



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, June 20, 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 None

CORRESPONDENCE

OLD BUSINESS

- a. **Case Number:** **BOA 17-100025**
- Applicant: Richard W. Whithers, Attorney for Owner
- Owner: Hasteh, LLC
- Property Address: 1198 Beach Boulevard
- Parcel ID: 177502-0050
- Current Zoning: C-2
- Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-343(e)(5), for 97% lot coverage in lieu of 85% maximum; to allow construction of a new commercial building, for property **legally described** as Part of Castro Y Ferrer Grant, Sec. 38, Township 2S, Range 29E.
- Miscellaneous Info: One previous variance request (BOA# 16-100040) and one conditional use application (PC# 28-16).

Notes:

NEW BUSINESS

- a. **Case Number:** **BOA 17-100069**
- Applicant/Owner: Connie Rifkin
- Property Address: 406 North 11th Street
- Parcel ID: 177676-0000
- Current Zoning: RS-1
- Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-336 for a rear yard setback of 11.4 feet, in lieu of 30 feet required; to allow an addition to an existing single-family dwelling for property **legally described** as Lot 27, Block 1, *Pine Grove Unit No. One*.
- Miscellaneous Info: No previous variance requests.

Notes:

b. Case Number: BOA 17-100078

Applicant/Owner: JWB Real Estate Capital

Agent: Curtis Hart

Property Address: 1010 North 2nd Avenue

Parcel ID: 177307-0000

Current Zoning: RM-1

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)h., for an accessory structure setback of 1 foot, in lieu of 5 feet required; 34-373(d), for vehicular use area of 1 foot, in lieu of 5 feet required; to allow construction of a 6-unit townhouse structure, for property **legally described** as *A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida.*

Miscellaneous Info: One previous conditional use request (PC# 4-17).

Notes:

c. Case Number: BOA 17-100079

Applicant/Owner: Marilyn Pierce

Agent: Alex Sifakis

Property Address: 1304 North 1st Avenue

Parcel ID: 177880-0000

Current Zoning: C-2

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-339(e)(4)h., for an accessory structure setback of 0 feet, in lieu of 5 feet required; 34-373(d), for vehicular use area setback of 1 foot, in lieu of 5 feet required; to allow construction of a new three-unit townhouse structure, for property **legally described** as *Lot 10, Pine Grove Unit 3.*

Miscellaneous Info: Two previous conditional use requests (PC# 5-17 and PC# 10-17).

Notes:

d. Case Number: BOA 17-100080

Applicant/Owner: BCEL 5 LLC

Agent: Curtis Hart

Property Address: 333 and 335 South 5th Avenue

Parcel ID: 175899-0000 and 175900-0000

Current Zoning: C-1

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)h., for an accessory structure setback of 0 feet, in lieu of 5 feet required; 34-373(d), for vehicular use area setbacks of 1.5 feet, in lieu of 5 feet required; to allow construction of a five-unit townhome structure, for **legally described** as Lot 7 and 8, Block 44, *Pablo Beach South*.

Miscellaneous Info: Two previous variance requests (BOA# 16-100199 and BOA# 16-100208), and three previous conditional use applications (PC# 36-16, PC# 6-17, PC# 13-16 and one concept plat PC# 14-17).

Notes:

e. Case Number: BOA 17-100081

Applicant/Owner: BCEL 5 LLC

Agent: Curtis Hart

Property Address: 1224 and 1236 North 1st Avenue

Parcel ID: 177878-0000 and 177879-0000

Current Zoning: C-2

Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-339(e)(4)h., for an accessory structure setback of 0 feet, in lieu of 5 feet required; 34-373(d), for vehicular use area setbacks of 1 foot, in lieu of 5 feet required; to allow construction of a new six-unit townhouse structure, for property **legally described** as Lots 8 and 9, Block 44, *Pine Grove Unit Three*.

Miscellaneous Info: One previous variance request (BOA#13-143), three previous conditional use applications (PC#04-97, PC#23-13, 2PC#7-15), and two concept plat applications (#32-15, PC#13-17).

Notes:

- f. **Case Number:** BOA 17-100082
 Applicant/Owner: Hoose Homes and Investments, LLC
 Agent: Curtis Hart
 Property Address: 314 and 322 North 12th Avenue
 Parcel ID: 174617-0000 and 174616-0000
 Current Zoning: C-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-339(e)(4)h., for an accessory structure setbacks of 0 feet, in lieu of 5 feet required; 34-373(d), for vehicular use area setback of 0 feet, in lieu of 5 feet required; to allow construction of a five-unit townhouse structure, for property **legally described** as Lots 3, 4, Block 124, *Pablo Beach Improvement Company's Plat of Part of Northern Portion of Pablo Beach*.

 Miscellaneous Info: One previous variance request (BOA#05-100263), and three previous conditional use applications (PC#37-16, PC#1-17, PC#9-17).

Notes:

- g. **Case Number:** BOA 17-100083
 Applicant/Owner: Michael Murtagh
 Property Address: 1026 South 2nd Street, Unit B,
 Parcel ID: 176165-0200
 Current Zoning: C-1 *RM-2 Conditional Use per PC#06-02
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s)** 34-340(e)(4)c.3., for a rear yard setback of 11 feet in lieu of 30 feet required; 34-340(e)(4)e., for 82.3% Lot Coverage in lieu of 65% maximum; to allow a second story deck addition to the rear of an existing townhouse dwelling unit; for property **legally described** as South 16.25 feet of North 42.50 feet of Lots 11 and 12, Block 103, *Pablo Beach*.

 Miscellaneous Info: No previous variance requests, two previous conditional use applications (PC#02-97, PC#06-02).

Notes:

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Wednesday, July 5, 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.



APPLICATION FOR VARIANCE

BOA No. 17-100025
HEARING DATE 4-4-2017

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

FEB 13 2017

PLANNING & DEVELOPMENT

APPLICATION INFORMATION

Applicant Name: Richard W. Withers, attorney for Owner Telephone: (904) 242-9000
 Mailing Address: 6426 Bowden Road, Suite 201 E-Mail: richard.withers@msn.com
Jacksonville, Florida 32216

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

Landowner Name: Hasteh, LLC Telephone: (904) 242-9000
 Mailing Address: 6426 Bowden Road, Suite 201 E-Mail: lisa.anderson@ashcoinc.net
Jacksonville, Florida 32216

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

1198 Beach Blvd.

Street address of property and/or Real Estate Number: 0 Beach Boulevard / R-177502-0050
 Legal description of property (Attach copy of deed): Part of Castro Y Ferrer Grant, Sec.38, Township 2S, Range 29E
 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 Applicant requests a variance to allow 4% of pervious space in lieu of the 15% required under current code. This is an outparcel of the Beach Plaza Shopping Center which met all pervious space requirements when the shopping center was constructed in 1959. The area is currently a parking lot which is completely impervious and Applicant's proposed 4% pervious area will be consistent with the shopping center design while improving the ratio of pervious to impervious surfaces.

Applicant's Signature: *[Signature]* Date of Application: 2/13/2017
 Managing Member of Hasteh, LLC

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-2 FLOOD ZONE: X
 CODE SECTION (S): 34-343(e)(5) for 97% lot coverage, in lieu of 85% maximum, to allow construction of a new commercial building.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

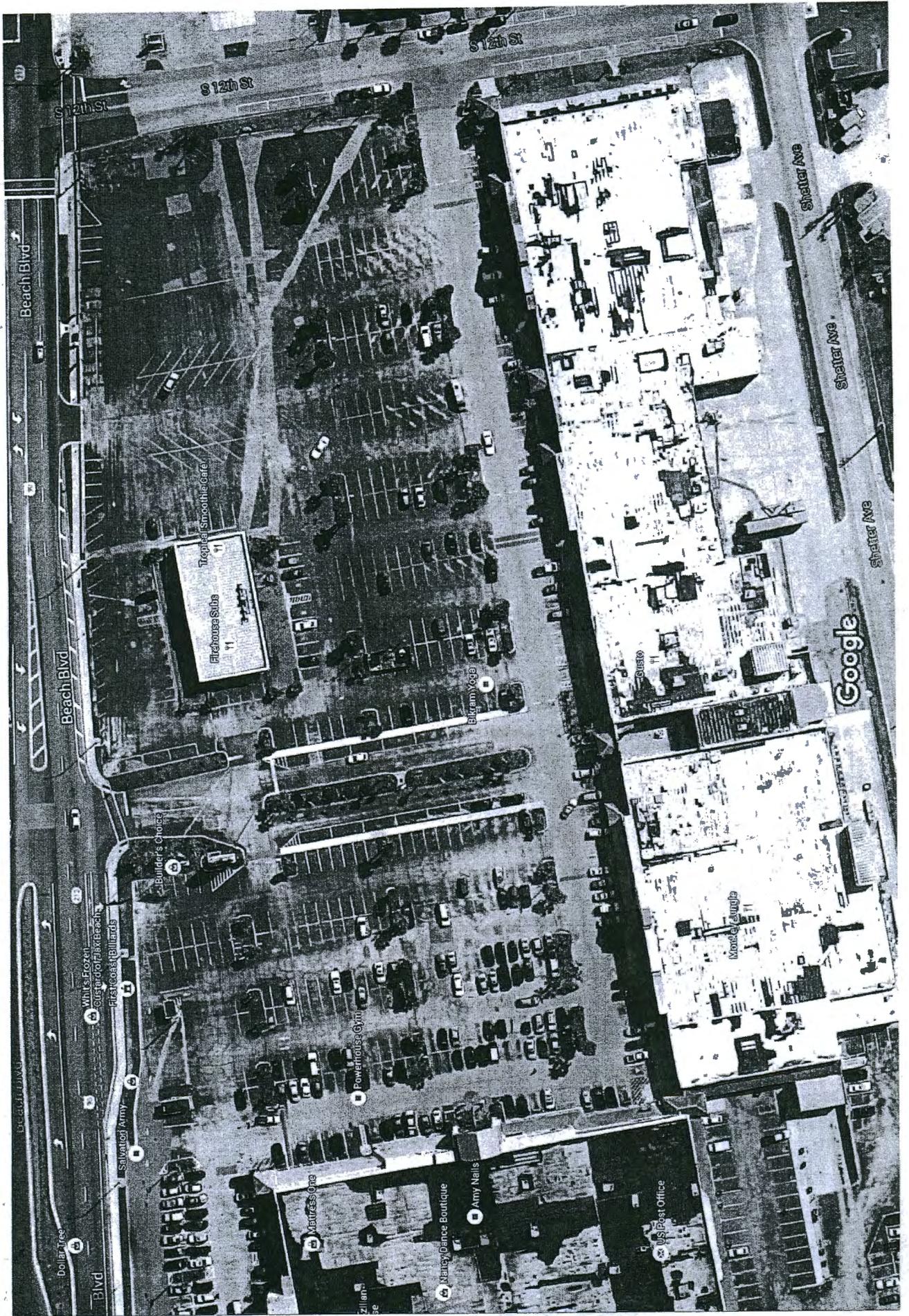
BOA No. 17-100025

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

FEB 13 2017

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	This is an outparcel of a shopping center approved and constructed in 1959. At the time of Owner's acquisition of the property, it met the applicable standards for pervious vs. impervious surface ratio.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	The Shopping Center, outparcel, parking spaces, landscaping and the FDOT Right-of-Way were all established before Applicant's client acquired the property in 1989. The owner's proposed use of the property is adversely affected by application of the current code.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	The existence of previously approved landscaping for the shopping center dating from 1959 creates a unique situation, similar to "grandfathering." The applicant's proposal will result in an improvement of the existing pervious vs. impervious surface ratio for the shopping center (4% vs. 0%).
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	The additional property required to meet the current 15% pervious surface requirement is in excess of the requirements for the rest of the shopping center and restricts the owner's use of the property. The owner has drawn plans for the outparcel construction based upon the 1959 approval and will cause the owner a hardship in redrawing plans and changing materials already ordered.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	Owner's attached site plan contemplates 4% pervious surface within the outparcel which will provide a higher ratio of pervious vs. impervious surface area.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	The goals of the City of Jacksonville Beach include developing family friendly restaurants and specialty snack shops as contemplated on this outparcel. The City's tax base and the ratio of pervious vs. impervious surface will be improved by Owner's proposed use.



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17-100025
PLANNING & DEVELOPMENT

Prepared by and return to:
Michael S. Price, Esq.
Attorney at Law
Michael S. Price, P.A.
1905 Atlantic Boulevard
Jacksonville, FL 32207
904-396-4445
File Number: 06-041a

Parcel Identification No. 177502-0000

[Space Above This Line For Recording Data]

Warranty Deed
(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 11th day of July, 2006 between Edward Asburian and Roya Ashurian, husband and wife whose post office address is 3982 Alhambra Drive West, Jacksonville, FL 32207 of the County of Duval, State of Florida, grantor*, and Hasteh, LLC, a Florida limited liability company whose post office address is 3982 Alhambra Drive West, Jacksonville, FL 32207 of the County of Duval, State of Florida, grantee*,

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:

See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

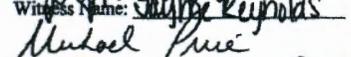
Subject to taxes for 2006 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

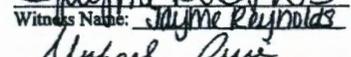
and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

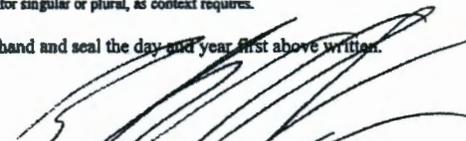
* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:


Witness Name: Jayne Reynolds

Witness Name: Michael Price


Witness Name: Jayne Reynolds

Witness Name: Michael Price


Edward Ashurian (Seal)


Roya Ashurian (Seal)

DoubleTime

State of Florida
County of Duval

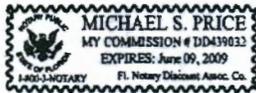
The foregoing instrument was acknowledged before me this 11th day of July, 2006 by Edward Ashurian and Roya Ashurian, who are personally known or have produced a driver's license as identification.

[Notary Seal]

Michael S. Price
Notary Public

Printed Name: _____

My Commission Expires: _____



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17-100025

PLANNING & DEVELOPMENT

EXHIBIT "A"
LEGAL DESCRIPTION

A PART OF THE CASTRO Y FERRER GRANT, SECTION 38, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, U.S. HIGHWAY 90, STATE ROAD 212 (A 200 FOOT RIGHT OF WAY AS NOW ESTABLISHED) WITH THE WESTERLY RIGHT OF WAY LINE OF TWELFTH (12th) STREET (A 70 FOOT RIGHT OF WAY AS DESCRIBED IN DEED BOOK 1174, PAGE 472 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY); THENCE SOUTH 08°12'40" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 95.90 FEET ; THENCE SOUTH 81°47'20" WEST, A DISTANCE OF 264.00 FEET; THENCE NORTH 08°12'40" WEST, A DISTANCE OF 131.44 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD; THENCE NORTH 89°27'20" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 266.38 FEET TO THE POINT OF BEGINNING.
CONTAINING 30,009 SQUARE FEET, MORE OR LESS.

PARCEL I.D. NO.: 177502-0000

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FEB 13 2017

17-100025

PLANNING & DEVELOPMENT

JACKSONVILLE BEACH

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL# 7012 2210 0002 4628 7268

April 20, 2016

Richard W. Withers
6426 Bowden Road, Suite 201
Jacksonville, FL 32216

RE: BOA# 16-100040
1198 Beach Boulevard
(part of Castro y Ferrer Grant)

Dear Mr. Withers,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, April 19, 2016, to consider the above application for a variance from the requirements of the Land Development Code.

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

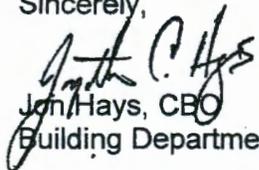
- 34-377, for 16 on-site parking spaces in lieu of 48 parking spaces

To allow for a new shopping center mixed use building.

The Board **Approved** the request as written.

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

Sincerely,


Jon Hays, CEO
Building Department

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



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9880

October 25, 2016

Mr. Richard Withers
6426 Bowden Road, Suite 201-A
Jacksonville, FL 32250

RE: **Planning Commission Case: PC# 28-16**
Conditional Use Application for outdoor seating at a new commercial shopping center, located at 1198 Beach Blvd.

Mr. Withers,

The City of Jacksonville Beach Planning Commission met on Monday, October 24, 2016 in Council Chambers to consider your **Conditional Use Application** for outdoor seating a new commercial shopping center located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code. The request was Approved.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,



Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



Richard Withers

From: Murray, Esther [Esther.Murray@dot.state.fl.us]
Sent: Wednesday, May 03, 2017 9:24 AM
To: Richard W. Withers
Subject: Beach Blvd and 12th St Landscaping
Attachments: SKM_C45817050210280.pdf

Mr. Richard:

The Permits Office has conceptually accepted the attached proposed landscape work. The permit approval and Maintenance Agreement are being drafted for final signatures.

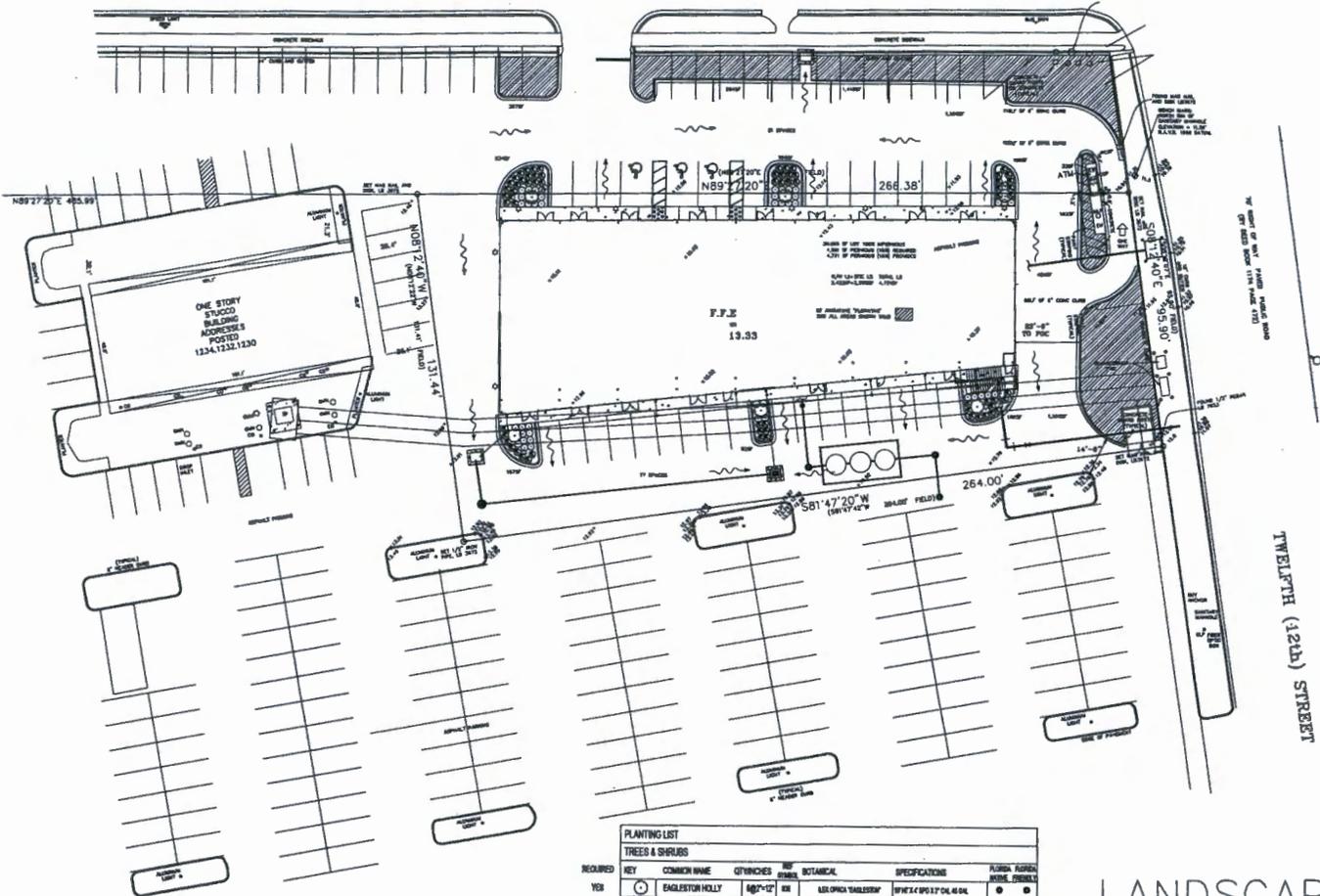
Thank you,

Esther Murray

Maintenance Manager – Permits
Florida Department of Transportation - District 2
838 Ellis Road South
Jacksonville, FL 32205
Phone: (904) 360-5348
Email: esther.murray@dot.state.fl.us

Keel & K. W. W. W.
 @ 4-4 BOA
 mby

BEACH BOULEVARD
 U. S. HIGHWAY 90 STATE ROAD 212
 50' RIGHT OF WAY PAVED PUBLIC HIGHWAY



PLANTING LIST						
TREES & SHRUBS						
REQUIRED	KEY	COMMON NAME	QTY	SPACING	BOTANICAL	PLANTING
YES	⊙	ENGLISTON HOLLY	80	12'	ILEX CORNUTA 'SMALLER'	18" x 18" @ 12' O.C. @ 80%
	⊙	UNBLENDED PITTOSPORUM	42	12'	PITTOSPORUM UNBLENDED	24" x 24" @ 12' O.C. @ 80%
	⊙	SCHELLING PALM	18	12'	ALZHOVIA PALM	18" x 18" @ 12' O.C. @ 80%
	⊙	ST AUGUSTINE PLANTAIN	3	20'	ST AUGUSTINE PLANTAIN	FRESH CUT - PALLET

LANDSCAPE PLANS

GRAPHIC SCALE 0 20 40 60 80 100



WG Pitts Company
 9250 Baymeadows Road, Suite 350
 Jacksonville, FL 32256
 904-280-3499
 #A28002233
 www.wgpitts.com

ALL DIMENSIONS AND SPACING MEASUREMENTS, UNLESS OTHERWISE SPECIFIED, ARE TO FACE UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND SPACING MEASUREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND SPACING MEASUREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND SPACING MEASUREMENTS.



ASHCO, INC.
 6428 BOWEN ROAD, SUITE 201
 JACKSONVILLE, FL 32216
 904-242-9000
 www.ashco.com

BEACH PLAZA OUTPARCEL
 JACKSONVILLE BEACH, FL 32250

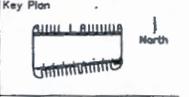
Project Directory
 ARCHITECT
 Gerkin Design, LLC
 Bruce Gerkin, Sr.
 P.O. Box 390207
 Jacksonville, FL 32235
 bruce@gerkindesign.com
 904-818-7181

STRUCTURAL & MEP ENGINEER
 Lee J. Engineering, Inc.
 Joe Lee, P.E.
 10381 Cypress Lakes Dr.
 Jacksonville, FL 32256-3645
 joe@leejengineering.com
 904-319-1934

CIVIL ENGINEER
 CSI Engineering, Inc.
 All Rights, P.E.
 2384 St. Johns Bluff Road S.
 Jacksonville, FL 32246
 allrights@csie.com
 904-541-1834

TRAFFIC ENGINEER
 Chindor Traffic Solutions, Inc.
 Rajesh Ramn K. Chindor, P.E., PTOE
 8515 Baymeadows Way, Suite 401
 Jacksonville, FL 32256
 chindor@csie.com
 904-422-8923

LANDSCAPE ARCHITECT
 WG Pitts Company
 Gary R. Crumley, ASLA
 9250 Baymeadows Road, Suite 350
 Jacksonville, FL 32256
 gcrumley@wgpitts.com
 904-404-8819



Drawing Issue
 PERMIT DRAWING

No.	Date	Description

Drawing Title
 LANDSCAPE PLANS

Job No. 18A088
 File: 18A088_L1.2
 Scale: As Indicated
 Date: 3-14-2017

L-1.2

BZA 16-90

3-6-90

APPLICATION FOR VARIANCE

Chairman Board of Adjustment
City of Jacksonville Beach
15 North 3rd Street
Jacksonville Beach, Florida 32250

ZONING DISTRICT C-2

Dear Sir:

I, EDWARD ASH of ASHMAN

_____ having a identifiable financial
interest in real property located at SOUTHSIDE OF BEACH BLVD.
BETWEEN PENMAN RD
SHEPHERD AVE. & 12TH ST., Jacksonville Beach, FL, legally described
as SEE ATTACHED EXHIBIT "A"

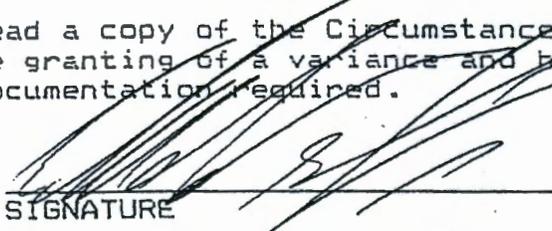
request a variance from the provisions of Sec. (s) 34-18.04

of the Zoning Ordinance to wit: TO BE ABLE TO REMODEL
THE EXISTING SHOPPING CENTER AS SHOWN ON
THE SITE PLAN. - On site parking - see attached
for variances A, B, C

The reason for my request is: THIS WOULD ALLOW FOR THE
ENHANCEMENT OF THE FACILITY BY PROVIDING LANDSCAPING
AND THE REQUIRED PARKING.

I have received and read a copy of the Circumstances and Condi-
tions required for the granting of a variance and have appended
to this request the documentation required.

27 / 1990
DATE

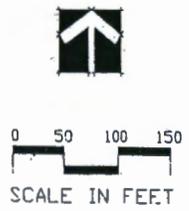
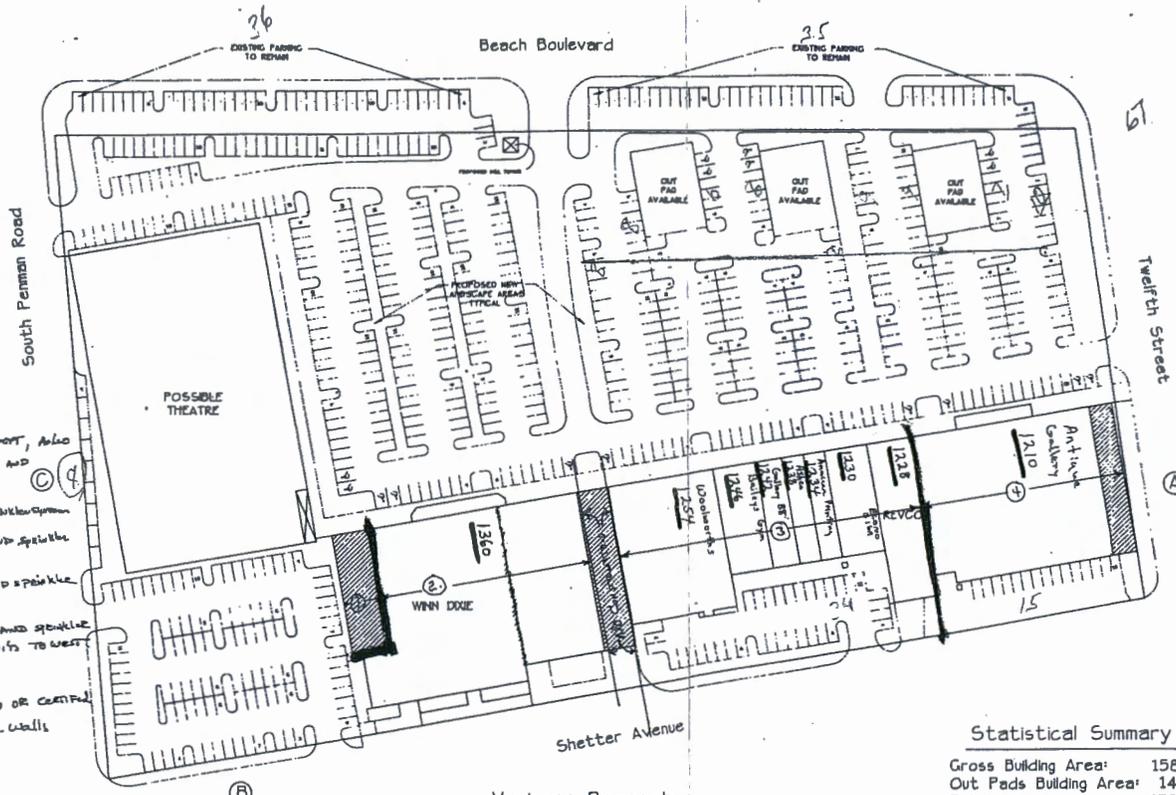

SIGNATURE

2496000
PHONE #

- Attachments: (1) Proof of ownership or financial interest.
(2) Property survey or dimensioned drawing, scale
1" = 10' indicating requesting variances.
(3) Plan to scale of the proposed structures/con-
struction.

RECEIVED

JUN - 7 2017



- 1/25/70 Spoke To Curtis Thebert, Also R. Spinkler Systems and Electrical Reviews
- ① New Electrical Service and substation
 - ② Existing Electrical service and sprinkler system
 - ③ New Electrical service and sprinkler system
 - ④ Expand Electrical system and sprinkler system to cover new units to west
- Walls To be Up GRABED OR CEILING TO be Four Hour FIRE walls

Variance Requests

- ① REQUEST TO REDUCE BUILDING SETBACK FROM REQUIRED 10 FT. TO 0 FT. FOR NEW BUILDING ADDITION.
- ② REQUEST TO REDUCE REQUIRED LANDSCAPE SETBACK FROM 10 FT. TO 0 FT. FOR EXISTING PARKING LOT.
- ③ REQUEST TO REDUCE REQUIRED LANDSCAPE SETBACK FROM 10 FT. TO 0 FT. FOR PROPOSED NEW PARALLEL PARKING.

Note: This site plan is for the purpose of soliciting specific variance requests. Actual parking lot layout and out parcel configuration is subject to change. The final site plan and any changes made shall be subject to the review and approval of the City of Jacksonville Beach.

Statistical Summary

Gross Building Area: 158,689 sf.
 Out Pads Building Area: 14,400 sf.
 Total: 173,089 sf.

Parking Required: 4 sp/ 1000 sf. = 693 Spaces
 Parking Provided: 706 Spaces

Building Additions

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:
SCALE:	REVISIONS:
NO.	
Preliminary Site Plan	
JM ESPOSITO & ASSOCIATES	
Plaza Beach Shopping Center	
RECEIVED JUN 7 2017	
PLANNING & DEVELOPMENT	
PROJ. NO.	8949
SHEET NO.	



APPLICATION FOR VARIANCE

BOA No. 17-100069

HEARING DATE June 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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APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Connie Rifkin Telephone: 904-484-8107
 Mailing Address: 406 11th St N E-Mail: ConnieRifkin@comcast.net
Jax Beach FL 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

Street address of property and/or Real Estate Number: 406 11th St N Jax Beach FL 32250
 Legal description of property (Attach copy of deed): Lot 27, Block 1 Pine Grove I
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Building a guest place for aging parents.

Applicant's Signature: [Signature] Date of Application: 4/18/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X
 CODE SECTION(S): 3A-336 for a rear yard setback of 11.4', in lieu of 30' required to allow an addition to an existing single-family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100069

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	RECEIVED APR 18 2017
Special circumstances and conditions do not result from the actions of the applicant.	NO	PLANNING & DEVELOPMENT
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	NO	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	Minimum to complete project
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	

4Prepared by and return to:
Carol Reynolds
Ponte Vedra Title, LLC
50 A1A North, Suite 108
Ponte Vedra Beach, FL 32082

File Number: PVT140040

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APR 18 2017

(Space Above This Line For Recording Data)

17-100069

PLANNING & DEVELOPMENT

Warranty Deed

This Warranty Deed made this 29th day of May, 2014, between **Brenda K. Heverin, an unmarried woman** whose post office address is **P.O. Box 2202, West Yellowstone, MT 59758**, grantor, and **David Rifkin and Connie Rifkin, husband and wife, as joint tenants with rights of survivorship** whose post office address is **406 11th Street 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 27, Block 1, PINE GROVE UNIT NO. ONE, a subdivision according to the plat thereof recorded at Plat Book 16, Page 65, in the Public Records of Duval County, Florida.

Parcel Identification Number: 1776760000

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.

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

Signed, sealed and delivered in our presence:

Witness (sign and print name)

[Signature]
Witness 1 Signature

Toby WETTER
Witness 1 Printed Name

[Signature]
Witness 2 Signature

Randy Robinson
Witness 2 Printed Name

Sign Here Brenda K. Heverin
Brenda K. Heverin

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APR 18 2017
17-100069

PLANNING & DEVELOPMENT

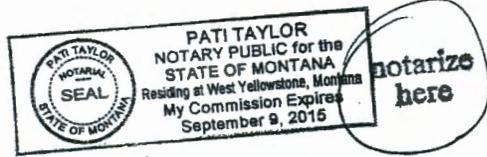
State of ~~Florida~~ MONTANA
County of ~~St. Johns~~ GALLATIEN

The foregoing instrument was acknowledged before me this 29th day of May, 2014, by **Brenda K. Heverin, an unmarried woman**, she () is personally known to me or (X) has produced a valid Driver's License as identification.

[Signature]
Notary Public

Printed Name: PATI TAYLOR

My Commission Expires: 9/9/15



BOA# 17-100067

Current

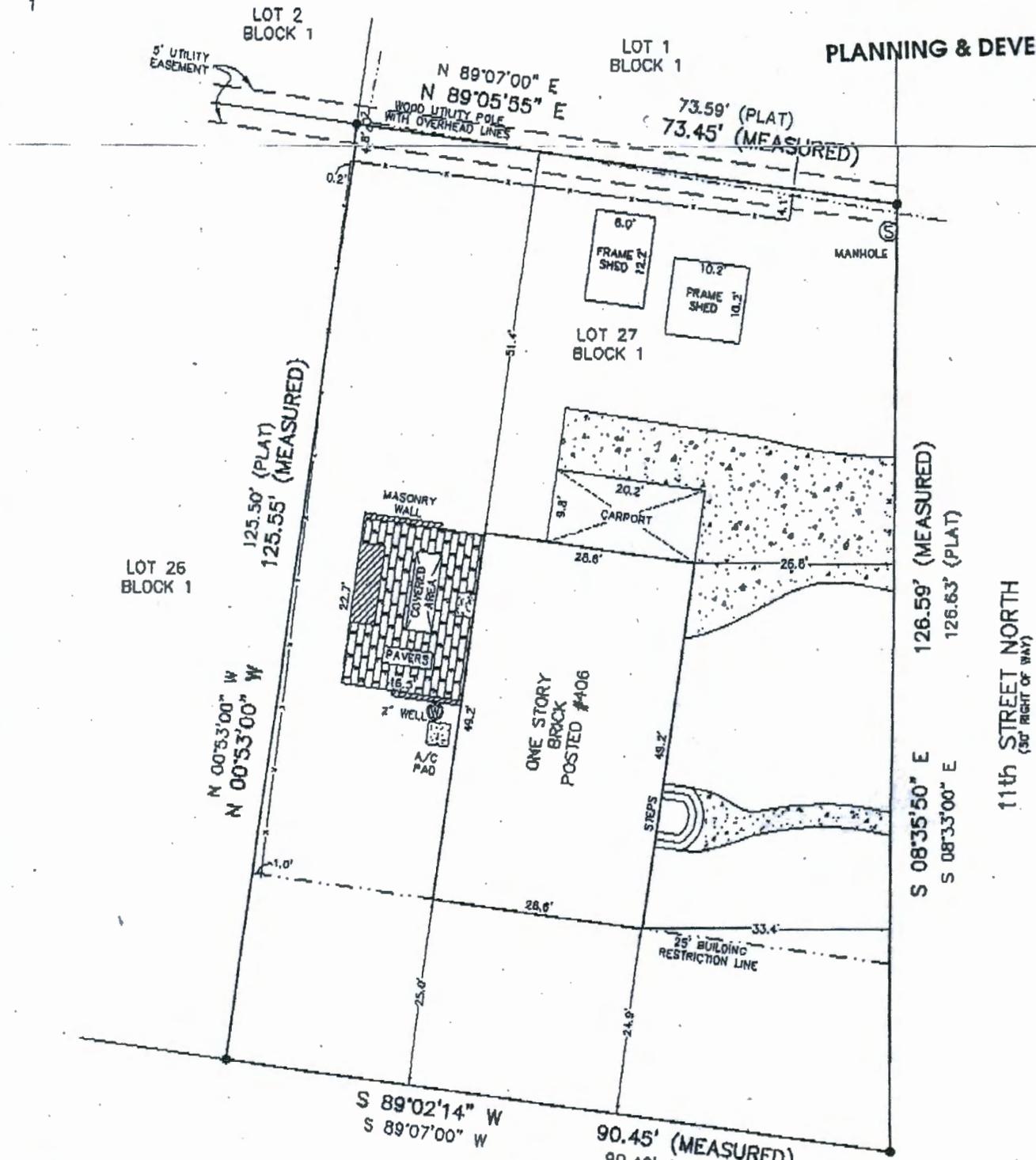
MAP SHOWING BOUNDARY SURVEY OF
 LOT 27, BLOCK 1, PINE GROVE UNIT No. ONE, AS RECORDED IN PLAT BOOK 18,
 PAGE 65, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 CONNIE RIFKIN

RECEIVED

MAY 18 2017

PLANNING & DEVELOPMENT



LEGEND:

- X- = FENCE
- (Symbol) = CONCRETE
- = SET 1/2" REBAR STAMPED P3M65146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 6"x6" CONCRETE MONUMENT
- A/C = AIR CONDITIONER

- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE

NOTES:

1. BEARINGS ARE BASED ON THE PLAT BEARING OF $N 00^{\circ}53'00'' W$ ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X", AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120078, PANEL 0117-H.
3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS	
DATE	DESCRIPTION
05-11-17	UPDATE

JOB # 24626-A DATE OF FIELD SURVEY: 05-20-14 SCALE: 1" = 20'



Ray Thompson SURVEYING, Inc.
 Going the DISTANCE for You
 1825 University Boulevard West
 Jacksonville, Florida 32217
 (Phone) 904-448-5126
 (Fax) 904-448-5178

CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS AND CRITERIA SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 34-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 480.07, FLORIDA STATUTES.

Raymond Thompson
 RAYMOND THOMPSON
 REGISTERED SURVEYOR ABEATRAPPER 5146 STATE OF FLORIDA
 LICENSE BUSINESS NO. 7489

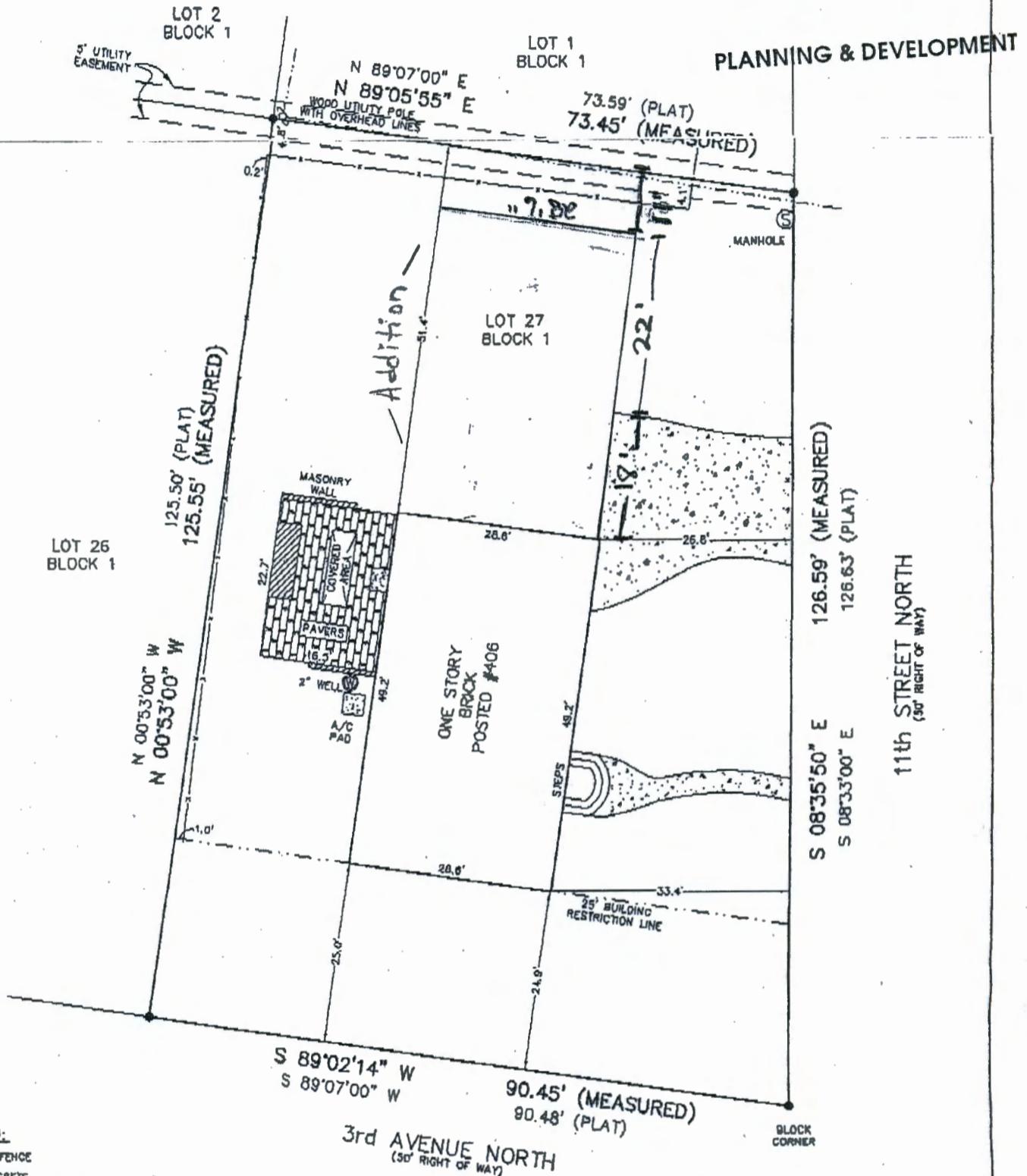
MAP SHOWING BOUNDARY SURVEY OF
 LOT 27, BLOCK 1, PINE GROVE UNIT No. ONE, AS RECORDED IN PLAT BOOK 16,
 PAGE 65, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

Proposed

CERTIFIED TO:
 CONNIE RIFKIN

RECEIVED

MAY 18 2017



LEGEND:

- X— = FENCE
- = CONCRETE
- = SET 1/2" REBAR STAMPED PSM#5146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER

- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE

NOTES:

1. BEARINGS ARE BASED ON THE PLAT BEARING OF N 00°53'00" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X", AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED JUNE 3, 2013, COMMUNITY NUMBER 120078, PANEL 0117-H.
3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS

DATE	DESCRIPTION
05-11-17	UPDATE

JOB # 24626-A DATE OF FIELD SURVEY: 05-20-14

SCALE: 1" = 20'



Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

1825 University Boulevard West
 Jacksonville, Florida 32217
 (Phone) 904-448-5125
 (Fax) 904-448-5178

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS PRESCRIBED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 48-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 480.07, FLORIDA STATUTES.

Raymond Thompson
 RAYMOND THOMPSON
 REGISTERED SURVEYOR AND MAPPER 55146 STATE OF FLORIDA
 LICENSE BUSINESS # 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

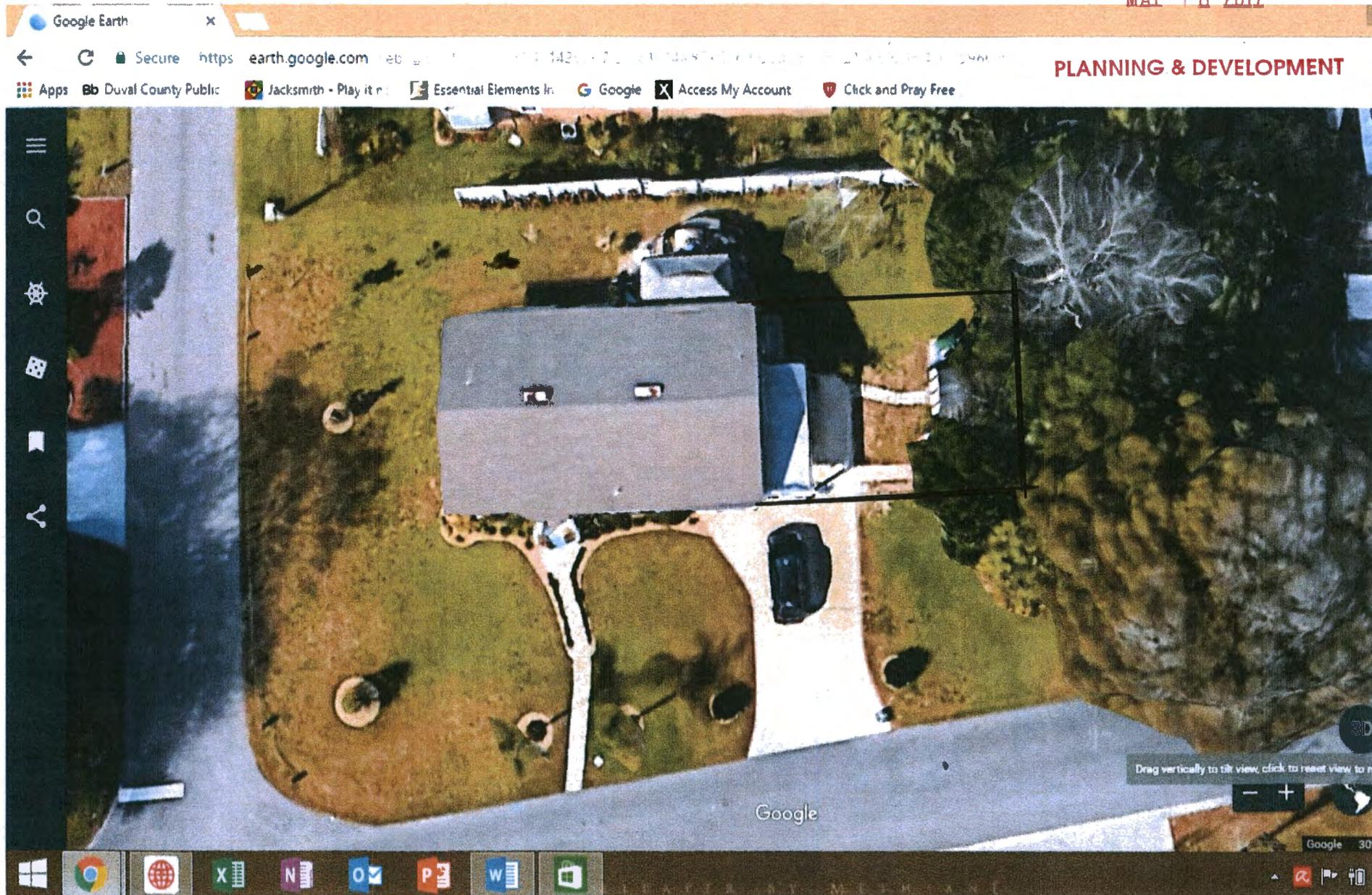
SUBDIVISIONS

BOA# 17-100069

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PLANNING & DEVELOPMENT





APPLICATION FOR VARIANCE

BOA No. 17-100078
HEARING DATE 6-20-17

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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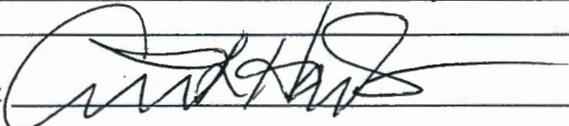
APPLICATION INFORMATION

Applicant Name: JWB Real Estate Capital Telephone: 904-677-6777
Mailing Address: 7563 Philips Hwy Ste 109 MAY 4 2017 E-Mail: alex@jwbcompanies.com
Jacksonville, FL 32256
Agent Name: Curtis Hart PLANNING & DEVELOPMENT Telephone: 904-993-5008
Mailing Address: 8051 Tara Lane E-Mail: curtishart1972@att.net
Jacksonville, FL 32216
Landowner Name: JWB Real Estate Capital Telephone: _____
Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 1010 2nd Ave North - Re# 177307-0000
Legal description of property (Attach copy of deed): See Attached
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 application of the LDC code creates a hardship by not allowing a two car garage. We are asking for relief from the code so we can provide additional parking in order to alleviate any parking issues. We are asking for a variance from 5' to 1' on the driveways for units 2-6 in order to provide additional parking.

Applicant's Signature:  Date of Application: 5-3-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: BM-1 FLOOD ZONE: _____
CODE SECTION (S): 34-339(e)(4) h. for an accessory structure setback of 1', in lieu of 5' required; 34-373(d) for vehicular use area of 1', in lieu of 5' required to allow construction of a 6-unit townhouse structure.

Ref PC# 4-17, Conceptual Plat approval

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100078

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	Multifamily is a permitted use in RM-1. In order to alleviate any parking issues we are asking for a variance from 5' to 1' on our driveway to provide additional parking.
Special circumstances and conditions do not result from the actions of the applicant.	yes	The shape of the property constrains the layout. RECEIVED MAY - 4 2017 PLANNING & DEVELOPMENT
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	yes	This is a permitted use and allowing two extra parking spaces benefits the public and surrounding neighborhood.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	We are conforming as closely to the code as possible and only asking for additional parking for each unit.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	This is the minimum variance necessary to provide relief.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	Granting this variance will allow two additional parking spaces per unit and will not adversely affect adjacent landowners.

Legal Description

PARCEL NO.1: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows:

For a point of reference commence at the Northwesterly corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet to the point of beginning; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 96.70 feet; thence South 11°18" East, parallel with said westerly right of way line of Tenth (10th) Street North, a distance of 114.72 feet; thence South 87°25'32" East, a distance of 78.24 feet; thence North 01°55' West, a distance of 119.31 feet to the point of beginning.

PARCEL NO.2: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows:

For a point of reference commence at the Northwesterly corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; and the point of beginning; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet; thence South 01°55' East, a distance of 119.31 feet; thence South 87°25'32" East, a distance of 76.35 feet to said Westerly right of way line of Tenth (10th) Street North; thence North 11°18" West, along said Westerly right of way line, a distance of 127.00 feet to the point of beginning.

Parcel Identification Number: 177307-0000

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MAY - 4 2017

PLANNING & DEVELOPMENT

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MAY - 4 2017

Prepared by and return to:

Ian R. McKillop, Esq.
Attorney at Law
McKillop Law Firm, P.L.
7563 Philips Hwy, Suite 101
Jacksonville, FL 32256
904-503-3893
File Number: 16-462

PLANNING & DEVELOPMENT

Consideration: \$389,500.00

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 11th day of July, 2016 between Terence R. Wirth, II, conveying nonhomestead property whose post office address is 1637 6th Ave N, Jacksonville Beach, FL 32250, grantor, and JWB Real Estate Capital, LLC, a Florida limited liability company whose post office address is 7563 Phillips Highway, Suite 109, Jacksonville, FL 32256, 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:

PARCEL NO.1: A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwesterly corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet to the point of beginning; thence continue South 88°05" West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 96.70 feet; thence South 11°18" East, parallel with said westerly right of way line of Tenth (10th) Street North, a distance of 114.72 feet; thence South 87°25'32" East, a distance of 78.24 feet; thence North 01°55' West, a distance of 119.31 feet to the point of beginning. **PARCEL NO. 2:** A part of Government Lot 3, Section 33, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference commence at the Northwesterly corner of Lot 6, Block 30, ATLANTIC PARK, as recorded in Plat Book 9, page 15 of the current public records of said county; thence South 88°05" West, along an Easterly projection of the Southerly right of way line of Second (2nd) Avenue North as now established as an 80 foot right of way, a distance of 50.69 feet to its intersection with the Westerly right of way line of Tenth (10th) Street North as now established as a 50 foot right of way; and the point of beginning; thence continue South 88°05' West, along said Southerly right of way line of Second (2nd) Avenue North, a distance of 55.37 feet; thence South 01°55' East, a distance of 119.31 feet; thence South 87°25'32" East, a distance of 76.35 feet to said Westerly right of way line of Tenth (10th) Street North; thence North 11°18" West, along said Westerly right of way line, a distance of 127.00 feet to the point of beginning.

Parcel Identification Number: 177307-0000

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 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 taxes accruing subsequent to December 31, 2015.

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

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Adrian Allen

[Signature] (Seal)
Terence R Wirth, II

[Signature]
Witness Name: Jan McKillop

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 11th day of July, 2016 by Terence R Wirth, II, who is personally known or has produced a driver's license as identification.

[Notary Seal]

[Signature]
Notary Public
Printed Name: Jan McKillop
My Commission Expires: 8-8-17



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MAY - 4 2017

PLANNING & DEVELOPMENT

EXHIBIT B

Agent Authorization

Date: _____

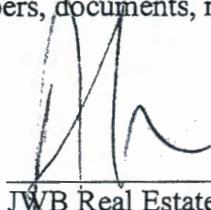
City of Jacksonville Beach
Planning and Development Department

Re: Agent Authorization for the following site location:

1010 2nd Ave North

Gentleman:

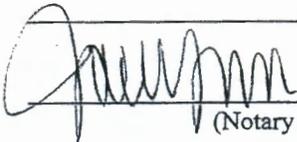
You are hereby advised that the undersigned is the owner of the property 1010 2nd Ave North. Said owner hereby authorizes and empowers Curtis L. Hart to act as agent to file application(s) for Variance for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.



JWB Real Estate Capital LLC.
Alex Sifakis

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 19 day of April, 2017 by ALEX SIFAKIS, who is personally known to me or has produced _____ as identification.



(Notary Signature)



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MAY - 4 2017

Page _____ of _____

PLANNING & DEVELOPMENT



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7565

February 28, 2017

Curtis Hart
8051 Tara Lane
Jacksonville, FL 32216

RE: Planning Commission Case: PC# 4-17
Concept Plat Application for a proposed six-unit townhouse development located in a *Residential, multiple family: RM-1* zoning district, located at 1010 2nd Avenue North.

Mr. Hart,

The City of Jacksonville Beach Planning Commission met on Monday, February 27, 2017 in Council Chambers to consider your client's **Concept Plat Application** for a proposed six-unit townhouse development located in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code. The request was **Approved**.

Pursuant to Section 34-504 of the Land Development Code, within one (1) year of receipt of a concept plan for plat, a development order for a development plan for plat shall be submitted pursuant to the procedures and standards of section 34-251 et seq., or the concept plan for plat shall become null and void.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

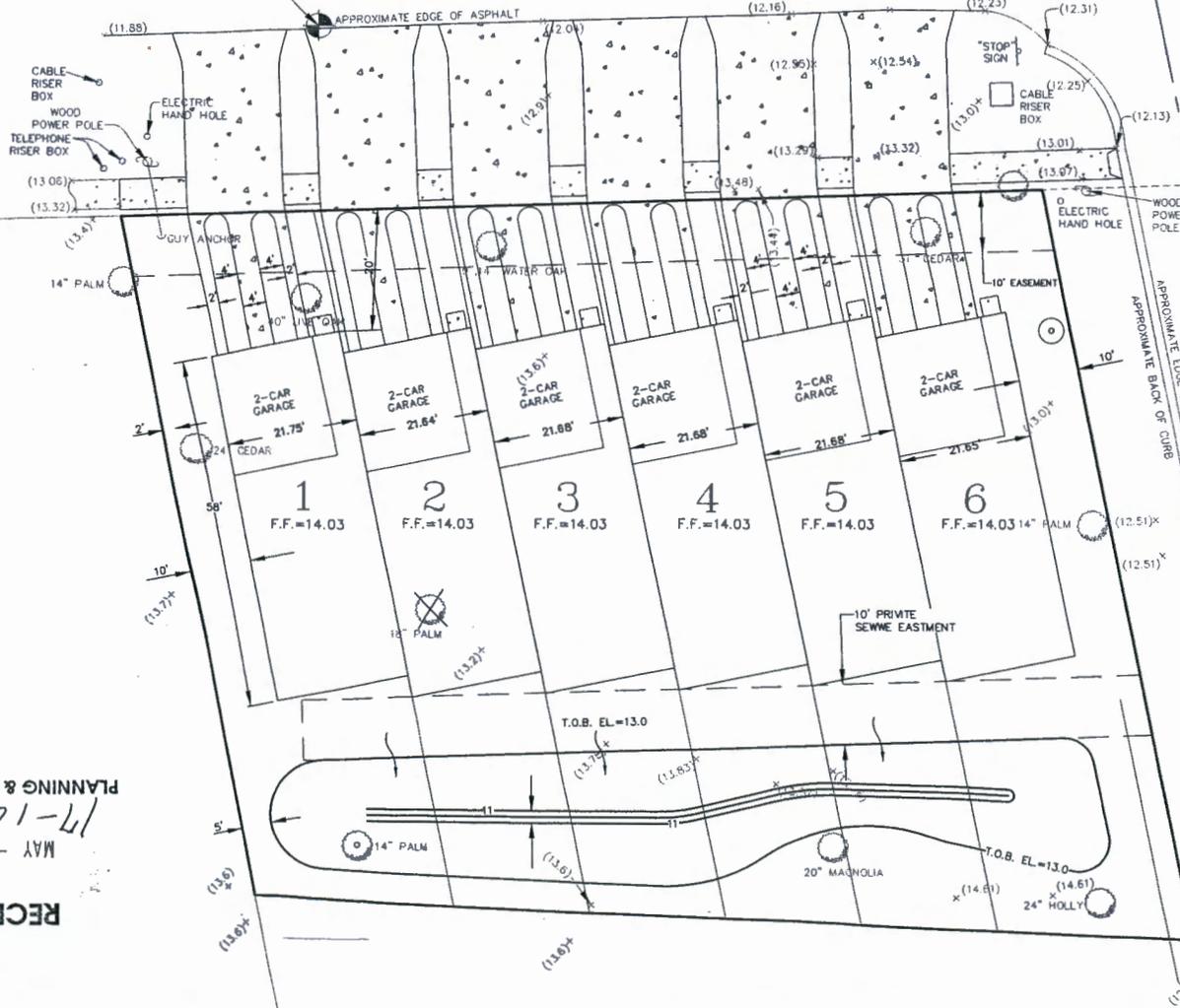
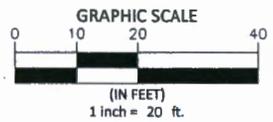
www.jacksonvillebeach.org



BENCHMARK:
SET NAIL & DISK #3857
ELEVATION: (12.07)

ELEVATIONS SHOWN
HEREON REFER TO NAVD
OF 1988

2ND AVENUE NORTH



1010 SECOND AVE.
NORTH
LAYOUT

NORTH FLORIDA ENGINEERING SERVICES, INC.
CERTIFICATION 20035
6432 Baymeadows Road, Suite 200, Jacksonville, FL 32209
Phone: 904.447.1000
FAX: 904.447.1000
E-MAIL: FAYRES@FAYRES.COM

DATE: 02/16/2017
JOB NUMBER: 16-008
SCALE: 1" = 20'

SHEET NUMBER
1

PLANNING & DEVELOPMENT

17-100078

MAY - 4 2017

RECEIVED

u:\projects\2016-16-0816\2016-16-0816-BIT-ENGINEERING\16-008.dwg Current Layout Tab = 11117 Thu Apr 20, 2017 - 12:39



APPLICATION FOR VARIANCE

BOA No. 17-100079

HEARING DATE 6-20-17

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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MAY - 9 2017

PLANNING & DEVELOPMENT

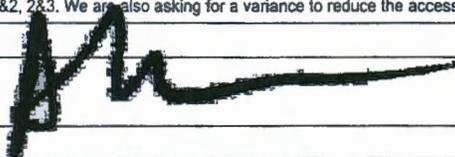
APPLICATION INFORMATION

Applicant Name: Marilyn Pierce Telephone: _____
 Mailing Address: 1304 North 1st Avenue E-Mail: _____
Jacksonville Beach, Florida 32250
 Agent Name: Alex Sifakis, JWB Construction Group Telephone: 904-677-6777
 Mailing Address: 7563 Philips Highway, Ste 109 E-Mail: alex@jwbcompanies.com
Jacksonville, Florida 32256
 Landowner Name: Marilyn Pierce Telephone: _____
 Mailing Address: 1304 North 1st Avenue E-Mail: _____
Jacksonville Beach, Florida 32250

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 1304 1st Ave North
 Legal description of property (Attach copy of deed): Ref# 177880-0000. See attached Legal and Deed.
 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 application of the LDC code creates a hardship by not allowing a two car garage and a patio for the enjoyment of the owner. We are asking for relief from the code so we can provide additional parking in order to alleviate any parking issues and a patio. We are asking for a variance to reduce the accessory structure setback from 5' to 1' on the driveways between units 1&2, 2&3. We are also asking for a variance to reduce the accessory structure setback from 5' to 0' on the patios between 2&3.

Applicant's Signature:  Date of Application: 5/8/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-2 FLOOD ZONE: X
 CODE SECTION (S): 34-339(e)(4)h. for an accessory structure setback of 0' in lieu of 5' required; 34-373(d) for vehicular use area setback of 1' in lieu of 5' required, to allow construction of a new three-unit townhouse structure.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100079

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

RECEIVED

MAY - 9 2017

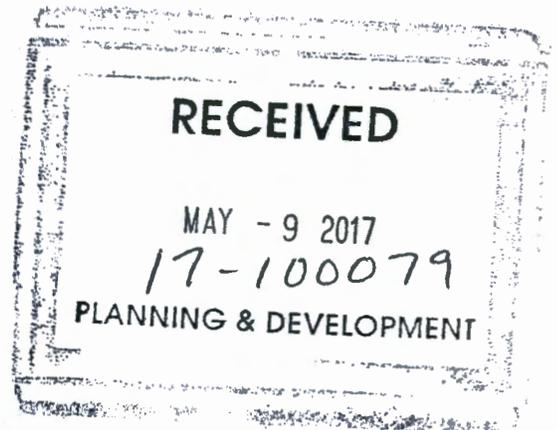
Section 34-286. Standards applicable to all variances. In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The property has a Conditional Use for RM-1 which permits multifamily. In order to provide a driveway to alleviate any parking issues and a patio, we need a variance to reduce the required 5' setback to 1' on driveways between 1&2, 2&3 and reduction from 5' to 0' on patios between 2&3.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Multifamily dwellings of any layout would require a variance for the driveway and patios because Jacksonville Beach policies defines a driveway and patio as an accessory structure.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This would not be a special privilege and is a permitted use and allowing two extra parking spaces and a patio would benefit the public and surrounding neighborhood.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	We are conforming as closely to the code as possible and only asking for additional parking for each unit and a patio for enjoyment.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is the minimum variance necessary to provide relief.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting this variance will meet the purposes, goals, objectives, and policies of the code by providing two additional parking spaces and a patio and will not adversely affect adjacent landowners.

LEGAL DESCRIPTION

LOT 10, PINE GROVE UNIT 3, ACCORDING TO PLAT THEREOF AS RECORDED IN
PLAT BOOK 16, PAGE 94, OF THE CRRENT PUBLIC RECORDS OF DUVAL COUNTY,
FLORIDA.



OFFICIAL RECORDS

THIS INSTRUMENT PREPARED BY:
Barbara J. Lamb
Law Offices of Keith Watson
372 36th Avenue South
Jacksonville Beach, Florida 32250

RECORD AND RETURN TO:
Marilyn Pierce Elna
1304 1st Avenue North
Jacksonville Beach, Florida 32250

RE PARCEL ID #: 177880-0000
BUYER'S TIN: 157-32-3509

FOR RECORDER
95 C 85-4

WARRANTY DEED

THIS WARRANTY DEED made this 20th day of August, 1993 by Ann E. Hamilton, a single woman, hereinafter called Grantor, and whose address is 417 PONTE VEDRA BLVD PONTE VEDRA BEACH, FL 32082 to Marilyn Pierce Elna, a single woman, hereinafter called Grantee and whose address is 1304 1st Avenue North, Jacksonville Beach, Florida 32250.

(Wherever used herein the term "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.)

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz:

Lot 10, PINE GROVE UNIT 3, according to plat thereof as recorded in Plat Book 16 page 94 of the current public records of Duval County, Florida.

RECORDED
MAY - 9 2017
17-100079
PLANNING & DEVELOPMENT

Documentary Tax Pd-F.S. 201.02 \$ 385.00
Documentary Tax Pd-F.S. 201.04 \$
Intangible Tax Pd-F.S. 199
Receipt # 714217
Henny W. Cook, Clerk of Circuit Court Duval County
by: [Signature] Deputy Clerk

SUBJECT TO taxes accruing subsequent to December 31, 1992.
SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.
TOGETHER with all the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining.

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

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Signature
BARBARA J. LAMB

[Signature]
Ann E. Hamilton

[Signature]
Witness Printed Signature
JO ANN WILKINS

Witness Printed Signature

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 20th day of August, 1993 by Ann E. Hamilton, a single woman who produced driver's license as identification and who did not take an oath.

Notary Public, State and County Aforesaid

[Signature]
Notary Signature
BARBARA J. LAMB

Notary Printed Signature



MY COMMISSION
EXPIRES 6-26-94

93-0107521
FILED AND RECORDED
IN PUBLIC RECORDS
OF DUVAL COUNTY FLA.

93 AUG 24 PM 1:51
RECORDED
[Signature]
CLERK OF CIRCUIT COURT

November 28, 2016
City of Jacksonville Beach
Planning and Development
City Hall, First Floor
11 North Third Street
Jacksonville Beach, FL 32250

Agent Authorization:

I, Marilyn Pierce, hereby authorize Alexander Sifakis, President of JWB Construction Group, to act as agent to file applications for conditional use and/or variances for the below referenced property of which I am the owner:

1304 N 1ST AVE, Jacksonville Beach FL 32250

RE #: 177880-0000

5-66 28-2S-29E

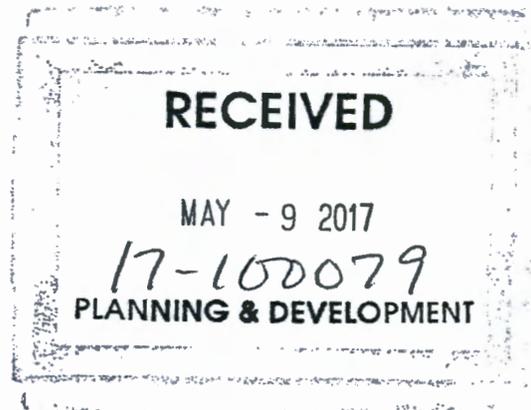
16-94 38-2S-29E .15
PINE GROVE UNIT 3 S/D
LOT 10

Sincerely,
Marilyn Pierce
State of Florida
County of Duval



The foregoing affidavit was sworn and subscribed before me on the 28 day of November 2016 by MARILYN PIERCE ELIA, who is personally known to me or has produced _____ as identification.

Lydia T. Langley
(Notary Signature)





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7664

April 11, 2017

Alex Sifakis, JWB Construction Group
7563 Philips Highway Suite 109
Jacksonville, FL 32256

RE: Planning Commission Case: PC# 10-17
Concept Plat Application for a proposed three-unit townhouse project,
located in a *Commercial, general: C-2* zoning district, located at 1304 1st
Avenue North.

Mr. Sifakis,

The City of Jacksonville Beach Planning Commission met on Monday, April 10, 2017 in Council Chambers to consider your **Concept Plat Application** for a proposed three-unit townhouse project, located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

The request was Approved.

Pursuant to Section 34-504 of the Land Development Code, within one (1) year of receipt of a concept plan for plat, a development order for a development plan for plat shall be submitted pursuant to the procedures and standards of section 34-251 et seq., or the concept plan for plat shall become null and void.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7558

February 28, 2017

Alex Sifakis, JWB Construction Group
7563 Philips Highway, Suite 109
Jacksonville, FL 32256

RE: **Planning Commission Case: PC# 5-17**
Conditional Use Application for multiple family residential for a three-unit townhouse, located in a *Commercial, general: C-2* zoning district, located at 1304 1st Avenue North.

Mr. Sifakis,

The City of Jacksonville Beach Planning Commission met on Monday, February 27, 2017 in Council Chambers to consider your **Conditional Use Application** for multiple family residential for a three-unit townhouse, located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code

The request was **Approved**.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,



Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



MAP SHOWING BOUNDARY SURVEY OF

LOT 10 BLOCK - AS SHOWN ON MAP OF
PINE GROVE UNIT 3

AS RECORDED IN PLAT BOOK 16 PAGES 94 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: JWB CONSTRUCTION GROUP

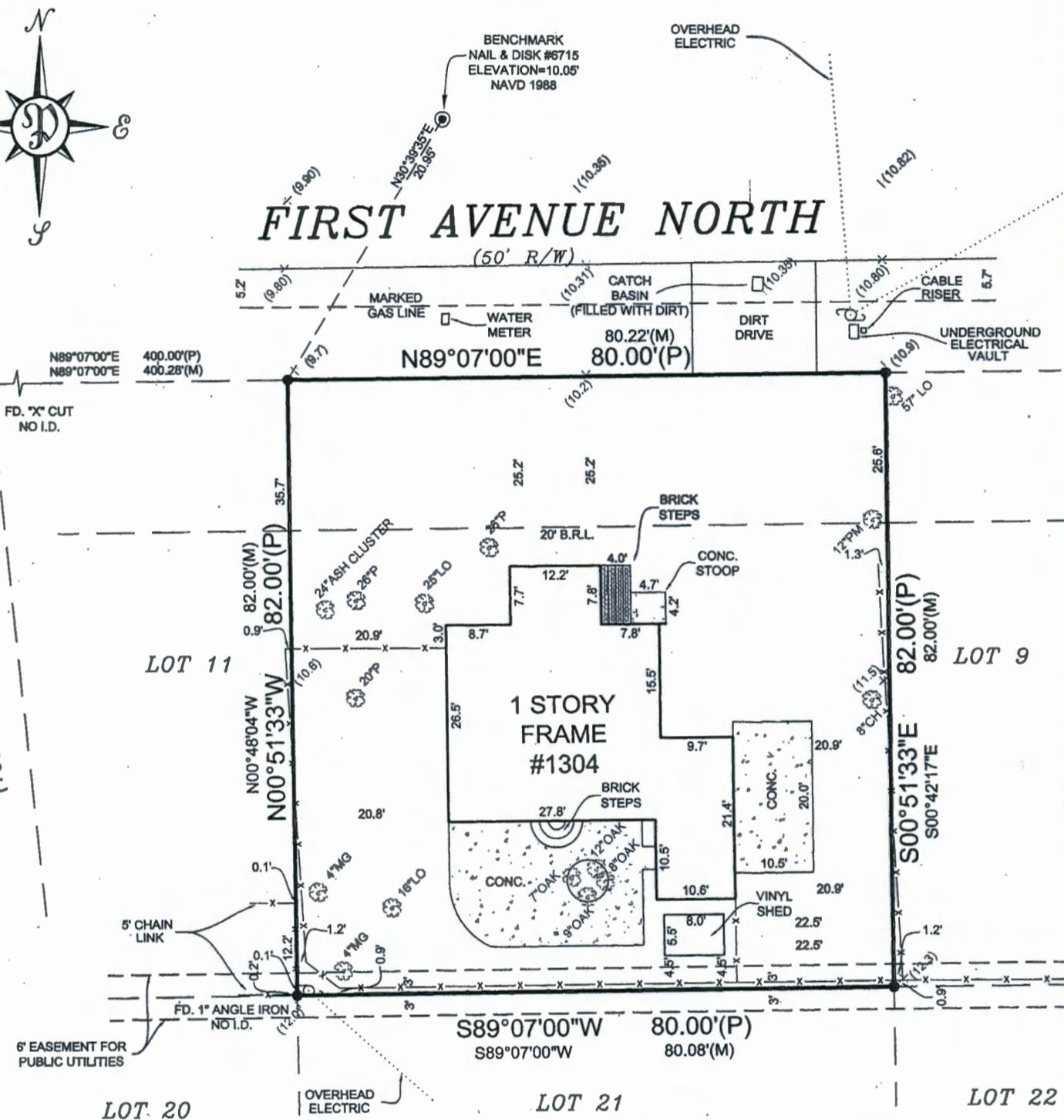
NOTE: ELEVATIONS SHOWN THUS $\times^{13.0}$ REPRESENT NATURAL GROUND ELEVATIONS
VERTICAL DATUM = N.A.V.D. 1988



FIRST AVENUE NORTH

(50' R/W)

PENMAN ROAD
(100' R/W)



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MAY - 9 2017
17-100079

PLANNING & DEVELOPMENT

TREE LEGEND	
LO	LIVE OAK
P	PINE
CH	CHERRY
MG	MAGNOLIA
PM	PALM

NOTE:

- ALL FENCES ARE 6' WOOD UNLESS OTHERWISE NOTED.
- DENOTES 1" I.P. NO I.D. UNLESS OTHERWISE NOTED.

PERRET AND ASSOCIATES, INC.

5627 ATLANTIC BOULEVARD SUITE #6, JACKSONVILLE, FLORIDA 32207 • (904) 805-0030 ~ FAX (904) 805-9888

GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF FIRST AVENUE NORTH AS N89°07'00"E, PER PLAT.
- THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS.
- UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
- THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL 12007-0417H, DATED 6-3-2013.

- LEGEND**
- P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.R.C. POINT OF REVERSE CURVE
 - P.C.C. POINT OF COMPOUND CURVE
 - P.O.C. POINT ON CURVE
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.C.P. PERMANENT CONTROL POINT
 - B.R.L. BUILDING RESTRICTION LINE
 - CLF CHAIN LINK FENCE
 - R/W RIGHT-OF-WAY
 - O.R.B. OFFICIAL RECORDS BOOK
 - OL ON LINE
 - BREAK LINE

SCALE 1"=20'

11-30-16

DATE OF FIELD SURVEY

STATE OF FLORIDA
NATHAN P. PERRET
License Number LS6905
Member
PLAT 13
FENCE
WOOD POWER POLE

NATHAN P. PERRET, FLA. CERT. NO. 6900



LB ~ 6715



APPLICATION FOR VARIANCE

BOA No. 17-100090

HEARING DATE 6-20-17

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

MAY - 9 2017

APPLICATION INFORMATION

Applicant Name: <u>BCEL 5 LLC</u>	Telephone: <u>904-677-6777</u>
Mailing Address: <u>7563 Philips Highway, Ste 109</u> <u>Jacksonville, Florida 32256</u>	E-Mail: <u>alex@jwbcompanies.com</u>
Agent Name: <u>Curtis Hart</u>	Telephone: <u>904-993-5008</u>
Mailing Address: <u>8051 Tara Lane</u> <u>Jacksonville, Florida 32216</u>	E-Mail: <u>curtishart1972@att.net</u>
Landowner Name: <u>BCEL 5 LLC</u>	Telephone: _____
Mailing Address: <u>7563 Philips Highway, Ste 109</u> <u>Jacksonville, Florida 32256</u>	E-Mail: _____

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 333 & 335 5th Ave South

Legal description of property (Attach copy of deed): Ref# 175900-0000, 175899-0000. See attached Legal and Deed.

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 application of the LDC code creates a hardship by not allowing an additional parking space and a patio for the enjoyment of the owner.

We are asking for relief from the code so we can provide parking and a patio. We are asking for a variance to reduce the accessory structure setback from 5' to 1.5' on the driveways between units 1&2, and 3&4. We are also asking for a variance to reduce the accessory structure setback from 5' to 4' on the patios between 1&2 and 3 & 4. And a reduction from 5' to 0' on the patios between 2&3, and 4&5.

Applicant's Signature: [Signature] Date of Application: 5/9/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 FLOOD ZONE: _____

CODE SECTION (S): 34-339 (EX4) h. for accessory structure setback of 0', in lieu of 5'; 34-373 d. for vehicular use area setbacks of 1.5', in lieu of 5', to allow construction of a five unit town house structure

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100080

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

RECEIVED

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.

MAY - 9 2017

PLANNING & DEVELOPMENT

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	The property has a Conditional Use for RM-1 which permits multifamily. In order to provide a driveway and patio, we need a variance to reduce the required 5' setback to 1'.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Multifamily dwellings of any layout would require a variance for the driveway and patios because Jacksonville Beach policies defines a driveway and patio as an accessory structure.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This would not be a special privilege since the LDC requires two parking spaces and this is the only layout that would meet the LDC.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	We are conforming as closely to the code as possible.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is the minimum variance necessary to provide relief.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting this variance will meet the purposes, goals, objectives, and policies of the code by providing two parking spaces and a patio.

LEGAL DESCRIPTION

LOT 7 & 8, BLOCK 44, PABLO BEACH SOUTH, ACCORDING TO THE PLAT THERE OF AS RECORDED IN PLAT BOOK 3, PAGE 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PARCEL IDENTIFICATION NUMBER: 175899-0000 & 175900-0000

RECEIVED

MAY - 9 2017

17-1000 80

PLANNING & DEVELOPMENT

EXHIBIT B

Agent Authorization

Date: _____

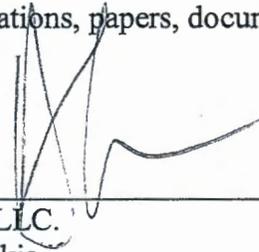
City of Jacksonville Beach
Planning and Development Department

Re: Agent Authorization for the following site location:

333 & 335 South 5th Avenue, Jacksonville Beach FL 32250

Gentleman:

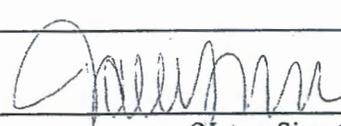
You are hereby advised that the undersigned is the owner of the property 333 & 335 South 5th Avenue. Said owner hereby authorizes and empowers Curtis L. Hart to act as agent to file application(s) for Variance for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.



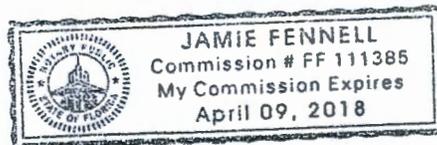
BCEL 5 LLC.
Alex Sifakis

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 3 day of May, 2017 by ALEX SIFAKIS, who is personally known to me or has produced _____ as identification.



(Notary Signature)



RECEIVED

MAY - 9 2017
17-100080
PLANNING & DEVELOPMENT

Prepared by and return to:
Victoria L. Pasanen

McKillop Law Firm, P.L.
7563 Philips Hwy, Suite 101
Jacksonville, FL 32256
904-503-3893
File Number: 17-0036

Consideration: \$150,000.00

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 1st day of February, 2017 between DB&B Investments, LLC, a Florida limited liability company whose post office address is 1639 Beach Blvd #101, Jacksonville, FL 32250, grantor, and BCEL 5, LLC, a Florida limited liability company whose post office address is 7563 Phillips Highway, Suite 109, Jacksonville, FL 32256, 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 7, Block 44, Pablo Beach South, according to the map or plat thereof as recorded in Plat Book 3, Page 28, Public Records of Duval County, Florida.

Parcel Identification Number: 175899-0000

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 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 taxes accruing subsequent to December 31, 2016.

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

RECEIVED

MAY - 9 2017

17-100080

PLANNING & DEVELOPMENT

DoubleTime®

Signed, sealed and delivered in our presence:

DB&B Investments, LLC, a Florida limited liability company

Witness Name: Victoria L. Fasalen
[Signature]
Witness Name: Darlene Moore

By: [Signature]
David B Phillips, Manager

State of Florida
County of Duval

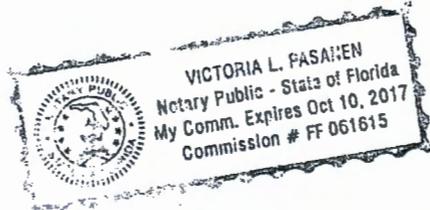
The foregoing instrument was acknowledged before me this 1st day of February, 2017 by David B Phillips of DB&B Investments, LLC, a Florida limited liability company, on behalf of the limited liability company. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

[Signature]
Notary Public

Printed Name: _____

My Commission Expires: _____



RECEIVED

MAY - 9 2017

17-100080

PLANNING & DEVELOPMENT

Prepared by and Return to:
All Florida Title Services, Inc.
Laura Riebsame
4417 Beach Boulevard, Suite 105
Jacksonville, Florida 32207
Our File Number: 31146A
Contract Sales Price: \$150,000.00

For official use by Clerk's office only

STATE OF Florida)
COUNTY OF Duval) **SPECIAL WARRANTY DEED**
)

THIS INDENTURE, made this January 28, 2016, between Duval Home Buyers, LLC, a Florida limited liability company, whose mailing address is: 1514 Felch Ave., Jacksonville, Florida 32207, party of the first part, and BCEL 5, LLC, whose mailing address is: 7563 Philips Highway Ste 109, Jacksonville, Florida 32256, 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:

Lot 8, Block 44, Pablo Beach South, according to the plat thereof as recorded in Plat Book 3, page 28, 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.

RECEIVED

MAY - 9 2017

17-100080

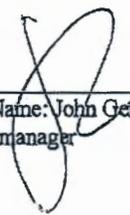
PLANNING & DEVELOPMENT

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on January ____, 2016.

Signed, sealed and delivered in the presence of:

Duval Home Buyers, LLC

Christyann Alix Burgoyne
Witness signature
Christyann Alix Burgoyne
Print witness name
C. Highsmith
Witness signature
Christy Highsmith
Print witness name

By: 
Print Name: John Germaine
Title: manager

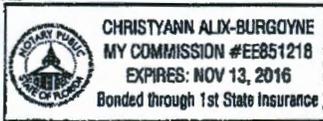
State of Florida
County of Duval

THE FOREGOING INSTRUMENT was acknowledged before me this 20 day of January, 2016 by John Germaine, manager on behalf of Duval Home Buyers, LLC who is personally known to me or who has produced Drivers License as identification.

Christyann Alix Burgoyne
Notary Public
Christyann Alix Burgoyne
Print Notary Name

My Commission Expires: 11/13/16

Notary Seal



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17-100080

PLANNING & DEVELOPMENT



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7633

April 11, 2017

Curtis Hart
8051 Tara Lane
Jacksonville, FL 32216

RE: **Planning Commission Case: PC# 14-17**
Concept Plat Application for a proposed five-unit townhouse project,
located in a *Commercial, limited: C-1* zoning district, located at 333 and
335 5th Avenue South.

Mr. Hart,

The City of Jacksonville Beach Planning Commission met on Monday, April 10, 2017 in Council Chambers to consider your client's **Concept Plat Application** for a proposed five-unit townhouse project, located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

The request was **Approved**.

Pursuant to Section 34-504 of the Land Development Code, within one (1) year of receipt of a concept plan for plat, a development order for a development plan for plat shall be submitted pursuant to the procedures and standards of section 34-251 et seq., or the concept plan for plat shall become null and void.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

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

www.jacksonvillebeach.org



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7626

March 14, 2017

Curtis Hart
8051 Tara Lane
Jacksonville, FL 32216

RE: Planning Commission Case: PC# 6-17
Conditional Use Application for multiple family residential, for a five-unit townhouse, located in a *Commercial, limited: C-1* zoning district, located at 333 and 335 5th Avenue South.

Mr. Hart,

The City of Jacksonville Beach Planning Commission met on Monday, March 13, 2017 in Council Chambers to consider your client's **Conditional Use Application** for multiple family residential, for a five-unit townhouse, located in a *Commercial, limited: C-1* zoning district, located at 333 and 335 5th Avenue South, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

The request was Approved.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,



Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7862

May 13, 2016

Lisandro Rosales
7563 Philips Highway Suite 109
Jacksonville, FL 32256

RE: **Planning Commission Case PC#13-16**
333 5th Avenue South

Conditional Use Application for a proposed two family dwelling unit located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

Dear Mr. Rosales,

The City of Jacksonville Beach Planning Commission met on Monday, May 9, 2016 in Council Chambers to consider your Conditional Use Application for a proposed two family dwelling unit located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9941

November 17, 2016

Brian Phillips
1639 Beach Blvd Suite 101
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 36-16**
Conditional Use Application for a new two-family dwelling unit located in
a *Commercial, limited: C-1* zoning district, located at 335 5th Avenue S.

Mr. Phillips,

The City of Jacksonville Beach Planning Commission met on Monday, November 14, 2016 in Council Chambers to consider your **Conditional Use Application** for a new two-family dwelling unit located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



JACKSONVILLE BEACH

CERTIFIED MAIL# 7016 2140 0000 5138 5140

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

January 6, 2017

Mr. Alex Sifakis
7563 Philips Highway, #109
Jacksonville, FL 32256

RE: BOA# 16-100199
333 South 5th Avenue
(Lot 8, Block 44, Pablo Beach South)

Dear Mr. Sifakis,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, January 3, 2017, to consider JWB Construction Group, LLC's application for a variance from the requirements of the Land Development Code.

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

- 34-339(e)(1)c.2., for side yards of 7.5 feet, in lieu of 10 feet required; and
- 34-339(e)(1)f., for 44.7% lot coverage in lieu of 35% maximum

To allow construction of a new two-family dwelling.

Following the public hearing, per your request this application was *withdrawn*.

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

Sincerely,



Heather Ireland, AICP
Senior Planner





CERTIFIED MAIL# 7016 2140 0000 5138 5171

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

January 6, 2017
Brian Phillips
1639 Beach Boulevard
Jacksonville Beach, L 32250

RE: BOA# 16-100208
335 South 5th Avenue
(Lot 7, Block 44, *Pablo Beach South*)

Dear Mr. Phillips,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, January 3, 2017, to consider DB&B Investments, LLC's application for a variance from the requirements of the Land Development Code.

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

- 34-339(e)(1)c.1., for a front yard setback of 14 feet in lieu of 20 feet required;
- 34-339(e)(1)c.2., for 7.5 feet side yards, in lieu of 10 feet required;
- 34-339(e)(1)f., for 50% lot coverage in lieu of 35% maximum; and
- 34-339(e)(1)h., for accessory structure setback of 2.5 feet, in lieu of 5 feet required

To allow construction of a new two-family dwelling.

The Board *denied* the request.

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

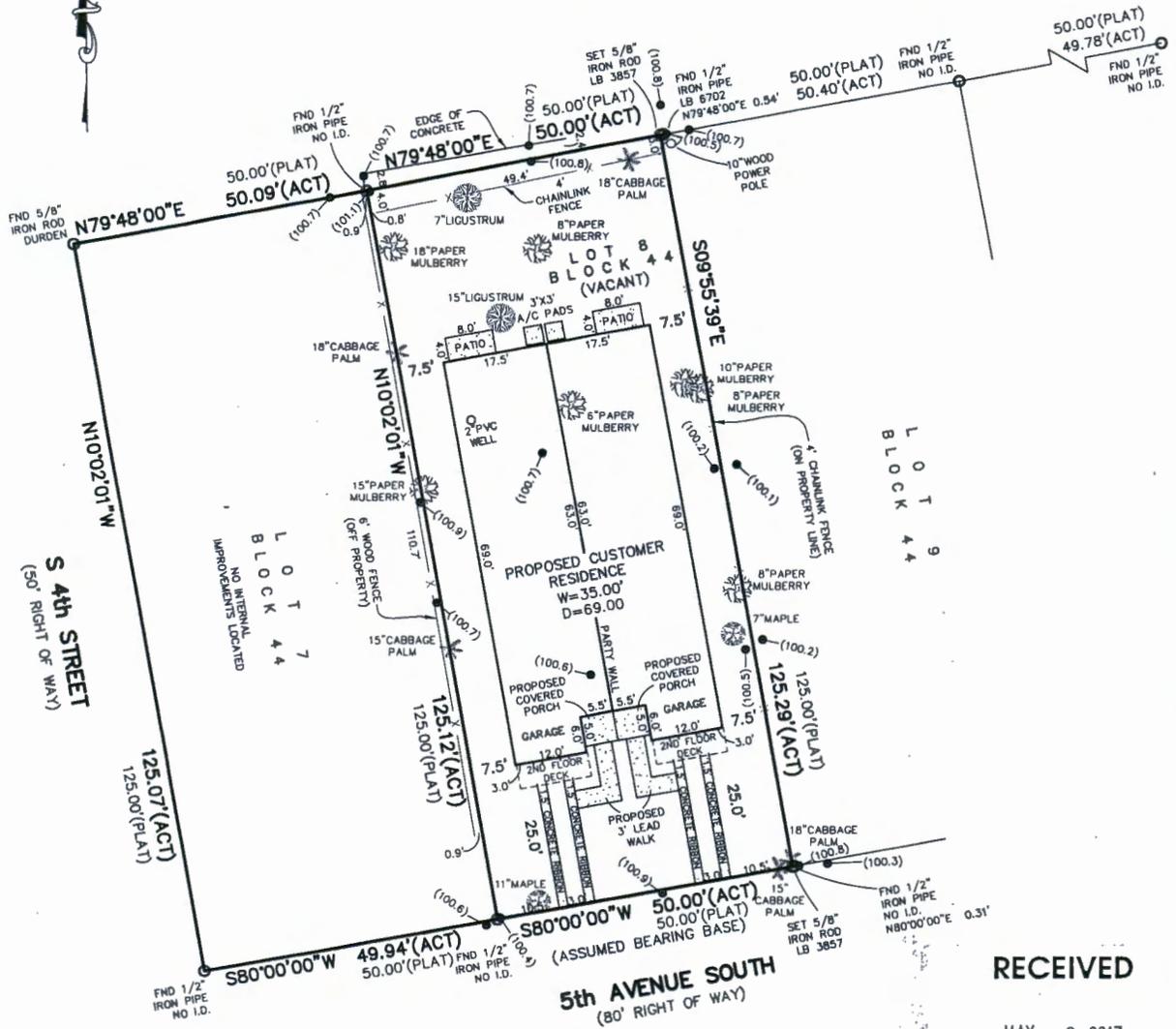
Sincerely,

Heather Ireland, AICP
Senior Planner



MAP SHOWING BOUNDARY, TOPOGRAPHIC & TREE SURVEY WITH PLOT PLAN OF LOT 8, BLOCK 44 AND BOUNDARY SURVEY OF LOT 7, BLOCK 44 AS SHOWN ON PLAT OF PABLO BEACH

AS RECORDED IN PLAT BOOK 3, PAGES 28 OF THE CURRENT PUBLIC RECORDS OF DUAL COUNTY, FLORIDA
CERTIFIED TO: JMB REAL ESTATE CAPITAL



LOT 8	PLAN #2041
LOT SIZE	6,313± SQ. FT.
DRIVEWAY TO R/W	150± SQ. FT.
ENTRY WALK	86± SQ. FT.
APPROXIMATE SIDEWALK	0± SQ. FT.
RIGHT-OF-WAY LENGTH	50 FT.
TOTAL IMPERVIOUS AREA	2,724± SQ. FT. 43%

ADDED LOT 7; 05-8-17 (OFFICE)
ADDED RIBBON DRIVES; W.O. #147872; 03-28-18 (OFFICE)
BOUNDARY-PLOT PLAN-TOPO-TREE; W.O. #147872; 01-20-16 (FIELD)

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

BENCHMARK:
SET NAIL & DISK
LB 3857 IN
FRONT OF THIS LOT
ELEVATION: 100.00 (ASSUMED)

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17-100080
PLANNING & DEVELOPMENT

BUILDERS ENDORSEMENT
SIGNED: _____
NAME: _____
DATE: _____

DENOTES CONCRETE

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LOT SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP 0417 H FOR THE CITY OF JACKSONVILLE, FLORIDA, DATED 08-03-13

ALL AMERICAN SURVEYORS OF FLORIDA, INC.

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

Legend	
FND. = FOUND	A/C = AIR CONDITIONER
ESMT = EASEMENT	I.D. = IDENTIFICATION
CONC = CONCRETE	(TYP.) = TYPICAL
MON. = MONUMENT	P.R.M. = PERMANENT REFERENCE MONUMENT
I.P. = IRON PIPE	P.T. = POINT OF TANGENCY
I.R. = IRON ROD	P.C.P. = PERMANENT CONTROL POINT
Δ = DELTA ANGLE	P.C. = POINT OF CURVE
CH = CHORD	P.R.C. = POINT OF REVERSE CURVE
A = ARC LENGTH	P.C.C. = POINT OF COMPOUND CURVE
R = RADIUS	B.R.L. = BUILDING RESTRICTION LINE
(CALC.) = CALCULATED	F.P.&L. = FLORIDA POWER & LIGHT
(D) = DEED	JEA = JACKSONVILLE ELECTRIC AUTHORITY
(P) = PLAT	NGVD = NATIONAL GEODETIC VERTICAL DATUM
(R) = RADIAL	NAVD = NORTH AMERICAN VERTICAL DATUM
CL = CENTER LINE	P.I. = POINT OF INTERSECTION
R/W = RIGHT-OF-WAY	W.O. = WORK ORDER
ACT = ACTUAL	TOB = TOP OF BANK
(W) = WITNESS	
F.F.E. = FINISH FLOOR ELEVATION	

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 61G17-8, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL
JAMES D. HARRISON, JR., No. 2647
MICHAEL A. GARRETT, No. 8843
05/08/17
James D. Harrison
FLORIDA REGISTERED SURVEYOR AND MAPPER

SCALE 1"=20'
DATE 01-20-18





APPLICATION FOR VARIANCE

BOA No. 17-100081

HEARING DATE 6-20-17

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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MAY - 9 2017

PLANNING & DEVELOPMENT

APPLICATION INFORMATION

Applicant Name: BCEL 5 LLC Telephone: 904-677-6777
 Mailing Address: 7563 Philips Highway, Ste 109 E-Mail: alex@jwbcompanies.com
Jacksonville, Florida 32256
 Agent Name: Curtis Hart Telephone: 904-993-5008
 Mailing Address: 8051 Tara Lane E-Mail: curtishart1972@att.net
Jacksonville, Florida 32216
 Landowner Name: BCEL 5 LLC Telephone: _____
 Mailing Address: 7563 Philips Highway, Ste 109 E-Mail: _____
Jacksonville, Florida 32256

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 1224 & 1236 1st Ave North

Legal description of property (Attach copy of deed): Re# 177879-0000, 177878-0000. See attached Legal and Deed.

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 application of the LDC code creates a hardship by not allowing a two car garage and a patio for the enjoyment of the owner.

We are asking for relief from the code so we can provide additional parking to alleviate any parking issues and a patio. We are asking for a variance to reduce the accessory structure setback from 5' to 1' 2" on the driveways between units 1&2, 3&4, and 5&6. We are also asking for a variance to reduce the accessory structure setback from 5' to 0' on the patios between 2&3 and 4&5.

Applicant's Signature: [Signature] Date of Application: 5/1/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-2 FLOOD ZONE: _____
 CODE SECTION (S): 34-339(e)(4) h for an accessory structure setback of 0', in lieu of 5';
34-373(d) for vehicular use area setbacks of 1', in lieu of 5',
to allow construction of a six-unit townhouse structure.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100081

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.

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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.

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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	The property has a Conditional Use for RM-1 which permits multifamily. In order to provide a driveway with additional parking and patio, we need a variance to reduce the required 5' setback to 1'2" on driveways 1& 2, 3&4, 5&6 and reduction from 5' to 0' on patios 2& 3, 4&5.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Multifamily dwellings of any layout would require a variance for the driveway and patios because Jacksonville Beach policies defines a driveway and patio as an accessory structure.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This would not be a special privilege this is a permitted use and allowing two extra parking spaces benefits the public and surrounding neighborhood.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	We are conforming as closely to the code as possible and only asking for additional parking for each unit and a patio for their enjoyment.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is the minimum variance necessary to provide relief.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting this variance will meet the purposes, goals, objectives, and policies of the code by providing additional parking spaces per unit and a patio and will not adversely affect adjacent landowners.

EXHIBIT B

Agent Authorization

Date: _____

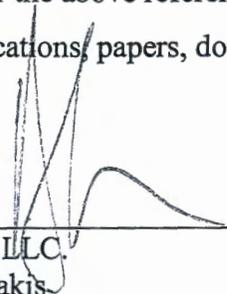
City of Jacksonville Beach
Planning and Development Department

Re: Agent Authorization for the following site location:

1224 & 1236 1st Ave North

Gentleman:

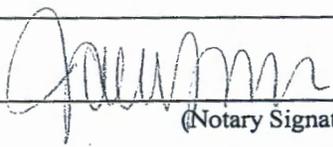
You are hereby advised that the undersigned is the owner of the property 1224 & 1236 1st Ave North. Said owner hereby authorizes and empowers Curtis L. Hart to act as agent to file application(s) for Variance for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.



BCEL 5 LLC
Alex Sifakis

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 3 day of May, 2017 by ALEX SIFAKIS, who is personally known to me or has produced _____ as identification.



(Notary Signature)



RECEIVED

Legal Description

Lots 8 and 9, Pine Grove Unit Three, a subdivision according to the plat thereof recorded at Plat Book 16, Page 94, in the Public Records of Duval County, Florida.

Parcel Identification Number: 177878-0000

And

Parcel Identification Number: 177879-0000

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MAY - 9 2017

17-100081

PLANNING & DEVELOPMENT

Prepared by and return to:

Bryan C. Goode III, P.A.
320 1st Street North Suite 613
Jacksonville Beach, FL 32250
904-247-1755
File Number: 15-0902
Will Call No.:

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NOV - 9 2017

17-100081

PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 5th day of November, 2015 between Vera Mills, a married woman, joined by her husband, Sam Disch whose post office address is 1257 1st Avenue North, Jacksonville, FL 32250, grantor, and BCEL 5, LLC, a Florida limited liability company whose post office address is 7563 PHILIPS HIGHWAY,SUITE 109, Jacksonville, FL 32256, 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:

Lots 8 and 9, Pine Grove Unit Three, a subdivision according to the plat thereof recorded at Plat Book 16, Page 94, in the Public Records of Duval County, Florida.

Parcel Identification Number: 177878-0000

and

Parcel Identification Number: 177879-0000

Grantor's spouse is joining in the execution of this instrument for the sole purpose of waiving any homestead interest in the property. Said spouse makes no representations or warranties with respect to said property or the title thereto.

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 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 taxes accruing subsequent to December 31, 2014.

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

Signed, sealed and delivered in our presence:

Susan Abrams
Witness Name: SUSAN ABRAMS

Vera Mills (Seal)
Vera Mills

Bryan C. Goode, III
Witness Name: Bryan C. Goode, III

Sam Disch (Seal)
Sam Disch

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 26th day of October, 2015 by Vera Mills and Sam Disch, who are personally known or have produced a driver's license as identification.

[Notary Seal]

Bryan C. Goode, III
Notary Public

Printed Name: Bryan C. Goode, III

My Commission Expires: July 23, 2019



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MAY - 9 2017

17-100081

PLANNING & DEVELOPMENT



CERTIFIED MAIL# 7012 0470 0000 7799 6205

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

August 21, 2013

Ryan Wetherhold
19 12th Street South
Jacksonville Beach, FL 32250

RE: BOA 13-100143
1224 and 1236 1st Avenue North

Dear Mr. Wetherhold,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, August 20, 2013, 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:

- 34-339(e)(4)c.3, for a rear yard of 20 feet in lieu of 30 feet required

The Board **Amended** and **Approved** the request as follows:

- 34-339(e)(4)c.3, for a rear yard of 20 feet in lieu of 30 feet required;
- Limited to as presented and discussed.

To allow for a six unit townhouse development.

Please remove the public hearing notice posted on your property. You are required to apply for development plan approval prior to submitting for a construction permit. Please submit a copy of this approval letter when applying for any future development or building permit applications. If you have any questions regarding this variance or the permitting process, please feel free to call me at (904) 247-6235.

Sincerely,

Jon Hays, CBO
Building Department





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 6728

October 27, 2015

Mr. Lisandro Rosales
7563 Philips Highway Suite 109
Jacksonville, FL 32256

RE: Planning Commission Case PC#27-15
1224 and 1236 1st Avenue North

Conditional Use Approval for a proposed six unit multiple family townhouse project located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code.

Dear Mr. Rosales,

The City of Jacksonville Beach Planning Commission met on Monday, October 26, 2015 in Council Chambers to consider your **Conditional Use Application** for a proposed six unit multiple family townhouse project located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please remove the public notice posted on the property. Please provide a copy of this approval letter when applying for any future development or building permit applications.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





City of

August 13, 2013

Jacksonville Beach

Bryan Green, Architect

City Hall

3810 Tropical Terrace

11 North Third Street

Jacksonville Beach, FL 32250

Jacksonville Beach

RE: Planning Commission Case PC#23-13 (13-100146)

FL 32250

1224 and 1236 1st Avenue North

Phone: 904.247.6231

Conditional Use Approval for a proposed six-unit multiple family project located in a *Commercial General: C-2* zoning district

Fax: 904.247.6107

Planning@jaxbchfl.net

Mr. Green,

www.jacksonvillebeach.org

The City of Jacksonville Beach met on Monday, August 12, 2013, to consider Ryan Wetherhold's conditional use application for a proposed six-unit multiple family project located in a *Commercial General: C-2* zoning district, pursuant to Section 34-343 (d)(11) of the Jacksonville Beach Land Development Code. The request was approved unanimously. Please submit a copy of this approval letter when applying for any future development or building permit applications.

Should you have any questions please feel free to contact our office at (904) 247-6231.

Sincerely,

Chandra M. Tolman
Permit Specialist



cc: Ryan Wetherhold



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 6735

December 15, 2015

Mr. Lisandro Rosales
JWB Construction Group, LLC
7563 Philips Highway Suite 109
Jacksonville, FL 32256

RE: Planning Commission Case PC#32-15
1224 and 1236 1st Avenue North

Conceptual Plat Approval for a proposed six unit townhouse development located in *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

Dear Mr. Rosales,

The City of Jacksonville Beach Planning Commission met on Monday, December 14, 2015 in Council Chambers to consider your **Conceptual Plat Application** for a proposed six unit multiple family townhouse project located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please provide a copy of this approval letter when applying for any future development or building permit applications.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

February 26, 1997

Vera Mills
1236 North 1st Avenue
Jacksonville Beach, FL 32250

RE: Planning Commission Case #PC 04-97
1236 North 1st Avenue

Dear Ms. Mills:

The City of Jacksonville Beach Planning Commission met on Monday, February 24, 1997 in the Council Chambers to consider your conditional use application.

As indicated in the application, the request was for an approval of a conditional use to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code for approval of an existing residential structure in a C-2 zoning district. Your request was granted as written.

Should you have any further questions relative to this matter, please feel free to contact me at (904) 247-6231.

Sincerely,



Marie Hobbs
Administrative Secretary



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 6735

December 15, 2015

Mr. Lisandro Rosales
JWB Construction Group, LLC
7563 Philips Highway Suite 109
Jacksonville, FL 32256

RE: Planning Commission Case PC#32-15
1224 and 1236 1st Avenue North

Conceptual Plat Approval for a proposed six unit townhouse development located in *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

Dear Mr. Rosales,

The City of Jacksonville Beach Planning Commission met on Monday, December 14, 2015 in Council Chambers to consider your **Conceptual Plat Application** for a proposed six unit multiple family townhouse project located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please provide a copy of this approval letter when applying for any future development or building permit applications.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7640

April 11, 2017

Curtis Hart
8051 Tara Lane
Jacksonville, FL 32216

RE: **Planning Commission Case: PC# 13-17**
Concept Plat Application for a proposed six-unit townhouse project,
located in a *Commercial, general: C-2* zoning district, located at 1224 and
1236 1st Avenue North.

Mr. Hart,

The City of Jacksonville Beach Planning Commission met on Monday, April 10, 2017 in Council Chambers to consider your client's **Concept Plat Application** for a proposed six-unit townhouse project, located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

The request was Approved.

Pursuant to Section 34-504 of the Land Development Code, within one (1) year of receipt of a concept plan for plat, a development order for a development plan for plat shall be submitted pursuant to the procedures and standards of section 34-251 et seq., or the concept plan for plat shall become null and void.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



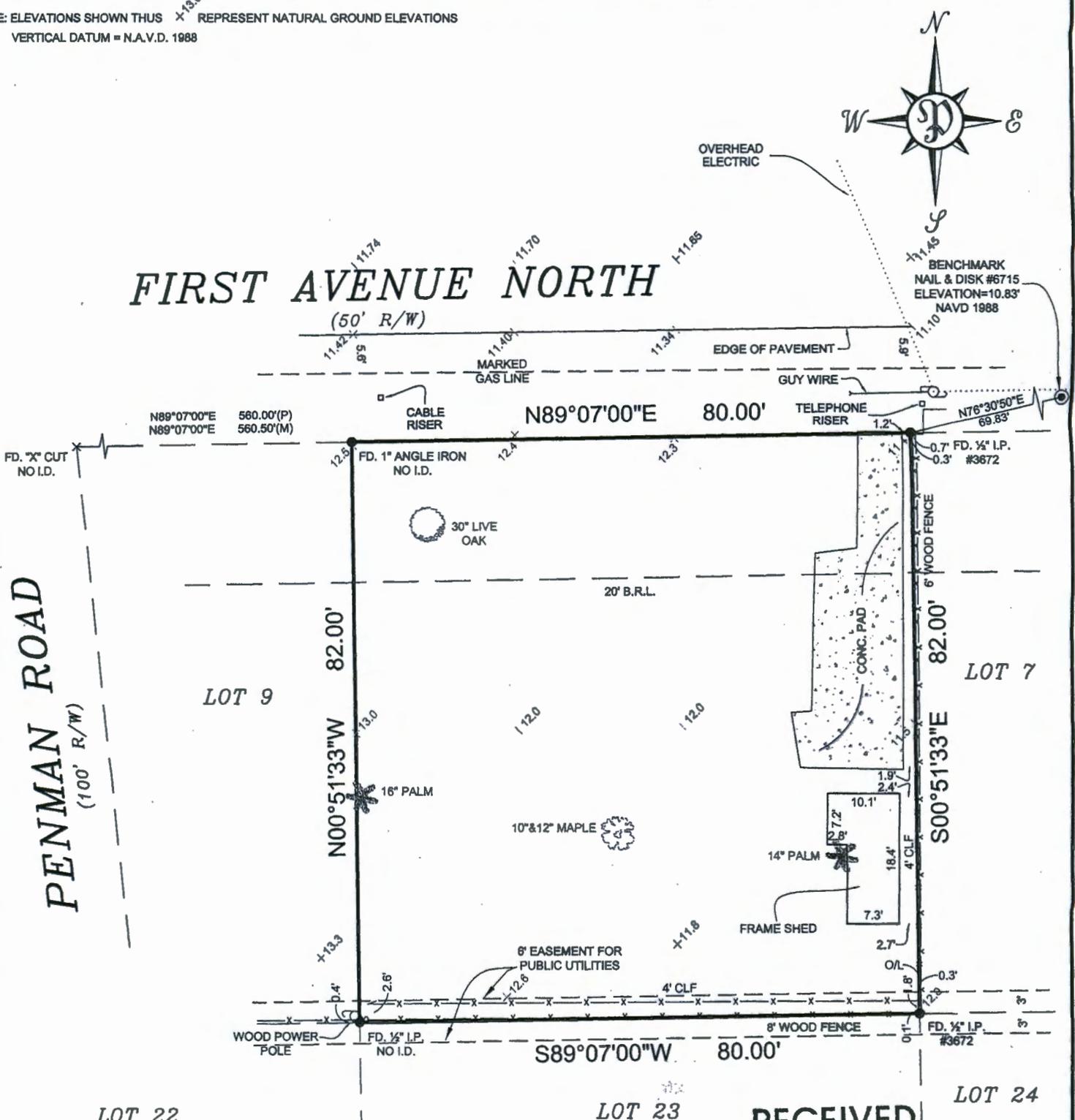
MAP SHOWING BOUNDARY SURVEY OF

LOT 8 BLOCK - AS SHOWN ON MAP OF
PINE GROVE UNIT 3

AS RECORDED IN PLAT BOOK 16 PAGES 94 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: JWB CONSTRUCTION GROUP

NOTE: ELEVATIONS SHOWN THUS $\times 13.0$ REPRESENT NATURAL GROUND ELEVATIONS
VERTICAL DATUM = N.A.V.D. 1988



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MAY - 9 2017

17-100084
PLANNING & DEVELOPMENT

ADDITIONAL LOCATION & TOPOGRAPHICAL SHOTS : 11-30-16, W.O.#15-1899-2

PERRET AND ASSOCIATES, INC.
5627 ATLANTIC BOULEVARD SUITE #6, JACKSONVILLE, FLORIDA 32207 (904) 805-0030 ~ FAX (904) 805-9888

- GENERAL NOTES:**
- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF FIRST AVENUE NORTH AS N89°07'00"E, PER PLAT.
 - THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS.
 - UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
 - THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL 12007-0417H, DATED 6-3-2013.

LEGEND	
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE
P.O.C.	POINT ON CURVE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.C.P.	PERMANENT CONTROL POINT
B.R.L.	BUILDING RESTRICTION LINE
CLF	CHAIN LINK FENCE
R/W	RIGHT-OF-WAY
O.R.B.	OFFICIAL RECORDS BOOK
OL	ON LINE
BL	BREAK LINE
RADIUS	RADIUS
DELTA (CENTRAL ANGLE)	DELTA (CENTRAL ANGLE)
ARC LENGTH	ARC LENGTH
CHORD	CHORD
CHORD BEARING	CHORD BEARING
LINE RADIAL TO CURVE	LINE RADIAL TO CURVE
AIR CONDITIONER	AIR CONDITIONER
CONCRETE	CONCRETE
FOUND	FOUND
IRGN PIPE	IRGN PIPE
MEASURED	MEASURED
PLAT	PLAT
FENCE	FENCE
WOOD POWER POLE	WOOD POWER POLE

SCALE 1"=20'
10/30/2015
DATE OF FIELD SURVEY

NATHAN P. PERRET, FLA. CERT. NO. 6900



LB ~ 6715

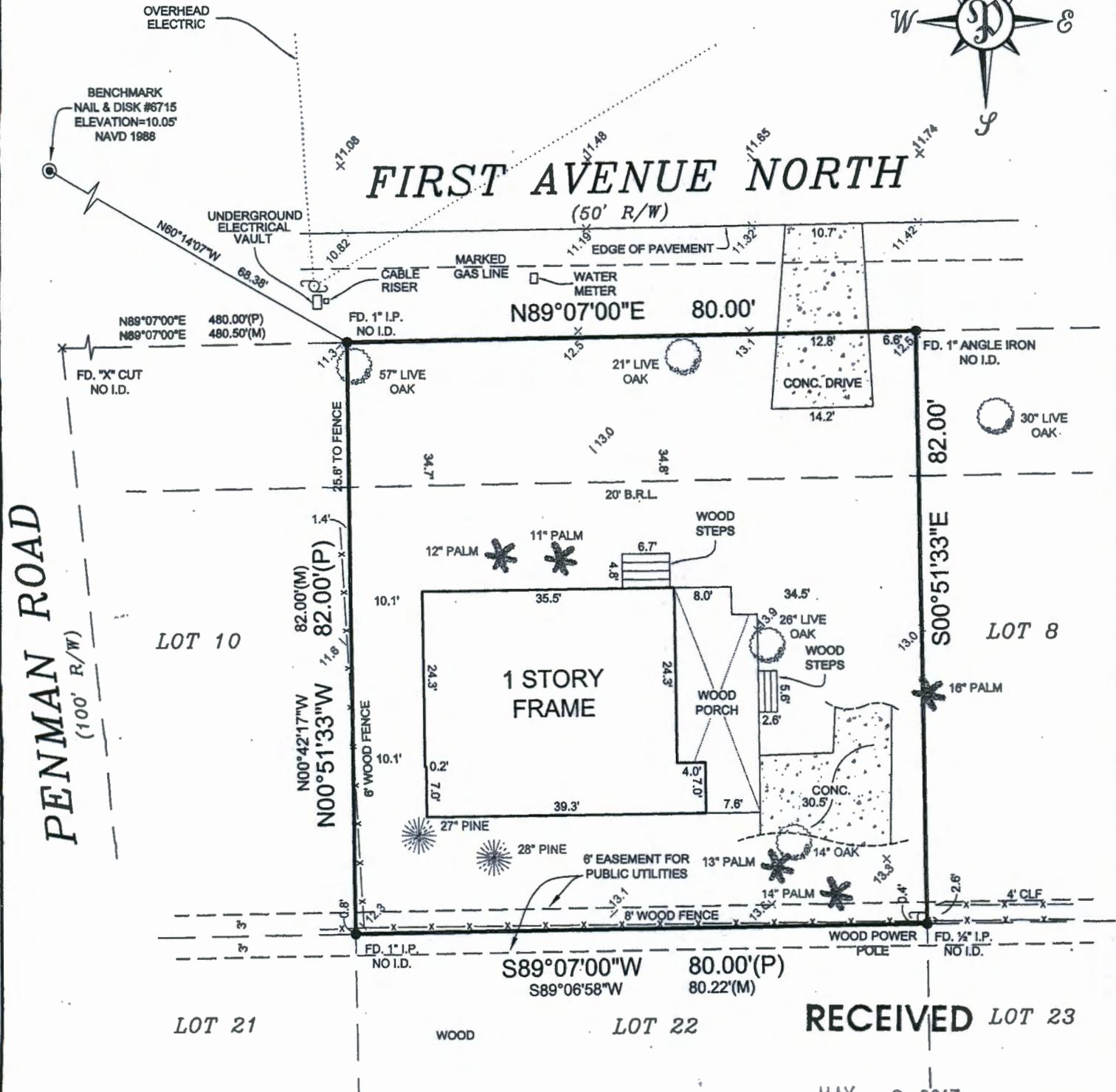
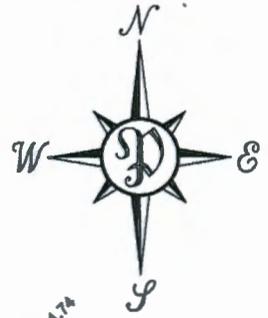
MAP SHOWING BOUNDARY SURVEY OF

LOT 9 BLOCK - AS SHOWN ON MAP OF
PINE GROVE UNIT 3

AS RECORDED IN PLAT BOOK 16 PAGES 94 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO: JWB CONSTRUCTION GROUP

NOTE: ELEVATIONS SHOWN THUS $\times 13.0$ REPRESENT NATURAL GROUND ELEVATIONS
VERTICAL DATUM = N.A.V.D. 1988



RECEIVED LOT 23
MAY - 9 2017
17-100081
PLANNING & DEVELOPMENT

ADDITIONAL LOCATION & TOPOGRAPHICAL SHOTS : 11-30-16, W.O.#15-1900-2

PERRET AND ASSOCIATES, INC.

5627 ATLANTIC BOULEVARD SUITE #6, JACKSONVILLE, FLORIDA 32207, (904) 805-0030 ~ FAX (904) 805-9888

- GENERAL NOTES:**
- (1) BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF FIRST AVENUE NORTH AS N89°07'00"E, PER PLAT.
 - (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS.
 - (3) UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
 - (4) THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL 12007-0417H, DATED 6-3-2013.

- LEGEND**
- P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.R.C. POINT OF REVERSE CURVE
 - P.C.C. POINT OF COMPOUND CURVE
 - P.O.C. POINT ON CURVE
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.C.P. PERMANENT CONTROL POINT
 - B.R.L. BUILDING RESTRICTION LINE
 - CLF CHAIN LINK FENCE
 - R/W RIGHT-OF-WAY
 - O.R.B. OFFICIAL RECORDS BOOK
 - O.L. ON LINE
 - BREAK LINE

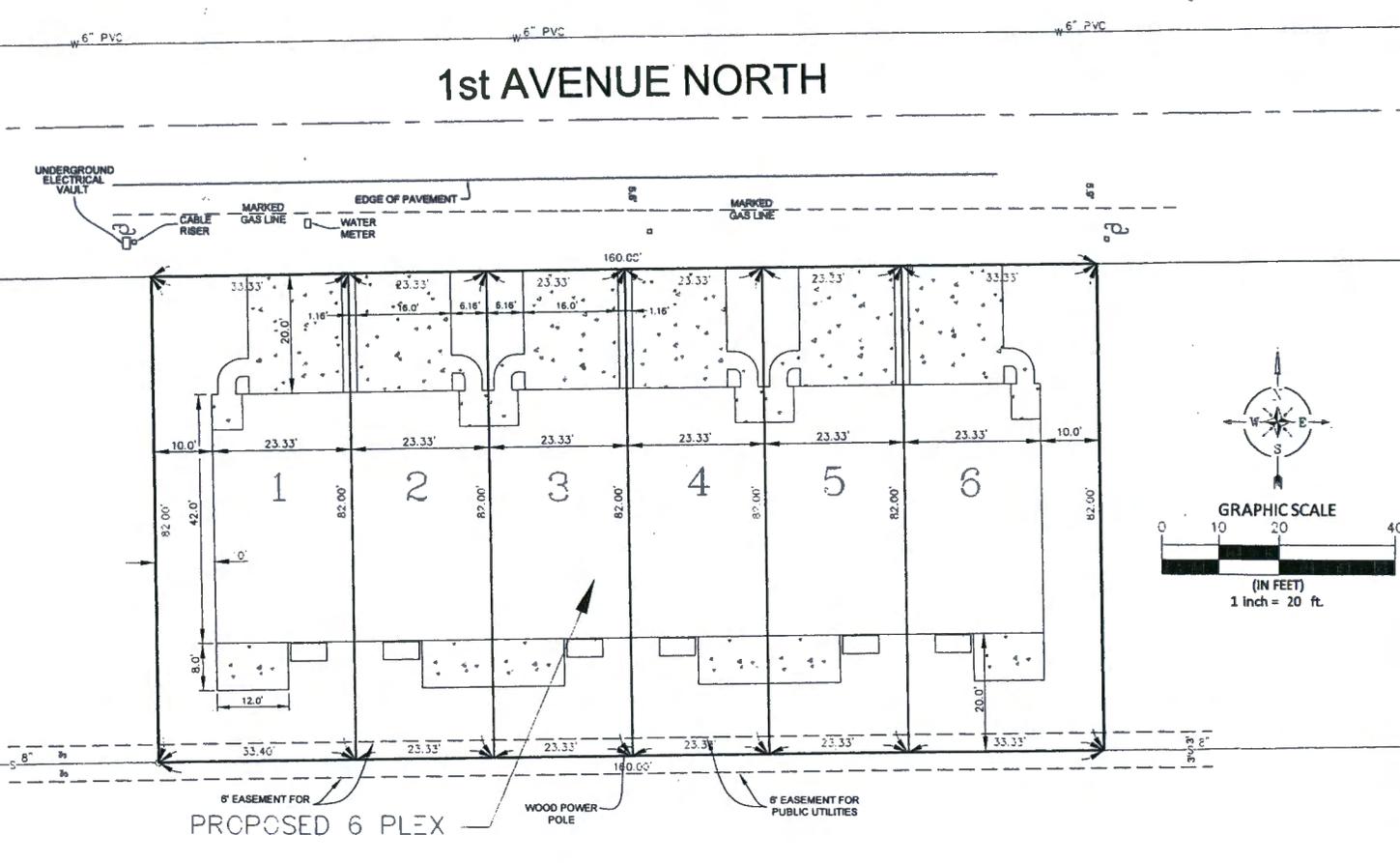
LEGEND P. PERRET
License Number LS6900
STATE OF FLORIDA
NATHAN P. PERRET, FLA. CERT. NO. 6900



SCALE 1"=20'
10/30/2015
DATE OF FIELD SURVEY

LB ~ 6715

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1224/1236 1ST AVENUE NORTH LAYOUT

NORTH FLORIDA ENGINEERING SERVICES, INC.
 9432 Baymeadows Road, Suite 200, Jacksonville, FL 32256
 /P/ (904) 721-0771 /F/ (904) 396-8372
 /E/ email: FAVEN@NFESE.COM

PLANS PREPARED UNDER THE SUPERVISION OF:
 MICHAEL R. LIGHT
 P.E.

DATE: 04/26/2017
 JOB NUMBER: 17-028
 SCALE: 1" = 20'
 SHEET NUMBER: 1

RECEIVED
 MAY - 9 2017
 17-100081
 PLANNING & DEVELOPMENT



APPLICATION FOR VARIANCE

BOA No. 17-100082

HEARING DATE 6-20-2017

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

MAY - 9 2017

PLANNING & DEVELOPMENT

APPLICATION INFORMATION

Applicant Name: Hoose Homes and Investments LLC Telephone: 904-677-6777
 Mailing Address: 7563 Philips Highway, Ste 109 E-Mail: alex@jwbccompanies.com
Jacksonville, Florida 32256

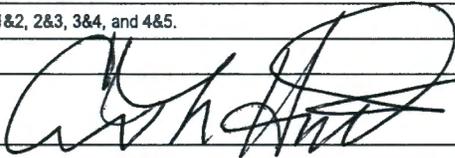
Agent Name: Curtis Hart Telephone: 904-993-5008
 Mailing Address: 8051 Tara Lane E-Mail: curtishart1972@att.net
Jacksonville, Florida 32216

Landowner Name: Hoose Homes and Investments LLC Telephone: _____
 Mailing Address: 7563 Philips Highway, Ste 109 E-Mail: _____
Jacksonville, Florida 32256

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 322 & 314 12th Ave North
 Legal description of property (Attach copy of deed): Res# 174617-0000, 174616-0000. See attached Legal and Deed.
 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 application of the LDC code creates a hardship by not allowing an additional parking space and a patio for the enjoyment of the owner.
We are asking for relief from the code so we can provide parking. We are asking for a variance to reduce the accessory structure setback lines from 5' to 1' on the driveways and patios between units 1&2, 2&3, 3&4, and 4&5.

Applicant's Signature:  Date of Application: 5-8-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 FLOOD ZONE: _____

CODE SECTION (S): Sec 34-339(e)(4)h for accessory structure setbacks of 0', in lieu of 5' required;
34-373(h) for vehicular area setback of 0', in lieu of 5' required;
to allow construction of a five-unit townhouse structure.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100082

Section 34-281 Purpose. Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

MAY - 9 2017

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	The property has a Conditonal Use for RM-1 which permits multifamily. In order to provide a driveway and patio,we need a variance to reduce the required 5' setback to 1'.
Special circumstances and conditions do not result from the actions of the applicant.	Yes	Multifamily dwellings of any layout would require a variance for the driveway and patios because Jacksonville Beach policies defines a driveway and patio as an accessory structure.
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Yes	This would not be a special privilege since the LDC requires two parking spaces and this is the only layout that would meet the LDC.
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	Yes	We are conforming as closely to the code as possible.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	This is the minimum variance necessary to provide relief.
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	Yes	Granting this variance will meet the purposes, goals, objectives, and policies of the code by providing two parking spaces and a patio.

EXHIBIT B

Agent Authorization

Date: _____

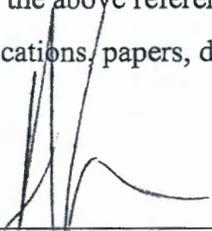
City of Jacksonville Beach
Planning and Development Department

Re: Agent Authorization for the following site location:

314 & 322 12th Avenue North

Gentleman:

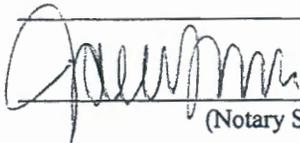
You are hereby advised that the undersigned is the owner of the property 314 & 322 12th Avenue North. Said owner hereby authorizes and empowers Curtis L. Hart to act as agent to file application(s) for Variance for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.



Hoose Homes & Investments
Alex Sifakis

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing affidavit was sworn and subscribed before me this 14 day of April, 2017 by ALEX SIFAKIS, who is personally known to me or has produced _____ as identification.



(Notary Signature)



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MAY - 9 2017

17-100082

PLANNING & DEVELOPMENT

Prepared By and Return To:
David J Heekin, Esq.
Landmark Title
4540 Southside Boulevard, Suite 202
Jacksonville, Florida 32216

File No.: LMT 16-1579

Grantee's TIN: _____

General Warranty Deed

Made this September 16, 2016, By **Anya Johnson, a single woman**, whose address is: 1015 Atlantic Boulevard, Suite 214, Atlantic Beach, Florida 32233, hereinafter called the Grantor, to **Hoose Homes and Investments, LLC, a Florida limited liability company**, whose address is: 7563 Philips Highway, Suite 109, Jacksonville, Florida 32256, hereinafter called the Grantee:

(Whenever used herein the term "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)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Duval County, Florida, more particularly described as follows:

Lots 3, 4 and 9, Block 124 of PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF NORTHERN PORTION OF PABLO BEACH, according to the Plat thereof as recorded in Plat Book 5, Page(s) 66, of the Public Records of Duval County, Florida.

Parcel ID Number: 174616-0000, 174617-0000, and 174622-0000

Subject to taxes accruing subsequent to December 31, 2015.

Subject to covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

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 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.

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MAY - 9 2017

17-100082

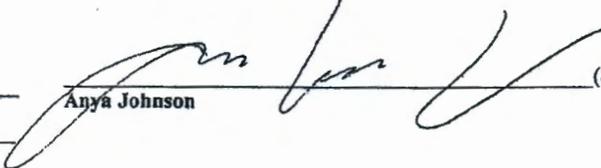
PLANNING & DEVELOPMENT

In Witness Whereof, the Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



Witness Printed Name David J. Heekin



Anya Johnson (Seal)

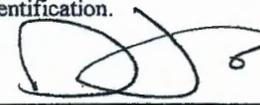


Witness Printed Name Kate Richardson

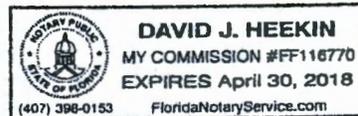
(Seal)

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 16th day of September, 2016, by Anya Johnson, who is/are personally known to me or who has produced _____ as identification.



Notary Public



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MAY - 9 2017
17-100082
PLANNING & DEVELOPMENT

LEGAL DESCRIPTION

LOT 3 & 4, BLOCK 124, PABLO BEACH IMPROVEMENT COMPANY'S PLAT OF PART OF NORTHERN PORTION OF PABLO BEACH, FLORIDA, AS RECORDED IN PLAT BOOK 5, PAGE 66, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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MAY - 9 2017
17-100082
PLANNING & DEVELOPMENT

Minutes of Board of Adjustment Meeting
Held Tuesday, October 4, 2005

The applicant stated that he wishes to build a two-story single family home on the property. He advised that he is requesting the variance because the lot is only 50 ft X 100 ft.

Mr. Hartkemeyer opened a public hearing and asked if anyone wished to speak either in favor of or in opposition to the request?

William Stang, 384 1st Street, Atlantic Beach, spoke in favor.

Seeing no one else who wished to address the Board, Mr. Hartkemeyer closed the public hearing.

Roll call vote: Ayes – McGill, Hall, Hartkemeyer and Jolley. Nays – Sellers. Motion carried by a vote of 4 to 1.

Case: BOA #05-100263

Location: Lot 3, 4 & 9, Block 124, R/P Pt Pablo Beach North; 315 11th Avenue North & 322 12th Avenue North

Applicant: Ronald A. & Anya Johnson

Motion: It was moved by Mr. McGill, seconded by Mr. Jolley, to approve a request for no turning and maneuvering space, for parking area setbacks of 0 feet in lieu of 5 feet minimum in several locations, and for 40 parking spaces in lieu of 46 spaces required for a new, 9200 square feet, medical office building.

Tat Chan, architect for the project, distributed additional information concerning the request and stated that the building would take up the majority of two of the lots and the remainder would be used for parking.

Mr. Hartkemeyer opened a public hearing and asked if anyone wished to speak either in favor of or in opposition to the request?

Fred Cattar, 1301 North 4th Street, Jacksonville Beach, spoke in favor.

Sandy Golding, 1203 18th Avenue North, Jacksonville Beach, had questions about the request.

Ron Taylor, 360 13th Avenue North, Jacksonville Beach, spoke in opposition.

Seeing no one else who wished to address the Board, Mr. Hartkemeyer closed the public hearing.

Mr. Hall made a substitute motion, which was seconded by Mr. McGill, to approve a request for no turning and maneuvering space and for parking area setbacks of 0 feet in lieu of 5 feet minimum in several locations for a new, 9200 square feet, medical office building.

Roll call vote: Ayes – Hall and McGill. Nays – Sellers, Hartkemeyer and Jolley. Motion was denied by a vote of 3 to 2.



CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9934

November 17, 2016

Lisandro Rosales
7563 Philips Highway, Suite 109
Jacksonville, FL 32256

RE: **Planning Commission Case: PC# 37-16**
Conditional Use Application for a new two-family dwelling unit located in
a *Commercial, limited: C-1* zoning district, located at 314 12th Avenue N.

Mr. Rosales,

The City of Jacksonville Beach Planning Commission met on Monday, November 14, 2016 in Council Chambers to consider your **Conditional Use Application** for a new two-family dwelling unit located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. The request was **Approved**.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7534

February 14, 2017

Mr. Curtis Hart
8051 Tara Lane
Jacksonville, FL 32216

RE: **Planning Commission Case: PC# 1-17**
Conditional Use Application for multiple family residential, for a five-unit townhouse development, located in a *Commercial, limited: C-1* zoning district, for property located at 322 and 314 12th Avenue North.

Mr. Hart,

The City of Jacksonville Beach Planning Commission met on Monday, February 13, 2017 in Council Chambers to consider your client's **Conditional Use Application** for multiple family residential, for a five-unit townhouse development, located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

The request was Approved.

Please remove the public notice posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of
Jacksonville Beach

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

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 9934

November 17, 2016

Lisandro Rosales
7563 Philips Highway, Suite 109
Jacksonville, FL 32256

RE: **Planning Commission Case: PC# 37-16**
Conditional Use Application for a new two-family dwelling unit located in
a *Commercial, limited: C-1* zoning district, located at 314 12th Avenue N.

Mr. Rosales,

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Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

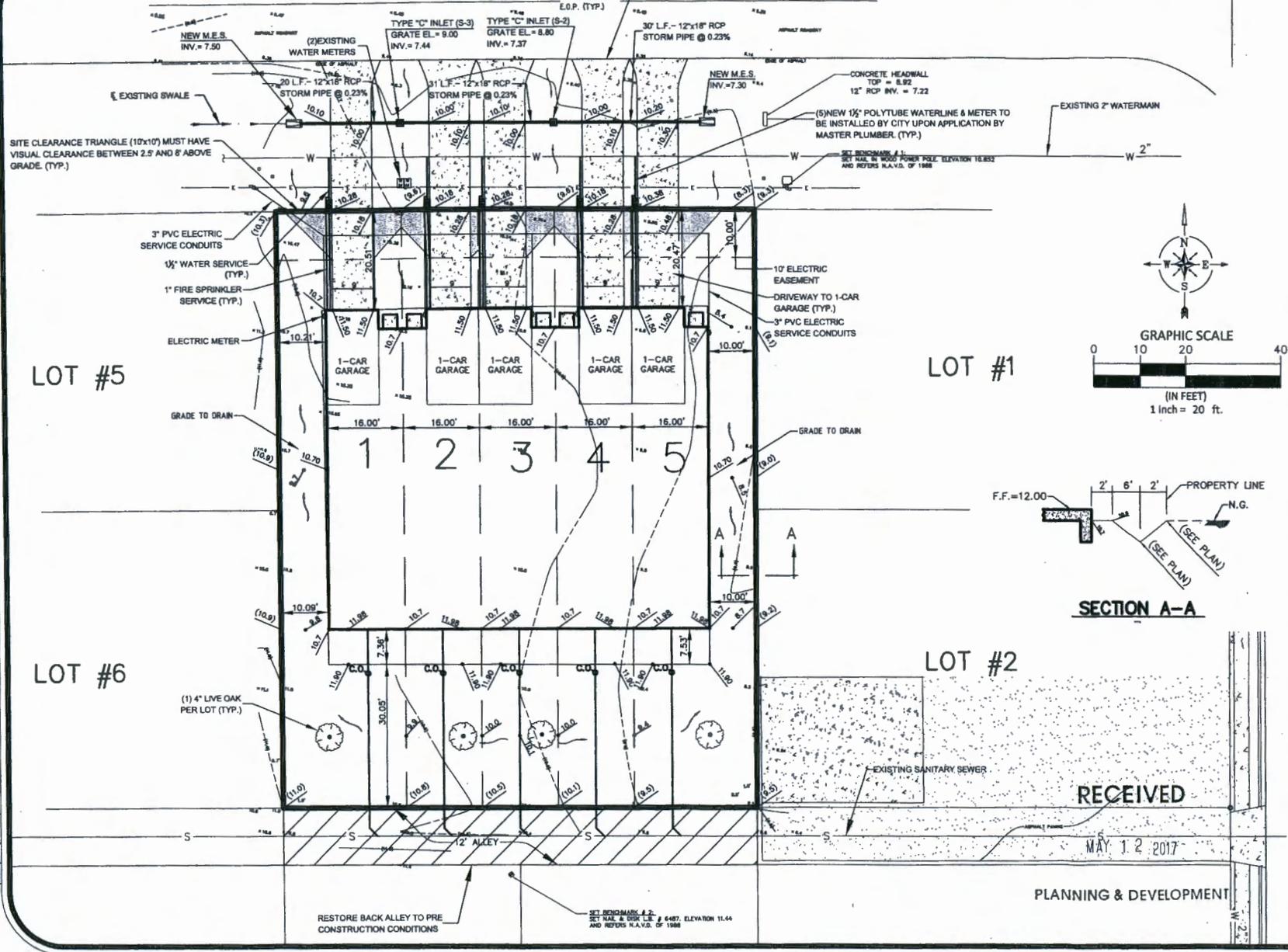
Planning@jaxbchfl.net

www.jacksonvillebeach.org



12th AVENUE NORTH

80' R.O.W.



GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

314 & 322, 12th AVENUE NORTH

SITE ENGINEERING PLAN

NORTH FLORIDA ENGINEERING SERVICES, INC.
CERTIFICATION # 20085
9432 Baymeadows Road, Suite 200, Jacksonville, FL 32256
Phone: 904.241.2272
www.nfe-engineering.com

DATE: 01/18/2017
JOB NUMBER: 17-004

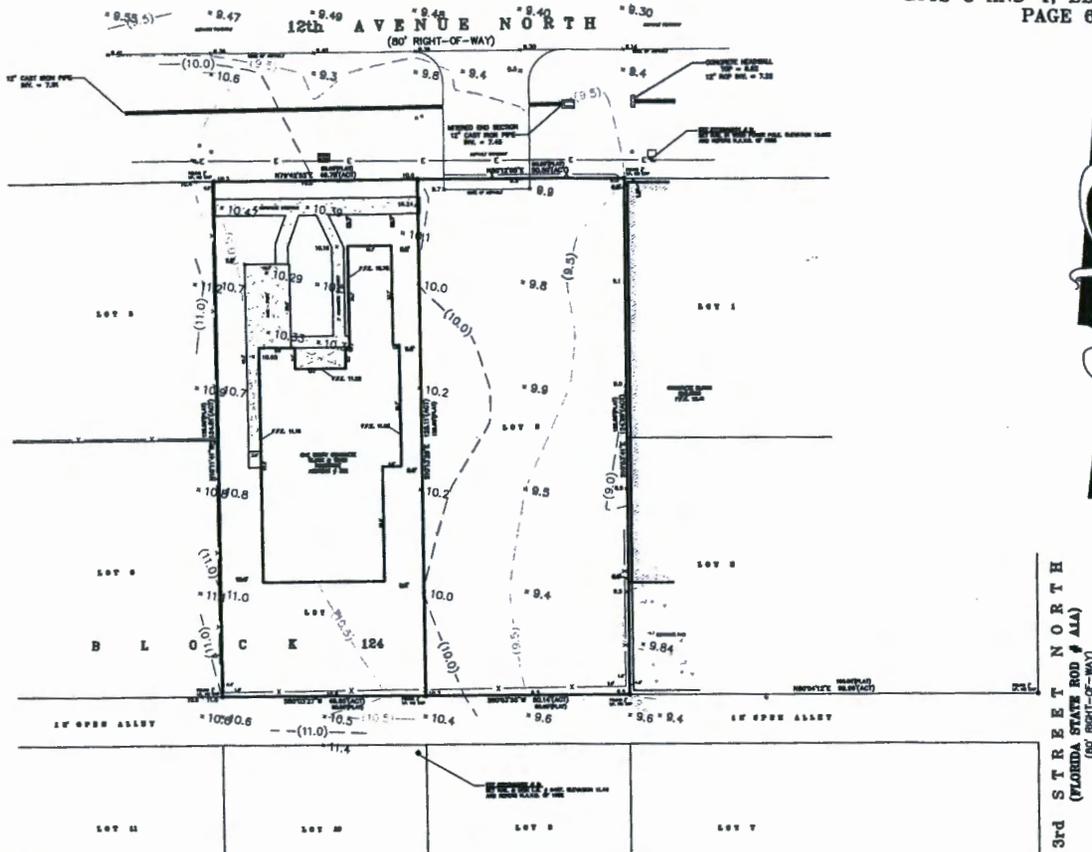
SCALE: 1"=20'

SHEET NUMBER

3

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**MAP SHOWING TOPOGRAPHIC & TREE SURVEY OF
LOTS 3 AND 4, BLOCK 124, PABLO BEACH IMPROVEMENT'S PLAT, AS RECORDED IN PLAT BOOK 5,
PAGE 66, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA**



LEGEND

- (ACT) = ACTUAL
- BFP = BACKFLOW PREVENTER
- CB = CATCH BASIN
- CH = CHORD
- CL = CENTERLINE
- CLF = CHAIN LINK FENCE
- C.M. = CONCRETE MONUMENT
- CONC = CONCRETE
- (D) = DEED
- FND. = FOUND
- I.D. = IDENTIFICATION
- I.P. = IRON PIPE
- I.R. = IRON ROD
- Δ = DELTA
- ⊗ = FIRE HYDRANT
- ☆ = LIGHT POLE
- ⊗ = WATER VALVE
- ⊗ = GAS VALVE
- ⊗ = SEWER VALVE
- ⊗ = WELL
- ⊗ = POWER POLE
- ⊗ = BENCHMARK
- ⊗ = CLEAN OUT
- ⊗ = PROPERTY LINE
- ⊗ = WATER METER
- A = ARC LENGTH
- O.R.B. = OFFICIAL RECORDS BOOK
- O.R.V. = OFFICIAL RECORDS VOLUME
- (P) = PLAT
- PB = PLAT BOOK
- PC = POINT OF CURVATURE
- PCC = POINT OF COMPOUND CURVE
- PG(S) = PAGE(S)
- PRC = POINT OF REVERSE CURVE
- PT = POINT OF TANGENCY
- R = RADIUS
- REC. = RECORD
- R/W = RIGHT-OF-WAY
- ⊗ = CENTER LINE
- ⊗ = HANDICAP PARKING
- ⊗ = STORM SEWER MANHOLE
- ⊗ = SANITARY SEWER MANHOLE
- ⊗ = TELECOMMUNICATION MANHOLE
- ⊗ = WATER MANHOLE
- ⊗ = ELECTRIC MANHOLE
- ⊗ = SIGN
- ⊗ = WETLAND FLAG
- ⊗ = FOUND 1/2" IRON PIPE WITH NO I.D. UNLESS OTHERWISE NOTED
- ⊗ = FOUND 4"x4" CONCRETE MONUMENT NO I.D. UNLESS OTHERWISE NOTED
- ⊗ = FOUND NAIL & DISK NO I.D. UNLESS OTHERWISE NOTED

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GENERAL NOTES

1. BEARINGS AND DISTANCES ESTABLISHED FROM PLAT BOOK 5, PAGE 66
2. DIMENSIONS SHOWN THUS 25.0' AND DENOTE BUILDING, CONCRETE AND FENCE TIES.
3. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND IN TENTHS AND ARE BASED ON THE U.S. SURVEY FOOT.
4. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF TITLE COMMITMENT.
5. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
6. THIS IS NOT A BOUNDARY SURVEY, AND DOES NOT PURPORT TO BE SUCH.

SOURCE BENCHMARK:
BRASS DISK STAMPED B 324 1970, ELEVATION 10.16 AND REFERS
N.A.V.D. OF 1988

LOCATED 77.5 FT (23.6 M) EAST OF THE NORTHEAST CORNER OF THE POST
OFFICE BUILDING, 45.5 FT (13.9 M) SOUTH OF THE CENTERLINE OF SEVENTH
AVENUE NORTH, 17.4 FT (5.3 M) WEST OF THE WEST CURB OF STATE HIGHWAY
A1A SOUTHBOUND LANES AND 0.6 FT (0.2 M) WEST OF THE EAST END OF THE FOUNDATION.

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft

 5202 San Juan Ave. Jacksonville, Florida 32210 Tel. (904)384-8377 Fax (904)384-8388 www.arcsurveying.com Licensed Surveyors # 5487	DUVAL COUNTY, FLORIDA JACKSONVILLE BEACH	File name	Party Chief: J. ROONEY	Drawn by: JDY	Drawing Date: 02-15-17				PROJECT NO. 17-02-25
		Reference files:	Field Bk/Pg J2-109, 1-6	Checked by: BLP	Survey Date: 02-14-17				
		Survey Performed for:			No. Approved: 5/3/17		REVISD BORDER & SCALE		SHEET 1 OF 1
		CURTIS L. HART MANAGING MEMBER HART RESOURCES LLC			No. Approved: _____ Date: _____		Description: _____		

BOUNDARY CERTIFICATIONS:
 No. 4827
 5-8-17
 B.G.B. LUTTMAN, P.S.M.
 FLORIDA REGISTERED CERTIFICATE NO. 4827
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



APPLICATION FOR VARIANCE

BOA No. 17-100083
HEARING DATE 6-20-17

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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APPLICANT INFORMATION

Applicant Name: Michael Murtagh (Murtagh) Telephone: 407-221-4531
 Mailing Address: 1026 2nd st S, Apt -B Jax Beach 32250 E-Mail: Michael.Murtagh@Hotmail.com
 Agent Name: N/A Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Same Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 1026 South 2nd St. Jax Beach 32250
 Legal description of property (Attach copy of deed): 516.25ft of 1242.50ft of Lots 11+12 Bk 103
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). to improve the use of the land & to have out door access from the kitchen - And to match the other units

Applicant's Signature: Michael Murtagh Date of Application: 5-9-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 * RM-2 Conditional Use, per PC 06-02 FLOOD ZONE: X
 CODE SECTION (S): Sec 34-3 to (ex4) c-3 for a rear yard setback of 11', in lieu of 30' required; (ex4)e, for 32-3% lot coverage, in lieu of 65% maximum; to allow a 2nd story deck addition to the rear of an existing townhouse dwelling unit -

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100083

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.		<p style="text-align: right;">RECEIVED</p> <p style="text-align: center;">MAY - 9 2017</p> <p style="text-align: right;">PLANNING & DEVELOPMENT</p>
Special circumstances and conditions do not result from the actions of the applicant.		
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.		
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.		
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.		
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.		

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

File Number: PVT130969

3

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 6th day of December, 2013, between **Louis Ward Kemp and Victoria A. Bennett, husband and wife**, whose post office address is **1874 Cardinal Court, Jacksonville Beach, FL 32250**, grantor, and **Michael P. Murtagh, an unmarried man**, whose post office address is **1026-B 2nd Street South, 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:

The South 16.25 feet of the North 42.50 feet of Lots 11 and 12, Block 103, Pablo Beach South, according to the map or plat thereof, as recorded in Plat Book 3, Page(s) 28, of the Public Records of Duval County, Florida.

Parcel Identification Number: 1761650200

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.

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

Signed, sealed and delivered in our presence:

Timothy Shippee
Witness 1 Signature

Witness 1 Printed Name

L W Kemp
Louis Ward Kemp

Jolyn Clark
Witness 2 Signature
Jolyn Clark

Witness 2 Printed Name

Victoria A. Bennett
Victoria A. Bennett

State of FLORIDA

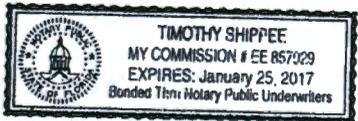
County of ST. JOHNS

The foregoing instrument was acknowledged before me this 6th day of December, 2013, by Louis Ward Kemp and Victoria A. Bennett, husband and wife, who () are personally known to me or () have produced Drivers' Licenses as identification.

Timothy Shippee
Notary Public

Printed Name: _____

My Commission Expires: _____



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Street and the ocean are developing as mixed use commercial and residential areas.

The purpose of this amendment is to ensure that the developing mixed use commercial and residential character of the C-1 and CBD areas are preserved, while providing for more appropriate sites for social service establishments in the purely commercial areas of the City's C-2 zoning district.

Recommendation:

Approval.

✓ PC #2-97- Public Hearing

Owner/applicant: Jack and Rania Gabriel
3841 Fenwick Island Drive
Jacksonville, FL 32224

Location: 200 Block, 11th Ave. S.

Request: Conditional Use approval of a multifamily residential use in a Commercial limited:C-1 zoning district, pursuant to LDC Section 34-342(d)(15).

Comments: The applicants wish to construct a four unit residential condominium on the west side of South 2nd Street South, between 10th and 11th Avenues South.

Even though the west side of 2nd Street South is commercially zoned, the street has developed into a mixed use area with purely residential uses along the east side, and a mix of small scale office and retail and residential uses along the west side. The interspersing of residential uses with small scale commercial uses in this area is not undesirable, and can actually serve to reduce impacts to city services, as opposed to the area were it to be developed into purely commercial use.

The proposed use will not detract from the character of the immediate neighborhood, and as discussed, is generally consistent with existing development pattern of 2nd Street South.

Recommendation: Approval.

1. The requested residential use of the subject property be limited to that of single-family residences.
2. The landscaping areas adjacent to the 7th and 8th Avenue North and 5th Street North rights to be average 10 feet in width, and shall be planted so as to adequately screen the on-site vehicular use areas.
3. Fencing shall be installed within the 7th Avenue North and 5th Street North rights of way to prohibit on street parking adjacent the church owned properties within Block 85.
4. The parking area shall be constructed with concrete paver driveways and grassed parking spaces.

✓ **PC #06-02 - Public Hearing**

Owner: Oceanside Real Estate, Inc.
5651 Colcord Avenue
Jacksonville, FL 32211

Applicant: Ryan G. Wetherhold
Oceanside Real Estate, Inc.
5651 Colcord Avenue
Jacksonville, FL 32211

Agent: N/A

Location: 1026 South 2nd Street, a.k.a. North 85' of Lots 11 & 12, Block 103, Pablo Beach South.

Request: Conditional use approval of a multi-family development, per RM-2 standards, in a *Commercial, limited: C-1* zoning district, pursuant to LDC Section 34-342 (d)(15).

Comments: The applicant recently purchased the subject property and wants to develop it into a four-unit residential townhouse project. Located on the west side of 2nd St. S., between 10th and 11th Ave. S., the property lies in a C-1 zoning district. 2nd St. in this area exists as the zoning boundary between C-1 and RM-2 districts. Multifamily residential development, pursuant to RM-2 standards, is only allowed by conditional use approval in C-1 districts.

The former owners of this vacant lot received conditional use approval for

a four unit multifamily project in January 1997, via PC#02-97. They never developed the property and have now sold it to the applicant, who wishes to develop it in a similar fashion. He was informed that conditional uses are not transferable and he has now applied for approval in his company's name, for a four-unit townhouse project.

Existing uses around the subject property include multifamily residential to the north, west and south, and the parking lot for the Days Inn hotel across 2nd St. There should be no negative impacts to the character of this neighborhood as a result of this application's approval, and adjacent property values will likely be positively affected by the project's development.

Recommendation: Approval.

PC #07-02 - Public Hearing

Owner: Daniel & Robin Wahby
385 Royal Tern Road South
Ponte Vedra Beach, FL 32082

Applicant: Levent Hazer
PASA Hotel Management
115 South 5th Avenue
Jacksonville Beach, FL 32250

Agent: N/A

Location: 115 South 5th Avenue, a.k.a. Lot 7, Block, 42, Pablo Beach South.

Request: Conditional use approval of a restaurant in an existing hotel facility in a *Residential, multiple family: RM-2* zoning district, pursuant to LDC Section 34-340(d)(21).

Comments: The applicant, Pasa Hotel Mgmt. LLC, manages the *Sabal Palm Inn* located on the subject property, which lies on the northwest corner of 1st St. and 6th Avenue S. The subject property includes the lot that the hotel sits on and the small vacant lot next to it, on the corner.

The applicant wishes to operate a small, fifteen-seat restaurant within the hotel building that would cater to the general public in addition to guests of the hotel. Staff informed him that this constituted a separate use from the hotel, and since the vacant lot adjacent to the original hotel property was

DESIGN SPECIFICATIONS

DESIGN CODE:
2014 FLORIDA BUILDING CODE - RESIDENTIAL

DESIGN IS VOID ONE YEAR AFTER THE DATE OF THE ORIGINAL PLANS, UNLESS PLANS HAVE BEEN REVIEWED FOR CODE COMPLIANCE.

DESIGN LOADS: ACTUAL AND UNIFORM

LOADING: **FLOOR**
(per 1.00)
LIVE LOAD 50 psf
DEAD LOAD 15 psf

DEFLECTION CRITERIA:
FLOOR FRAMING: LIVE LOAD L/360 & TOTAL LOAD L/240

WIND LOADING:
ASCE 7/10

BASIC WIND SPEED (ASCE 7-10) ----- 130 MPH

IMPORTANCE FACTOR ----- 1.00

MEAN ROOF HEIGHT ----- 25.0 FT

BUILDING CATEGORY ----- B

EXPOSURE CATEGORY ----- C

ENCLOSURE CLASSIFICATION ----- OPEN

INTERNAL PRESSURE COEFFICIENT ----- 0.00

MATERIAL SPECIFICATIONS

HARDWARE AND ANCHORS:

ANCHOR BOLTS & THREADED ROD: SHALL BE IN ACCORDANCE WITH ASTM A 307 OR ASTM F 1554 GRADE 36.
WASHERS: SHALL BE IN ACCORDANCE WITH ASTM A500 (GRADE B).
NUTS: SHALL BE IN ACCORDANCE WITH ASTM A 563 GRADE A HEX.
METAL CONNECTORS: ALL METAL CONNECTORS WHICH ARE EXPOSED TO EXTERIOR SHALL BE GALVANIZED.

RETROFIT REBAR/ROD INSTALLATION: EMBEDMENT OF RODS OR REBAR CORNERS SHALL BE 1/2 BAR DIAMETER MINIMUM. HOLES SHALL BE 1/4" LARGER THAN REBAR SIX AND 1/4" LARGER THAN THREADED ROD SIZE (U.O.I.K.).
ANCHORING ADHESIVE: SHALL BE ONE OF THE FOLLOWING PRODUCTS (DUAL CARTRIDGE INSTALLATION ONLY):
EPOXY: 176 RED HEAD A7

REINFORCING STEEL: SHALL BE ASTM A615, GRADE 80.
STRUCTURAL STEEL: SHALL BE ASTM A992, GRADE 50.
WELDED WIRE FABRIC (WWF): SHALL BE ASTM A185.
LAMINATED VENEER LUMBER (LVL): ALL LAMINATED VENEER LUMBER SHALL MEET OR EXCEED THE FOLLOWING DESIGN PROPERTIES - ELASTIC MODULUS (E): 1,900,000, BENDING STRESS (Fb): 2600psi

SCOPE OF SERVICE

MEANS AND METHODS:

THE STRUCTURAL ENGINEER SHALL NOT HAVE CONTROL OR BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES, OR SEQUENCES; FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR OR ANY OTHER PERSONS PERFORMING THE WORK OR FOR THE FAILURE FOR ANY OF THEM TO CONSTRUCT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

LIMITS OF STRUCTURAL ENGINEERING DESIGN RESPONSIBILITIES:
THE ITEMS SPECIFICALLY DESIGNED BY THE STRUCTURAL ENGINEER ARE LIMITED TO THE FOLLOWING: DECK BEAMS, JOISTS, POSTS, AND CONNECTING ELEMENTS. ITEMS NOT DESIGNED: ANY ARCHITECTURAL, MECHANICAL OR ELECTRICAL SYSTEM.

GENERAL NOTES & CONSTRUCTION SPECIFICATIONS

CONCRETE SPECIFICATIONS:

ALL CONCRETE HAS BEEN DESIGNED IN ACCORDANCE WITH AC 308-08, AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH AC 301. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2500 PSI AT 28 DAYS CONCRETE AT GARAGE AND PORCH SLABS SHALL HAVE A COMPRESSIVE STRENGTH OF 3000 PSI.

FOOTING AND FOUNDATIONS:

FOOTINGS AND FOUNDATIONS SHALL BE IN ACCORDANCE WITH LOCAL BUILDING CODES. FOOTING HAVE BEEN DESIGNED WITH A SOIL BEARING (DESIGN MAXIMUM) OF 2000 PSF. A SOILS INVESTIGATION REPORT IS RECOMMENDED TO VERIFY SUITABLE SUBSURFACE CONDITIONS. IF THE FOOTING ELEVATIONS SHOWN OCCUR IN A DISTURBED OR UNSTABLE SOIL, THE ENGINEER SHALL BE NOTIFIED. SOIL SHALL BE FREE OF ORGANIC MATERIAL AND COHESIVE (CLAY) SOILS. SOIL COMPACTION AND FILL SHALL BE COMPACTED TO A MIN. OF 95% MOISTURE PROCTOR IN ACCORDANCE WITH ASTM D 1557.

FOUNDATION PLAN ONLY CONVEYS STRUCTURAL INFORMATION. FOR GENERAL FEATURES, CONDUITS, ELECTRICAL CHASES, STEP HEIGHTS, ETC., SEE ARCHITECTURAL PLANS. DO NOT SCALE FOOTING DIMENSIONS AND LOCATION FROM THE FOUNDATION PLAN SHOWN ON S1.0. DO NOT DETERMINE FOOTING LOCATION BASED ON EITHER THE ARCHITECTURAL PLAN OR FRAMING PLAN, BUT BY DIMENSIONS PROVIDED ON FOUNDATION PLAN. IF FOOTING SIZE OR LOCATION IS NOT DETERMINED ON PLAN THEN CONTACT ENGINEER OF RECORD (EOR).

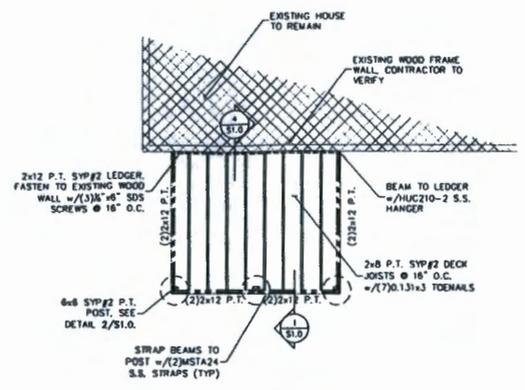
UNLESS OTHERWISE NOTED ON DRAWINGS, MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE 3" IN FOOTINGS AND MESH SHALL BE CENTERED IN SLAB ON GRADE. IN ALL CONTINUOUS FOOTINGS PROVIDE #3 @ 48" O.C. OR ROD CHAIRS. PROVIDE CONTINUITY OF REINFORCING AT INTERSECTIONS OF PERPENDICULAR CONCRETE ELEMENTS BY INSTALLING CORNER BARS. MINIMUM OF 40 BAR DIAMETERS INTO EACH ELEMENT. SPLICES IN REINFORCING, WHERE PERMITTED, SHALL BE 48 BAR DIAMETERS.

WOOD FRAMING SPECIFICATIONS:

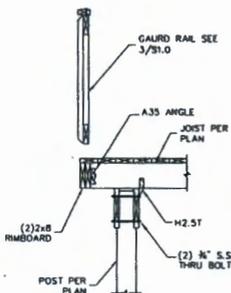
ALL WOOD FRAMING HAS BEEN DESIGNED IN ACCORDANCE WITH NATIONAL DESIGN SPECIFICATIONS (NDS) FOR WOOD CONSTRUCTION, LATEST EDITION. ALL WOOD MEMBERS EXPOSED TO WEATHER OR IN CONTACT WITH MASONRY, CONCRETE OR SOIL SHALL BE PRESURE-TREATED. IF ACO OR NON-DOT BORATE PRESERVATIVE TREATMENT IS USED, ALL ATTACHED FASTENERS SHALL BE HOT DIPPED GALVANIZED. IF ACO PRESERVATIVE IS USED, ALL ATTACHED FASTENERS SHALL BE STAINLESS STEEL.

WATERPROOFING:

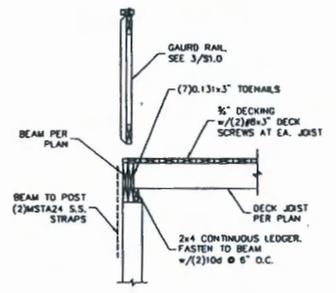
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN/INSTALLATION OF ALL WATER PROOFING.



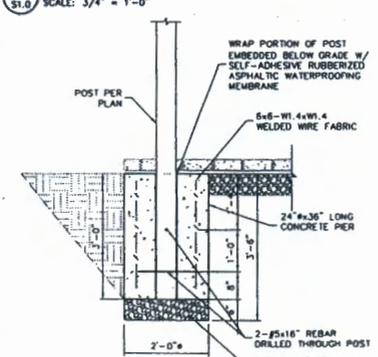
FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



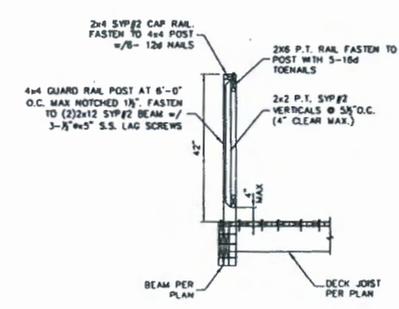
1 DECK SECTION DETAILS
SCALE: 3/4" = 1'-0"



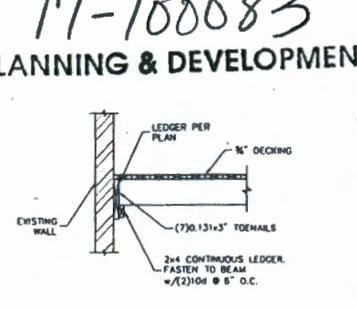
OPTION B



2 EMBEDDED POST DETAIL
SCALE: 3/4" = 1'-0"



3 GUARDRAIL POST DETAIL
SCALE: 3/4" = 1'-0"



4 LEDGER DETAIL
SCALE: 3/4" = 1'-0"

SYMBOLS LEGEND	
---	REINFORCING REBAR LINE
---	REINFORCING SHORT LINE
---	EDGE OF WALL, SEE PLAN

INFORMATION SHOWN ON THESE DRAWINGS REGARDING EXISTING CONDITIONS HAVE BEEN OBTAINED BASED ON AVAILABLE SOURCES AT THE TIME OF DESIGN INCLUDING ASSUMPTIONS BASED ON EXPERIENCE WITH SIMILAR STRUCTURES. THE ACTUAL AS-BUILT CONDITION FOUND IN THE FIELD MAY VARY FROM INFORMATION INDICATED IN THESE DRAWINGS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND NOTIFY ENGINEER IN WRITING BEFORE BEGINNING NEW CONSTRUCTION OF ANY INTERFERENCES AND/OR DISCREPANCIES THAT MIGHT EXIST BETWEEN THESE DRAWINGS AND/OR ACTUAL FIELD CONDITIONS. CONTRACTOR SHALL REPAIR/REPLACE ANY DAMAGED EXISTING STRUCTURAL MEMBERS DISCOVERED DURING CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY BRACING/SUPPORTS, TEMPORARY SUPPORTS AND OTHER SUCH ITEMS OR OTHER MEASURES NECESSARY TO PROTECT THE STRUCTURE AND ANY PERSONNEL DURING CONSTRUCTION. SAFETY OF THE STRUCTURE AND PERSONNEL DURING CONSTRUCTION ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

FASTENER NOTES:
ALL METAL FASTENERS INCLUDING BOLTS, NAILS, SCREWS, STRAPS AND HANGERS, SHALL BE GALVANIZED OR STAINLESS STEEL.



428 Ochs Avenue
San Ramon, GA 30089
Ph. 770-520-1100 Fax 770-520-1102
FL CA #33432, CA# 9379

Lesli A. Footage, PE
FL #25331

REVISION	DATE

FIELD ALTERATION
REVISIONS TO BE MADE BY THE CONTRACTOR SHALL BE INDICATED BY A CIRCLED NUMBER AND A LETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.

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MURTAGH RESIDENCE
1026 2ND ST. SOUTH APT. B
JACKSONVILLE BEACH

GENERAL NOTES, FOUNDATION PLAN & DETAILS

PLAN NUMBER	REVISION

S1.0
SHEET 1 OF 1

MAP SHOWING BOUNDARY SURVEY OF

S. 16.25' OF THE N. 42.50' OF LOTS 11 & 12 BLOCK 103 AS SHOWN ON MAP OF
PABLO BEACH

AS RECORDED IN PLAT BOOK 3 PAGES 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL CO, FLA.
 CERTIFIED TO: LOUIS KEMP, VICTORIA BENNETT, NAVY FEDERAL CREDIT UNION,
SUTTON LAND TITLE AGENCY, AMERICAN PIONEER TITLE INSURANCE COMPANY

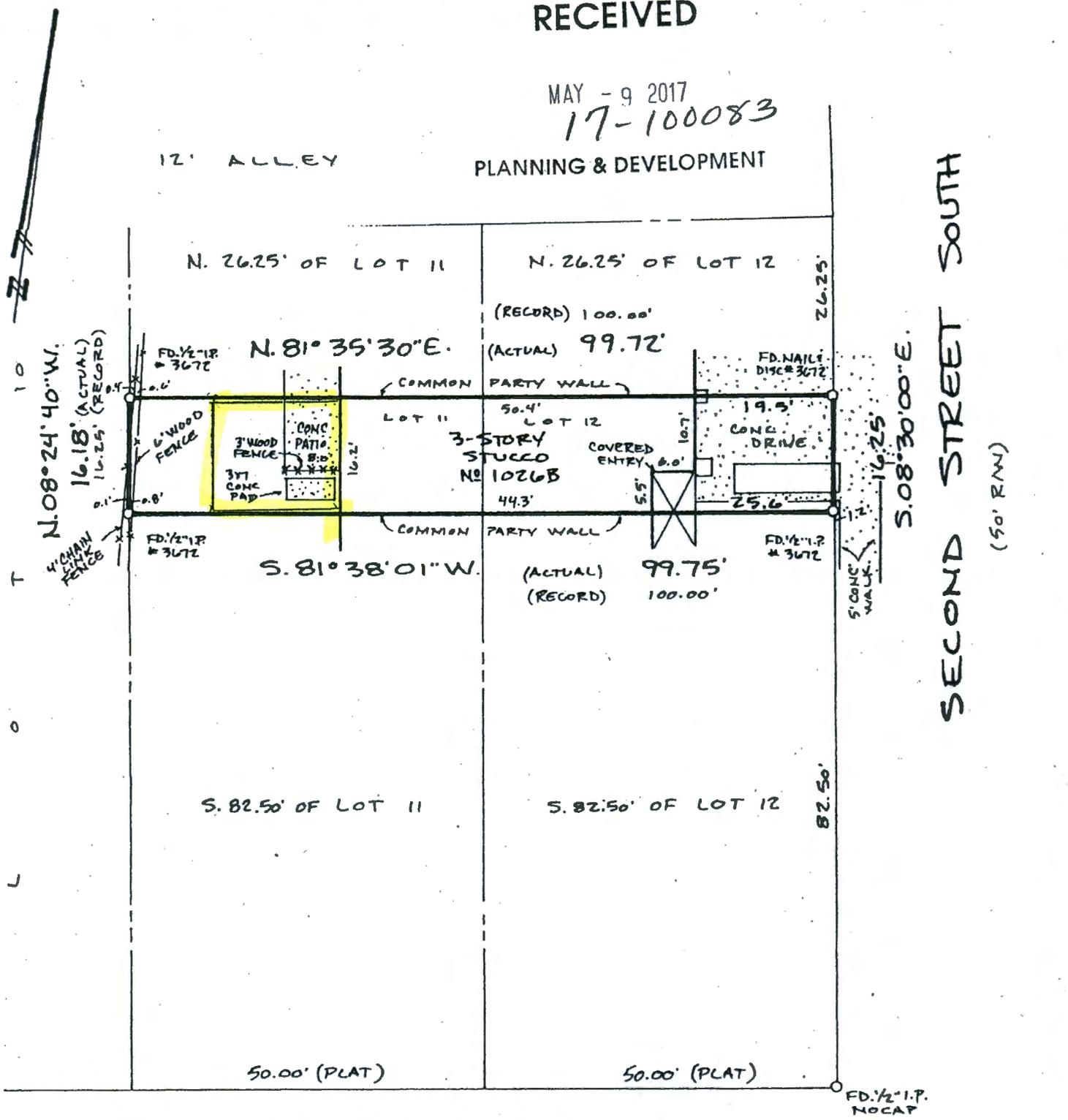
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12' ALLEY

PLANNING & DEVELOPMENT

SECOND STREET SOUTH
 (50' R/W)



11TH AVENUE SOUTH

(80' R/W)

(LEVY AVENUE BY PLAT)

PERRET AND ASSOCIATES, INC.

1614 ATLANTIC-UNIVERSITY CIRCLE, JACKSONVILLE, FLORIDA 32207 ~ (904) 805-0030 ~ FAX (904) 805-9888

GENERAL NOTES:

- (1) BEARINGS SHOWN HEREON ARE BASED ON S. 08° 30' 00" E. FOR THE W'LY R/W LINE OF SECOND STREET
- (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS
- (3) UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
- (4) THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, PANEL

P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENCY
P.R.C.	POINT OF REVERSE CURVE
P.C.C.	POINT OF COMPOUND CURVE
P.O.C.	POINT ON CURVE
B.R.L.	BUILDING RESTRICTION LINE
C/L	CENTER LINE
R/W	RIGHT-OF-WAY
O.R.V.	OFFICIAL RECORDS VOLUME

LEGEND

R	RADIUS
Δ or D	DELTA (CENTRAL ANGLE)
A or L	ARC LENGTH
C or CH	CHORD
CB	CHORD BEARING
(R)	LINE RADIAL TO CURVE
A/C	AIR CONDITIONER
CONC.	CONCRETE
FD.	FOUND
I.P.	IRON PIPE

SCALE 1" = 20'

12-9-2003

Nathan E. Perret
 NATHAN E. PERRET, FLA. CERT. NO. 5732

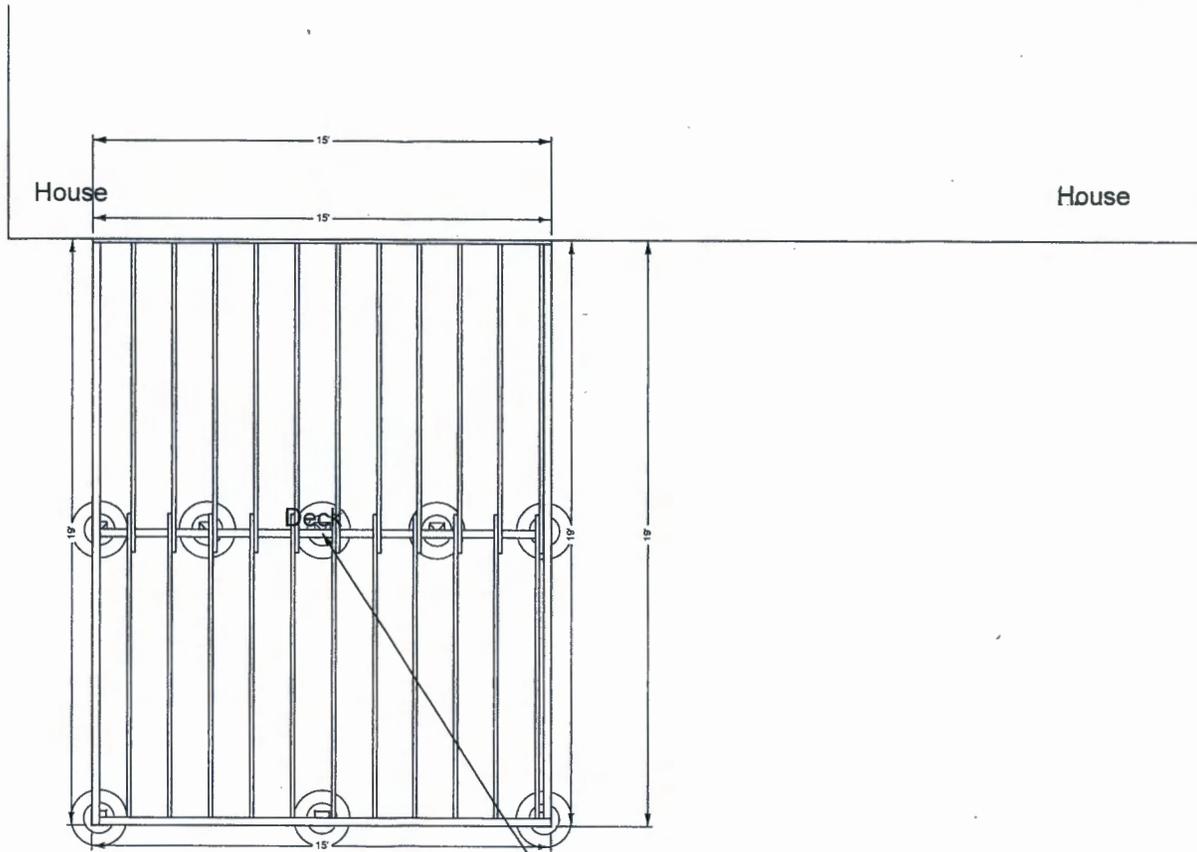


SCALE: 1/4" = 1' WHEN PRINTED ON 11X17 PAPER

BASED ON THE INTERNATIONAL RESIDENTIAL CODE

STAIRWAY ILLUMINATION: ALL EXTERIOR STAIRWAYS SHALL BE ILLUMINATED AT THE TOP LANDING TO THE STAIRWAY. ILLUMINATION SHALL BE CONTROLLED FROM INSIDE THE DWELLING OR AUTOMATICALLY ACTIVATED.

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DOUBLE 2X10 DROP BEAM

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DISCLAIMER: ONLY USE #2 OR BETTER PRESSURE TREATED SOUTHERN PINE 2X10 FOR FRAMING MATERIALS. NEVER SUBSTITUTE SOFTWOODS OR COMPOSITE FOR FRAMING MATERIALS.

2x10 Ledger Board to be flashed and bolted (2) 1/2" bolts with washers or equivalent every 16" on center. (See ledger detail in deck construction guide)
Joists to be 2x10 pressure treated southern yellow pine installed 16" on center.
Beams to be 2-2x10 pressure treated southern yellow pine nailed.
Guard Rails to be 36" high with less than 4" openings per IRC code. (See rail detail in deck construction guide)
Stairs to be built max rise 7-3/4" min rise 4" in run 10" per IRC code. (See stair detail in deck construction guide)
Decking to be 5/4x6 Pressure Treated Pine. (Follow manufacturers' installation instructions)
All hardware to be corrosion resistant and installed per manufacturers' instructions.



Total Depth: 48
Base Diameter: 22
Pier Diameter: 12

Footings to be installed to 48" depth as is required by your local building ordinance. Frost footing sizes based on 55 lbs per square foot tributary loads applied to 1500 psi soil compression capacity (assumed clay soil). See footing detail in deck construction guide.

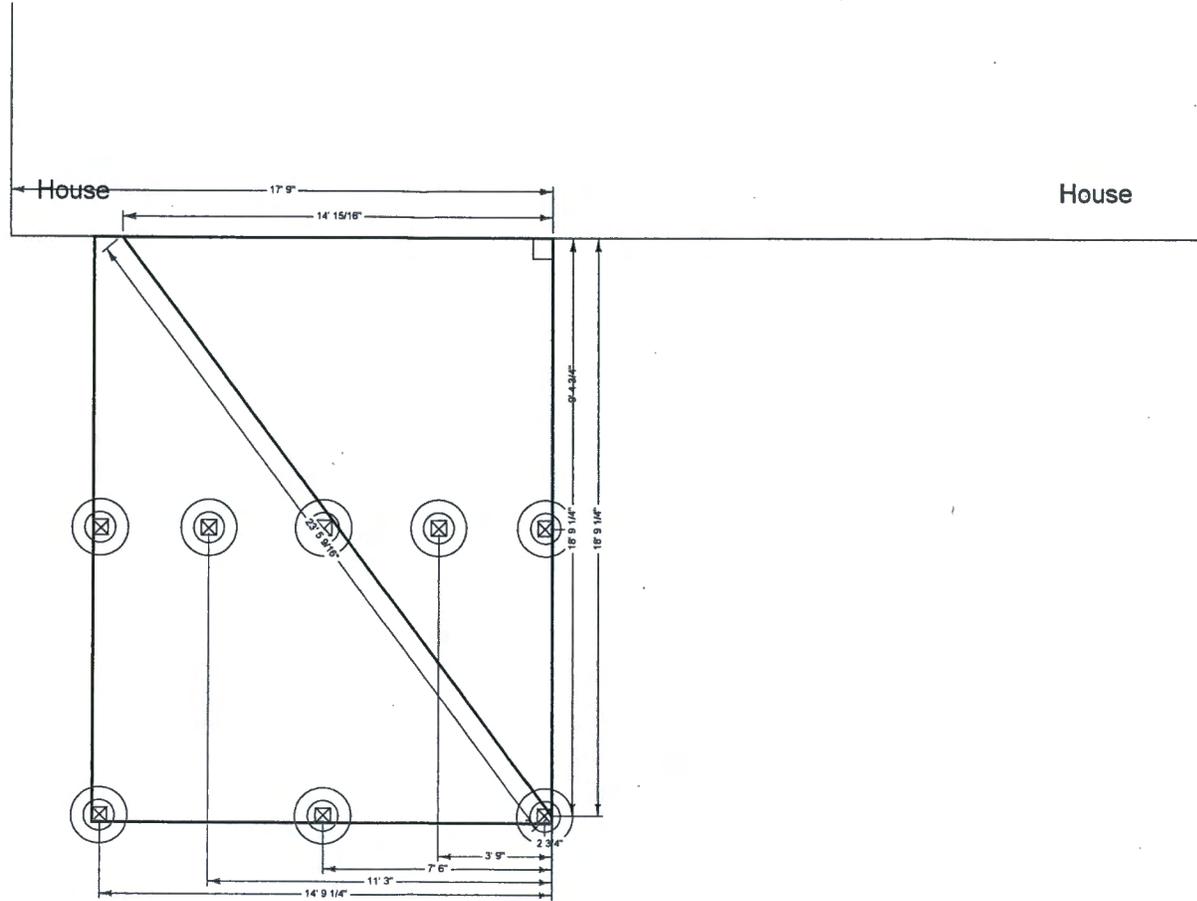
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STAIR FOOTING REQUIREMENTS
WHERE THE STAIRWAY MEETS GRADE, ATTACH THE STAIR
STRINGERS TO THE STAIR GUARD RAIL POSTS. POSTS SHALL
BEAR ON FOOTINGS



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See footing detail in deck construction guide.


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DISCLAIMER: USE ONLY 2,500 PSI CONCRETE FOR FROST FOOTING FOUNDATIONS.



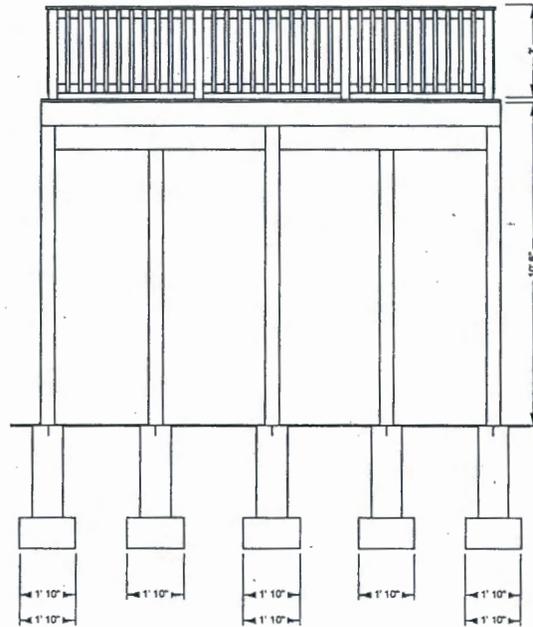
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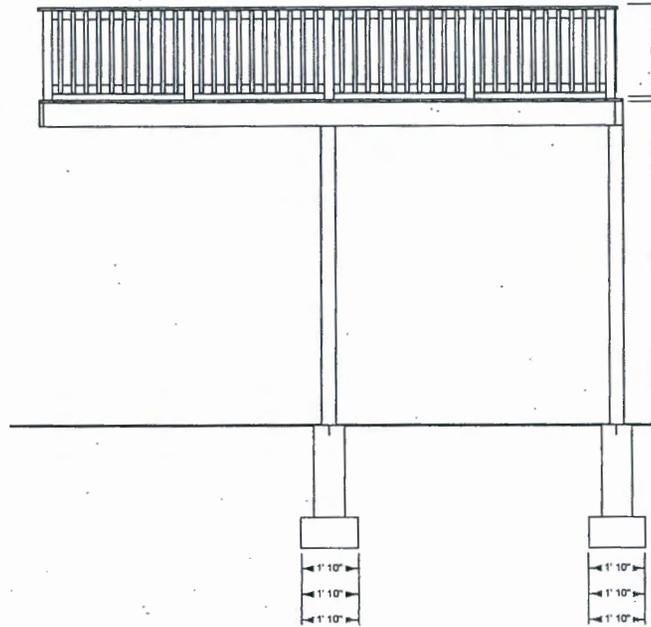
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