYOR OR FURNISHED TO THE SURVEYOR BY CLIENT OR OTHERS. LEGAL DESCRIPTION AS FURNISHED BY THE CLIENT OR OTHERS. DISCREPANCIES BETWEEN PROPERTY LINES OF ADJOINING PARCELS NOT VERIFIED UNLESS NOTED HEREON. BEARINGS ARE BASED ON ASSUMED DATUM UNLESS PLAT BEARINGS ARE INDICATED ON MAP.

BY: *Jim J. Alger*
JIM J. ALGER, PLS # 5080

DATE: 12-27-2004

COASTAL SURVEYING, INC.
10650-1 HAVERFORD ROAD
JACKSONVILLE, FL 32218
PHONE: (904) 751-0346 FAX: (904) 751-3107

JIM J. ALGER
PROFESSIONAL SURVEYOR
& MAPPER

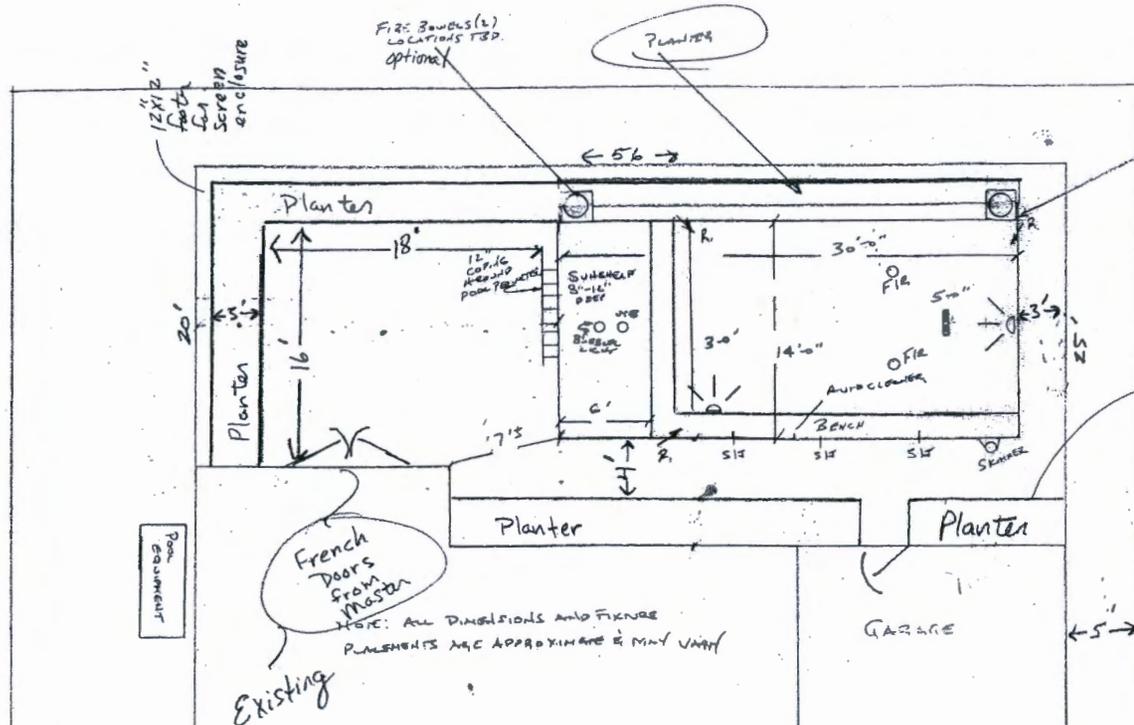
PREPARED FOR:
RICHARD T. MOREHEAD P.A.
444 3RD STREET
NEPTUNE BEACH, FL 32266
TEL: 904-247-5147 FAX: 904-247-6087

REVISIONS: DATE:

REVISIONS:	DATE:

APR 25 2017
 17-100072
 PLANNING & DEVELOPMENT

1	POOL SHAPE	Rectangular
2	SIZE	14' x 30'
3	DEPTHS	3.5" - 5.0"
4	CAPACITY	
5	STEPS	BENCHES
6	SWIMOUT	
7	SUNSHELF	w/ Bench & Step Per Pool
8	HANDRAIL(S)	
9	GRABRAIL(S)	
10	LIGHT(S)	(2) LED CORNER LIGHTS
11	TILE	TBD
12	CONCRETE DECKING	SQ. FT.
13	PAVER DECKING	BY OTHERS SQ. FT.
14	PUMP	PLUMB VARIABLE SPEED H.P.
15	FILTER	PENTON (CARTRIDGE)
15	CHLORINATOR	INTEGRATED (50#)
17	SKIMMER(S)	(1)
18	MAIN DRAINS	(1) Channel Drain
19	RETURN INLETS	(3) wall (2) Floor
20	FLOOR SYSTEM	
21	AUTOMATIC CLEANER	Pavonis 360
22	RAISED DECK	2x10 Beam / 12"
23	WATER FEATURE(S)	BUBBLER / LIGHT
24	UMBRELLA SLEEVE(S)	(1) SUNSHELF
25	HEATER	PENTON HEAT PUMP / HEAT & COOL
26	GAS HOOK-UP	
27	DECO-DRAIN	
28	CLEANING EQUIPMENT	INCLUDED
29	LEAF SKIMMER	WALL BRUSH
	TEST KIT	HOSE
	POLE	START-UP CHEMICALS
	VACUUM	
30	SPA INFORMATION (CONCRETE)	
	SIZE	DEPTH
	JETS	BOOSTER PUMP
	HEATER	COVER
	LIGHT	SPILLOVER
	OTHER:	
31	ADDITIONAL SPECIFICATIONS:	
	ACCESS	LETTER OF PERMISSION
	ELEVATIONS	
	TREE REMOVAL	
	DIRT REMOVAL	
	CEMENT REMOVAL	
	ELECTRICAL HOOK-UP	
	POOL SPECIFICATIONS	
	DESIGNED BY	
	DATE	



PLANNING & DEVELOPMENT

APR 25 2017

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Scale 1/8" = 1'

A SWIMMING POOL FOR
 Kevin Newsome



THE BATTS COMPANY
 General & Swimming Pool Contractors
 1602 N. 3rd Street • Jacksonville Beach, FL 32250
 (904) 246-2455
 FAX: (904) 249-0457

FRANKLIN LEGAL, PL

A Professional Law Firm

Timothy S. Franklin, Esq.

17-100089

10 April 2017

Attn: Mr. William Mann, Director of
Planning and Development
City Hall
11 North Third Street
City of Jacksonville Beach, Florida 32250

Re: Followup - Written Interpretation Appeal - Fencing Height - 2818 Madrid Street

Dear Mr. Mann:

I write to followup on our appeal of your written interpretation regarding fencing heights, and request that the appeal be set for hearing expediently, where the client remains dissatisfied relative to certain issues notwithstanding you and Mr. Butler's additional on-site review and explanation.

The client is satisfied relative to the City's explanation that the fence "bottom" is measured from the "established grade," and that said grade is approximately 3" higher than the ground underneath the fence such that the fence measured at 6'3" from the ground complies with the general 6' height restriction of s. 34-406, LDC.

However, as to the portion of the fence which extends from approximately 6'3" upwards to approximately 8' in height, the client is dissatisfied with the interpretations and explanations provided suggesting same complies with the 25% opacity requirement of s. 34-406(4)(b), LDC. The client wishes to address only this specific element of the interpretation in the hearing on the appeal.

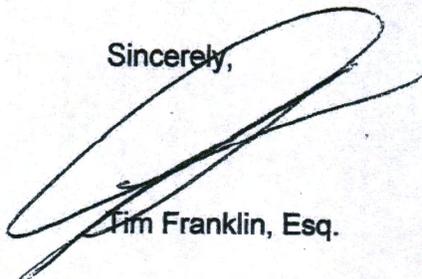
Moreover, we will argue that any assertion that the subject fencing may be "vested" or otherwise "compliant," based on an "interpretation" of s. 34-406(4)(b), LDC rendered by anyone other than yourself as Director (including the City's CBO), or the approval of a fence by anyone other than the Department (including the CBO pursuant to a building permit), is itself a wrongful interpretation of the LDC relative to the provisions of s. 34-406.

Further, where the City has informally asserted to me that "there is nothing really to appeal," I would point out that the LDC gives no discretion to the City to deny an appeal or hearing in this manner.

While the City may, arguably, initially denied the interpretation request pursuant to some discretion provided at s. 34-21(c)(2) relative to a determination of "sufficiency," there is no similar discretion relative to the appeal: the BOA "shall hold a public hearing."

Accordingly, please have this matter set for public hearing in front of the BOA at the earliest convenience thank you sir.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Franklin". The signature is stylized with a large loop at the top and a long horizontal stroke.

Tim Franklin, Esq.

cc: Susan Erdelyi, Esq.
Mike Bittner, Esq.
client

FRANKLIN LEGAL, PL

A Professional Law Firm

Timothy S. Franklin, Esq.

RECEIVED

20 January 2017

JAN 20 2017

PLANNING & DEVELOPMENT

Attn: Mr. William Mann, Director of
Planning and Development
City Hall
11 North Third Street
City of Jacksonville Beach, Florida 32250

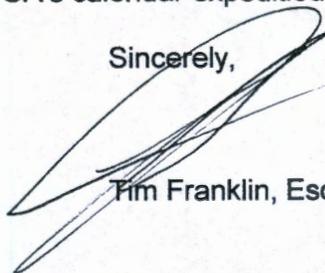
Re: APPEAL FEE PAYMENT - Written Interpretation Request - Fencing Height

Dear Mr. Mann:

In connection with the Notice of Appeal filed with the your offices for the City on 6 January, please find my firm check # 2337 in the amount of \$ 250.

Please have this matter set on the BOA's calendar expeditiously thank you.

Sincerely,



Tim Franklin, Esq.



BUILDING PERMIT APPLICATION

Pursuant to F.S. 553.721 & F.S. 468.631, a surcharge fee will be collected on any permit regulated under the FBC.

Job Address 2818 MADON SQUARE		Application No. 16-605
Tenant Name (If Applicable)	Legal Description	
Type of Work:	New	Addition
Use of existing/proposed structure(s):	Commercial	Residential
If an existing structure, is a fire sprinkler system installed?	Yes	No
Roofing Materials: Main Material FL Approval #	Underlayment FL Approval #	
Project Cost/Value 15000	Describe in detail the type of work to be performed: MASONRY FURNACE	
		APR 8 2016

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Property Owner Name ANTHONY P. ANA MICO LUCCI		Owner's Authorized Agent (If Applicable)	
Mailing Address 2818 MADON ST. JAX FL 32250		Phone Number	E-Mail
Company Name ONE ELEVEN CONSTRUCTION LLC		Qualifier/License Holder Name Stephen Altman	FL Certification Number CB01250049
Mailing Address 3910 TROPICAL TRL JAX FL 32250		Office Phone 662-1781	E-Mail or Fax Number
Jobsite Contact Name ROMAN GREEN		Jobsite Phone Number	
Architect Name, Mailing Address, and Phone Number ROMAN GREEN 2995312			
Engineer Name, Mailing Address, and Phone Number			

PLANNING & DEVELOPMENT

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. This permit becomes null and void if work is not commenced within six (6) months, or if construction or work is suspended or abandoned for a period of six (6) months at any time after work is commenced. I understand that separate permits must be secured for Electrical Work, Plumbing, Signs, Wells, Pools, Furnaces, Boilers, Heaters, Tanks and Air Conditioners, etc.

Owner's Affidavit: I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances regulating construction and zoning will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local laws regulating construction or the performance of construction.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature of Owner: [Signature]
 Print Name **ANTHONY P. MICO LUCCI**
 STATE OF FLORIDA, COUNTY OF **DUVAL**

Signature of Contractor: [Signature]
 Print Name **Roman Green**
 STATE OF FLORIDA, COUNTY OF **Duval**

Sworn to (or affirmed) and subscribed before me this **8th** day of **MARCH**, 20**16**

Sworn to (or affirmed) and subscribed before me this **17** day of **MARCH**, 20**16**

Notary Public Signature (Print or Type Commission # Name Below)
[Signature]
BILLY D. STEWART
 MY COMMISSION # **FF 233046**
 EXPIRES: **June 28, 2019**
 Bonded Thru Budget Notary Services

Notary Public Signature (Print or Type Commission # Name Below)
[Signature]
MEGHAN NAGLE
 MY COMMISSION # **FF 217562**
 EXPIRES: **April 2019**
 Bonded Thru Budget Notary Services



DO NOT WRITE BELOW THIS LINE

Applicable Codes: **FLORIDA BUILDING CODE**
 Review Result (circle one): **Approved w/ Conditions**

Development Size
 Habitable Space _____ Non-Habitable _____ Impervious Area _____ Total Area _____
 1st Floor _____ 2nd Floor _____ Garage _____ Lanai _____ Porch _____ Patio _____ Balcony _____

Miscellaneous Information
 Occupancy Group _____
 Type of Construction _____
 Number of Stories _____
 Zoning District _____
 # Parking Spaces _____
 Max. Occupancy Load _____
 Fire Sprinklers Required _____
 Flood Zone _____

Conditions/Comments:
**max height of 6 FT measured from adjacent
 offset property grade.
 FENCE TO NOT BLOCK NATURAL DRAINAGE flow
 WITHOUT PROVIDING A CONVEYANCE**

PERMIT ISSUED
DATE: 4/12/16
BY: [Signature]

35'-9"

1'-10"

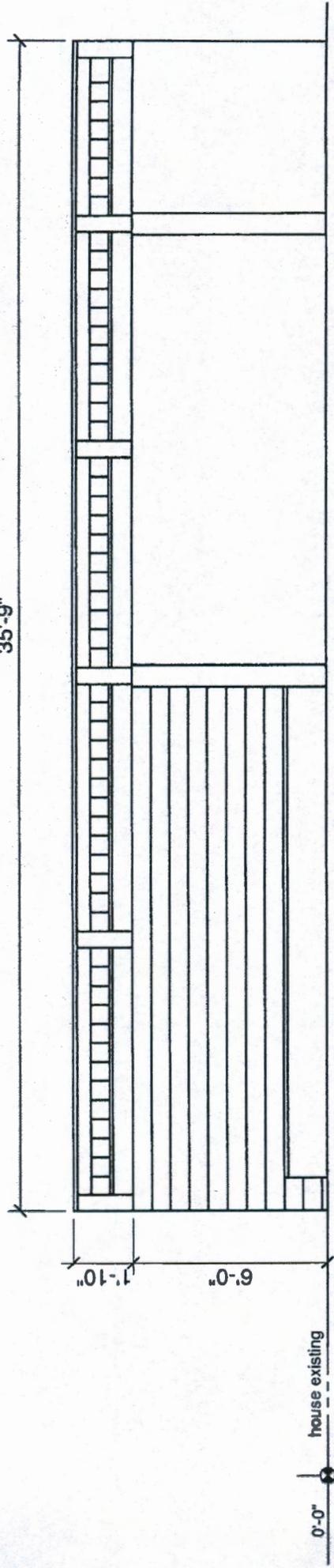
6'-0"

house existing

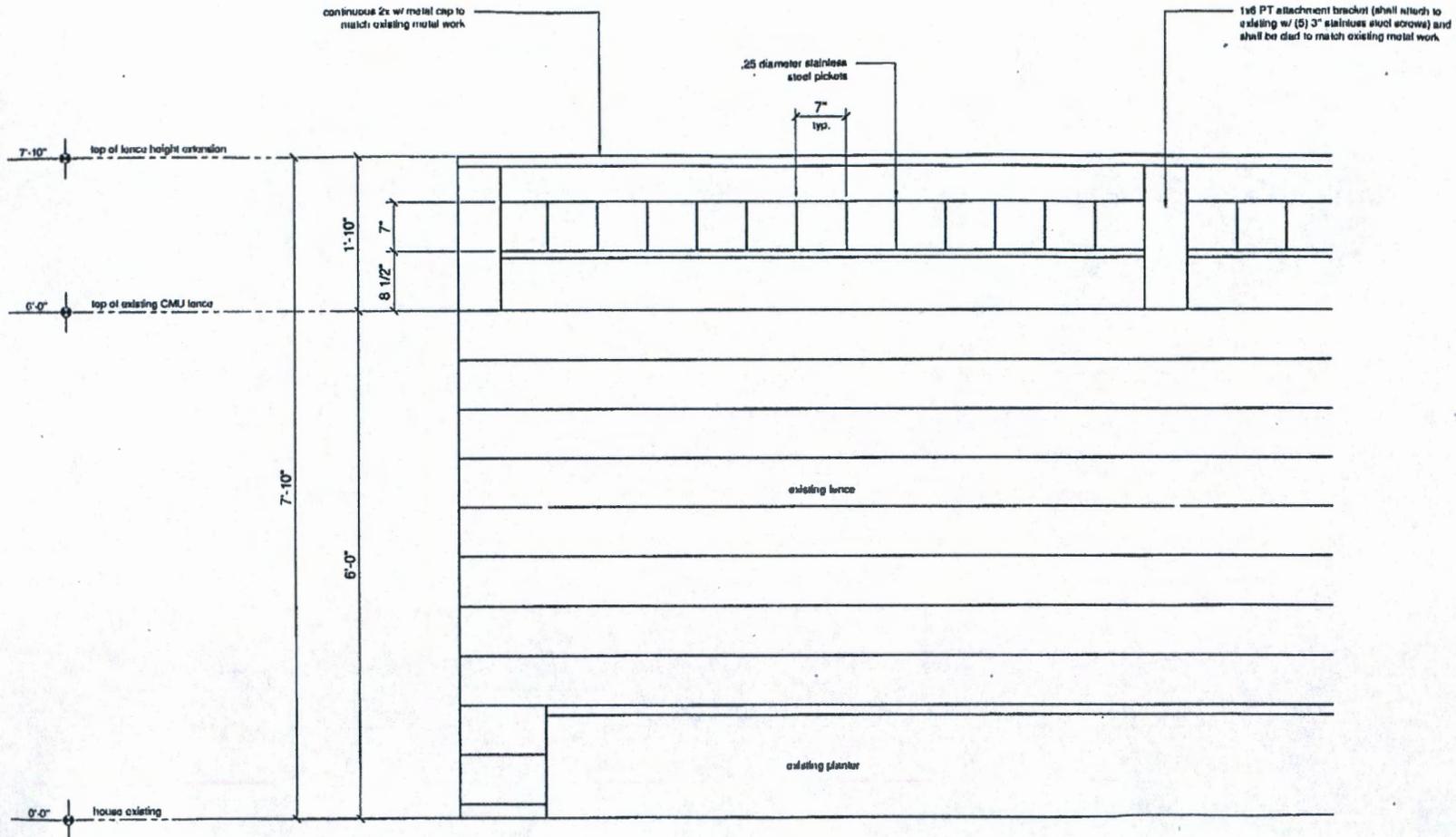
0'-0"

FENCE ELEVATION

SCALE: 1/4" = 1'-0"



2819 Moorid St 16-605



ENLARGED ELEVATION

SCALE: 1" = 1'-0"

FENCE HEIGHT EXTENSION CALCULATION

1'-10" X 35'-9" = 65.542 SF
 65.542 SF X 25% = 16.385 SF REQUIRED OPENING SF
 7' X 7' OPEN AREA = .31 SF X 56 SPACES = 16.8 SF PROVIDED OPENING SF

RECEIVED

AUG - 5 2016

PLANNING & DEVELOPMENT

FILE COPY

FENCE HEIGHT EXTENSION CALCULATION

1'-10" X 35'-9" = 65.542 SF

65.542 SF X 25% = 16.3855 SF REQUIRED OPENING SF

7" X 7" OPEN AREA = .31 SF X 56 SPACES = 16.8 SF PROVIDED OPENING SF

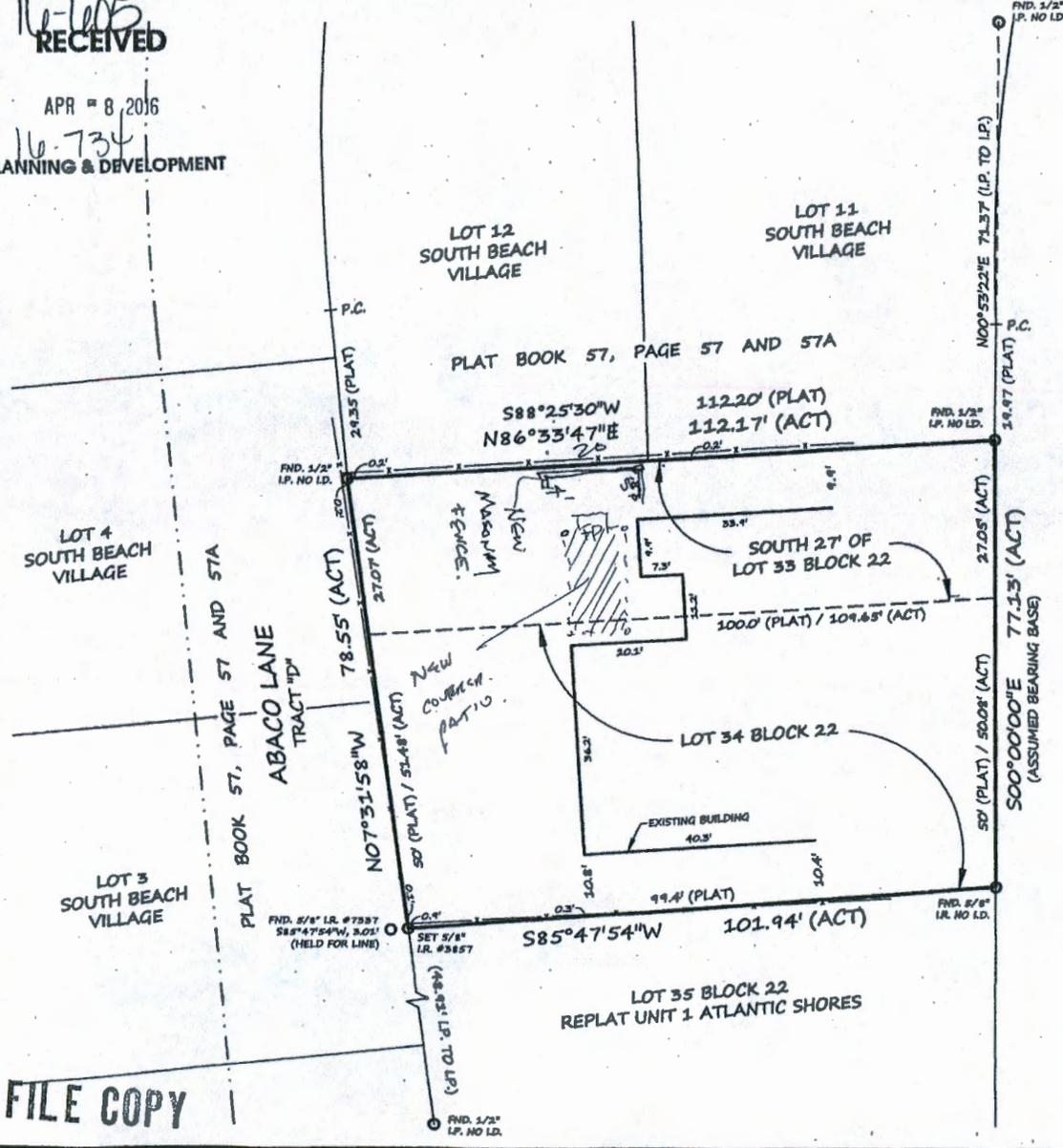
16-1615
RECEIVED

APR 8 2016

16-734
PLANNING & DEVELOPMENT

MAP SHOWING BOUNDARY SURVEY OF LOT 34 TOGETHER WITH THE SOUTH 27 FEET OF LOT 33 BLOCK 22 AS SHOWN ON MAP OF REPLAT UNIT No.1 ATLANTIC SHORES AS RECORDED IN PLAT BOOK 14 PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.

CERTIFIED TO:
ONE ELEVEN CONSTRUCTION, LLC



MADRID STREET
(60' RIGHT OF WAY)
(50' RIGHT OF WAY PER PLAT)

NOTE:
THIS SURVEY DOES NOT DEPICT
ALL INTERNAL IMPROVEMENTS.

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.

ON FLOOD INSURANCE RATE MAP 0419H FOR THE CITY OF JACKSONVILLE, FLORIDA, DATED JUNE 03, 2013
THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN

ALL AMERICAN SURVEYORS OF FLORIDA, INC.
LAND SURVEYORS - 3751 SAN JOSE PLACE, SUITE 15 - JACKSONVILLE, FLORIDA, 32257 - 904/278-0088 - LICENSED LAND BUSINESS NO. 3857

Legend (T.P.) = TYPICAL (F.N.D.) = FOUND (CONC) = CONCRETE (MON) = MONUMENT (I.P.) = IRON PIPE (I.R.) = IRON ROD (CH) = CHORD (R) = RADIUS (ACT) = ACTUAL (DEED) = DEED (PLAT) = PLAT (RICAL) = RICAL (CEN) = CENTER LINE (R/W) = RIGHT-OF-WAY (FENCE) = FENCE (W) = WITNESS	P.R.M. = PERMANENT REFERENCE MONUMENT P.T. = POINT OF TANGENCY P.C. = POINT OF CURVE P.R.O. = POINT OF REVERSE CURVE P.C.D. = POINT OF COMPOUND CURVE B.R.L. = BUILDING RESTRICTION LINE F.P.M. = FLORIDA POWER & LIGHT A/C = AIR CONDITIONER I.D. = IDENTIFICATION N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM N.A.V.D. = NORTH AMERICAN VERTICAL DATUM P.I. = POINT OF INTERSECTION E.O.W. = 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 61017-6, FLORIDA STATUTES. SURVEY NOT VALID UNLESS EMBOSSED BY SEAL JAMES D. HARRISON, JR., No. 2847 BOB L. FIDMAN, No. 4827 SCALE 1"=20' DATE 04-01-18 FLORIDA REGISTERED SURVEYOR AND MAPPER	<p>ALL AMERICAN SURVEYORS OF FLORIDA, INC.</p>
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FILE COPY

May 17, 2017

Timothy S. Franklin, Esp.
Franklin Legal, PL
60 Ocean Boulevard, Suite 10
Atlantic Beach, FL 32233

RE: Case Number: **BOA# 17-100089**
Case Location: 2818 Madrid Street
Public Hearing: **Tuesday, June 6, 2017**

Dear Mr. Franklin,

The Jacksonville Beach Planning and Development Department has received and processed your request to appeal the Planning and Development Director's Interpretation of Article VIII, Site Plan Development Standards, Section 34-406(b)(4)b., "fence height restrictions" as it applies to the approval of a fence permit application, (Permit No. 16-605) for **property located** at 2818 Madrid Street, **legally described** as Lot 34 and the South 27 feet of Lot 33, Block 22, *Unit 1-Atlantic Shores*.

The Board of Adjustment for the City of Jacksonville Beach will meet and hold a public hearing on the date listed above at **7:00 p.m.** in the **Council Chambers**, located at **11 North 3rd Street**, Jacksonville Beach, to consider this application.

Please find enclosed the filing fee receipt for your application. If you have any questions, please contact our office at (904) 247-6231.

Sincerely,



Catherine Martinich
Permit Specialist

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

