



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Board of Adjustment

---

Wednesday, September 6, 2017

7:00 PM

Council Chambers

---

#### **MEMORANDUM TO:**

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

Board Members:

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

#### **CALL TO ORDER**

#### **ROLL CALL**

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

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

**APPROVAL OF MINUTES**    None

#### **CORRESPONDENCE**

**OLD BUSINESS**

- a. **Case Number:** **BOA 17-100025 Request for Reconsideration**
- 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: Variance request (BOA# 16-100040) was denied July 18, 2017.

Notes:

---



---

- b. **Report from City Attorney - Special Magistrate Report and Recommendation Pursuant to Section 70.51, Florida Statutes: Application BOA 16-100187**

Notes:

---



---

**NEW BUSINESS**

**a. Case Number:** **BOA 17-100124**  
**Applicant/Owner:** Tracey McCue-Paulson and Allen Paulson  
**Property Address:** 2860 St Johns Boulevard  
**Parcel ID:** 180878-0000  
**Current Zoning:** RS-2  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-337(e)1.e., for 57% lot coverage in lieu of 35% maximum; for 34-337(e)1.g., for accessory structure setbacks of 1.9 feet along the southerly property line and 0.9 feet along the northerly property line, to ratify existing nonconformities and to allow an accessory building addition to an existing single-family dwelling, for property **legally described** as Lots 16 and 17, Block 7, as shown on map of *Jacksonville Beach Heights*.**

**Miscellaneous Info:** No previous variance requests.

Notes:

---



---

**b. Case Number:** **BOA 17-100130**  
**Applicant/ Owner:** Brandon Andrews  
**Property Address:** 525 Patricia Lane  
**Parcel ID:** 175040-0000  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 46.5% lot coverage, in lieu of 35% maximum; 34-336(e)(1)g., for a 2 foot northerly and a 2 foot westerly accessory structure setback, each in lieu of 5 feet required; 34-337(d), for a parking area setback of 2 feet in lieu of 5 feet required; to allow a driveway and detached garage addition to an existing single-family dwelling, for property **legally described** as Lot 6, Block 6, *Beach Homesite Unit 1*.**

**Miscellaneous Info:** No previous variance requests

Notes:

---



---

c. **Case Number:** **BOA 17-100132**  
**Applicant/ Owner:** Robert Twigg  
**Property Address:** 517 Patricia Lane  
**Parcel ID:** 175036-0010  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.3., for a rear yard setback of 25 feet, in lieu of 30 feet required; to allow for a room addition to an existing single-family dwelling, for property legally described as Lot 2, Block 6, Beach Homesite Unit 1.**  
**Miscellaneous Info:** No previous variance requests

Notes:

d. **Case Number:** **BOA 17-100133**  
**Applicant/Owner:** Robert and Maria Burke  
**Property Address:** 1228 North 2<sup>nd</sup> Avenue  
**Parcel ID:** 177704-1000  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 37.6% lot coverage, in lieu of 35% maximum; 34-336(e)(1)g., for an accessory structure setback of 2 feet in lieu of 5 feet required; to allow a detached garage addition in the rear yard of an existing single-family dwelling, for property legally described as west 1/2 of Lot 9, and all of Lot 10, Block 3, Pine Grove Unit No.**  
**Miscellaneous Info:** Two previous variance requests (BOA#83-97; BOA#11-100133)

Notes:

- e. **Case Number:** **BOA 17-100135**  
**Applicant/Owner:** Jamie and Susanna Pearl  
**Agent:** Ann Margadonna and Chris Harman  
**Property Address:** 115 North 12<sup>th</sup> Avenue  
**Parcel ID:** 174645-0000  
**Current Zoning:** RM-2 (Conditional Use to RS-3)  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1., for a front yard setback of 0 feet in lieu of 20 feet required; 34-338(e)(1)c.2., for a westerly side yard of 1 foot, in lieu of 5 feet required; and side yards totaling 13 feet, in lieu of 15 feet required; 34-338(e)(1)c.3., for a rear yard setback of 27 feet in lieu of 30 feet required; to allow for substantial improvements to an existing nonconforming single-family structure for property legally described as west 45 feet of Lot 1, Block 132, Replat Part Pablo Beach North.**  
  
**Miscellaneous Info:** No previous variance requests.

Notes:

- f. **Case Number:** **BOA 17-100136**  
**Applicant:** Kenneth A. Massey  
**Owner:** Jackie Stewart  
**Property Address:** 728 Holly Drive  
**Parcel ID:** 177860-0000  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1., for a front yard setback of 20 feet, in lieu of 25 feet required; 34-336(e)(1)e., for 44.5% lot coverage, in lieu of 35% maximum; to allow construction of a single-family dwelling with pool and accessory building for property legally described as Lot 5, Block 11, Pine Grove Unit 2.**  
  
**Miscellaneous Info:** One previous variance request (BOA# 17-100002).

Notes:

- g. **Case Number:** **BOA 17-100137**  
**Applicant/Owner:** Russell T. Cox  
**Property Address:** 605 North 12<sup>th</sup> Avenue  
**Parcel ID:** 175025-0000  
**Current Zoning:** RS-1  
**Motion to Approve:** **City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1., for a front yard setback of 20 feet, in lieu of 25 feet required; 34-336(e)(1)c.2., for a westerly side yard setback of 7.5 feet, in lieu of 10 feet required; 34-336(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; to allow for a garage and room addition to an existing dwelling unit, for property legally described as Lot 6, Block 5, Beach Homesites, Unit One.**
- Miscellaneous Info:** No previous variance requests.

Notes:

---



---

### PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, September 19, 2017**. There are seven (7) 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

9-6-2017  
6-20-17

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

SCANNED

### 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.

RECEIVED

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.

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	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.

RECEIVED

FEB 13 2017

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 Ashurian 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.

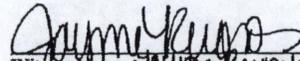
Subject to taxes for 2006 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

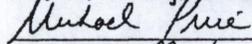
and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

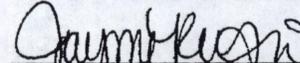
\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

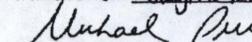
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

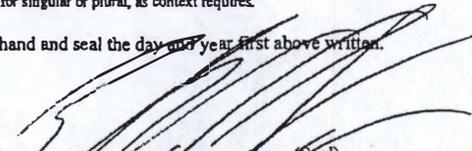
Signed, sealed and delivered in our presence:

  
Witness Name: Jayme Reynolds

  
Witness Name: Michael Price

  
Witness Name: Jayme 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: \_\_\_\_\_



**RECEIVED**

FEB 13 2017

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

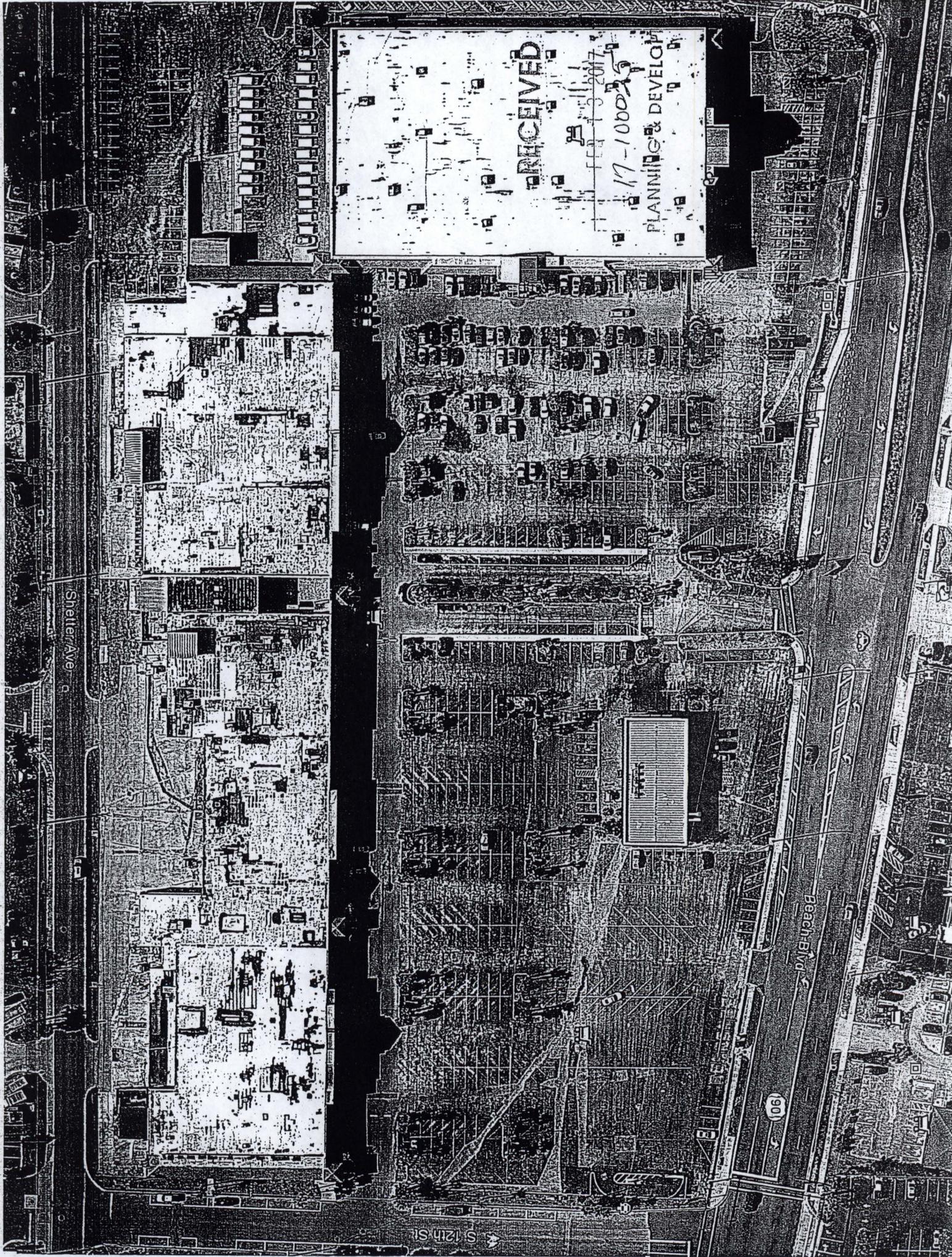
**RECEIVED**

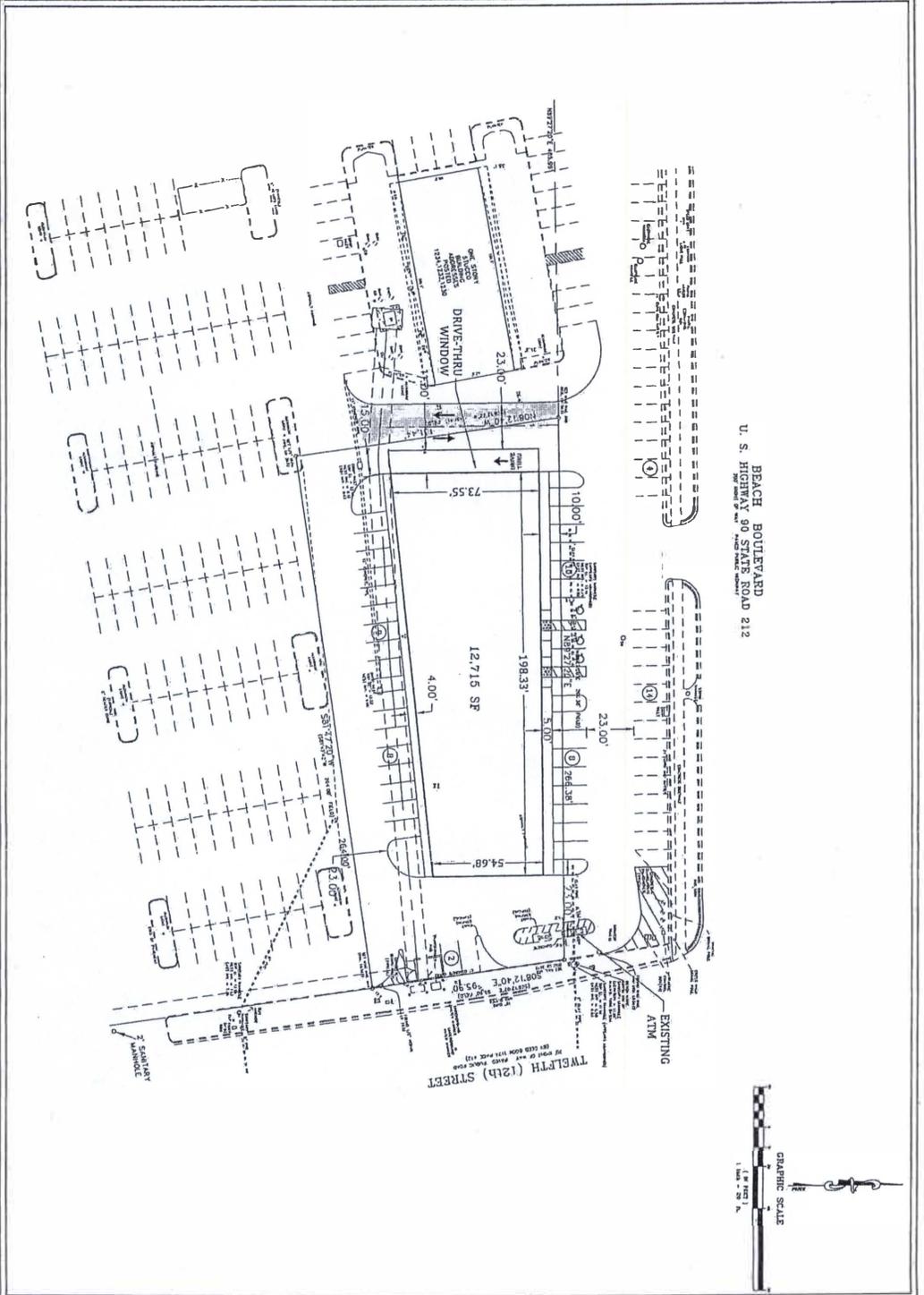
FEB 13 2017

17-100025

PLANNING & DEVELOPMENT

RECEIVED  
FEB 13 2017  
17-100025  
PLANNING & DEVELOPMENT





BEACH BOULEVARD  
U. S. HIGHWAY 90 STATE ROAD 212

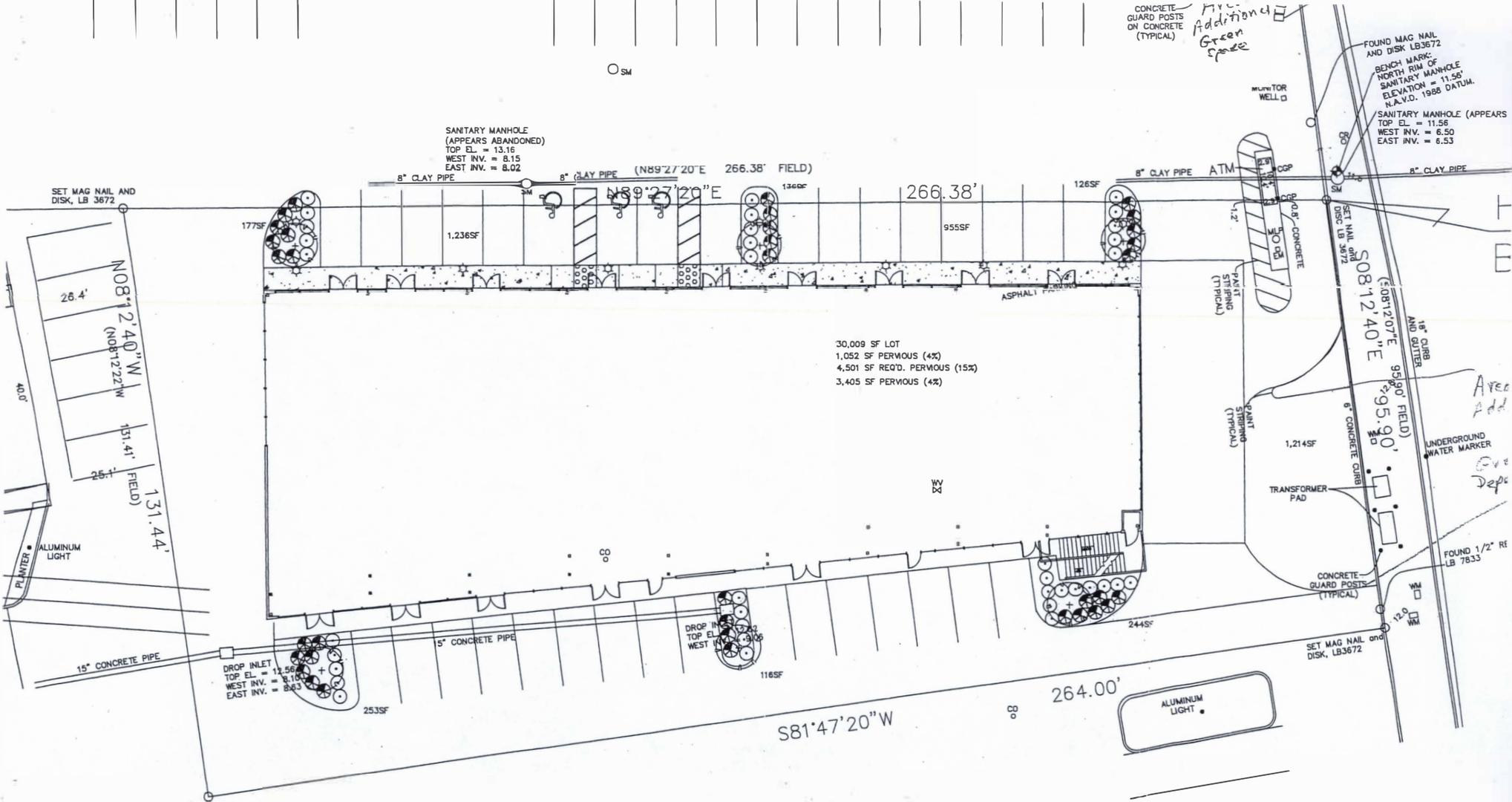


C-4	<p>CONCEPTUAL PLAN BEACH PLAZA OUT PARCEL SW CORNER OF BEACH BLVD &amp; 12TH ST Jacksonville Beach, Florida</p>	<p>Project: 1611-0701 Date: JUN 2, 2016 Scale: PDM Rev: REF</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No</th> <th>Date</th> <th>Revisions</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No	Date	Revisions															
No	Date	Revisions																			

**CS** CIVIL SERVICES, INC.  
CONSULTING ENGINEERS  
1234 ST. JOHNS BLVD. SUITE 200  
JACKSONVILLE, FLORIDA 32216  
PHONE: (904) 844-1234  
FAX: (904) 645-0027

**RECEIVED**

FEB 13 2017  
17-100025  
PLANNING & DEVELOPMENT



CONCRETE GUARD POSTS ON CONCRETE (TYPICAL)  
*77c. Addition Green space*

FOUND MAG NAIL AND DISK LB3672  
 BENCH MARK NORTH RIM OF SANITARY MANHOLE  
 ELEVATION = 11.56  
 N.A.D. 1988 DATUM.  
 SANITARY MANHOLE (APPEARS ABANDONED)  
 TOP EL. = 11.56  
 WEST INV. = 6.50  
 EAST INV. = 6.53

SANITARY MANHOLE (APPEARS ABANDONED)  
 TOP EL. = 13.16  
 WEST INV. = 8.15  
 EAST INV. = 8.02

30,009 SF LOT  
 1,052 SF PERVIOUS (4%)  
 4,501 SF REQ'D. PERVIOUS (15%)  
 3,405 SF PERVIOUS (4%)

RECEIVED

FEB 14 2017  
*cmn*

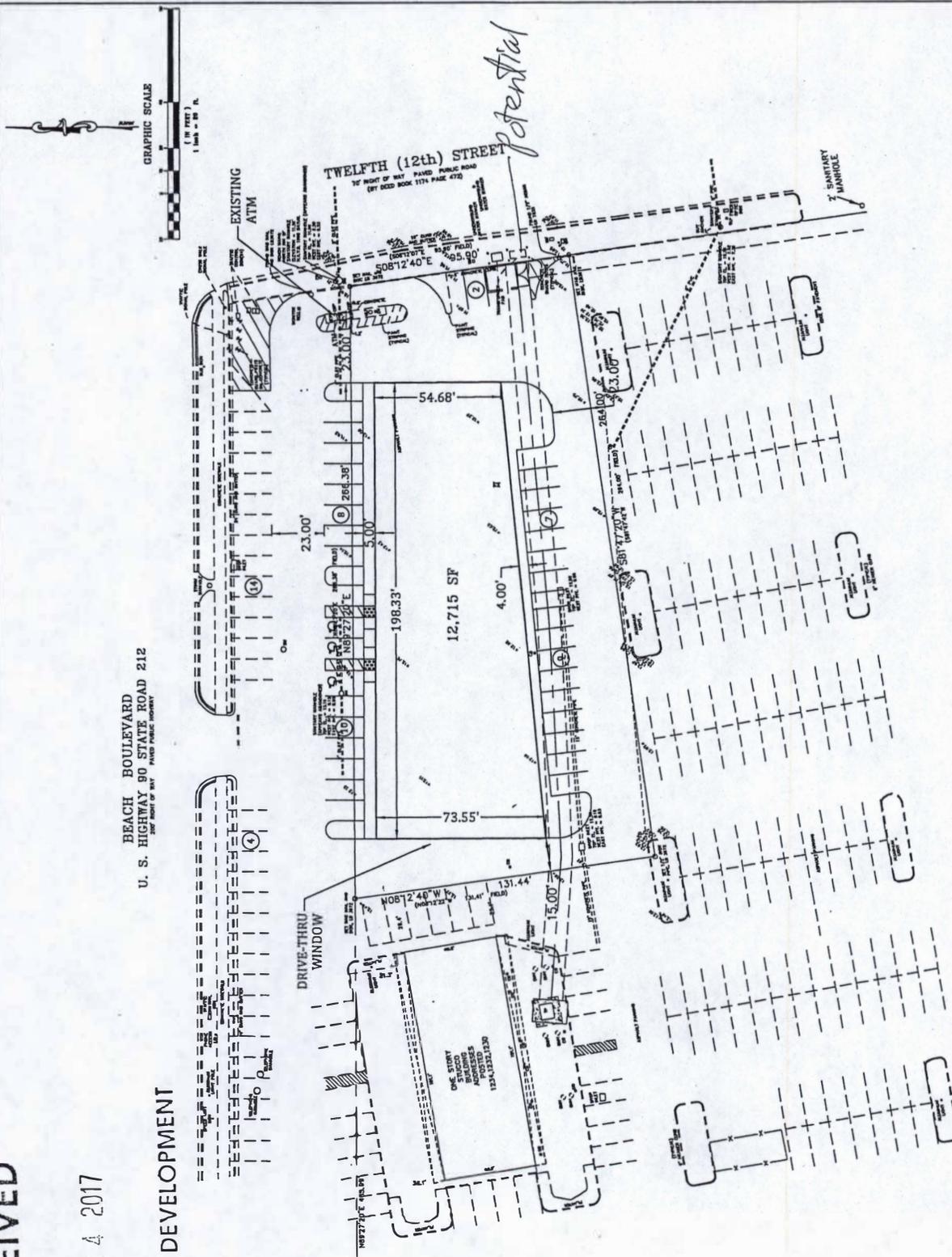
PLANNING & DEVELOPMENT

RECEIVED

FEB 14 2017

PLANNING & DEVELOPMENT

BEACH BOULEVARD  
U. S. HIGHWAY 90 STATE ROAD 212



**CSI** CIVIL SERVICES, INC.  
CONSULTING ENGINEERS  
2204 ST. JOHNS BLVD., S.  
JACKSONVILLE, FLORIDA 32216  
PHONE: (904) 441-1834  
FAX: (904) 443-0037


1811-0701	REV
JUNE, 2016	REV
	REV

CONCEPTUAL PLAN  
BEACH PLAZA OUT PARCEL  
SW CORNER OF BEACH BLVD & 12TH ST  
Jacksonville Beach, Florida

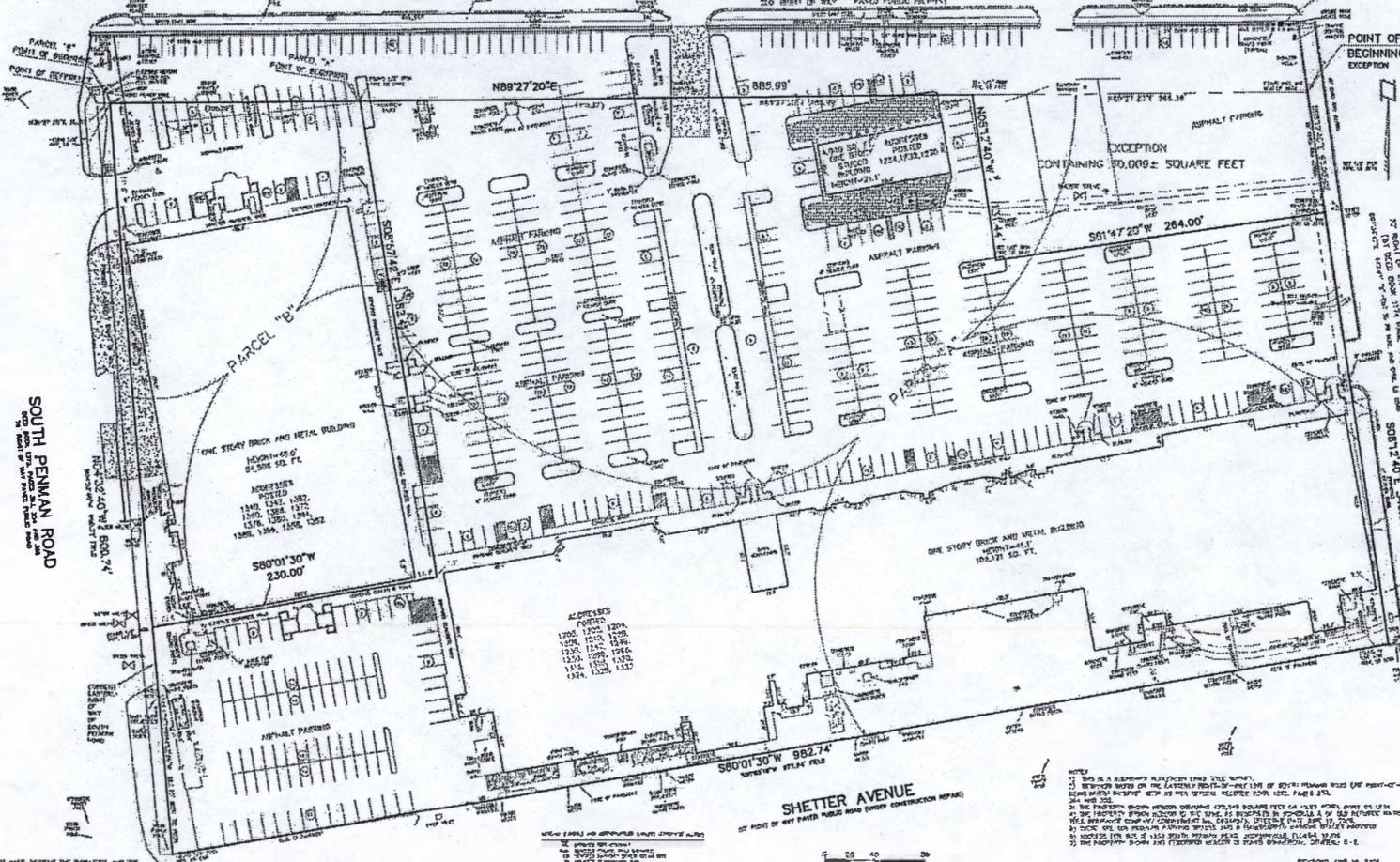
ALL REPORTS, PLANS, SPECIFICATIONS, CONTRACTS, DRAWINGS, FIELD DATA, NOTES AND OTHER INFORMATION PREPARED BY CIVIL SERVICES INCORPORATED, CSD AS INSTRUMENTS OF SERVICE SHALL REMAIN THE PROPERTY OF CSD. SMALL PRINT: ALL OTHERS SHALL WITHIN ALL OTHER LAWS, STATUTES AND OTHER REGULATORY AGENCIES, INCLUDING THE CONTRACT INSTRUMENTS.

**MAP SHOWING SURVEY OF**

**PARCEL "A"**  
 A PART OF THE CASTRO Y FERRER GRANT, SECTION 30, TOWNSHIP 2 SOUTH, RANGE 29 EAST, JACKSONVILLE BEACH, CIVIL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE CORNER AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD AND THE EASTERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS DESCRIBED IN DEED BOOK 1373, PAGES 303, 304 AND 305 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, THENCE NORTH 03°27'40" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 418.00 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 89°47'42" EAST, A DISTANCE OF 182.41 FEET, THENCE SOUTH 89°47'42" EAST, A DISTANCE OF 210.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED AS A 70 FOOT RIGHT OF WAY, PARALLEL TO THE EASTERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 100.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS DESCRIBED IN DEED BOOK 1373, PAGES 303, 304 AND 305, THENCE SOUTH 89°47'42" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED, A DISTANCE OF 182.76 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED AS A 70 FOOT RIGHT OF WAY, THENCE SOUTH 89°47'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED, A DISTANCE OF 202.11 FEET TO THE WESTERLY RIGHT OF WAY LINE OF WHELFEN (12TH) STREET AS DESCRIBED IN DEED BOOK 1174, PAGE 474 OF SAID COUNTY PUBLIC RECORDS, THENCE NORTH 09°14'00" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF WHELFEN (12TH) STREET, A DISTANCE OF 40.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, THENCE SOUTH 89°47'42" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 182.37 FEET TO THE POINT OF BEGINNING, CONTAINING 9.26 ACRES MORE OR LESS.

**PARCEL "B"**  
 A PART OF THE CASTRO Y FERRER GRANT, SECTION 30, TOWNSHIP 2 SOUTH, RANGE 29 EAST, JACKSONVILLE BEACH, CIVIL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE CORNER AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD (STATE ROAD NO. 212) AS NOW ESTABLISHED AS A 200 FOOT RIGHT OF WAY IN THIS TRACTABLE AREA WITH THE EASTERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS DESCRIBED IN DEED BOOK 1373, PAGES 303, 304 AND 305 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 100.00 FEET TO THE PRESENT E.L. INTERSECTION OF THE RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED AS A 70 FOOT RIGHT OF WAY FOR THE POINT OF BEGINNING, THENCE SOUTH 89°47'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED, A DISTANCE OF 182.76 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED AS A 70 FOOT RIGHT OF WAY, THENCE SOUTH 89°47'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SOUTH PENNAN ROAD AS NOW ESTABLISHED, A DISTANCE OF 202.11 FEET TO THE WESTERLY RIGHT OF WAY LINE OF WHELFEN (12TH) STREET AS DESCRIBED IN DEED BOOK 1174, PAGE 474 OF SAID COUNTY PUBLIC RECORDS, THENCE NORTH 09°14'00" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE OF WHELFEN (12TH) STREET, A DISTANCE OF 40.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, THENCE SOUTH 89°47'42" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 182.37 FEET TO THE POINT OF BEGINNING, CONTAINING 1.24 ACRES MORE OR LESS.

**BEACH BOULEVARD  
 U. S. HIGHWAY 90 STATE ROAD 212**



LET'S AND EXCEPT THE FOLLOWING PART OF PARCEL "A" FURNISH EVIDENCE AS:

A PART OF THE CASTRO Y FERRER GRANT, SECTION 30, TOWNSHIP 2 SOUTH, RANGE 29 EAST, JACKSONVILLE BEACH, CIVIL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE CORNER 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 WHELFEN (12TH) STREET (A 70 FOOT RIGHT OF WAY AS DESCRIBED IN DEED BOOK 1174, PAGE 474 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, THENCE SOUTH 89°47'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 35.00 FEET; THENCE SOUTH 89°47'42" WEST, A DISTANCE OF 114.46 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, THENCE NORTH 89°47'42" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF BEACH BOULEVARD, A DISTANCE OF 208.30 FEET TO THE POINT OF BEGINNING, CONTAINING 3.02 ACRES MORE OR LESS.

PARCEL "A" AND "B" AS SHOWN ARE CORNER CORNERS AND THE CORNER OF PARCEL "A" IS A POINT OF BEGINNING AS SHOWN ON THE VICINITY MAP. THE POINT OF BEGINNING IS A POINT OF BEGINNING AS SHOWN ON THE VICINITY MAP. THE POINT OF BEGINNING IS A POINT OF BEGINNING AS SHOWN ON THE VICINITY MAP.

- EXCEPTION**
1. This map is not to be construed as a deed or conveyance of any interest in real estate, but only as a survey of the land herein described.
2. The survey and the information, courses and distances shown thereon are correct.
3. The title here and name of each proprietor are correct.
4. The area described in this survey is the same as that shown in the U.S. Government official record books.
5. The area of the subject property and the site, location and line of buildings and improvements and any other matters shown on this map are shown as they are and as they are shown on the ground.
6. The boundary lines are correct and are based on the property corners shown thereon.
7. The area of the subject property is the same as that shown on the ground.
8. The survey shows the location and direction of all roads shown on the ground and the location of all other roads shown on the ground.
9. The survey shows the location and direction of all other roads shown on the ground.
10. The survey shows the location and direction of all other roads shown on the ground.
11. The survey shows the location and direction of all other roads shown on the ground.
12. The survey shows the location and direction of all other roads shown on the ground.
13. The survey shows the location and direction of all other roads shown on the ground.
14. The survey shows the location and direction of all other roads shown on the ground.
15. The survey shows the location and direction of all other roads shown on the ground.
16. The survey shows the location and direction of all other roads shown on the ground.
17. The survey shows the location and direction of all other roads shown on the ground.
18. The survey shows the location and direction of all other roads shown on the ground.
19. The survey shows the location and direction of all other roads shown on the ground.
20. The survey shows the location and direction of all other roads shown on the ground.

## 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,

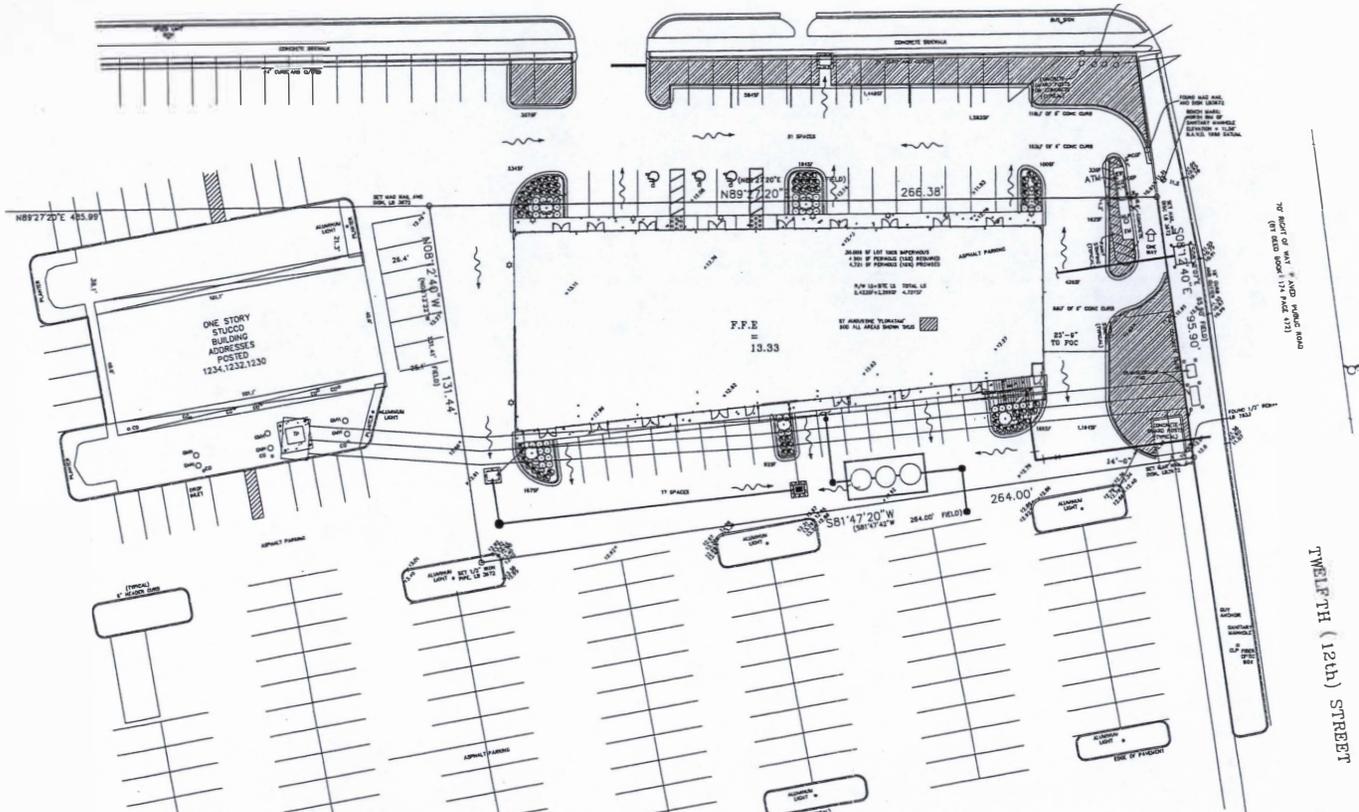
*Esther Murray*

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](mailto:esther.murray@dot.state.fl.us)



@ 4-4 B0  
mtz

BEACH BOULEVARD  
U. S. HIGHWAY 90 STATE ROAD 122  
200' RIGHT OF WAY PAVED PUBLIC HIGHWAY



PLANTING LIST						
TREES & SHRUBS						
REQUIRED	KEY	COMMON NAME	QTY/INCHES	REF. SYMBOL	BOTANICAL	FLORIDA PLANTING CODE
YES	○	GALESTON HOLLY	1/8" x 12"	10E	LEI OPACIA THALICTOR	2" x 2.4 (8) x 1.7 (4) 1 G 1 G 1 G
	○	UNWATERED PITHECOPHILA	4"	PTV	UNWATERED PITHECOPHILA	2" x 1.8 (4) x 1.2 (4) 1 G 1 G 1 G
	○	SCALLING VAPOURHOLLY	1/8"	10E	LEI WORTHENI TORRELLI	1" x 1.2 (4) x 1.0 (4) 1 G 1 G 1 G
	○	ST AUGUSTINE PALM	1/8" x 12"	10D	ST AUGUSTINE PALM	FRESH CUT - PALLET

# LANDSCAPE PLANS



**Wgpitts.**  
WG Pitts Company  
9250 Baymeadows Road, Suite 350  
Jacksonville, FL 32256  
v 904-260-3499  
f 904-260-2233  
www.wgpitts.com

**ASHCO, INC.**  
CONCRETE & POLYMER  
ASHCO, INC.  
6426 BOWEN ROAD, SUITE 201  
JACKSONVILLE, FL 32216  
904-242-9000  
www.ashco.com

BEACH PLAZA OUTPARCEL  
1198 BEACH BLVD.  
JACKSONVILLE BEACH, FL 32250  
Project Directory

ARCHITECT  
Gerwin Design, LLC  
Bruce Gerwin, Sr.  
P.O. Box 350207  
Jacksonville, FL 32235  
bruce@mcueorch.com  
904-618-7181

STRUCTURAL & MEP ENGINEER  
Lee J Engineering, Inc.  
Joe Lee, P.E.  
10391 Cypress Lakes Dr.  
Jacksonville, FL 32256-3645  
jlee@leejeng.com  
904-519-1934

CIVIL ENGINEER  
CSI Engineering, Inc.  
Al Nozli, P.E.  
2394 St Johns Bluff Road S.  
Jacksonville, FL 32246  
anozli@csie.com  
904-641-1834

TRAFFIC ENGINEER  
Chindalur Traffic Solutions, Inc.  
Rajesh Ramn K. Chindalur, P.E. P10E  
8515 Baymeadows Way, Suite 401  
Jacksonville, FL 32256  
chindalur@gmail.com  
904-422-6923

LANDSCAPE ARCHITECT  
WG Pitts Company  
Gary R. Crumley, ASLA  
9250 Baymeadows Road, Suite 350  
Jacksonville, FL 32256  
gcrumley@wgpitts.com  
904-404-8619

Key Plan  
North

Drawing Issue  
PERMIT DRAWING

No.	Date	Description

Drawing Title  
LANDSCAPE PLANS  
Job No. 18A009  
Scale: As Indicated  
Date: 3-14-2017

L-1.2

## Cathy Martinich

---

**From:** Bill Mann  
**Sent:** Wednesday, May 03, 2017 10:40 AM  
**To:** 'Richard Withers'  
**Cc:** Cathy Martinich; Heather Ireland  
**Subject:** Ash Varaince

Mr. Withers,

I received your email and plans From FDOT concerning the right of way in fron of Mr Ash's project. Mr. Ash's variance will be reconsidered at the 6-20-17 BOA meeting, under Old Business, so you'll be the first item on that agenda.

As I informed you at the prior BOA meeting, you or Mr. Ash will be receiving a letter informing you of the postage fee due to us for the adjacent property owner re-notification of the variance.

This fee must be paid prior to the board's re-consideration of the application on June 20.

William C. Mann, AICP, FRA-RP  
Director  
Planning and Development Dept.  
City of Jacksonville Beach  
11 N. 3<sup>rd</sup> St. – City Hall  
Jacksonville Beach, FL 32250  
(904) 247-6231



July 21, 2017

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

RE: BOA# 17-100025  
1198 Beach Boulevard  
(Part of Castro Y Ferrer Grant, Sec. 38, Township 2S, Range 29E)

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, July 18, 2017, to consider Hasteh, 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:

- Sec. 34-343(e)(5), for 97% lot coverage in lieu of 85% maximum;

To allow construction of a new commercial building.

The Board **denied** the request, finding that the applicant would not be denied reasonable use of his property without the requested variance, and that the requested variance was not the minimum necessary, to make possible reasonable use of the property.

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

Sincerely,

William C. Mann III, AICP  
Planning and Development Director





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 SOUTHIDE 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

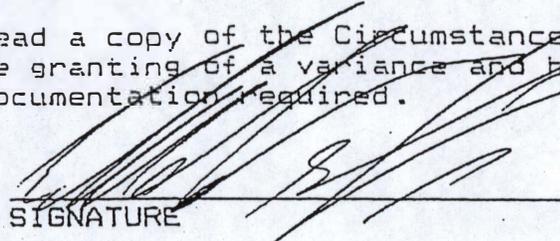
of the Zoning Ordinance to wit: TO BE ABLE TO REMODEL

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 Conditions required for the granting of a variance and have appended to this request the documentation required.

27 / 1990  
DATE

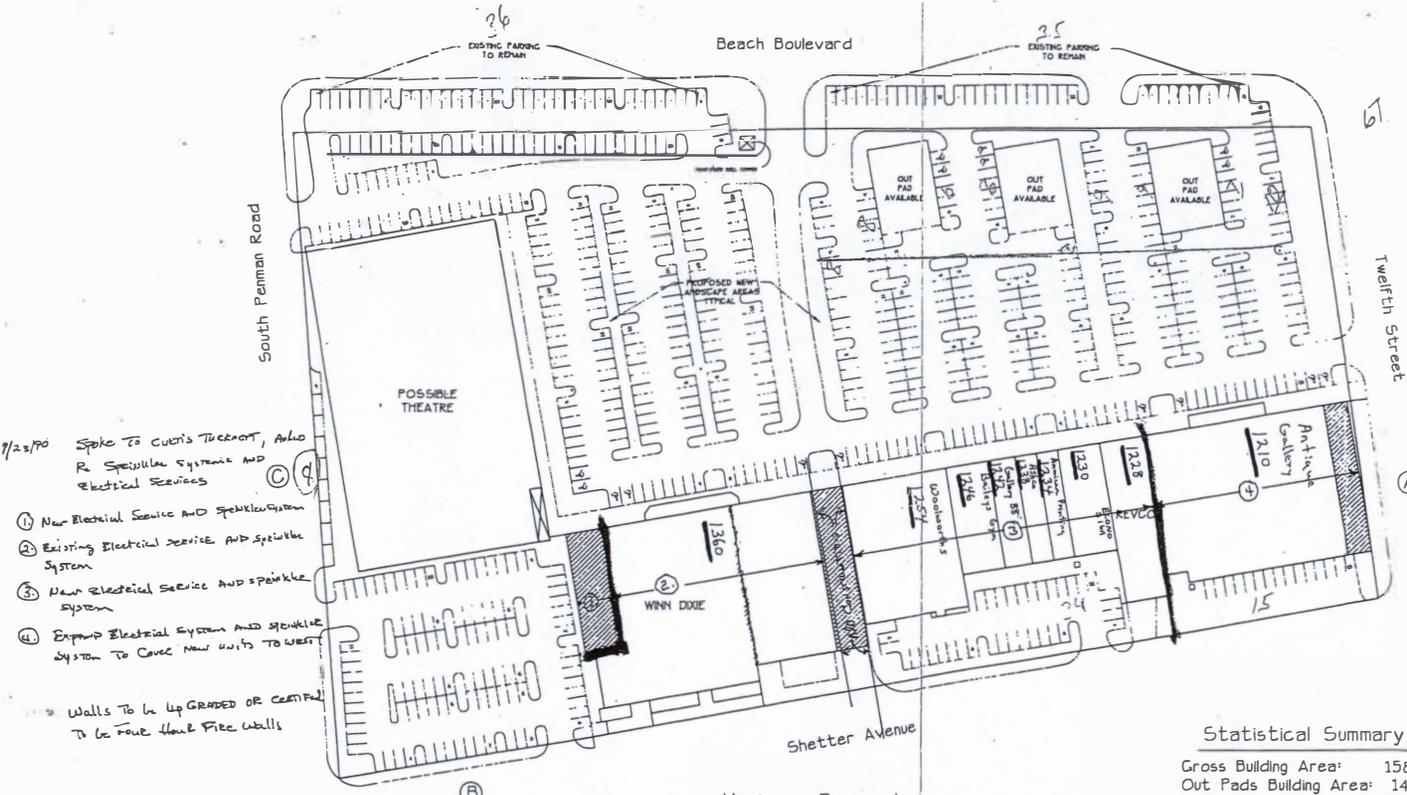
  
SIGNATURE

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/construction.

RECEIVED

JUN - 7 2017



- 7/25/70 Speke To CURTIS TURNER, Also Re Sprinkler System and Electrical Services
- ① New Electrical Service and Sprinkler System
  - 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 GRADED 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.

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

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.

NO.	REVISIONS	DATE	BY	CHECKED BY	DATE
<p><b>JM ESPOSITO &amp; ASSOCIATES</b>                  2221 W. UNIVERSITY BLVD., SUITE 100, JACKSONVILLE, FL 32217                  PHONE: 904.731.1111 FAX: 904.731.1112</p>					
<p><b>Plaza Beach Shopping Center</b></p>					
<p><b>RECEIVED</b></p> <p>JUN 5 1977</p>					
<p>PLANNING &amp; DEVELOPMENT</p>					
<p>PROJ. NO. 8949</p>					



CERTIFIED MAIL# 7012 2210 0002 4628 7268

April 20, 2016

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 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:

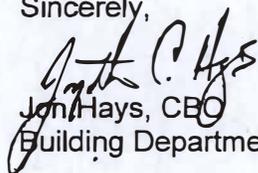
- 34-377, for 16 on-site parking spaces in lieu of 48 parking spaces

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





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



**LEGAL NOTICE REGARDING  
SPECIAL MAGISTRATE REPORT AND RECOMMENDATION  
FOR VARIANCE APPLICATION DECISION  
BY BOARD OF ADJUSTMENT**

**Subject Property:** 2648 Almonaster St., Jacksonville Beach, Florida  
**Meeting date:** September 6, 2017 at 7 p.m. (Board of Adjustment)  
**Location:** City of Jacksonville Beach City Hall  
11 North Third Street  
Jacksonville Beach, Florida 32250

This legal notice is given to advise you that pursuant to Florida Statutes Section 70.51, a special magistrate conducted a hearing and issued the attached Report and Recommendation concerning property at 2648 Almonaster Street in Jacksonville Beach.

The Board of Adjustment will consider whether to accept, reject or modify the Special Magistrate's Report and Recommendation at its September 6, 2017 meeting.

You are receiving notice of this matter because you are a contiguous property owner or because you are listed as an interested party and may have spoken at the variance application hearing.

**Your attendance is not required. If you wish to attend and/or or to be heard on the matter, you may do so on the above date.**

Dated this 26<sup>th</sup> Day of August 2017.

/s/ Susan S. Erdelyi  
Susan Erdelyi, City Attorney

**Special Magistrate's Report and Recommendation  
In the Section 70.51, Florida Statutes, Proceeding Initiated  
by Almonaster, LLC , following the City of Jacksonville Beach's  
Board of Adjustment Denial of Almonaster's Application for a Variance  
City File No. 29137**

Pursuant to Section 70.51(15)(a), Florida Statutes, Terrance E. Schmidt , as special magistrate, held hearings in this proceeding on April 25 and May 1, 2017, after due notice to the parties and all substantially affected persons. The hearings were held for the purpose of determining whether Almonaster, LLC ("owner") and the City of Jacksonville Beach, Florida, could resolve their differences arising out of the decision by the City's Board of Adjustment ("Board") to deny a variance application submitted by owner for property located at 2648 Almonaster Street, Jacksonville Beach, Florida (the "property").

In attendance at the April 25, 2017, hearing were Keith Pereau, David Palaj, and Sidney Ansbacher, Esq. on behalf of the owner and Bill Mann, City Planning and Development Director, and Susan Erdelyi, Esq., City Attorney, for the City of Jacksonville Beach. Those same persons attended the May 1, 2017, hearing and interested person Doug Hastie also attended that hearing.

The April 25, 2017, hearing was conducted as the mediation portion of the proceeding at which all of the persons present discussed the history of the subject property located adjacent to the owner's previous development of the four townhouses directly behind and to the west of the property on Isabella Street, the Board of Adjustment's denial of the variance application on the grounds that the applicant did not establish a "hardship," and other potential uses of the property. The hearing did not result in an agreement between the parties. Accordingly, the hearing was continued to May 1, 2017, to allow the two parties to present evidence and oral argument to the special magistrate in support of their respective positions.

Between the two hearings, the special magistrate listened to the tape of the Board of Adjustment meeting at which the Board heard from the applicant and interested persons, and individual Board members made comments regarding the application and their individual votes to deny the application.

At the May 1, 2017 hearing, the parties agreed that the special magistrate could consider the owner's December 2, 2016 demand to initiate Section 70.51 proceedings; the City's April 24, 2017 response, including the tabbed documents attached to the City's response; the audio tape of the Board of Adjustment meeting; and a Google aerial map depicting the property and surrounding neighborhood attached as Exhibit A. The owner's representative, David Palaj, testified under oath regarding the variance

application and the need for the variance. The owner also submitted through Mr. Palaj a site plan, elevation drawings, and a three-dimensional rendering of a six-unit condominium that could be built on the site under its existing zoning without requiring any variances. Copies of the drawings are attached as Exhibit B. Mr. Hastie spoke about his and other neighbors' concerns about the effect the project might have on parking on Almonaster Street and identified his home and the site of a Gate gas station to the northeast of the subject property that is not shown on the Google map.

At the special magistrate's request and with the consent of both parties, the owner supplemented the record with copies of the permit set of drawings for the 4-unit townhouses constructed by the owner on Isabella Street ("Isabella drawings"), relevant pages of which are attached as Exhibit C and the permit set of drawings for the 4-unit townhome project that is the subject of this proceeding ("Almonaster drawings"), relevant pages of which are attached as Exhibit D.

Both parties have waived the time deadline requirements under Section 70.51, Florida Statutes.

#### Findings of Fact

Based on the evidence described above, the special magistrate makes the following findings of fact:

1. The owner bought the property in the fall of 2014.
2. At the time the owner bought the property, it was zoned for multi-family use up to 20 units per acre.
3. The property is approximately 1/3 of an acre but is 2 square feet short of being large enough to build a 6-unit condominium. However, the owner has a commitment from the adjacent landowner on Almonaster Street to sell owner the 2 feet, if necessary for the owner to build a 6-unit condominium.
4. The owner originally sought and obtained a building permit in May 2015 to construct a 4-unit condominium on the property. The owner did not require any zoning changes because the property was zoned for more than 4 units. The owner did not require any variances because the footprint of the building was within the applicable setback restrictions, there was adequate road frontage for the driveway access to a condominium, and there was adequate space in the garages and on the common

driveway area in front of the building to accommodate the required 8 parking spaces (2 per unit).

5. After obtaining the building permit, the owner became concerned about unforeseen liabilities associated with building a 4-unit condominium, including increased expenses for insurance and increased architect fees associated with the architect's increased liability exposure for designing condominiums that the architect would pass on to the owner. Those extra costs would have required the owner to construct a 6-unit condominium to absorb the additional costs which was something the owner preferred not to do. As a result, the owner decided to construct the project as four townhouses with fee title to each unit being held separately by each owner. Mr. Palaj testified that the townhouses would also be more conforming with the rest of the structures in the neighborhood, which includes the townhouses that back up to the property and single family residences to the south with sloped roofs (the 6-unit condominium would have had a flat roof and parking under the units to comply with the 35-foot building height restriction and parking requirements for 6 units).

6. The problem that arose from the decision to build the townhouses was that each townhome required its own separate driveway. The two outside townhouses required at least 25 feet of road frontage and each interior townhome required at least 15 feet of road frontage to meet the applicable setback requirements. Additionally, there was a minimum setback requirement of 5 feet between each driveway. Although the off-road portion of the property is large enough to construct the building without requiring any variances for the building itself, the full width of the property does not all front on Almonaster Street. Rather, while the property itself is approximately 100 feet wide on the building pad portion, it is only approximately 48 feet wide at the street. Accordingly, the owner needed variances from the minimum setbacks for the road frontage and driveway separations ("driveway variances") to build the units as townhouses even though the paved parking area would be essentially the same as the paved parking common area for the 4-unit condominium.

7. As a result of the unusual configuration of the property and the need for separately titled lots, the owner decided to move the building footprint back approximately 10 feet from the footprint of the proposed condominium to enable each unit owner to have the greatest parking area possible on his or her lot in front of his or her unit. However, that change brought the back of the building to within between approximately 20 feet from the back lot line for the nearest unit to 24.4 feet for the furthest unit. That move required a variance from the rear yard setback requirement of 30 feet.

8. The owner filed an application for a variance from the driveway setback requirements and the rear yard setback which was heard before the Board of Adjustment on November 15, 2016. At the hearing, Mr. Palaj described the project and the need for the variances and identified the "hardship" as the unusual shape of the lot and the desire to move the building back to facilitate more parking area on the site.

9. The interested persons who spoke regarding the variance request were the following:

- a. Jon McGowan, who does not live in the neighborhood, spoke in favor of drawing a line in the sand against granting variances for townhouses next to single family homes;
- b. Doug Hastie, who lives on Isabella Street (the street behind and to the west of the property), stated that the Board had turned down a variance request by the owner several months ago and asked that the Board turn this variance request down also;
- c. Anna Lee, who lives in one of the four-unit townhouses previously constructed by the owner directly behind the subject property on Isabella Street had been concerned about the effect of the rear setback variance on her property but after hearing the presentation said she had no problem with the variance request;
- d. Charles and Karen Hutcherson who live on St. Augustine Boulevard expressed concern that the project would result in parking problems on Almonaster Street and opposed granting the variance;
- e. Wendy Lovett, who lives in one of the four-unit townhouses previously constructed by the owner directly behind the subject property on Isabella Street, complimented the owner on the construction of her townhome and spoke in favor of the variance; and
- f. Michael Garby, who lives on the corner of St. Augustine Blvd. and Almonaster Street immediately adjacent to the subject property (his property is most directly affected by the driveway variance) spoke in favor of granting the variance.

10. Mr. Palaj briefly responded to the public comments. He explained that this variance request was different than the one made last year. He also noted that the property was zoned for multi-family, and the owner could build more units if it had chosen to build a condominium project which would result in more traffic problems than

the current project. He did not specifically say that a 6-unit 3-story condominium could be built on the property without the need for any variances.

11. After hearing from members of the public, the Board members generally expressed concerns about approving a variance to permit the 4-unit townhome project adjacent to single family residences and the effect the townhouses might have on traffic on Almonaster Street and voted 5-0 to deny the variance.

12. Section 34-281, Ordinances of the City of Jacksonville Beach, provides:

“Purpose.

Variances are deviations from the terms of the LDC which would not be contrary to the public interest and owing to special circumstances or conditions, the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.” (emphasis added)

13. Section 34-283, Ordinances of the City of Jacksonville Beach, provides that “Variances shall only be granted from the dimensional standards of Article VII.... Variances shall not be granted to permit a use not generally allowed in the zoning district in which [the property] is located.”

14. There is no specific definition of “hardship” in the City’s ordinances but Section 34-286 sets the standards applicable to variances as follows:

“In order to authorize any variance from the terms of this Code, the board of adjustment must find that:

- (1) Special conditions and circumstances exist which are peculiar to this parcel of land ... which are not applicable to other parcels of land in the same zoning district;
- (2) Special circumstances and conditions do not result from the actions of the applicant;
- (3) Granting the variance will not confer upon the applicant any special privilege denied by the comprehensive plan and this Code to other parcels of land ... in the same zoning district;
- (4) 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 and undue hardship;
- (5) Grant of the variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure; and

- (6) Grant of the variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect the adjacent land.” (emphasis added)

15. The subject property is located in a “residential, multiple family (RM-1) zoning district” which permits multiple family dwellings (i.e., apartments, condominiums and townhouses). The square footage of the property would permit a 5-unit condominium, but with the acquisition of 2 square feet the adjacent neighbor has agreed to sell to the owner, if necessary, the square footage would permit a 6-unit condominium on the site with parking beneath a three-story building with a flat roof that would meet the 35-foot height restriction.

16. The 4-unit townhouses the owner seeks to construct on the property are virtually identical to the 4-unit townhouses the owner built on Isabella Street in 2015 that are directly behind the property. Although the units in each project have living space on the third floor, that space is a single bonus room which occupies no more than half of the basic footprint of each unit. It is also significant that the southerly wall of the Isabella building has two windows on the second floor and one window on the third floor (in the bonus room) that look down on the single family homes to the south; the southerly wall of the proposed Almonaster building has only one window on the third floor (in the bonus room) that looks down on the single family homes on St. Augustine Blvd. See Exhibits B and C.

17. In contrast to the two 4-unit townhome projects, a 6-unit condominium that could be built on the property without the necessity of any variances would have full floors on the second and third floors, six windows on the second and third floors of the southern end, and balconies on the second and third floors on the southeast corner that would look out over the neighbors’ homes to the south. See Exhibit B

#### PARTIES’ RESPECTIVE POSITIONS

It is the City’s position that the variance application was properly denied by the Board because the owner did not establish a “hardship” as that term is used in Section 34-286, primarily because the owner could build a 4-unit condominium on the property without the necessity for a variance. Accordingly, because the owner has an alternative economical use for the property in the form of a 4-unit or 6-unit condominium, the owner’s preference to build a 4-unit townhome project did not constitute a “hardship.”

It is the owner's position that the "hardship" arises from the unusual shape of the lot with its restricted front footage on Almonaster Street. The owner also contends that the 4-unit townhome development is not materially different from the 4-unit condominium for which a permit was granted and the townhome plan relieves the neighborhood of the "hardship" resulting from a 6-unit condominium built on the property.

As noted above, the interested members of the public and some members of the Board were primarily concerned at the hearing about the very existence of multi-family housing next to the single-family homes on St. Augustine Blvd. and the potential that residents of the townhouses or their guest might create a parking problem on Almonaster Street. In general, the expressed sentiment was that any multi-family housing next to the single-family residences on St. Augustine Blvd. would be objectionable both aesthetically and due to the perceived street parking problems. There was no discussion among the owner, the Board or members of the public regarding the effect on the neighborhood if the owner built the 6-unit 3-story condominium project it could legally build on the property without the necessity for any variances.

#### THE SECTION 70.51 PROCESS

Section 70.51, Florida Statutes, is entitled Land Use and Environmental Dispute Resolution. Under the statute, if an owner believes that a governmental development order (specifically including an order denying a variance) is unreasonable or unfairly burdens the use of the owner's property, the owner may apply for relief under the statute. Section 70.51 (2)(a) and (3), Florida Statutes.

Under Section 70.51, the special magistrate does not act as a circuit court or appellate court to determine whether the City's decision is the correct legal decision. Nor does the process create a separate legal cause of action. Section 70.51(24). Rather, Section 70.51 tolls the time for the owner to bring judicial action so that the special magistrate can assist the City and the owner in determining if there is some mutually agreeable accommodation that can be reached that will avoid costly litigation between them.

The statute requires the special magistrate to first conduct a mediation at a public hearing. The hearing "must be informal and open to the public and does not require the use of an attorney.... The object of the hearing is to focus attention on the impact of the

government action giving rise to the request for relief and to explore alternatives to the development order....” Id. at 70.51(17)(a)(emphasis added)

Section 70.51(17) specifically provides that **the special magistrate’s “first responsibility is to facilitate a resolution** of the conflict between the owner and governmental entities **to the end that some modification of the owner’s proposed use of the property or adjustment in the development order ... may be reached.”** Id. at 70.51(17)(a)(emphasis added) However, if the parties cannot reach an acceptable resolution, “the special magistrate shall consider the facts and circumstances set forth in the request for relief and any responses and any other information produced at the hearing in order to determine whether the action by the governmental entity ... is unreasonable or unfairly burdens the real property.” Id. at 70.51(17)(b)(emphasis added)

Section 70.51 specifically authorizes the special magistrate to consider, among other things:

- (a) The history of the real property, including when it was purchased, where it is located, ... and how it was initially used.

\* \* \*

- (c) The history of ... land use controls [on the property] ....
- (d) The present nature and extent of the real property, including its natural ... characteristics.
- (e) The reasonable expectations of the owner at the time of acquisition ... under the regulations then in effect....
- (f) The public purpose sought to be achieved by the development order ...; whether the development order ... is necessary to the achievement of the public purpose; and **whether there are alternative development orders that would achieve the public purpose and allow for reduced restrictions on the use of the property.**

\* \* \*

- (g) Any other information determined relevant by the special magistrate.” (emphasis added)

Section 70.51(19) provides that the special magistrate may, subject to the owner’s consent, **“recommend one or more alternatives that protect the public interest served by the development order ... but allow for reduced restraints on the use of the owner’s real property,** including but not limited to :

1. An adjustment of land development ... standards.

2. Increases or modifications in the density, intensity or use of areas of development.

\* \* \*

9. Issuance of ... a variance, special exception, or other extraordinary relief .... (emphasis added)

The special magistrate's recommendation is not binding on the parties; however, regardless of whether the City or owner accepts or rejects the special magistrate's recommendation, the special magistrate's determination that "the development order ... is unreasonable or unfairly burdens the use of the owner's property may serve as an indication of sufficient hardship to support ... variances, or special exceptions to the application of ... [the] ordinances to the subject property" in a subsequent judicial proceeding. *Id.* at 70.51(25)(emphasis added); See also Bentley, *Understanding the Florida Land Use and Environmental Dispute Resolution Act*, 37 Stetson L. Rev. 381, 417-18 (2008)

### SPECIAL MAGISTRATE'S CONCLUSIONS

Based on the evidence at the second hearing, the special magistrate finds that the action of the Board in denying the variance was unknowingly<sup>1</sup> unreasonable and/or unfairly burdens the owner's property within the meaning of Section 70.51 with no benefit, and actually a potential detriment, to the public interest and the interests of the adjoining property owners and immediate neighbors for the following reasons:

1. Because the property is zoned RM-1, the variance application did not violate the absolute prohibition in Section 34-283 for "a use not generally allowed in the zoning district in which [the property] is located."

2. The owner's variance application was arguably consistent with the stated purpose of Section 34-281 quoted above. In the first place, for the reasons stated below, the requested variance was not only not contrary to the public interest, it was beneficial to the public interest to the extent the owner was voluntarily reducing the legally permissible density of the project from 6 units to 4 units and building townhouses with pitched roofs which were more consistent with the adjacent single family homes than a 3-story condominium project with a flat roof and all of the dwelling space and balconies on the second and third floors. Second, the lot does constitute a "special

---

<sup>1</sup> The special magistrate's conclusion that the decision was "unknowingly unreasonable" is based on the fact that much of the information presented in this proceeding was either not presented to the Board or not effectively communicated to the Board at the November 15, 2016, hearing. Thus, the Board did not have the opportunity to consider many of the key factors that lead the special magistrate to conclude that denial of the variance application was unreasonable and/or unfairly burdens the owner's property within the meaning of Section 70.51.

circumstance or condition” because it is essentially a 100’ wide lot with a 48’ bottleneck entrance at the road, an unusual lot configuration at the least. Finally, the literal interpretation of the applicable setbacks resulted in an “undue and unnecessary hardship” on the owner, the neighborhood and the public because the 4-unit townhome development was substantially the same as the 4-unit condominium already approved and substantially better for all concerned than a 6-unit condominium which could be constructed on the property.

3. The application also arguably met the requirements of Section 34-283 for the following reasons (numbered to correspond to the subsections of Section 34-283):

(1) The bottleneck characteristic of the lot at the street is a “special condition or circumstance peculiar to this parcel of land;”

(2) The bottleneck did not result from the actions of the owner;

(3) Granting the variance would not have conferred on the owner any special privilege denied by the comprehensive plan;

(4) The literal interpretation and enforcement of the existing variances would deprive the owner of rights commonly enjoyed by other parcels of land in the same zoning district and would work an unnecessary and undue hardship on the owner as evidenced by the fact that the Google aerial photograph and owner’s site plan demonstrate there would be substantially more on-site parking area on the property than there is for the townhouses previously constructed by the owner adjacent and to the west of the property. Accordingly, denial of the variance application deprived the owner of the right to construct townhouses consistent with the existing zoning and directly adjacent townhouses with no benefit to the neighborhood or the public from the denial.

(5) The requested variances from the road frontage and driveway setback requirements were the minimum variances necessary to make possible the reasonable use of the land for a 4-unit townhome project. The 10’ rear yard setback variance was arguably the minimum variance necessary to construct the 4-unit townhouses with the least detrimental effect to the public by moving the footprint back ten feet to increase the parking surface in front of the building and avoid vehicles parking in the street. However, as discussed below, it appears to the special magistrate that a variance may still permit the owner to build the same townhouses and permit angled driveway parking on the easterly portion of the parking area; and

(6) The grant of the variance would have been generally consistent with the purposes of the comprehensive plan and would not have adversely affected the

adjacent land because the 4-unit townhome project was consistent with (a) the applicable zoning, (b) the very similar 4-unit townhome project previously built by the owner immediately adjacent to the west of the property; (c) the one-story or two-story single family residences on St. Augustine Blvd.; (d) a reasonable transition between the commercial properties to the north and east, the 4-unit townhouses to the west, and the single-family residences to the south. In that regard, perhaps the best evidence that the project is consistent with the adjacent property is the fact that two of the four townhome owners to the west and Mr. Garber, the owner of the only adjacent single-family residence fronting on both St. Augustine Blvd. and Almonaster Street (who would therefore be most affected by the street parking concern) all spoke in favor of the variance request. No adjacent property owner opposed the variance request.

4. The denial was from all appearances based on the understandable but erroneous belief that the 4-unit townhome development would be more detrimental to the neighborhood than the 4-unit condominium project for which the permit had been approved. However, the parking problems on Almonaster Street or St. Augustine Blvd. would be no greater for a 4-unit townhome development than they would be for a 4-unit condominium, and as noted above, there is more parking surface on the townhome site plan than on the condominium site plan.

5. The variance request for the road frontage and driveways similarly had no greater adverse effect on the neighborhood or the public. The evidence at the hearing established that there would be greater on-site parking area for the 4-unit townhouses than for the 4-unit condominium. The only difference between the two parking areas was that the owners of the townhouses would have fee title ownership to their respective driveways and parking areas. However, in response to a question from the special magistrate, the City Planning and Development Director stated that the City would not permit the unit owners to fence off their driveways and would require that the unit owners' property be subject to cross-easements to allow emergency vehicles access to the townhouses. Accordingly, there would be no visible difference between the parking area for the condominium and the parking area for the townhouses. The testimony confirmed that the only difference would be the three lines on a paper survey delineating the internal boundaries of the individual townhouse lots. See Exhibit E (owner's site plan with the relevant townhouse lot survey lines highlighted).

6. The denial did not appear to take into account the owner's ability to build a 6-unit condominium project on the property without the necessity for any variances. That project would have a materially greater adverse effect on the neighborhood because the primary dwelling units would be on the second and third floors of the condominium so that the unit owners would be looking down on their neighbors from one floor higher up than would be the case with the townhouses. Moreover, the

concerns expressed by members of the public and the Board that the townhouses were an inappropriate intrusion on the single-family homes to the south would be exacerbated by the taller, far less esthetically attractive condominium project for which the property is properly zoned.<sup>2</sup>

7. This is also not a case where approval of the variance could create a bad precedent or a slippery slope with respect to future variance applications. The property in this case is infill property between commercial property to the north and east, the townhouses to the west, and the single family residential homes with full street frontage to the south. The lot is uniquely configured. Accordingly, there would be little or no comparable variance request in an area with the same zoning and the same circumstances where an owner could look to this variance request as the basis for seeking another. Moreover, the law in this jurisdiction is that the grant of a variance to surrounding property owners is not a relevant fact and cannot be the basis for granting a variance that does not otherwise meet the requirements of law. City of Jacksonville v. Taylor, 721 So.2d 1212 (Fla. 1st DCA 1998).

8. The rear yard setback presents a dilemma to the special magistrate. On the one hand, the rear setback variance unquestionably frees up more parking space in front of the building, and two of the four neighbors directly affected by that variance request appeared at the hearing before the Board and spoke in favor of the variance. On the other hand, it appears from the site plan that the pictured vehicles drawn on the site plan might still have sufficient room to park in the slanted portion of the driveways if the building were moved forward either 5 feet or 10 feet. The special magistrate is neither an engineer nor a land planner, hence the dilemma reflected in paragraph 2 below:

For all of the foregoing reasons, the special magistrate makes the following recommendations:

1. Subject to approval of this recommendation by the Board of Adjustment and the owner and approval of the owner's Development Plan and Building Permit application by the City, the owner would waive any right to construct a 5-unit or 6-unit condominium on the property.

---

<sup>2</sup> The present owner may not necessarily be the party that builds such a condominium. If the present owner does not desire to build either a 4-unit condominium or a 6-unit condominium, it always has the option of selling the property to another developer that would be less concerned about building the 6-unit condominium, especially since it can be built without the need to apply for any variances from the City.

2. Absent agreement from the Board of Adjustment to permit the full 10' rear setback variance in order to accommodate greater parking in front of the townhouses and less potential for on-street parking by owners and/or guests, the owner's requested setback variance be limited to 5 feet (i.e., the distance from the back property line to the building footprint would be approximately 29.4 feet at the south end and 25.0 feet at the north end of the building).<sup>3</sup>

3. The driveway variances be approved by the Board of Adjustment, subject to the owner (a) establishing cross-easements over the driveways as required by the City Planning and Development Director for cross access by the townhouse owners and for emergency vehicle access to the townhouses and (b) installing a low decorative fence as close to the street as permissible on either side of the driveway to discourage on-street parking by unit owners and guests.

4. Pursuant to Sections 70.51(19) and (21), this recommendation is subject to the owner's consent and approval by the City Commission.

Dated: June 12, 2017



TERRANCE E. SCHMIDT, ESQ.  
SPECIAL MAGISTRATE  
501 Riverside Avenue  
Suite 903  
Jacksonville, Florida 32202

Cc: Office of Attorney General  
State of Florida  
Department of Legal Affairs  
The Capitol PL-01  
Tallahassee, Florida 32399-1050

---

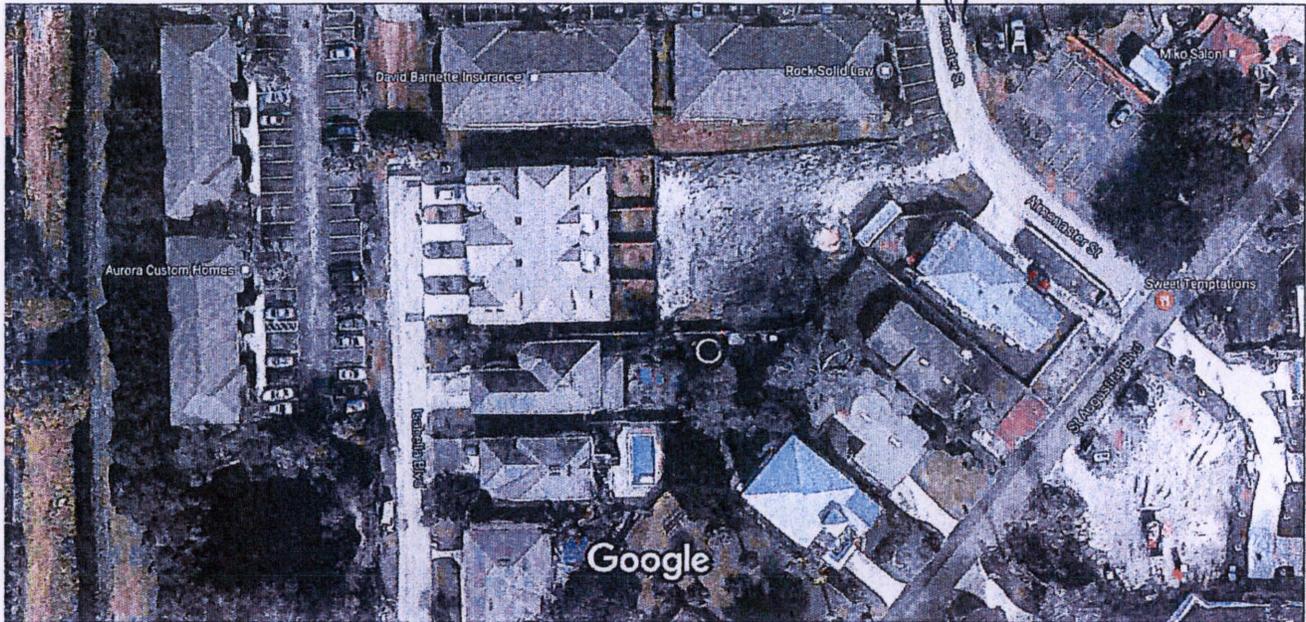
<sup>3</sup> It is the special magistrate's intention that consideration of this recommendation by the Board of Adjustment should include a discussion of whether the 10' setback variance should be approved notwithstanding this recommendation so as to increase the parking area in the front of the building to facilitate on-site parking. The special magistrate's recommendation that the variance be reduced to 5' is based on an uninformed assumption that the 5' reduction in parking area in front of the building will not adversely affect each townhome owner's ability to park one car in the garage and one car in the driveway in front of his or her unit. If that is an erroneous assumption, the special magistrate would recommend that the City approve the 10' variance.

# **EXHIBIT A**

*City Ex 2*

*Gate Station*

Google Maps Almonaster St



Imagery ©2017 Google, Map data ©2017 Google 50 ft



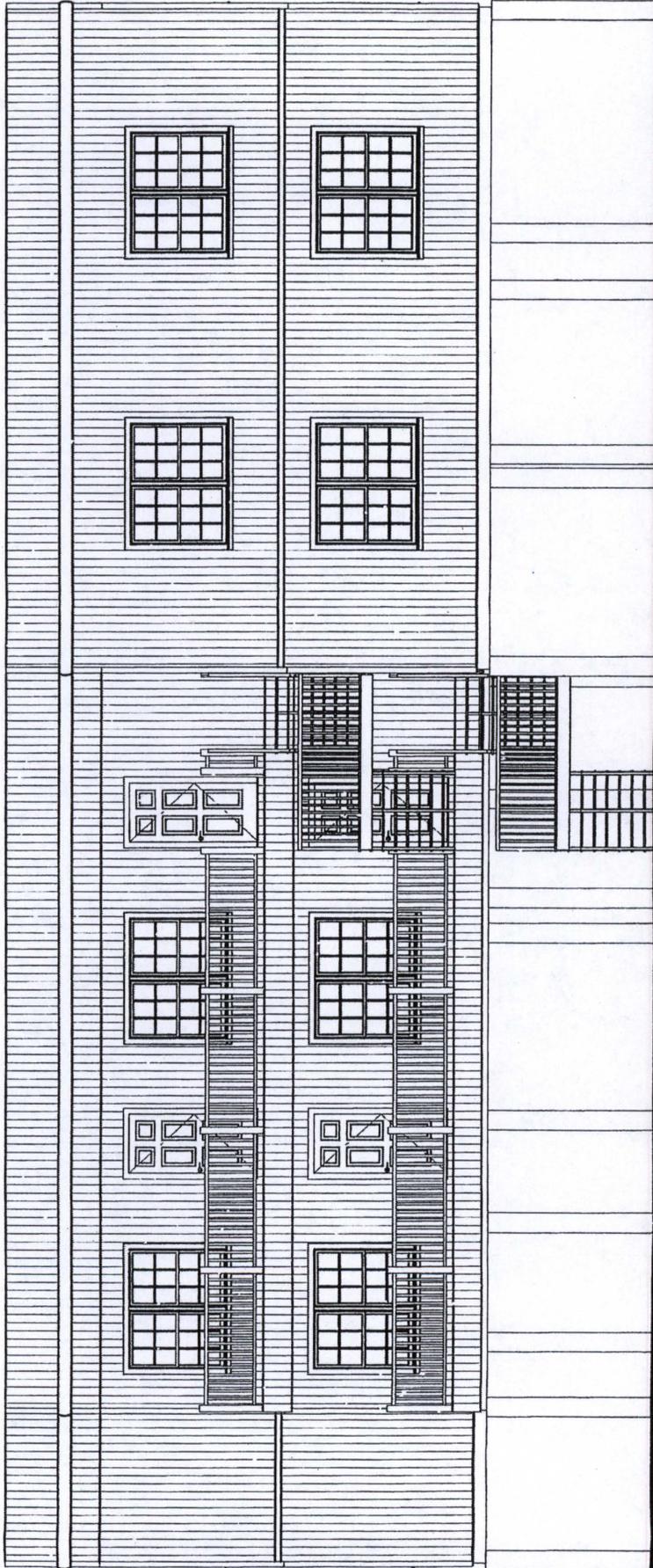
Almonaster St

Jacksonville Beach, FL 32250



# **EXHIBIT B**

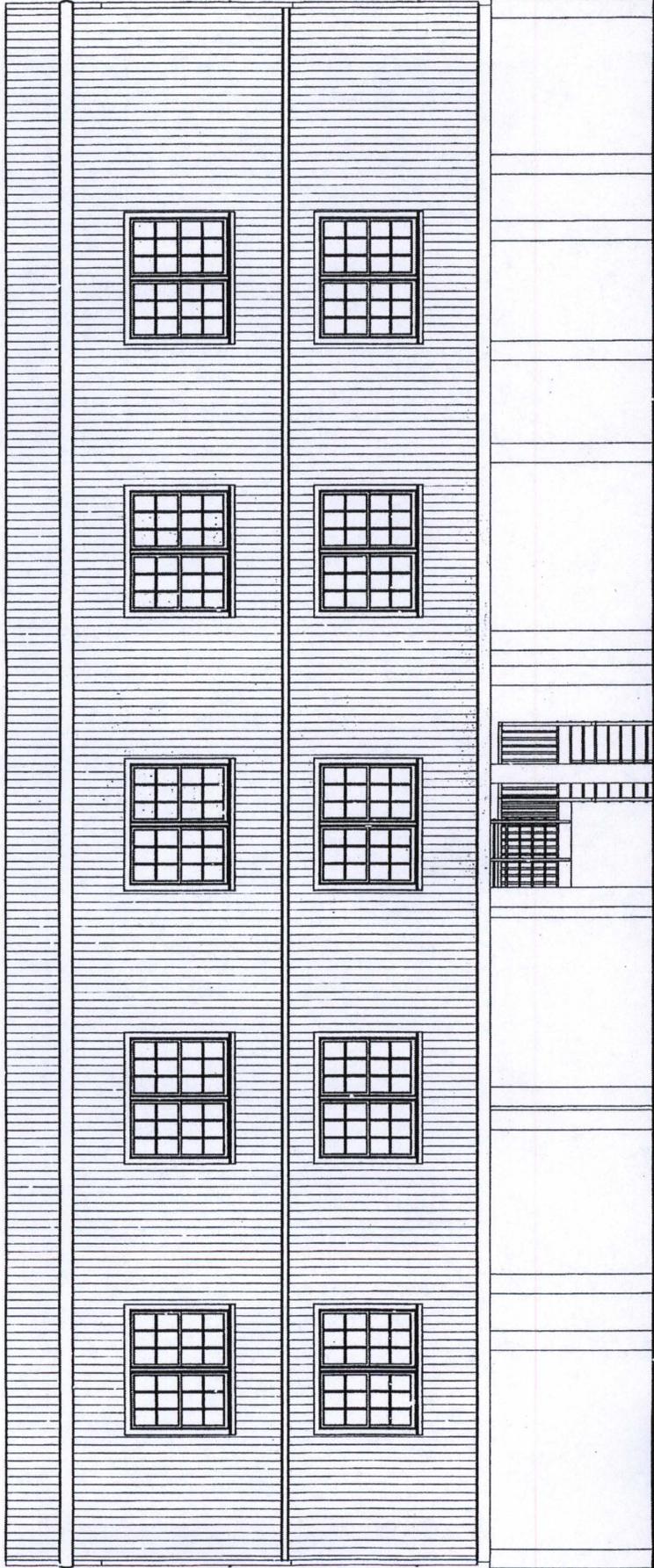




**FRONT ELEVATION**



**LEFT ELEVATION**

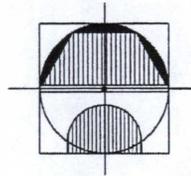


**REAR ELEVATION**

# **EXHIBIT C**

# ISABELA TOWNHOMES PROJECT

RE #180517-0100  
JACKSONVILLE BEACH, FLORIDA



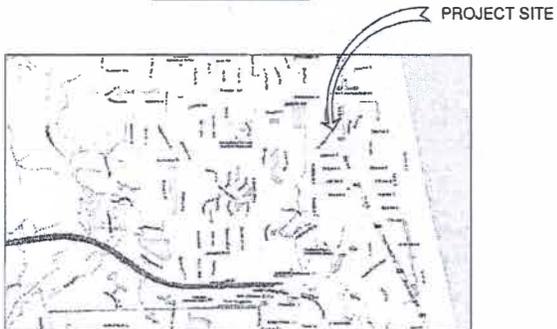
**Steven E. Hutchins Architects Inc.**

ARCHITECT  
AR0015093

9143 PHILIPS HIGHWAY SUITE 140  
JACKSONVILLE, FL 32256

TEL: 904-538-9615 FAX: 904-538-9617

VICINITY MAP

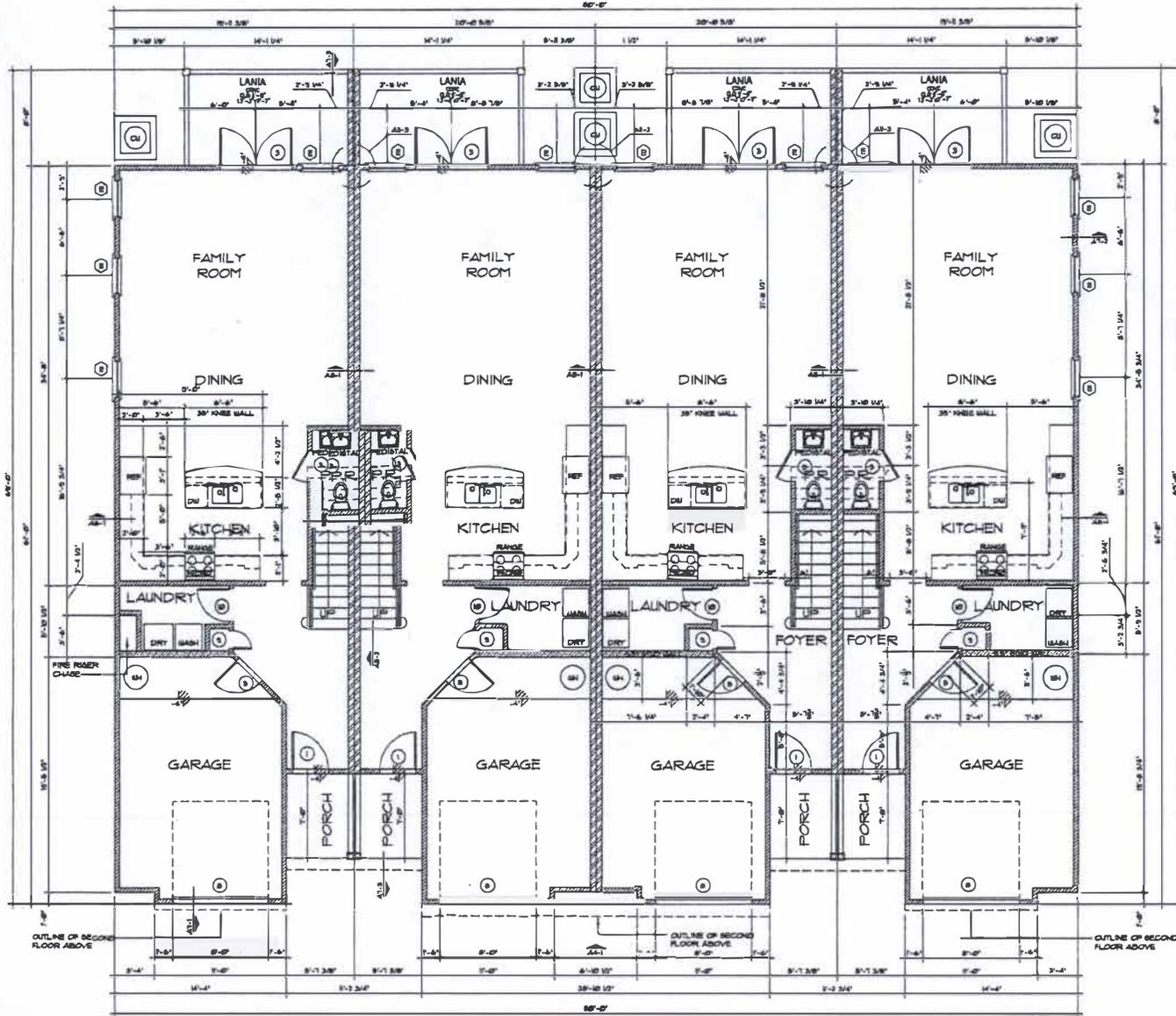


PERMIT SET  
10/17/2014

DRAWING INDEX

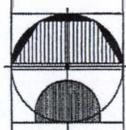
00	COVER SHEET
G1	SITE PLAN AND CODE SUMMARY
G2	SPECIFICATION
G3	SPECIFICATION
A1	1ST FLOOR PLAN
A2	2ND FLOOR PLAN
A3	3RD FLOOR BONUS ROOM
A4	EXTERIOR ELEVATIONS
A5	EXTERIOR ELEVATIONS
A6	BUILDING SECTION
A7	WALL SECTIONS
A8	WALL SECTIONS
A9	ROOF PLAN
A10	ENLARGED DETAILS
A11	DOORS AND WINDOWS SCHEDULES AND DETAILS





**WALL TYPES**

- NEW DRYWALL PARTITION w/ 1 LAYER OF 5/8" THK. GYPSUM BO. ON BOTH SIDES OF 1/2" WOOD STUDS @ 16" O.C.
- FIRE-RATED SEPARATION ASSEMBLY 2 LAYERS F. RATED SHEETROCK 2x4 STUDS 1/2" AIR SPACE EACH SIDE OF WALL PROTECTED 1/2" MINERAL WOOL OR GLASS FIBER IN BOTH STUD CAVITIES
- NEW DRYWALL PARTITION w/ 1 LAYER OF 5/8" THK. GYPSUM BO. ON BOTH SIDES OF 1/2" WOOD STUDS @ 16" O.C.



STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway AR0015093  
 Suite 140 Jacksonville, Florida  
 904-538-9615 Fax 904-538-9617

PROJECT:  
**ISABELA TOWNHOMES**  
 RE# 180817-0100  
 JACKSONVILLE BEACH, FLORIDA

DRAWING INFORMATION  
**FIRST FLOOR PLAN**

DATE: 10-17-2014  
 DRAWN BY: JMB

FILE LOCATION

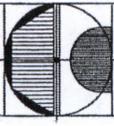
SHEET NUMBER

**A1**

A1-1 FIRST FLOOR PLAN  
 1/4"=1'-0"







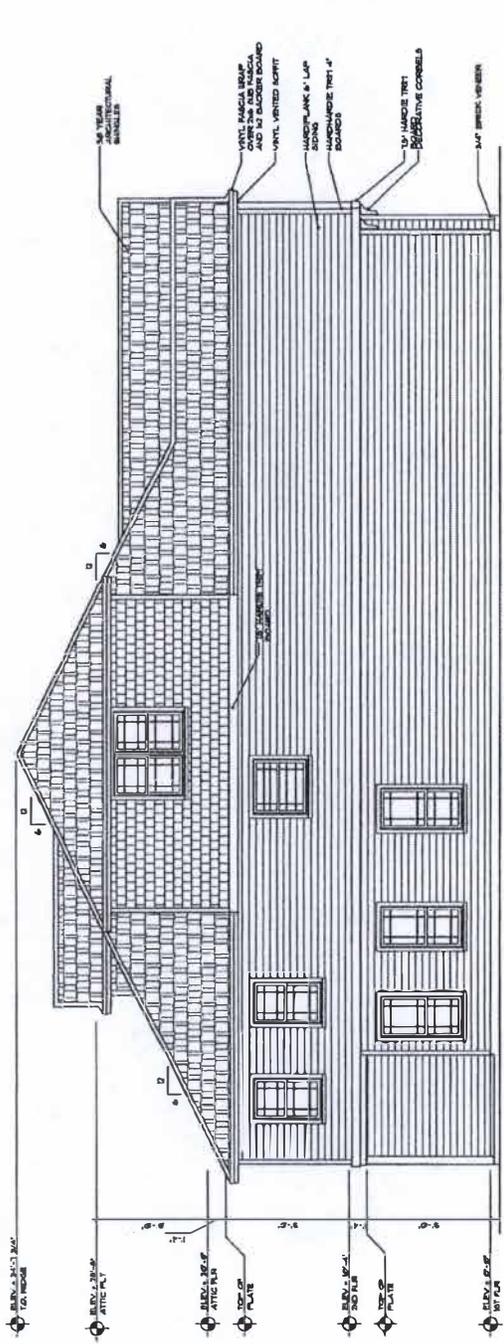
STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway A/R0015093  
 Jacksonville, Florida  
 Suite 140  
 904-538-9615 Fax 904-538-9617

PROJECT:  
**ISABELA TOWNHOMES**  
 REF: 1905-T-0100  
 JACKSONVILLE BEACH, FLORIDA

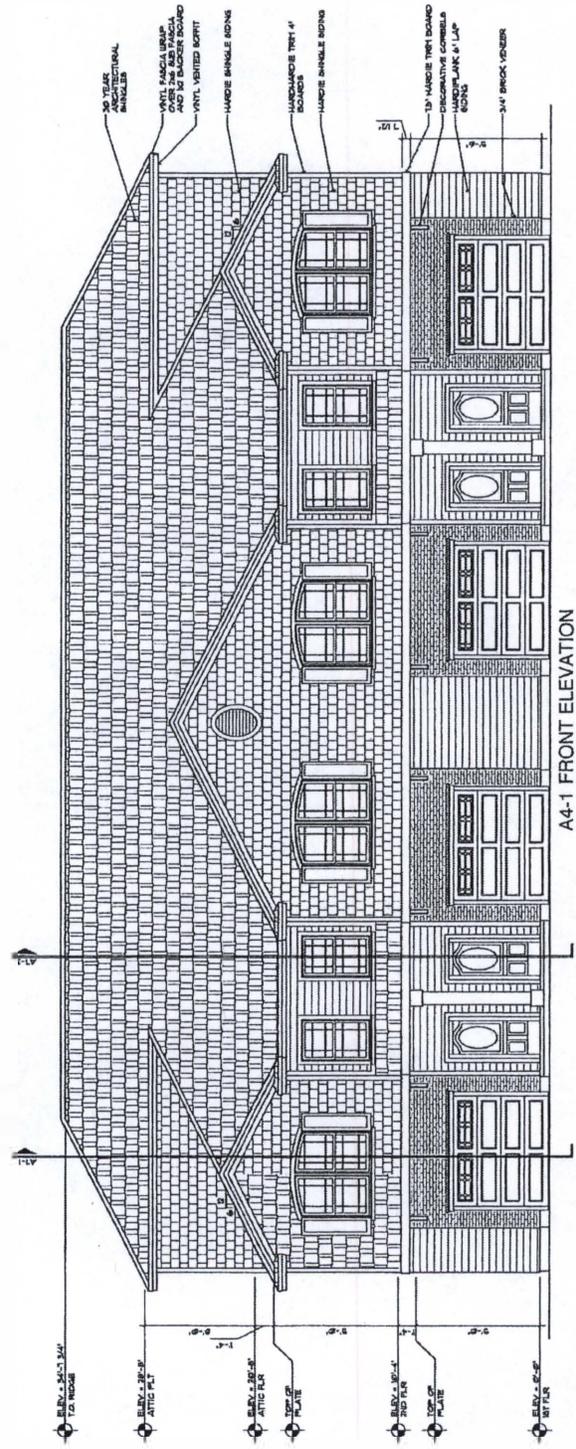
EXTERIOR ELEVATIONS

DATE: 9-11-14  
 DRAWN BY: JDB  
 FILE LOCATION:  
 SHEET NUMBER:

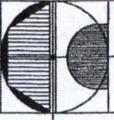
A4



A4-2 RIGHT SIDE ELEVATION  
1/4\"/>



A4-1 FRONT ELEVATION  
1/4\"/>



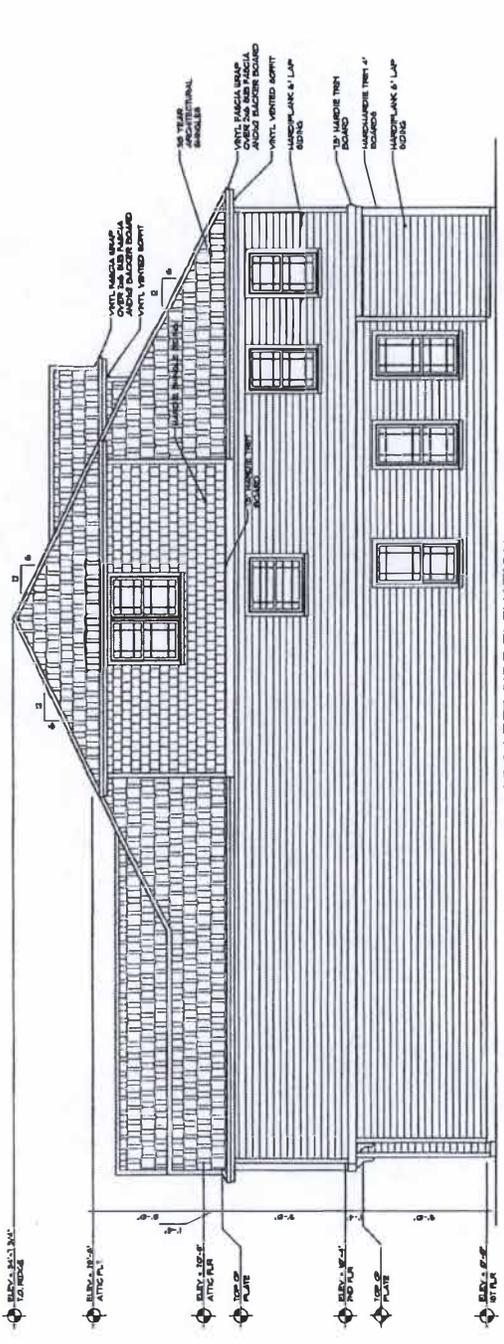
STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway A/R0015093  
 Jacksonville, Florida  
 904-538-9615 Fax 904-538-9617

PROJECT:  
**ISABELA TOWNHOMES**  
 RE# 180517-0100  
 JACKSONVILLE BEACH, FLORIDA

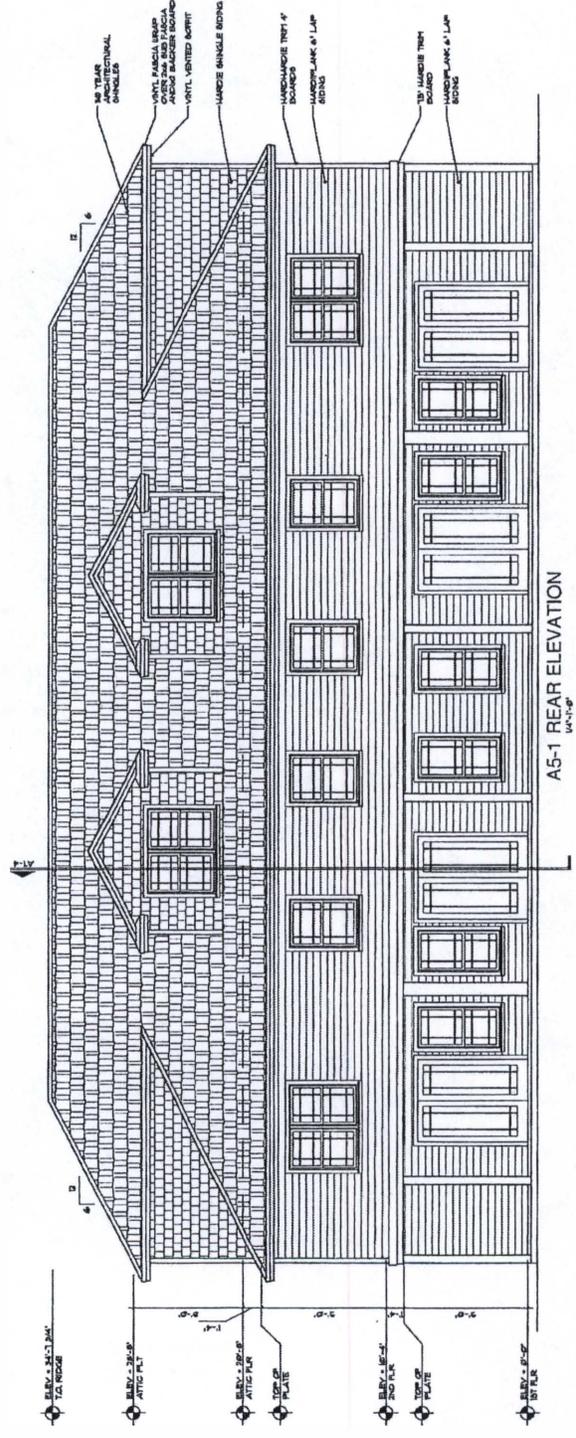
**EXTERIOR ELEVATIONS**

DRAWING INFORMATION  
 DATE: 07/14/10  
 DRAWN BY: JEM  
 FILE LOCATION:  
 SHEET NUMBER:

**A5**



A5-2 LEFT SIDE ELEVATION  
 1/4"=1'-0"

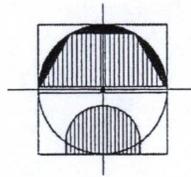


A5-1 REAR ELEVATION  
 1/4"=1'-0"

# **EXHIBIT D**

# ALMONASTER TOWNHOMES RESIDENTIAL PROJECT

RE #180517-0100  
JACKSONVILLE BEACH, FLORIDA



Steven E. Hutchins Architects Inc.

ARCHITECT

AR0015093

9143 PHILIPS HIGHWAY SUITE 140  
JACKSONVILLE, FL 32256

TEL: 904-538-9615 FAX: 904-538-9617

## VICINITY MAP

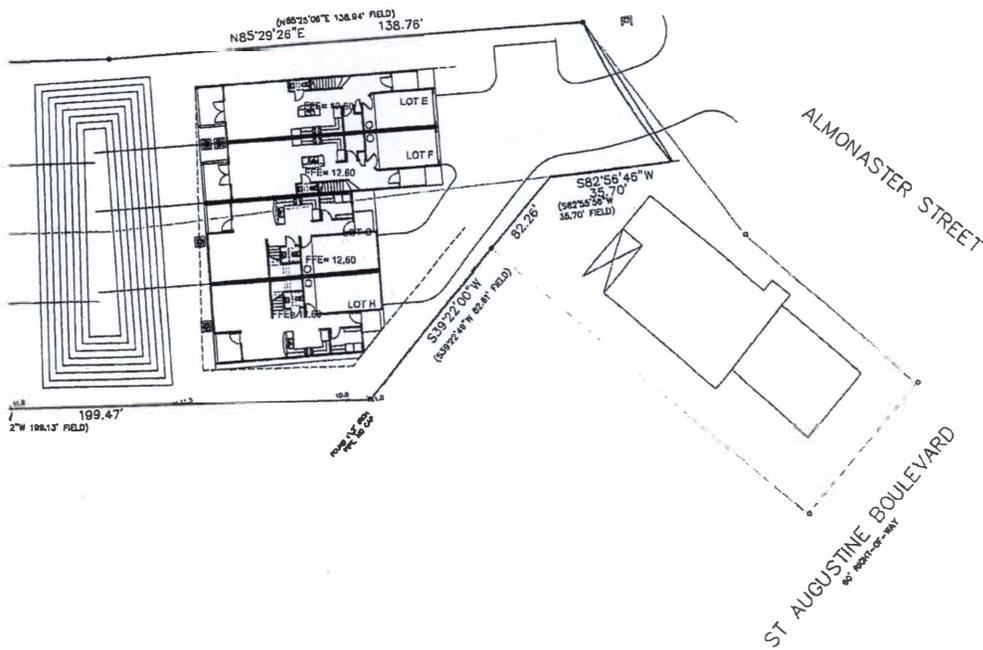


PERMIT SET

10/17/2014

## DRAWING INDEX

00	COVER SHEET
G1	SITE PLAN AND CODE SUMMARY
G2	SPECIFICATION
G3	SPECIFICATION
A1	1ST FLOOR PLAN
A2	2ND FLOOR PLAN
A3	EXTERIOR ELEVATIONS
A4	EXTERIOR ELEVATIONS
A5	WALL SECTIONS
A6	BUILDING SECTION
A7	WALL SECTIONS
A8	BONUS/ATTIC ROOM PLAN
A9	DOORS AND WINDOWS SCHEDULES AND DETAILS
A10	STAIR 1 ENLARGED PLANS AND SECTION
A11	STAIR 2 ENLARGED PLANS AND SECTION
A12	INTERIOR AND EXTERIOR DETAILS

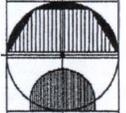


G1-1 SITE PLAN  
1/16/14

SQUARE FOOTAGE INFORMATION:		
UNIT 1 (LOT E (END UNIT))	2271 (CONDO) S.F.	275 (GARAGE) S.F.
UNIT 2 (LOT F (END UNIT))	2272 (CONDO) S.F.	275 (GARAGE) S.F.
UNIT 3 (LOT G (END UNIT))	2233 (CONDO) S.F.	303 (GARAGE) S.F.
UNIT 4 (LOT H (END UNIT))	2153 (CONDO) S.F.	301 (GARAGE) S.F.
TOTAL:	8727 (CONDO) S.F.	1154 (GARAGE) S.F.
TOTAL UNIT SQUARE FOOTAGE:		
UNIT 1 (LOT E (END UNIT))	2546 S.F.	2546 S.F.
UNIT 2 (LOT F (END UNIT))	2548 S.F.	2548 S.F.
UNIT 3 (LOT G (END UNIT))	2536 S.F.	2536 S.F.
UNIT 4 (LOT H (END UNIT))	2506 S.F.	2506 S.F.
TOTAL:	10136 S.F.	10136 S.F.

STRUCTURE HEIGHT AND # OF STORIES	
MAXIMUM HEIGHT OF THE STRUCTURE IN FT.	34'-0" MAX
NUMBER OF STORIES	3

CODE SUMMARY	
PROJECT:	ALMONASTER TOWNHOMES
ADDRESS:	RE #180517-100, JACKSONVILLE BEACH, FLORIDA
COUNTY:	DUAL COUNTY
APPLICABLE CODE:	2010 FLORIDA BUILDING CODE 2010 FLORIDA PLUMBING CODE 2008 NATIONAL ELECTRIC CODE 2010 FLORIDA MECHANICAL CODE 2010 FLORIDA FIRE PREVENTION CODE IFPA 101
OCCUPANCY CODE:	R-3 (PER FBC 216.1)
CONSTRUCTION TYPE:	IV-B
SPRINKLERS REQUIRED:	1ST SPRINKLER SYSTEM WITH ALARM
FIRE RESISTIVE REQUIREMENTS:	EXTERIOR BEARING WALLS 3 HOUR ROOF CONSTRUCTION 3 HOUR CEILING 1 HOUR COLUMN DIVIDING WALLS 3 HOUR EXTERIOR WALLS R13 CEILING MEMBRANE R10 GARAGE COMMON WALLS R10 PORCH COMMON WALLS R10
INSULATION REQUIREMENTS:	



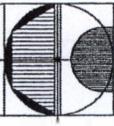
STEVEN E. HUTCHINS ARCHITECTS, INC.  
9143 Philips Highway A/R0015093  
Suite 140  
Jacksonville, Florida  
904-538-9615 Fax 904-538-9617

PROJECT: **ALMONASTER TOWNHOMES**  
RE #180517-100  
JACKSONVILLE BEACH, FLORIDA

DATE: 10-17-14  
DRAWN BY: BT/MP  
FILE LOCATION:  
SHEET NUMBER:

DATE: 10-17-14  
DRAWN BY: BT/MP  
FILE LOCATION:  
SHEET NUMBER:

G1



STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway A.R0015093  
 Jacksonville, Florida 904-538-9615  
 Suite 140  
 JACKSONVILLE BEACH, FLORIDA  
 RE #180517-0100

ALMONASTER TOWNHOMES  
 JACKSONVILLE BEACH, FLORIDA

SECOND FLOOR PLAN

DATE: 05-14-14  
 DRAWN BY: STAFF  
 FILE LOCATION:  
 SHEET NUMBER:

A2

**WALL TYPES**

1. EXTERIOR WALLS IN LAYER OF 1/2" GYPSUM BOARD OR BOTH SIDES OF 5/8" WOOD STUDS @ 16" O.C.

2. INTERIOR PARTITION WALLS ASSEMBLY

3. PARTITION WALLS ASSEMBLY

4. PARTITION WALLS ASSEMBLY

5. PARTITION WALLS ASSEMBLY

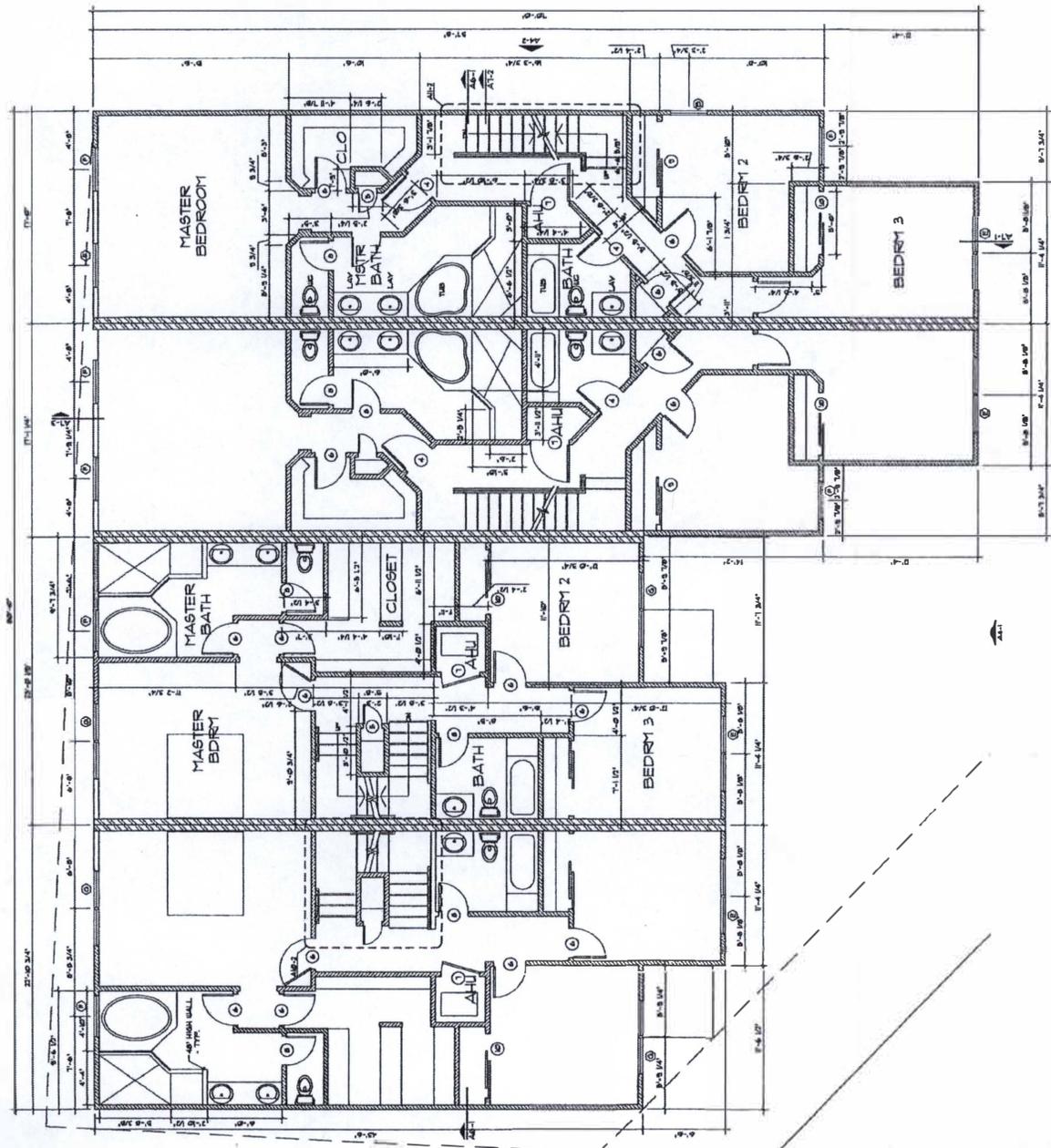
6. PARTITION WALLS ASSEMBLY

7. PARTITION WALLS ASSEMBLY

8. PARTITION WALLS ASSEMBLY

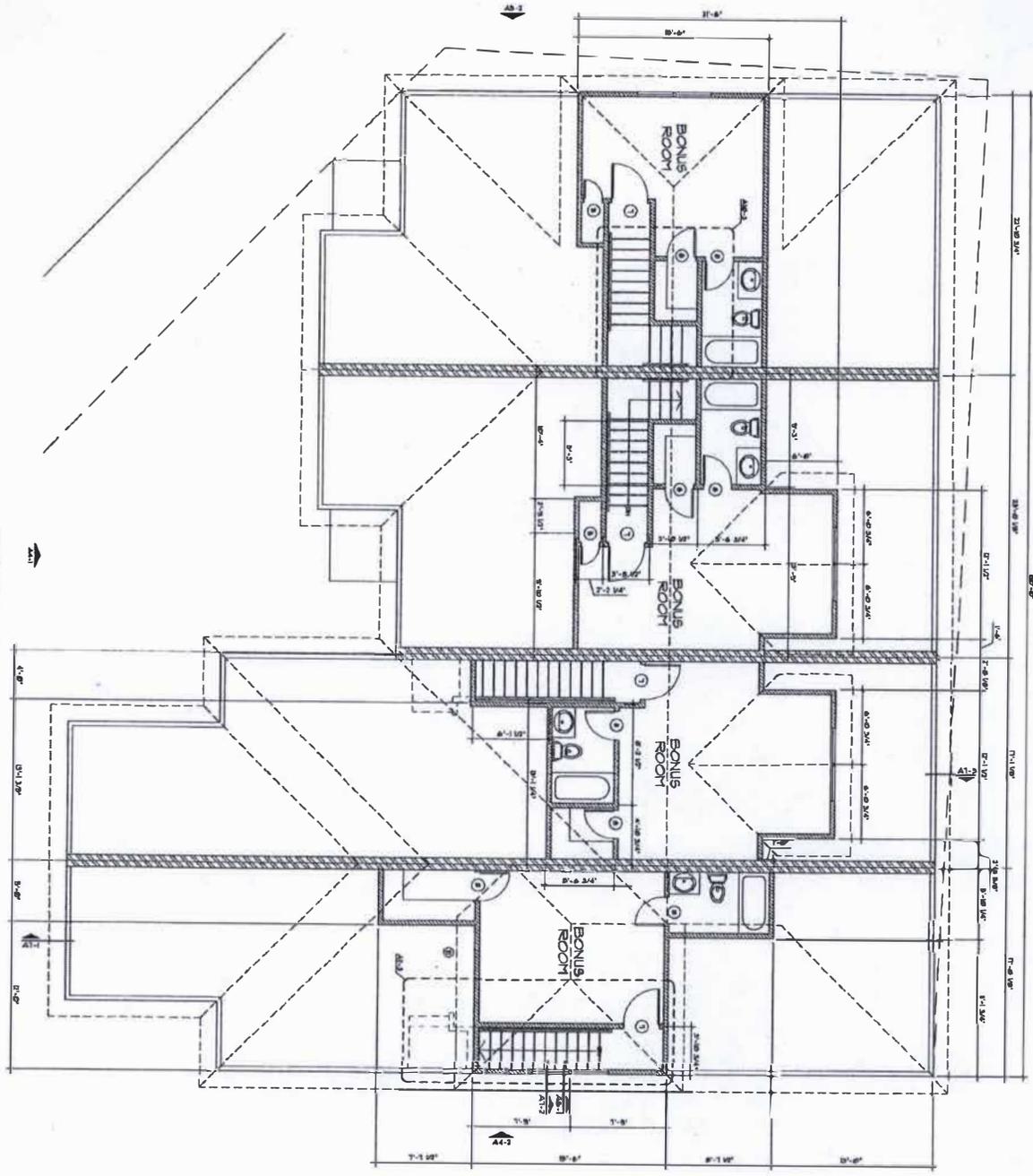
9. PARTITION WALLS ASSEMBLY

10. PARTITION WALLS ASSEMBLY



SECOND FLOOR PLAN

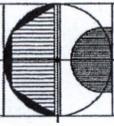
ATTIC FLOOR PLAN



**WALL TYPES**

	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH
	1/2" GYPSUM BOARD ON 1/2" LATH

<b>A3</b>	<b>ATTIC FLOOR PLAN</b>	<b>PROJECT</b> <b>ALMONASTER TOWNHOMES</b> RE #180517-0100 JACKSONVILLE BEACH, FLORIDA	<b>STEVEN E. HUTCHINS ARCHITECTS, INC.</b> 9143 Phillips Highway AR0015093 Suite 140 Jacksonville, Florida 904-538-9615 Fax 904-538-9617	
	DRAWING INFORMATION DATE: 0-0-04 DRAWN BY: [Name] CHECKED BY: [Name] FILE LOCATION: [Path] NEXT NUMBER: [Number]			



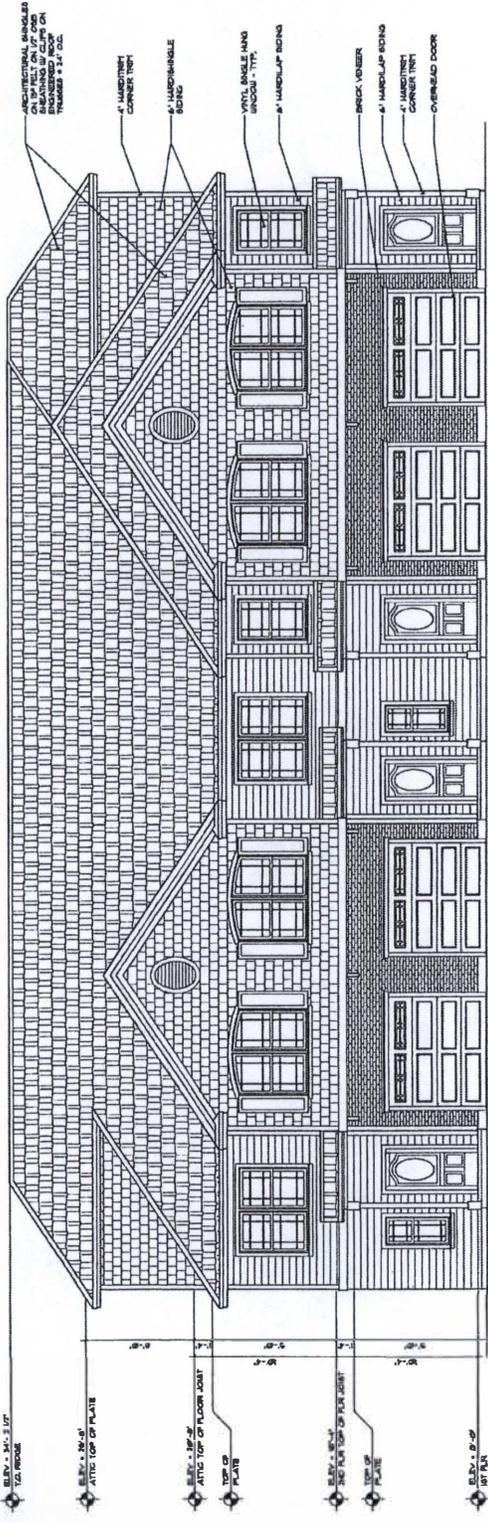
STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway APO015093  
 Jacksonville, Florida 904-538-9615  
 Suite 140  
 Jacksonville, Florida 904-538-9615 Fax

PROJECT: ALMONASTER TOWNHOMES  
 RE #180517-0100  
 JACKSONVILLE BEACH, FLORIDA

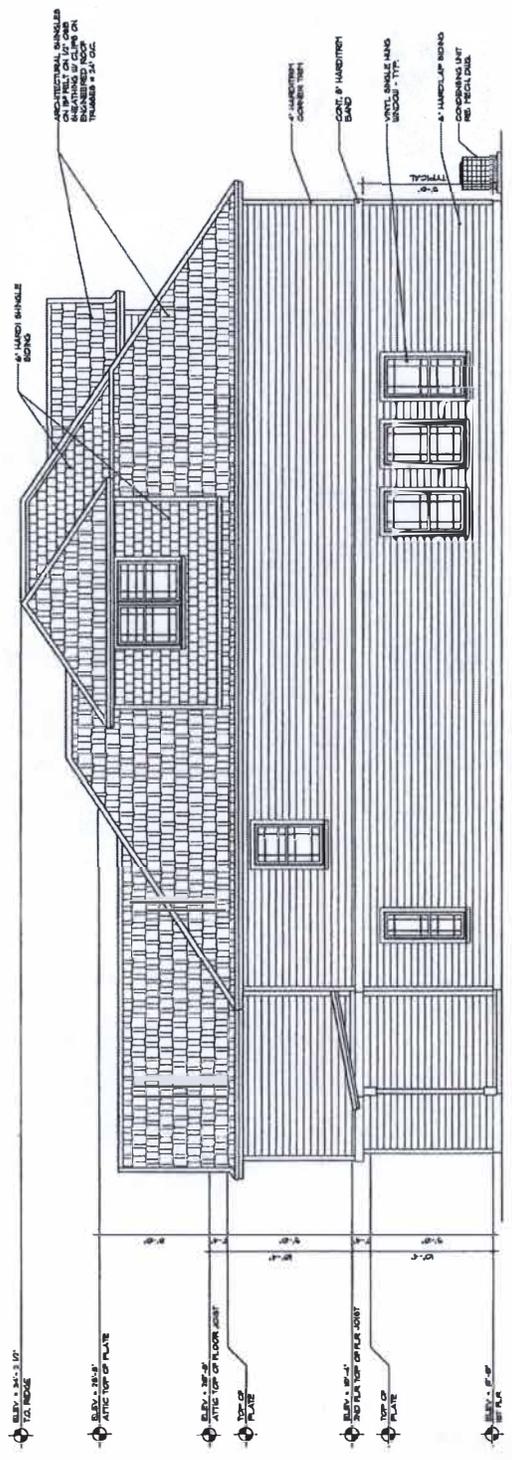
FRONT AND RIGHT SIDE ELEVATION

DATE: 05-24-11  
 DRAWN BY: STAFF  
 FILE LOCATION:  
 SHEET NUMBER:

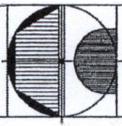
A4



A4-1 FRONT ELEVATION  
 1/4" = 1'-0"



A4-2 RIGHT SIDE ELEVATION  
 1/4" = 1'-0"



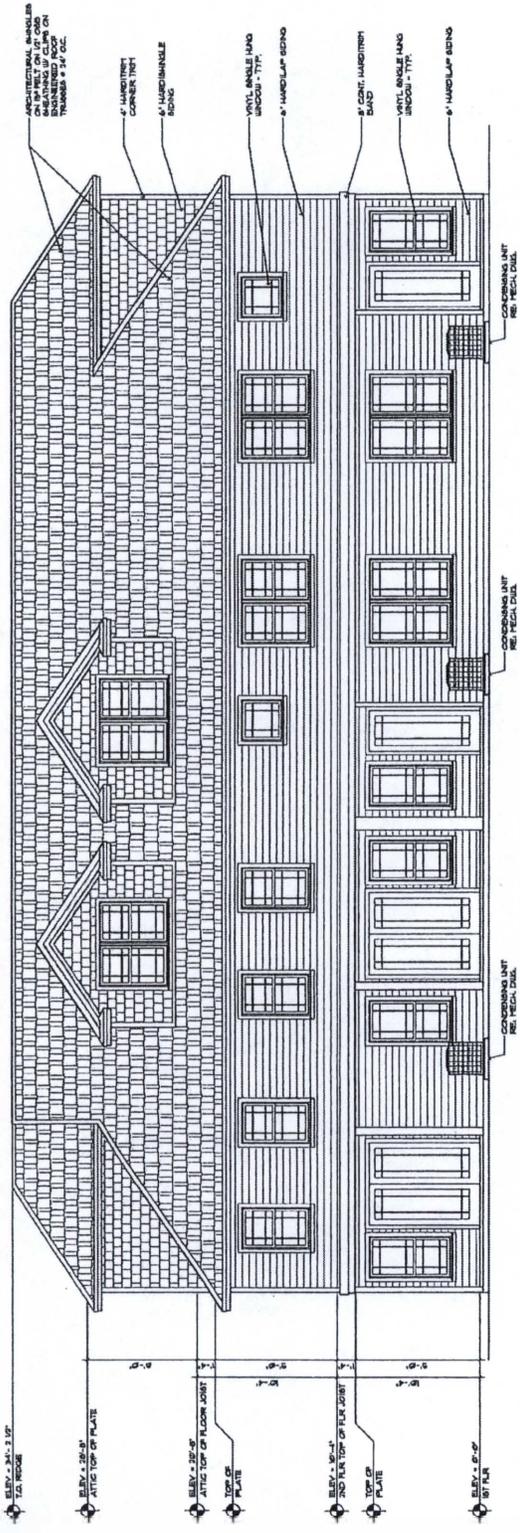
STEVEN E. HUTCHINS ARCHITECTS, INC.  
 9143 Phillips Highway A R0015093  
 Suite 140  
 Jacksonville, Florida  
 904-588-9615 Fax 904-538-9617

PROJECT: ALMONASTER TOWNHOMES  
 RE #180517-0100  
 JACKSONVILLE BEACH, FLORIDA

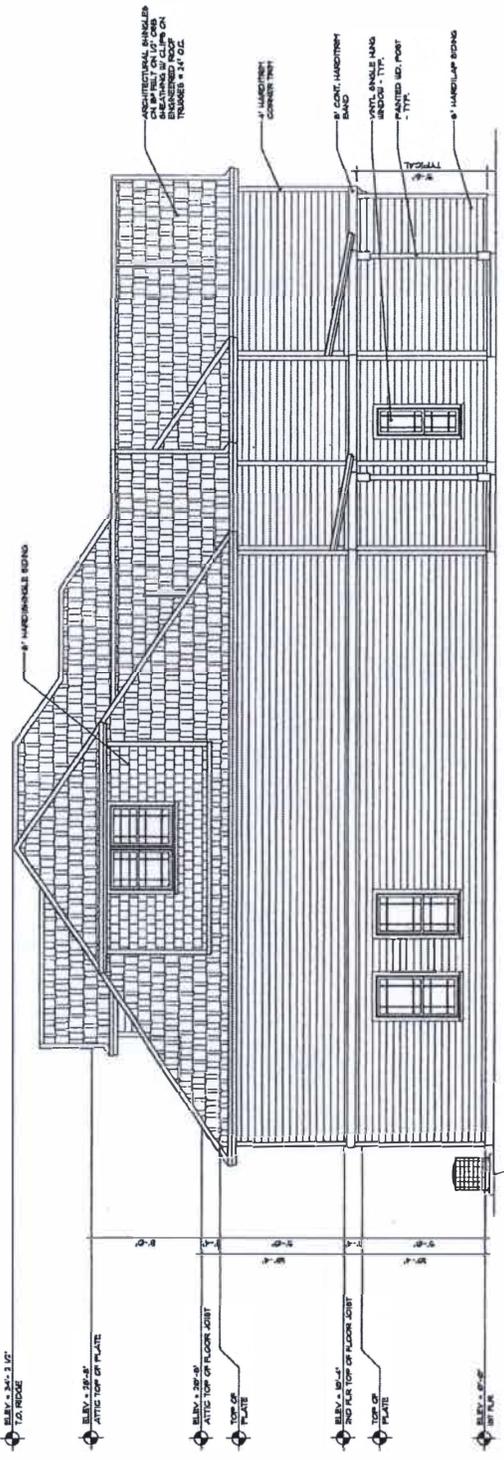
REAR AND LEFT SIDE ELEVATION

DATE: 05/14/10  
 DRAWN BY: [blank]  
 FILE LOCATION: [blank]  
 SHEET NUMBER: [blank]

A5



A5-1 REAR ELEVATION  
 1/4" = 1'-0"

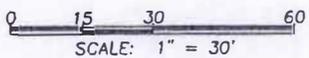
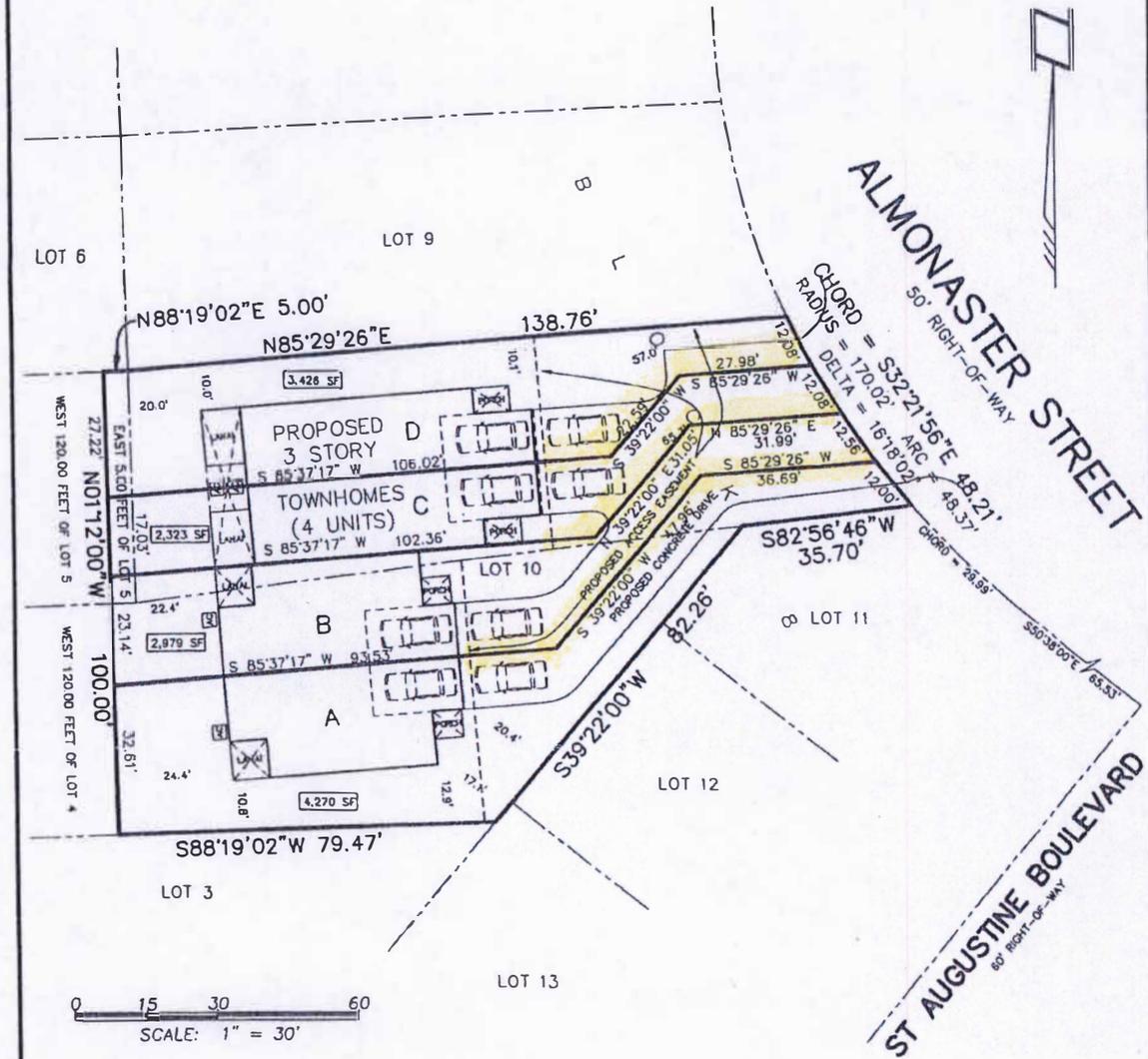


A5-2 LEFT SIDE ELEVATION  
 1/4" = 1'-0"

# **EXHIBIT E**

# SITE PLAN

ALL OF LOT 10, BLOCK 8, TOGETHER WITH LOTS 4 AND 5, BLOCK 8, EXCEPT THE WEST 120 FEET THEREOF, ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



AREA CALCULATIONS	
BUILDING	3,964 SF
PORCH, LANAI, A/C	588 SF
DRIVEWAY	2,997 SF
TOTAL IMPERVIOUS AREA	7,549 SF
TOTAL SITE AREA	12,998 SF
58% IMPERVIOUS COVERAGE	

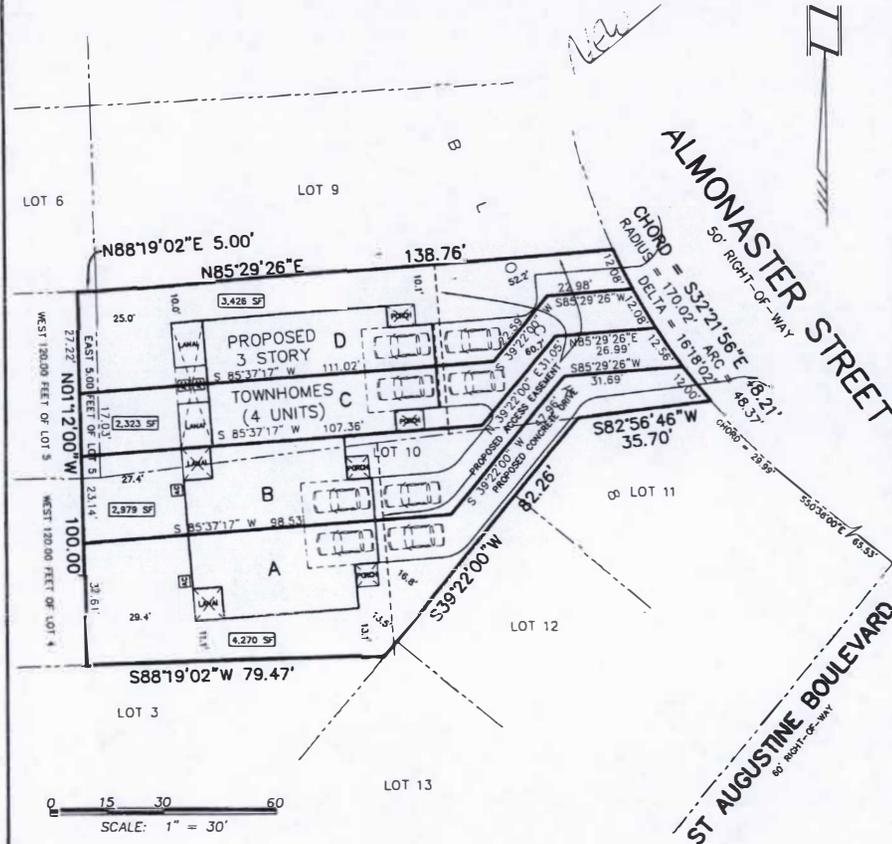
- NOTES:
1. THIS IS A MAP ONLY.
  2. NO BUILDING RESTRICTIONS OR EASEMENT LINES PER PLAT.
  3. BEARINGS BASED ON THE SOUTH LINE OF LOT 4 BEING SOUTH 88°19'02" WEST.
  4. THE IMPROVEMENTS SHOWN ON THIS PLAN ARE PROPOSED.
  5. THE PLANS AND DIMENSIONS AND SQUARE FOOTAGE CALCULATIONS SHOWN HEREON ARE ONLY APPROXIMATIONS. THE DIMENSIONS SHOWN ON THIS PAGE ARE TO THE EXTERIOR OF THE OUTERMOST WALLS.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

**NEW DRAWING**

# SITE PLAN

ALL OF LOT 10, BLOCK 8, TOGETHER WITH LOTS 4 AND 5, BLOCK 8, EXCEPT THE WEST 120 FEET THEREOF, ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



AREA CALCULATIONS	
BUILDING	3,964 SF
PORCH, LANAI, A/C	588 SF
DRIVEWAY	2,987 SF
TOTAL IMPERVIOUS AREA	7,549 SF
TOTAL SITE AREA	12,998 SF
58% IMPERVIOUS COVERAGE	

- NOTES:**
1. THIS IS A MAP ONLY.
  2. NO BUILDING RESTRICTIONS OR EASEMENT LINES PER PLAT.
  3. BEARINGS BASED ON THE SOUTH LINE OF LOT 4 BEING SOUTH 88°19'02" WEST.
  4. THE IMPROVEMENTS SHOWN ON THIS PLAN ARE PROPOSED.
  5. THE PLANS AND DIMENSIONS AND SQUARE FOOTAGE CALCULATIONS SHOWN HEREON ARE ONLY APPROXIMATIONS. THE DIMENSIONS SHOWN ON THIS PAGE ARE TO THE EXTERIOR OF THE OUTERMOST WALLS.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

REVISED - JULY 6, 2017

# UPCHURCH, BAILEY AND UPCHURCH, P.A.

JOHN D. BAILEY, JR.  
FRANK D. UPCHURCH III  
DONALD W. WALLIS  
SIDNEY F. ANSBACHER  
KATHERINE GAERTNER JONES  
MICHAEL A. SIRAGUSA  
STEPHEN A. FAUSTINI  
ALLYSON BOYLES CURRIE  
ERIN ROHAN SMITH

ATTORNEYS AT LAW  
Established 1925  
780 North Ponce de Leon Boulevard  
St. Augustine, Florida 32084  
www.ubulaw.com  
Telephone (904) 829-9066  
Facsimile (904) 825-4862  
Please reply to:  
Post Office Drawer 3007  
St. Augustine, Florida 32085-3007

OF COUNSEL:  
TRACY WILSON UPCHURCH  
-----  
FRANK D. UPCHURCH, SR.  
(1894-1986)  
HAMILTON D. UPCHURCH  
(1925-2008)  
FRANK D. UPCHURCH, JR.  
(1922-2012)

**RECEIVED**

July 7, 2017

JUL 10 2017

**VIA FEDERAL EXPRESS & EMAIL DELIVERY**  
**Tracking No. 7795 7814 2172**

**BMann@jaxbchfl.net**

Bill Mann  
Planning and Development Director  
City of Jacksonville Beach  
11 North Third Street  
Jacksonville Beach, Florida 32250

**SErdelyi@marksgray.com** **PLANNING & DEVELOPMENT**

Susan S. Erdelyi, Esquire  
Marks Gray, P.A.  
Post Office Box 447  
Jacksonville, Florida 32201-0447

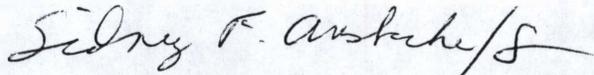
Re: Almonaster: Old and New Site Plans  
Our File No. 1-14-426

Dear Sir & Madam:

Enclosed please find four (4) copies each of the old and new site plans for Almonaster.

I remain,

Sincerely,



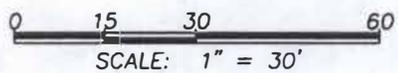
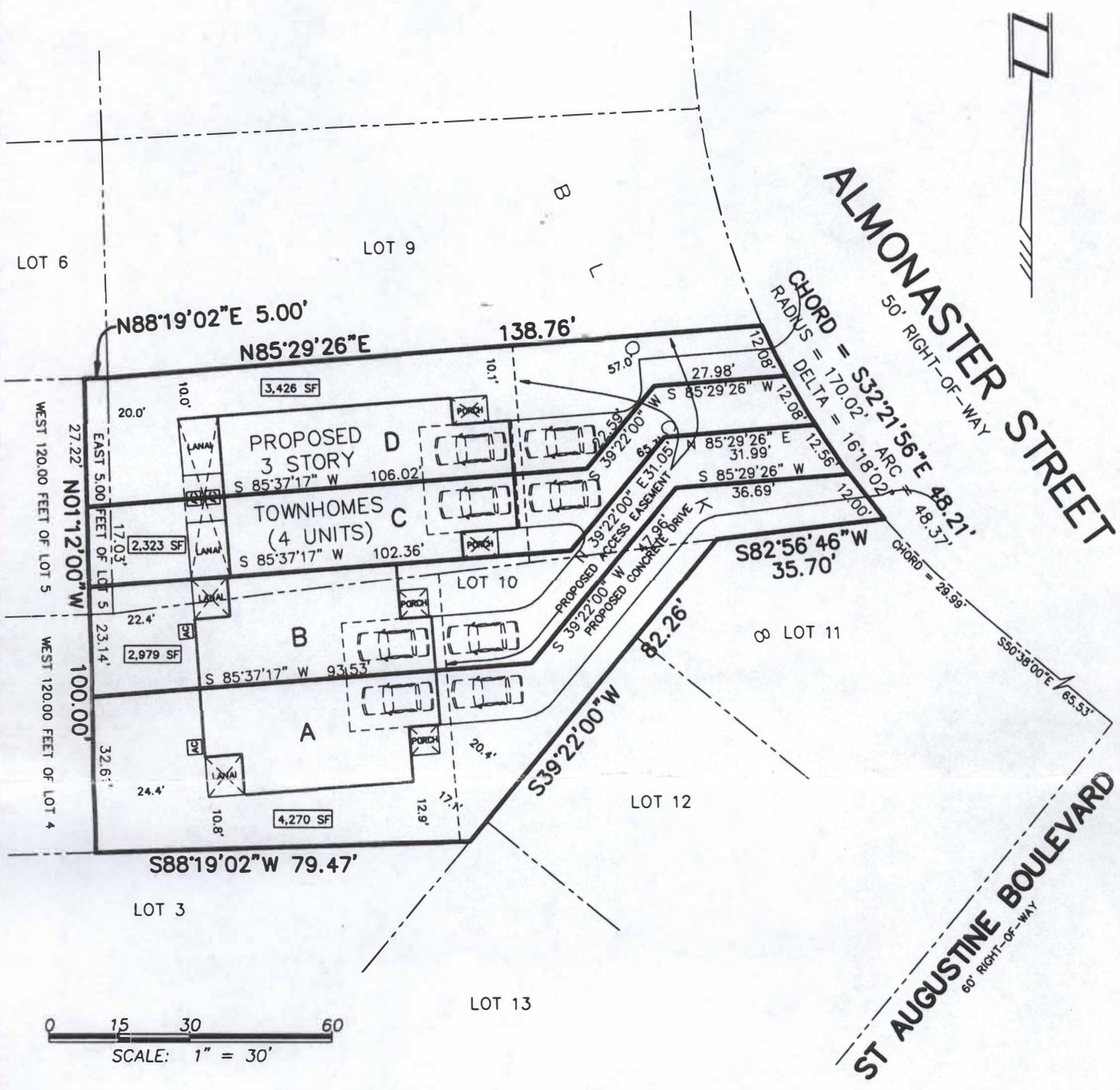
Sidney F. Ansbacher

SFA/cs

Enclosures

# SITE PLAN

ALL OF LOT 10, BLOCK 8, TOGETHER WITH LOTS 4 AND 5, BLOCK 8, EXCEPT THE WEST 120 FEET THEREOF, ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



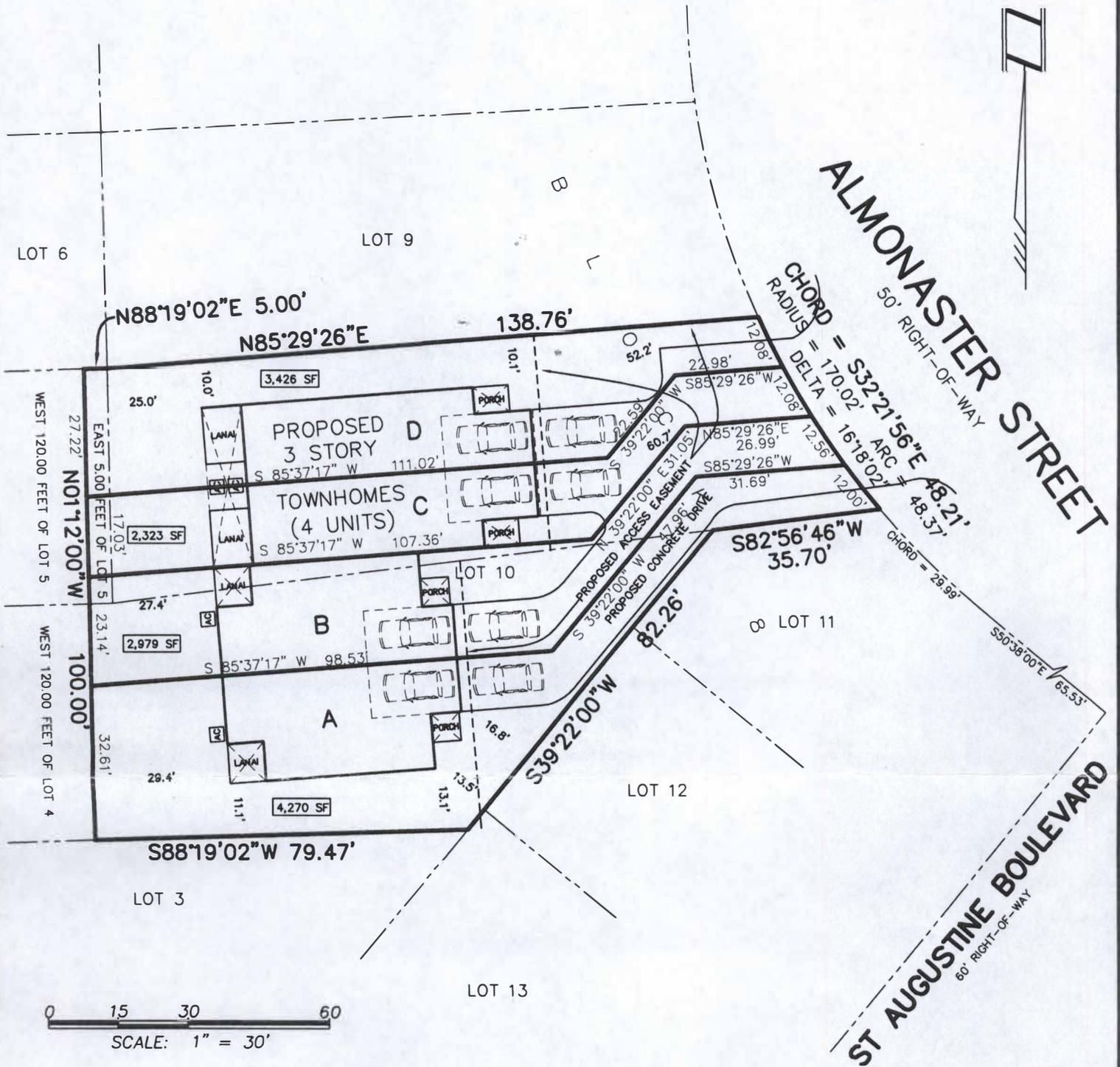
AREA CALCULATIONS	
BUILDING	3,964 SF
PORCH, LANAI, A/C	588 SF
DRIVEWAY	2,997 SF
TOTAL IMPERVIOUS AREA	7,549 SF
TOTAL SITE AREA	12,998 SF
58% IMPERVIOUS COVERAGE	

- NOTES:
1. THIS IS A MAP ONLY.
  2. NO BUILDING RESTRICTIONS OR EASEMENT LINES PER PLAT.
  3. BEARINGS BASED ON THE SOUTH LINE OF LOT 4 BEING SOUTH 88°19'02" WEST.
  4. THE IMPROVEMENTS SHOWN ON THIS PLAN ARE PROPOSED.
  5. THE PLANS AND DIMENSIONS AND SQUARE FOOTAGE CALCULATIONS SHOWN HEREON ARE ONLY APPROXIMATIONS. THE DIMENSIONS SHOWN

# SITE PLAN

New

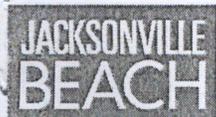
ALL OF LOT 10, BLOCK 8, TOGETHER WITH LOTS 4 AND 5, BLOCK 8, EXCEPT THE WEST 120 FEET THEREOF, ATLANTIC SHORES, AS RECORDED IN PLAT BOOK 14, PAGE 39 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



AREA CALCULATIONS	
BUILDING	3,964 SF
PORCH, LANAI, A/C	588 SF
DRIVEWAY	2,997 SF
TOTAL IMPERVIOUS AREA	7,549 SF
TOTAL SITE AREA	12,998 SF
58% IMPERVIOUS COVERAGE	

**NOTES:**

1. THIS IS A MAP ONLY.
2. NO BUILDING RESTRICTIONS OR EASEMENT LINES PER PLAT.
3. BEARINGS BASED ON THE SOUTH LINE OF LOT 4 BEING SOUTH 88°19'02" WEST.
4. THE IMPROVEMENTS SHOWN ON THIS PLAN ARE PROPOSED.
5. THE PLANS AND DIMENSIONS AND SQUARE FOOTAGE CALCULATIONS SHOWN HEREON ARE ONLY APPROXIMATE. THE DIMENSIONS SHOWN



# APPLICATION FOR VARIANCE

BOA No. 17-100124

HEARING DATE 8-15-2017

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.

RECEIVED

## 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.

PLANNING & DEVELOPMENT

## APPLICANT INFORMATION

Applicant Name: Tracey McCue Paulsen & Allen Paulsen Telephone: 904-2497211  
 Mailing Address: 2860 St. John Blvd Jacksonville Beach, FL 32250 E-Mail: tracey@tmvemail.com

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

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

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

## VARIANCE DATA

Street address of property and/or Real Estate Number: 2860 ST JOHN BLVD, FL 32250  
 Legal description of property (Attach copy of deed): 11-40 09-35-21E, 20 JAY BEACH TR, TRACT 101, LOT 7  
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). need additional storage at house, putting pre-fab metal shed. renovating property

Applicant's Signature: \_\_\_\_\_ Date of Application: 6/28/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X

CODE SECTION (S): 34-37(e) i.e. for 57% lot coverage in lieu of 35% maximum;  
(e) i.e. for accessory structure setbacks of 1.9' along southern property line, and 0.9' along northern property line, to satisfy existing nonconformities and to allow an accessory building addition to an existing single-family dwelling

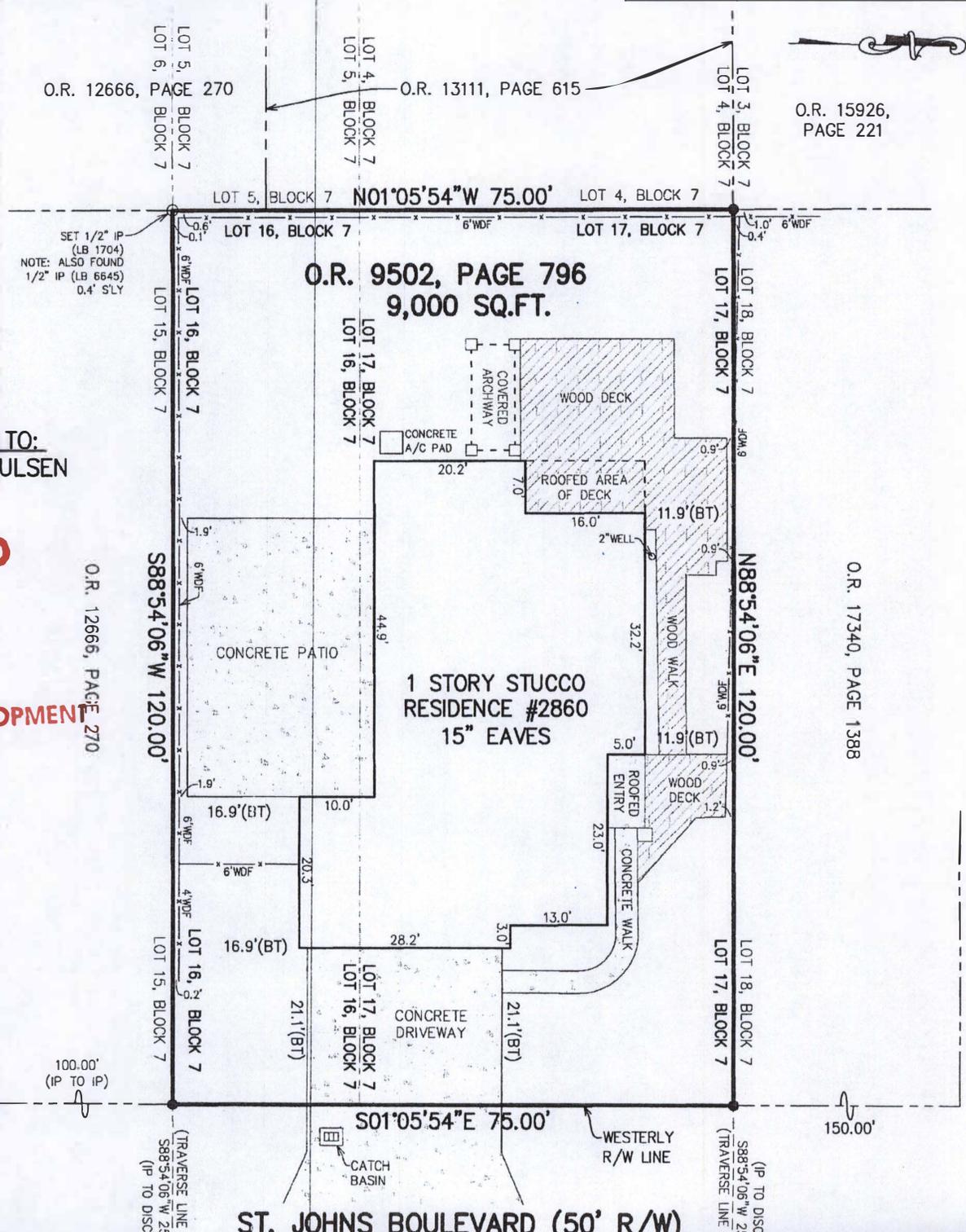
# MAP SHOWING BOUNDARY SURVEY OF LOTS 16 AND 17, BLOCK 7 AS SHOWN ON MAP OF JACKSONVILLE BEACH HEIGHTS

AS RECORDED IN PLAT BOOK 11, PAGE 40 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

**NOTES:**

1. BEARING REFERENCE: S01°05'54"E FOR THE WESTERLY R/W LINE OF ST. JOHNS BOULEVARD PER PREVIOUS SURVEY OF SUBJECT PROPERTY BY THIS FIRM, DATED FEBRUARY 20, 2001.
2. THIS IS AN ABOVE SURFACE SURVEY ONLY. NO UNDERGROUND INFORMATION WAS LOCATED OR SHOWN.
3. THE PROPERTY SURVEYED HEREON APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM THE FEMA FLOOD INSURANCE RATE MAPS, PANEL NO. 12031C-0419H, DATED JUNE 3, 2013.
4. ALL LOT AND BLOCK INFORMATION SHOWN HEREON REFERS TO ABOVE MENTIONED JACKSONVILLE BEACH HEIGHTS, PLAT BOOK 11, PAGE 40.
5. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR LIST OF EXCEPTIONS AND EASEMENTS. THERE MAY EXIST EXCEPTIONS THAT ARE NOT SHOWN HEREON.

LEGEND	
●	FOUND 1/2" IRON (AS NOTED)
○	SET 1/2" IRON (LB 1704)
R/W	RIGHT OF WAY
O.R.	OFFICIAL RECORDS BOOK OR VOLUME
IP	IRON PIPE
SQ.FT.	SQUARE FEET
(BT)	BUILDING TIE TO PROPERTY LINE
WDF	WOOD FENCE
— x —	FENCE, AS NOTED, W/TIES TO FACE



**CERTIFIED TO:  
TRACY PAULSEN**

**RECEIVED**

**JUL 31 2017**

**PLANNING & DEVELOPMENT**

O.R. 12666, PAGE 270

O.R. 17340, PAGE 1388

DESOTO STREET (50' R/W)

ST. JOHNS BOULEVARD (50' R/W)

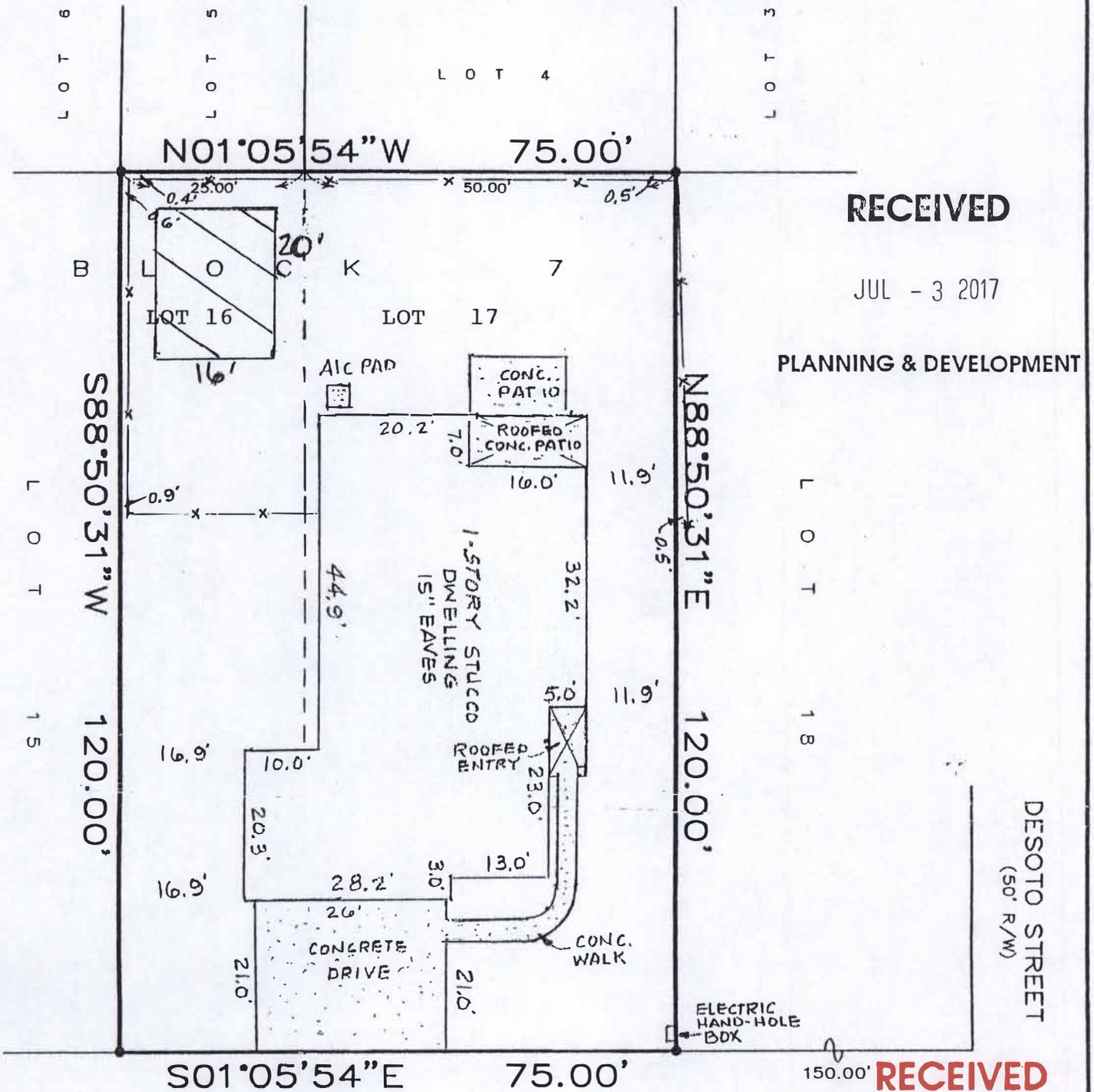
# MAP SHOWING BOUNDARY SURVEY OF LOTS 16 AND 17, BLOCK 7 AS SHOWN ON MAP OF JACKSONVILLE BEACH HEIGHTS

AS RECORDED IN PLAT BOOK 11, PAGE 40 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

FOR: BESTCON, INC.

BEARING REFERENCE: S 01°17'46" E FOR EAST LINE OF CONSTITUTION COVE, PER PLAT BOOK 35, PAGES 56 & 56A

CERTIFIED TO: TRACEY McCUE  
PEOPLES FIRST BANK  
TICOR TITLE INSURANCE CO.  
BUSCHMAN, AHERN, PERSONS & BANKSTON



**RECEIVED**

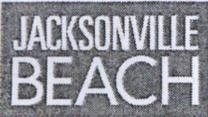
JUL - 3 2017

PLANNING & DEVELOPMENT

**RECEIVED**

ST. JOHNS BOULEVARD  
(50' RIGHT OF WAY)

JUL 3 - 2017  
117-100124



# APPLICATION FOR VARIANCE

BOA No. 17-100130

HEARING DATE 9-6-2017

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

## REQUIRED DOCUMENTATION

1. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

**RECEIVED**

JUL 7 2017

## APPLICANT INFORMATION

**PLANNING & DEVELOPMENT**

Applicant Name: BRANDON ANDREWS Telephone: 407-234-5964  
 Mailing Address: 525 PATRICIA LN JACKSONVILLE BEACH E-Mail: SWERDNAB@HOTMAIL.COM  
FL 32091

Agent Name: \_\_\_\_\_ 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: 175040-0000 525 Patricia Ln.

Legal description of property (Attach copy of deed): 20-72 28-25-29E .198 Beach Homesites unit 1 Lot 6/16/16

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Lot size is sub-standard

Applicant's Signature: [Signature] Date of Application: 7/7/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 34-336(e) for 46.5% lot coverage, in lieu of 35% maximum;  
(e)(2)g. for a 2' northerly and a 2' westerly access, structure  
setback, each in lieu of 5' required;  
34-373(d) for a parking area setback of 2' in lieu of 5'  
to allow a driveway and detached garage addition to an  
existing single-family dwelling.

PREPARED BY:

# EXACTA LAND SURVEYORS

Serving all of Florida



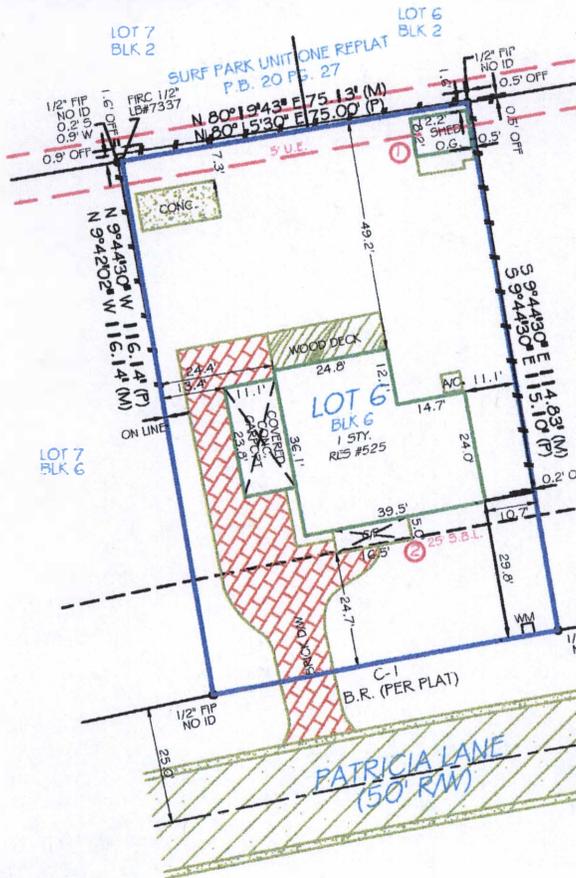
PROPERTY ADDRESS: 525 PATRICIA LANE JACKSONVILLE BEACH, FLORIDA 32250

SURVEY NUMBER: 1705.4402

FIELD WORK DATE: 5/26/2017

REVISION DATE(S): (REV.1 6/1/2017)

17054402  
BOUNDARY SURVEY  
DUVAL COUNTY



C-1  
R= 2412.50'(P\*M)  
L= 75.01'(P) 75.22'(M)  
Δ= 1°46'53"(P) 1°47'11"(M)  
S 79°27'50" W, 75.01'(P)  
S 79°19'58" W, 75.22'(M)

C-2  
R= 2412.50'(P\*M)  
L= 69.12'(P) 68.92'(M)  
Δ= 1°38'30"(P) 1°38'12"(M)  
N 81°10'31" E, 69.12'(P)  
N 81°10'27" E, 68.92'(M)

LOT 5  
BLK. 6

1/2" FIP  
NO ID  
@ P.T.

RECEIVED

JUL 7 2017

17-100130

PLANNING & DEVELOPMENT

C. BOYD ALLEN  
CERTIFICATE  
No 3932  
*Brandon Andrews*

I hereby certify that this Boundary Survey of the hereon described property has been made under my direction, and to the best of my knowledge and belief, it is a true and accurate representation of a survey that meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Engineers in Chapter 5J-17 of the Florida Administrative Code.

NOTES:  
SETBACK INFORMATION SHOWN ON PLAT, NOT VERIFIED.  
LOT APPEARS TO BE SERVICED BY PUBLIC WATER AND SEWER.  
FENCE OWNERSHIP NOT DETERMINED.



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



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

**FLOOD INFORMATION:**

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF JACKSONVILLE, COMMUNITY NUMBER 120077, DATED 06/03/13.

**POINTS OF INTEREST**

- 1. SHED OVER 5' UTILITY EASEMENT
- 2. PORCH OVER 25' SET BACK LINE

CLIENT NUMBER:

DATE: 6/1/2017

BUYER: Brandon Andrews

SELLER:

CERTIFIED TO: BRANDON ANDREWS

This is page 1 of 2 and is not valid without all pages.



**AFFILIATE MEMBERS**

**EXACTA**  
Land Surveyors, Inc.

LB# 7337

www.exactalands.com  
P866-735-1916 • F.866-744-2882  
11940 Fairway Lakes Drive, Suite 1-Ft. Myers, FL 33913

LEGAL DESCRIPTION:

LOT 6, BLOCK 6, BEACH HOMESITES - UNIT ONE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING REFERENCE OF S79°27'50"W IS BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PATRICIA LANE, BEACH HOMESITES - UNIT ONE, AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

GENERAL SURVEYOR NOTES:

- 1. The Legal Description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
2. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
3. If there is a septic tank, or drain field shown on this survey, the location is approximate as the location was either shown to Exacta by a third party or it was estimated by metal detection, probing rods, and visual above-ground inspection only. No excavation was performed in order to determine the exact and accurate location.
4. This survey is exclusively for the use of the parties to whom it is certified.
5. Additions or deletions to this survey map and report by other than the signing party or parties is prohibited without written consent of the signing party or parties.
6. Dimensions are in feet and decimals thereof.
7. Due to varying construction standards, house dimensions are approximate.
8. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
9. All corners marked as set are at a minimum a 3/4" diameter, 18" iron rebar with a cap stamped LBE7337.
10. If you are reading this survey in an electronic format, the information contained on this document is only valid if this document is electronically signed as specified in Chapter 51-17.062 (3) of the Florida Administrative Code. The Electronic Signature File related to this document is prominently displayed on the Invoice for this survey which is sent under separate cover. Manually signed and sealed logs of all survey signature files are kept in the office of the performing surveyor. If this document is in paper format, it is not valid without the signature and original raised seal of a Florida Licensed Surveyor.
11. Unless otherwise noted, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
12. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the center of the field location, and may not represent the actual shape or size of the feature.
13. Points of Interest (POI's) are selected above-ground improvements which may be in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the viewer.
14. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
15. The information contained on this survey has been prepared exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logo or reference to third party firms are for informational purposes only.
16. Pursuant to FS 558.0035, an individual employee or agent may not be held individually liable for negligence.
17. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

LEGEND:

SURVEYOR'S LEGEND

Table with columns for UNITS, SURFACE TYPES, SYMBOLS, and SURVEYOR'S LEGEND. It lists various symbols and their corresponding descriptions for features like utility lines, fences, walls, and markers.

RECEIVED

JUL 7 2017

17-100130

PLANNING & DEVELOPMENT

ELECTRONIC SIGNATURE:

In complete accordance with Florida Statute 472.025 and Pursuant to the Electronic Signature Act of 1996 or Florida Statute TITLE XXXIX, Chapter 608, if this document was received electronically via PDF, then it has been lawfully Electronically Signed. Therefore, this survey PDF, if authentic, is completely official and insurable. In order to validate the Electronic Signature of PDF surveys sent via www.surveystars.com, you must use a Hash Calculator. A free hash calculator is available for download at www.surveystars.com.

PRINTING INSTRUCTIONS:

- 1. While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
2. Select a printer with legal sized paper.
3. Under "Print Range", click select the "All" toggle.
4. Under the "Page Handling" section, select the number of copies that you would like to print.
5. Under the "Page Scaling" selection drop down menu, select "None."
6. Uncheck the "Auto Rotate and Center" checkbox.
7. Check the "Choose Paper size by PDF" checkbox.
8. Click OK to print.
9. To PRINT IN BLACK & WHITE:
1. In the main print screen, choose "Properties".
2. Choose "Quality" from the options.
3. Change from "Auto Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR: Brandon Andrews

EXACTA 25% off (UP TO \$500) FUTURE SURVEYING SERVICES ON THIS PROPERTY. Offer valid for fence setbacks and additions to the existing driveway only.



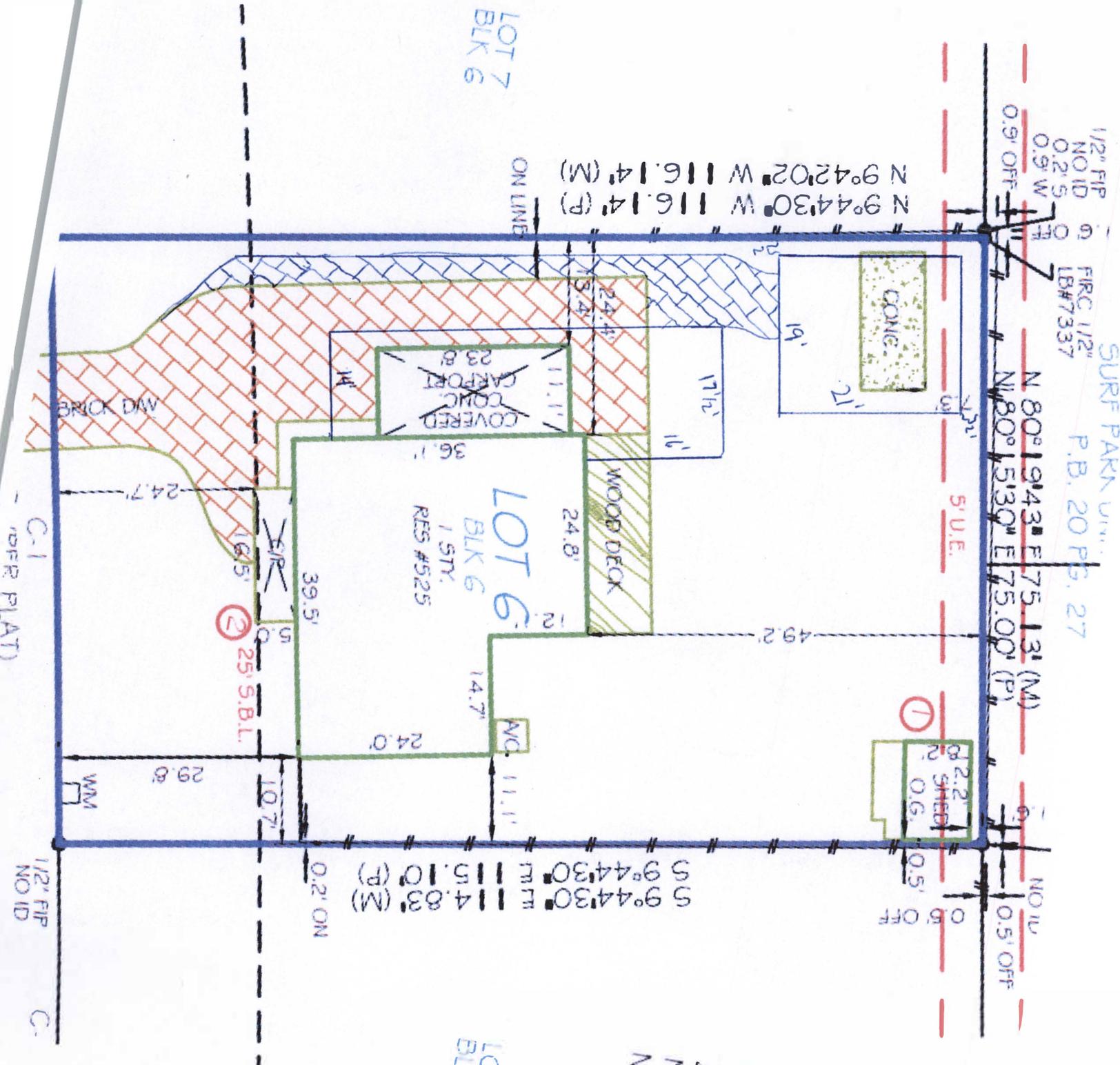
Exacta Land Surveyors, Inc.

LB# 7337

www.exactaland.com PB66-735-1916 • F866-744-2882

11940 Fairway Lakes Drive, Suite 1 • Ft. Myers, FL 33913

RECEIVED  
 JUL 7 2017  
 17-100130  
 PLANNING & DEVELOPMENT



$R = 24$   
 $L = 75$   
 $\Delta = 1^\circ$   
 $S 79^\circ 2'$   
 $S 79^\circ 1'$   
 $R = 24$   
 $L = 69$   
 $\Delta = 1^\circ$   
 $N 81^\circ 1'$   
 $N 81^\circ 1'$

1/2" FIP NO ID 0.2' 5 0.9' W 0.9' OFF  
 SURF PARK UN... P.B. 20 P. 5. 27  
 FIRC 1/2" LB#7337  
 N 80° 19' 43" E 75.13' (M)  
 N 80° 15' 30" E 75.00' (P)

N 9° 44' 30" W 116.14' (P)  
 N 9° 42' 02" W 116.14' (M)

S 9° 44' 30" W 114.83' (M)  
 S 9° 44' 30" W 115.10' (P)  
 0.2' ON

NO ID 0.5' OFF  
 0.5' OFF

LOT 7  
BLK 6

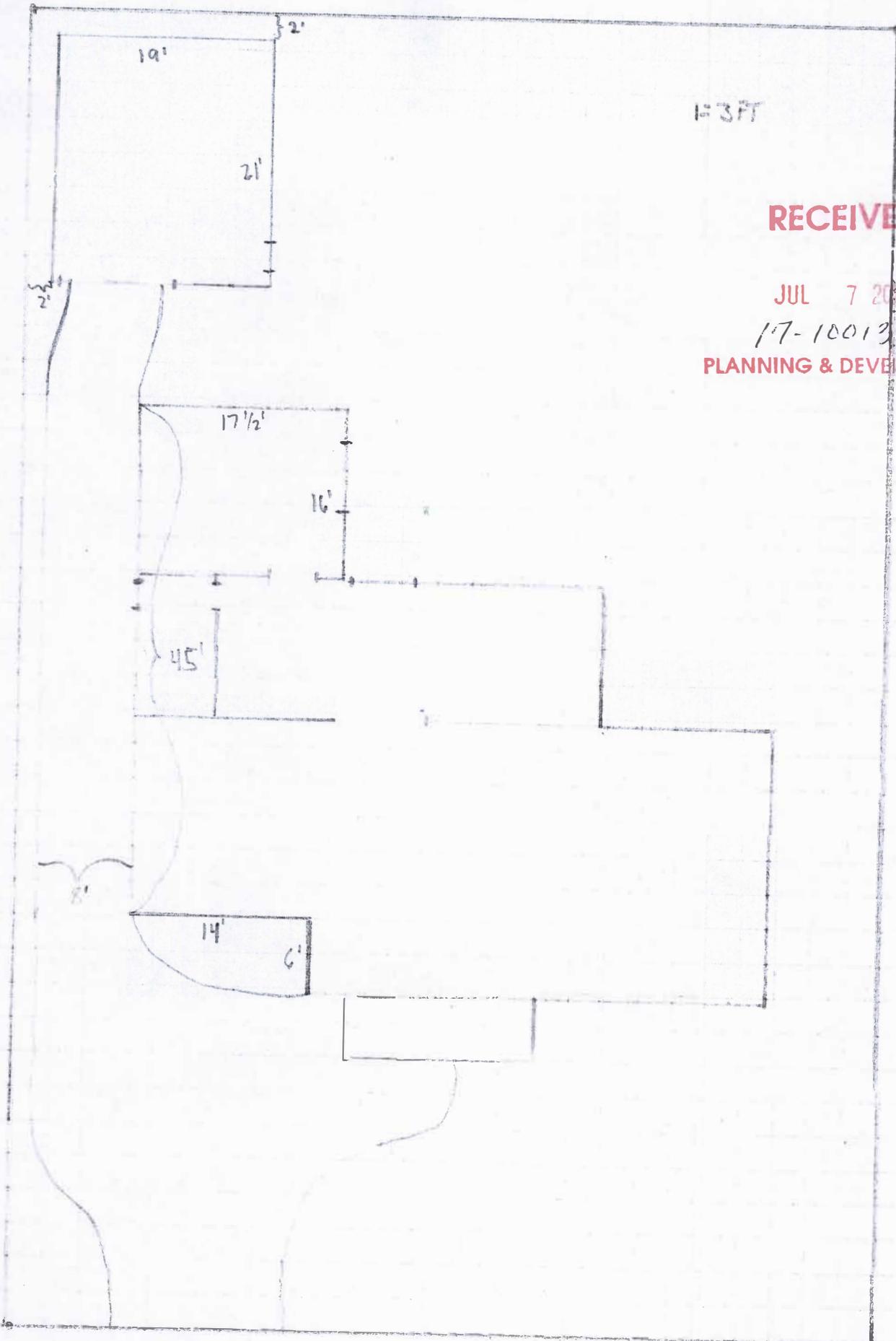
LOT 6  
BLK 6  
1.5 AC.  
RES #525

LOT 5  
BLK 6

C-1  
REFR PLATD

1/2" FIP NO ID

C-



1" = 3 FT

RECEIVED

JUL 7 2007

17-100130

PLANNING & DEVELOPMENT

1" = 3 FT



# APPLICATION FOR VARIANCE

4-6-2017

BOA No. 17-100132

HEARING DATE 8-7-2017

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.

9-6

## 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**

**JUL 3 - 2017**

## APPLICANT INFORMATION

## PLANNING & DEVELOPMENT

Applicant Name: Robert Twigg  
 Mailing Address: 517 Patricia Ln  
Jax Beach, FL 32250

Telephone: (904) 580-0570  
 E-Mail: twiggfreecare@gmail.com

Agent Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

Landowner Name: Robert Twigg  
 Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
 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

175036-0010

Street address of property and/or Real Estate Number: 517 Patricia Ln Unit 4  
 Legal description of property (Attach copy of deed): Single Family PTOFLOT 2, Block 6 Bch Homesites  
 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 EXISTING HOUSE FOOTPRINT IS SMALL COMPARED TO THE UNIQUE LOT SHAPE. WE ARE ONLY ASKING FOR A 5' ENCROACHMENT INTO THE REAR SET-BACK WITH OUR NEW ADDITION. THIS 5' INCREASE WILL NOT BE NOTICEABLE FROM THE STREET.

Applicant's Signature: [Signature] Date of Application: 6/30/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 3A-336(e)(1)(C)-3 for a rear yd. setback of 25', in lieu of 30' required, to allow for a room addition to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100132

**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.

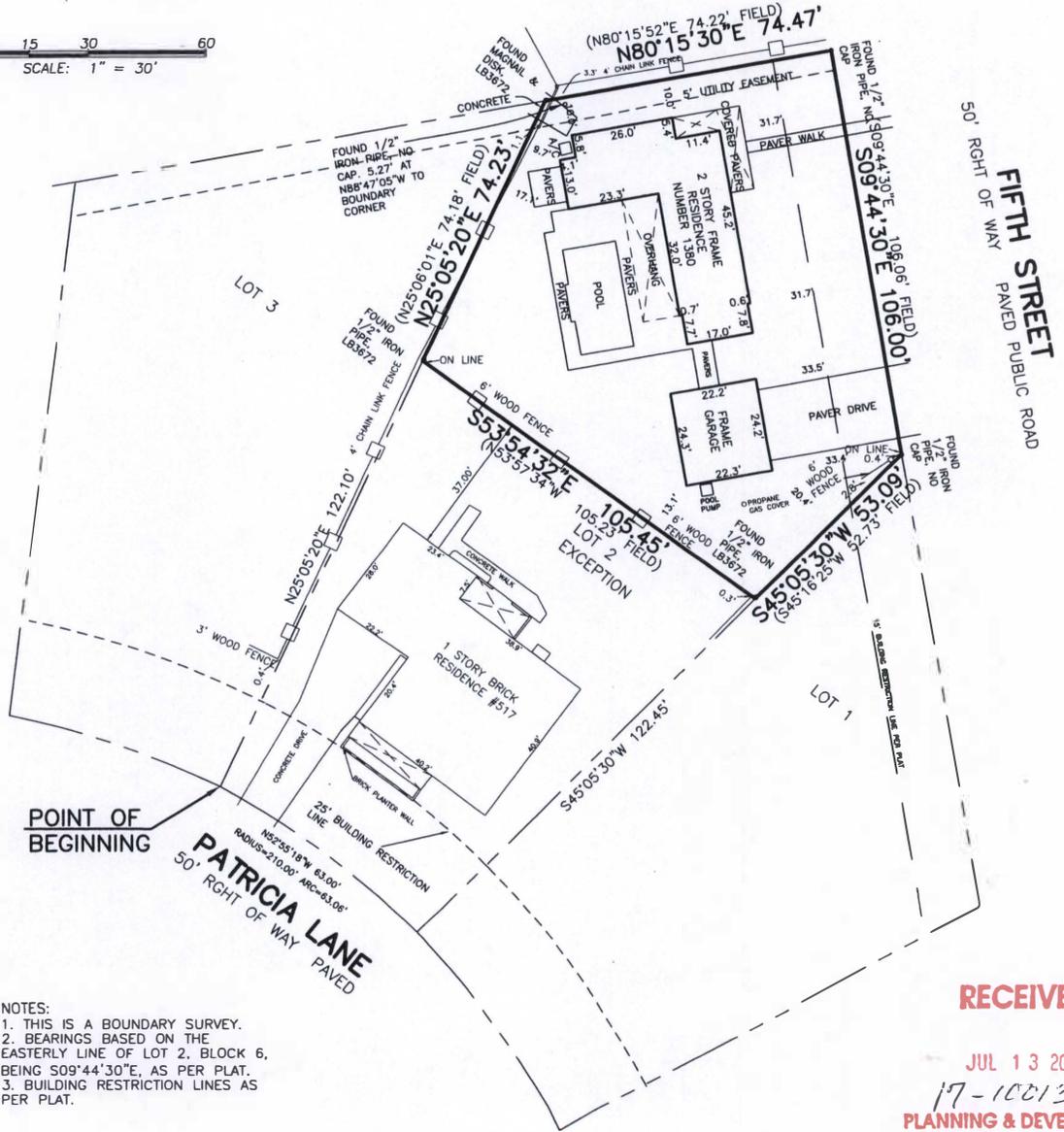
Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	YES	UNIQUE LOT SHAPE <b>RECEIVED</b> JUL 3 - 2017
Special circumstances and conditions do not result from the actions of the applicant.	YES	<del>PLANNING &amp; DEVELOPMENT</del> EXIST. HOUSE TO HAVE AN ADDITION ADDED - ONLY A 5' ENCROACHMENT IS REQUESTED
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	5' ENCROACHMENT WILL NOT BE NOTICEABLE
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	LOT IS LARGE IN RELATION TO HOUSE S.F.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	WE ARE ONLY ASKING FOR A 5' ENCROACHMENT INTO THE REAR SET-BACK
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	ONLY AN EXTENSION OF 5' THAT WILL NOT BE NOTICEABLE IN THE BACK YARD

Existing

### MAP SHOWING SURVEY OF

A PART OF LOT 2, BLOCK 6, BEACH HOMESITES—UNIT ONE AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPTING THE PORTION OF LOT 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 25°05'20" EAST ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 122.10 FEET; THENCE SOUTH 53°54'32" EAST, A DISTANCE OF 105.45 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 2; THENCE SOUTH 45°05'30" WEST, ALONG SAID SOUTHEASTERLY LINE OF LOT 2, A DISTANCE OF 122.45 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF PATRICIA LANE (A 50.00 FOOT RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 210.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 63.06 FEET AND HAVING A CHORD BEARING OF NORTH 52°55'18" WEST AND CHORD DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING.



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
  2. BEARINGS BASED ON THE EASTERLY LINE OF LOT 2, BLOCK 6, BEING S09°44'30"E, AS PER PLAT.
  3. BUILDING RESTRICTION LINES AS PER PLAT.

RECEIVED

JUL 13 2017  
17-100132  
PLANNING & DEVELOPMENT

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12031C0417H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF MIA C. FIENEMANN; FIRST FEDERAL BANK OF FLORIDA; PONTE VEDRA TITLE, LLC; AND CHICAGO TITLE INSURANCE COMPANY.

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

CHANGE DRAWING SCALE - JULY 10, 2017  
FINAL SURVEY - AUGUST 9, 2016

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

CHECKED BY: _____ DRAWN BY: PGP FILE: 2016-0906	<b>BOATWRIGHT LAND SURVEYORS, INC.</b> 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550	DATE: NOVEMBER 21, 2013 SHEET 1 OF 1
---	--	--

Proposed

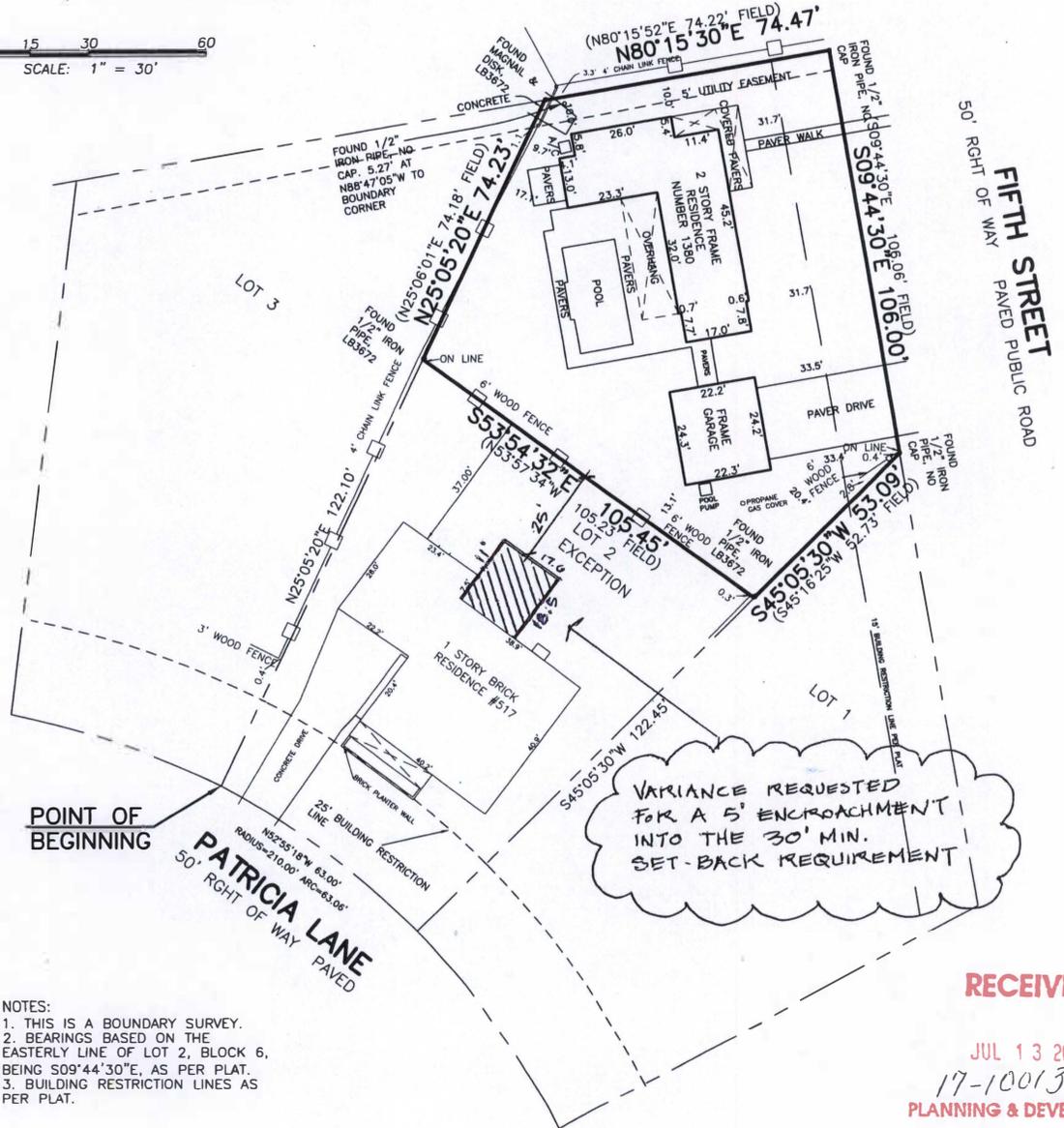
# MAP SHOWING SURVEY OF

A PART OF LOT 2, BLOCK 6, BEACH HOMESITES-UNIT ONE AS RECORDED IN PLAT BOOK 20, PAGES 72 AND 72A, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPTING THE PORTION OF LOT 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 25°05'20" EAST ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 122.10 FEET; THENCE SOUTH 53°54'32" EAST, A DISTANCE OF 105.45 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 2; THENCE SOUTH 45°05'30" WEST, ALONG SAID SOUTHEASTERLY LINE OF LOT 2, A DISTANCE OF 122.45 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF PATRICIA LANE (A 50.00 FOOT RIGHT OF WAY), SAID POINT LYING ON A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 210.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 63.06 FEET AND HAVING A CHORD BEARING OF NORTH 52°55'18" WEST AND CHORD DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING.



0 15 30 60  
SCALE: 1" = 30'



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
  2. BEARINGS BASED ON THE EASTERLY LINE OF LOT 2, BLOCK 6, BEING S09°44'30"E, AS PER PLAT.
  3. BUILDING RESTRICTION LINES AS PER PLAT.

THIS SURVEY WAS MADE FOR THE BENEFIT OF MIA C. FIENEMANN; FIRST FEDERAL BANK OF FLORIDA; PONTE VEDRA TITLE, LLC; AND CHICAGO TITLE INSURANCE COMPANY.

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

CHECKED BY: _____ DRAWN BY: PGP FILE: 2016-0906	<b>BOATWRIGHT LAND SURVEYORS, INC.</b> 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550	DATE: NOVEMBER 21, 2013 SHEET 1 OF 1
---	--	--

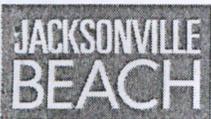
RECEIVED

JUL 13 2017  
17-100132  
PLANNING & DEVELOPMENT

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12031C0417H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

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

CHANGE DRAWING SCALE - JULY 10, 2017  
FINAL SURVEY - AUGUST 9, 2016



# APPLICATION FOR VARIANCE

BOA No. 17-100133

HEARING DATE 9-6-2017

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

## REQUIRED DOCUMENTATION

1. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

**RECEIVED**

JUL 13 2017

## APPLICANT INFORMATION

**PLANNING & DEVELOPMENT**

Applicant Name: Robert + Ann Marie Burke Telephone: 904-738-9388  
 Mailing Address: 1228 2<sup>nd</sup> Ave N E-Mail: \_\_\_\_\_  
Jacksonville Beach FL 32250

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

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

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

## VARIANCE DATA

Street address of property and/or Real Estate Number: 1228 2<sup>nd</sup> Ave N RE# 177704-1000

Legal description of property (Attach copy of deed): lot 28 + W 1/2 lot 29, Bk 3, Pine Grove Unit One

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Need a garage in rear of property. A garage in any other location would be a physical and mental inconvenience.

Applicant's Signature: Robert Burke Ann Marie Burke Date of Application: \_\_\_\_\_

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 34-336(P)(1)(c) for 37-6% lot coverage, in lieu of 35% maximum;  
(P)(1)(g) for an accessory structure setback of 2', in lieu of 5'  
to allow a garage addition in the rear yard of an existing  
detached  
single-family dwelling.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100133

**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

JUL 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.

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	FOOTPRINT OF 80 YEAR OLD HOUSE MAKES FINDING A SUITABLE LOCATION DIFFICULT. VARIANCE GIVEN IN ZONING WOULD REQUIRE CUTTING DOWN LARGE MAGNOLIA TREES.
Special circumstances and conditions do not result from the actions of the applicant.	/	<del>FOOTPRINT</del> NEW LANE TO MAIN HOUSE AND HAVING TO TRAVEL GREAT DISTANCE TO RICHMOND AVENUE. IT WOULD DETRACT FROM OVERALL APPEARANCE OF PROPERTY.
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.	YES	NUMEROUS SIDYARD & BACKYARD VARIANCES HAVE BEEN GRANTED IN THE LAST FEW YEARS FOR SWIMMING POOLS & OTHER STRUCTURES
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	A TWO FOOT WESTERLY SIDYARD WOULD ALLOW A ONE CAR GARAGE TO BE BUILT ADJACENT TO THE BACK PORCH WHICH WOULD ALLOW EASY ACCESS.
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	BOTH ADJACENT NEIGHBORS HAVE GARAGES WHICH DO NOT CONFORM TO BACK YARD SETBACKS, ADJACENT WESTERLY NEIGHBOR IS NOT OPPOSED TO THIS VARIANCE (SIDE YARD)



# City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

Ref.  
BOA# 17-100133

December 3, 1997

Robert & Ann Marie Burke  
1228 North 2nd Avenue  
Jacksonville Beach, FL 32250

RE: Case Number BOA #83-97  
1228 North 2nd Avenue

Dear Mr./Mrs. Burke:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:30 p.m. Tuesday, December 2, 1997 to consider your variance application.

As indicated in the application, the request was for a variance of Section 34-336 (e) (1) c.3, City of Jacksonville Beach Land Development Code, for a rear yard of twenty-six (26') feet in lieu of thirty (30') feet required for Lot 28, and for eighteen (18') feet in lieu of thirty (30') feet required for Lot 10 to allow the separation of two platted parcels, each containing an existing structure. This request was granted as written.

You are required to make application for a building permit for this project. A copy of the building permit application is attached, please complete and submit along with two (2) copies of your plans and survey to our office before you begin any work on this project.

Should you have any questions regarding this variance, please contact our office at (904) 247-6235.

Sincerely,

Marie Hobbs  
Administrative Secretary

Attachment



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](http://www.jacksonvillebeach.org)

September 21, 2011

Robert F. Burke  
1228 2<sup>nd</sup> Avenue North  
Jacksonville Beach, FL 32250

RE: BOA #11-100133  
1228 2<sup>nd</sup> Avenue North

Dear Mr. Burke,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, September 20, 2011 to consider your variance application.

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

- 34-336(e)(1)c.2, for an easterly side yard of 5.5 feet in lieu of 10 feet required  
To allow for improvements to a single family dwelling.

The results of the meeting were:

- Approved

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

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

Sincerely,

Jon Hays, CBO  
Building Department



EXISTING

MAP SHOWING BOUNDARY SURVEY OF  
 WEST 1/2 OF LOT 9 AND ALL OF LOT 10, BLOCK 3,  
 AS SHOWN ON MAP OF PINE GROVE UNIT NO. ONE  
 AS RECORDED IN PLAT BOOK 16, PAGE 65, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.  
 CERTIFIED TO: ROBERT & ANNA BURKE; SECURITY TITLE AGENCY, INC.; OLD REPUBLIC NATIONAL  
 TITLE INSURANCE COMPANY; VYSTAR CREDIT UNION

SCALE: 1"=30'

DATE: 02/01/12

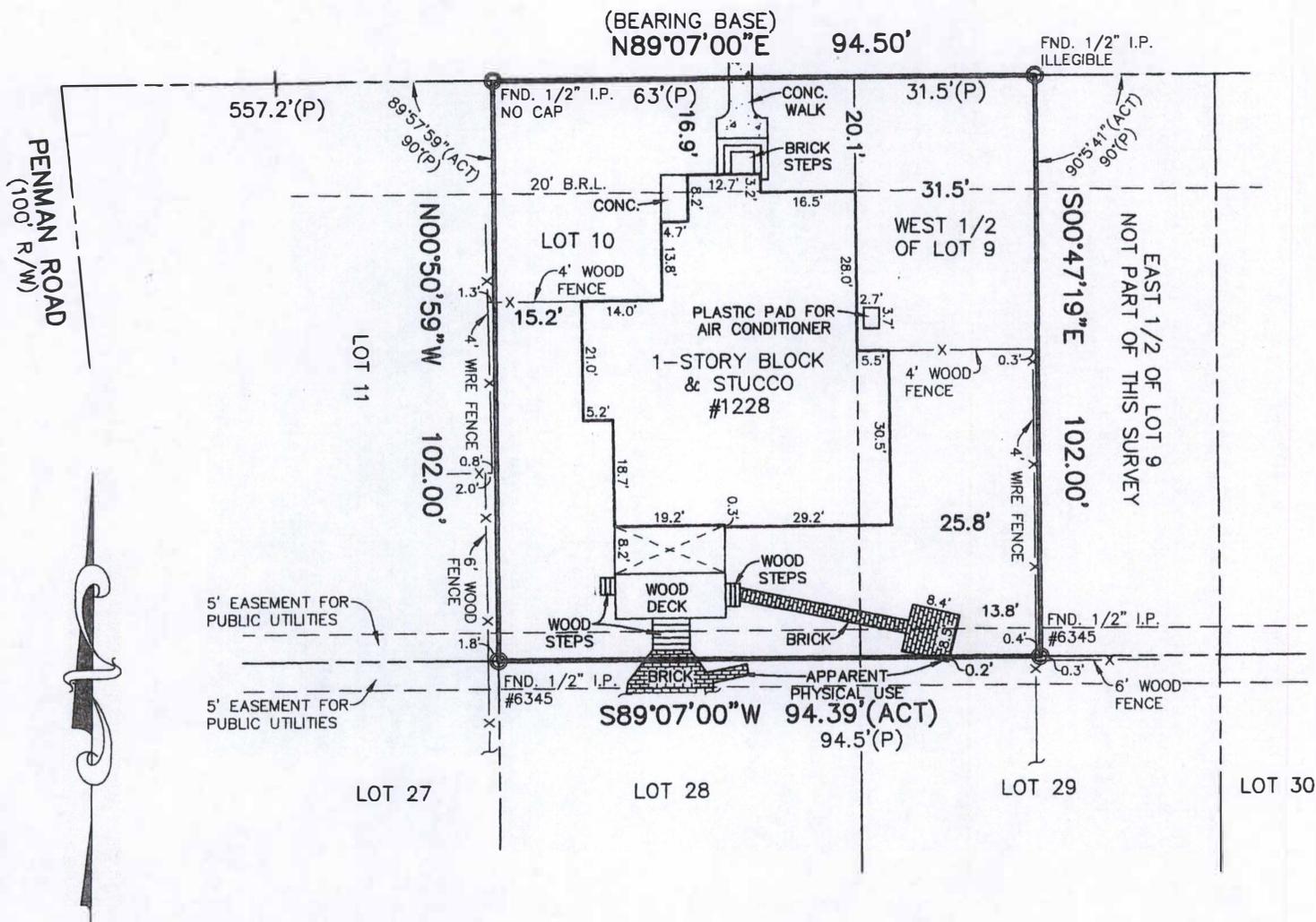
RECEIVED

JUL 13 2017

17-100133

PLANNING & DEVELOPMENT

2ND AVENUE NORTH  
(80' R/W)



PROPOSED

# MAP SHOWING BOUNDARY SURVEY OF WEST 1/2 OF LOT 9 AND ALL OF LOT 10, BLOCK 3, AS SHOWN ON MAP OF PINE GROVE UNIT NO. ONE AS RECORDED IN PLAT BOOK 16, PAGE 65, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.

CERTIFIED TO: ROBERT & ANNA BURKE; SECURITY TITLE AGENCY, INC.; OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; VYSTAR CREDIT UNION

SCALE: 1"=30'

DATE: 02/01/12

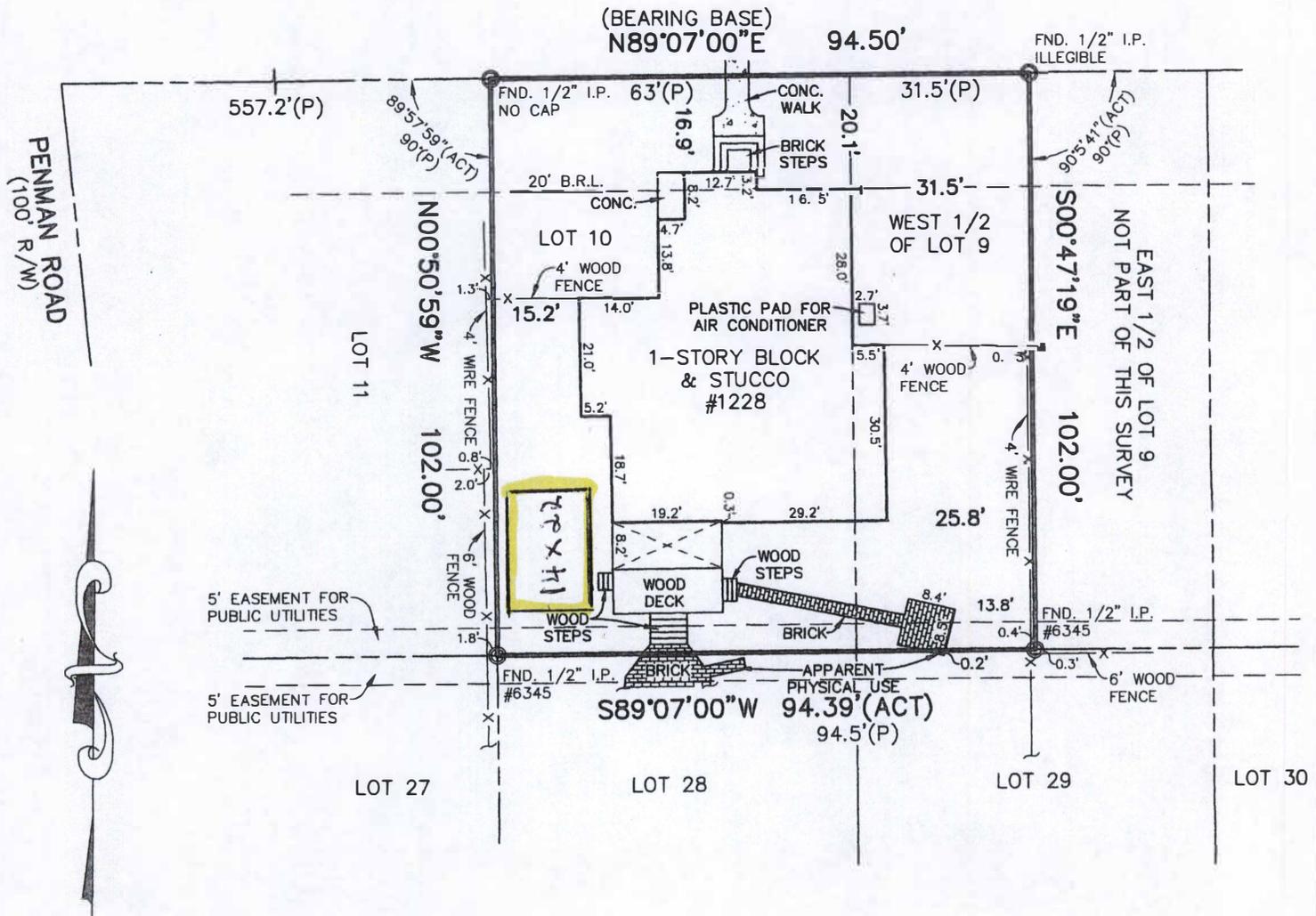
RECEIVED

2' side yard  
8' back yard

JUL 13 2017  
17-100133

PLANNING & DEVELOPMENT

2ND AVENUE NORTH  
(80' R/W)



THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS MAP THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. BEARINGS BASED ON PLAT AS SHOWN UNDERGROUND FOUNDATIONS/UTILITIES NOT LOCATED



# APPLICATION FOR VARIANCE

BOA No. 17-100135

HEARING DATE 9-6-2017

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

## REQUIRED DOCUMENTATION

1. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

JUL 13 2017

PLANNING & DEVELOPMENT

## APPLICATION INFORMATION

Applicant Name: Janie + Susanna Peake Telephone: 904-859-6453  
 Mailing Address: 115 12th Ave North E-Mail: Shweetsusiepeake@gmail.com  
Jacksonville Beach, FL 32250  
 Agent Name: ANN MARGA LOZZA + CHRIS HANMAN Telephone: 904-241-7949  
 Mailing Address: ARMSTRONG CONSTRUCTION, PO BOX 50786 E-Mail: \_\_\_\_\_  
Jacksonville Beach, FL 32240  
 Landowner Name: Janie + Susanna Peake Telephone: 904-859-6453  
 Mailing Address: 115 12th Ave North E-Mail: Shweetsusiepeake@gmail.com  
Jacksonville Beach, FL 32250

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

## VARIANCE DATA

Ret# 174645-0000

Street address of property and/or Real Estate Number: 115 12th Ave North, Jacksonville Beach, FL 32250  
 Legal description of property (Attach copy of deed): Lot 1 BIK 132 Pablo Beach North  
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Back porch enclosure was blown down/damaged during Hurricane Matthew, need to rebuild as this houses my washer/dryer, hot water heater etc.....

Applicant's Signature: [Signature] Date of Application: 7/13/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 (C.U. + RS-3) FLOOD ZONE: NEA X

CODE SECTION (S): 34-33(e)(1) C-1 for a front yd setback of 0', in lieu of 20' required;  
(e)(1) C-2 for a westerly side yd of 1' " " " 5' required,  
and side yards totaling 13' in lieu of 15' required;  
(e)(1) C-3 for a rear yd setback of 27', in lieu of 30' required;  
to allow for substantial improvements to an existing nonconforming  
single family structure.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100135

**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 <b>RECEIVED</b>
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.		JUL 13 2017 PLANNING & DEVELOPMENT
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.	yes	this is located in my backyard will not effect any other property owner

**Armstrong Home Repair, Inc.  
DBA Armstrong Construction**

Post Office Box 50786  
Jacksonville Beach, FL 32240  
Phone (904) 241-7949  
Fax (904) 241-0778  
License # CBC1250627

**RECEIVED**

**JUL 24 2017**

**PLANNING & DEVELOPMENT**

July 21, 2017

Attention: Heather Ireland

RE: Susanna Pearl & Jamie Pearl  
113 & 115 12<sup>th</sup> Ave. North  
Jacksonville, FL. 32250

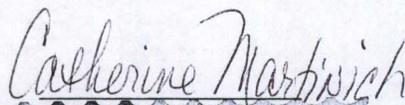
Dear Heather,

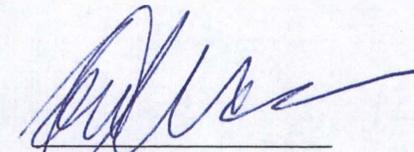
Please be advised that Ann Margadonna office manager for Armstrong Construction, and Chris Harman construction forman for Armstrong Construction will be representing Susie and Jamie Pearl at the city council review board meeting regarding the above property.

If you have any further questions please be advised.

  
\_\_\_\_\_  
Ann Margadonna

  
\_\_\_\_\_  
Chris Harman

  
\_\_\_\_\_  
Notary  
CATHERINE MARTINICH  
Notary Public - State of Florida  
My Comm. Expires Mar 24, 2018  
Commission # FF 087557

  
\_\_\_\_\_  
Notary  
ANN MARGADONNA  
MY COMMISSION # FF 161400  
EXPIRES: September 18, 2018  
Bonded Thru Notary Public Underwriters

7-24-2017



MAP SHOWING BOUNDARY SURVEY OF WEST 46.0'  
 LOT 2 BLOCK 132 AS SHOWN ON MAP OF REFLAT OF PABLO BEACH NORTH  
 AS RECORDED IN PLAT BOOK 5 PAGE 66 OF PUBLIC RECORDS OF DUVAL Co. FLA

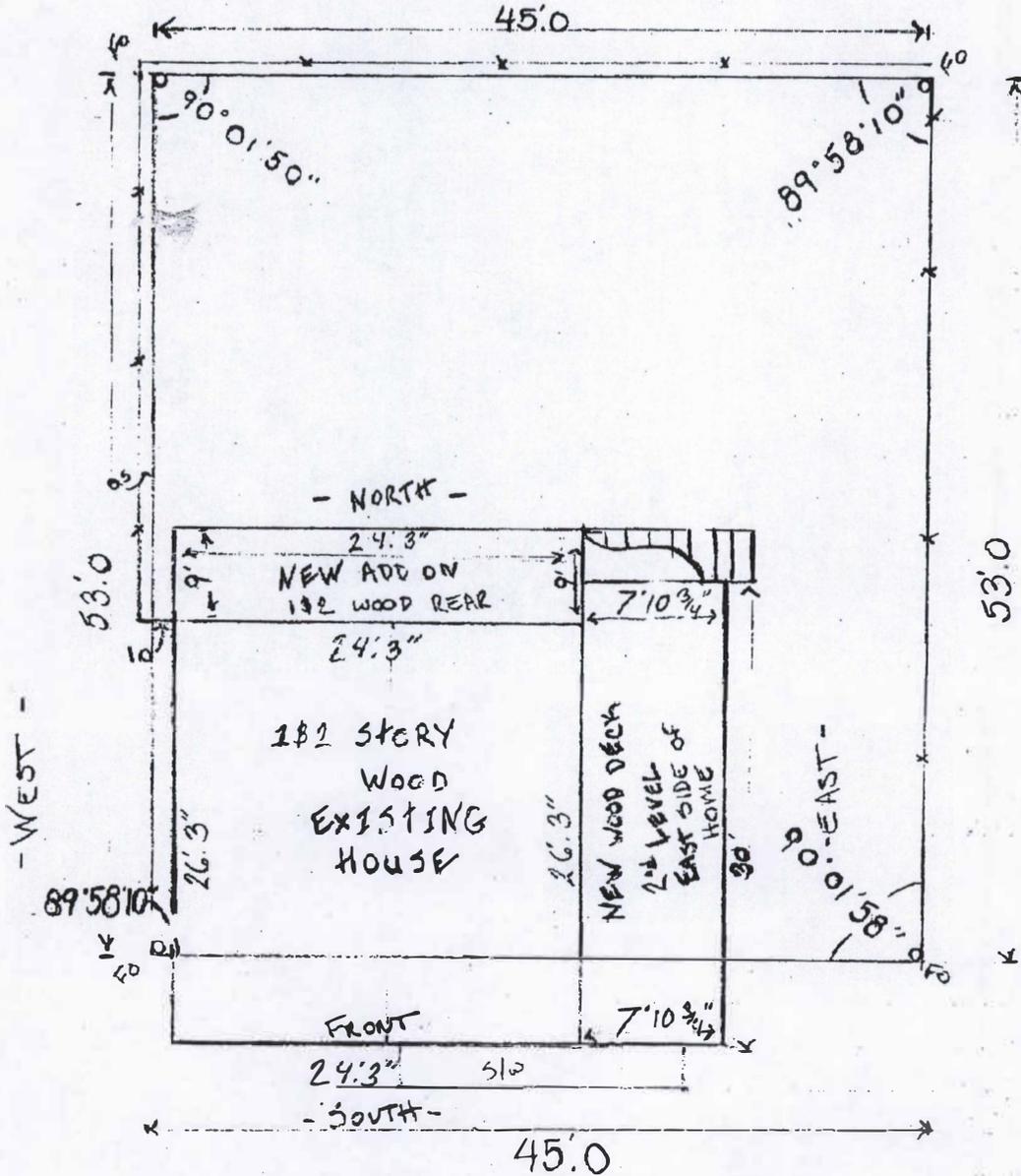
Proposed

RECEIVED

JUL 13 2017

17-100135

PLANNING & DEVELOPMENT



- LEGEND
- ◎ CONC. MON.
  - IRON POK. (SET)  
(WITH CAP #13 3852)
  - X FENCE
  - IRON COR. (FD.)
  - ⊗ CROSS CUT

1134115 12TH AVENUE NORTH  
 1 ELEVATION FLOOR PLAN  
 SCALE 1" = 10'

RECEIVED

JUL 13 2017

17-100135

PLANNING & DEVELOPMENT

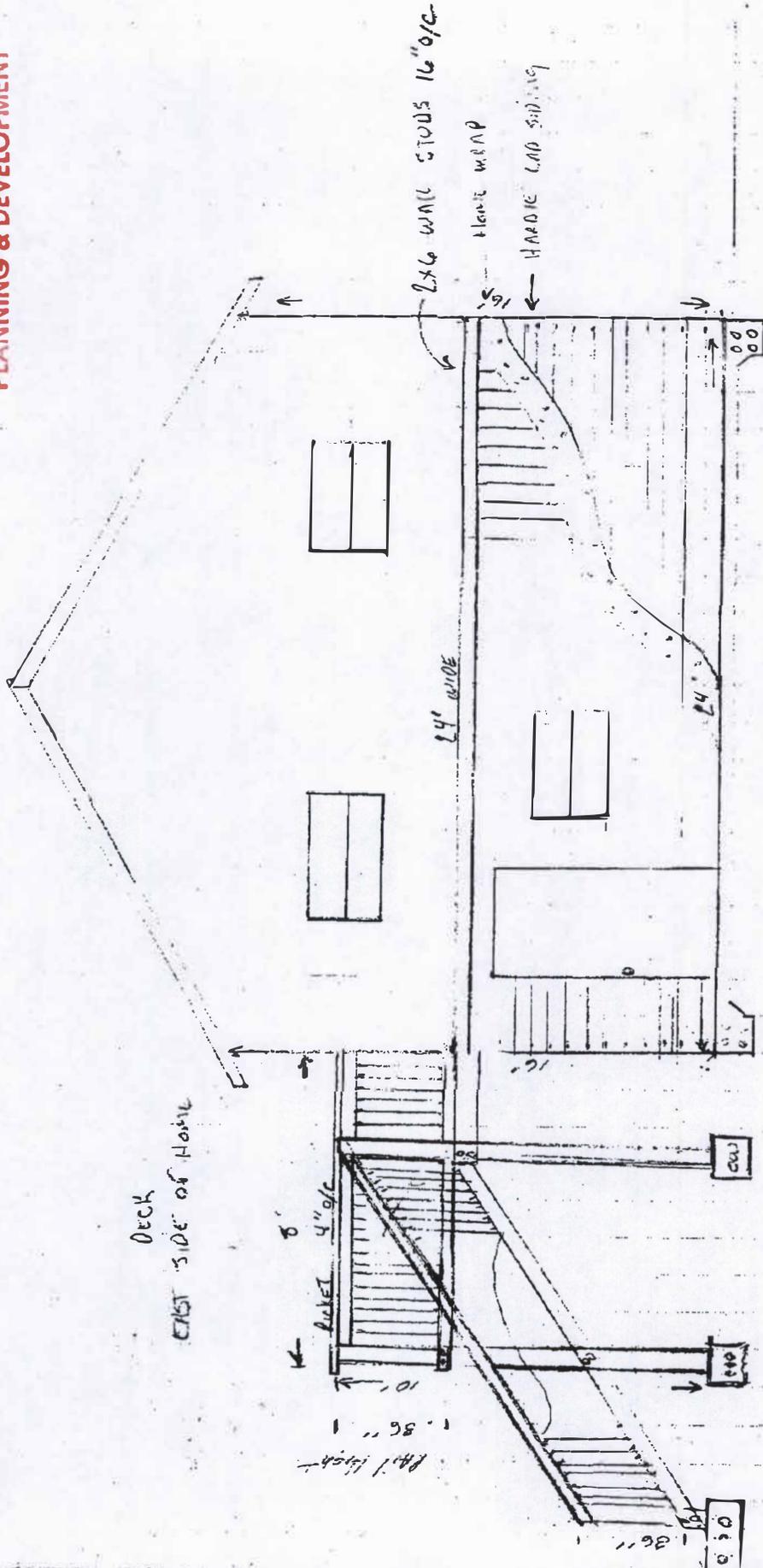
Proposed

ELEVATION PLANS

SCALE 1/4" = 1'

REAR of HOUSE

DECK  
EAST SIDE of HOUSE



1  
2



# APPLICATION FOR VARIANCE

BOA No. 17-100136

HEARING DATE 9/6/17

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**

JUL 14 2017

### APPLICANT INFORMATION

### PLANNING & DEVELOPMENT

Applicant Name: KENNETH A MASSEY

Telephone: 904 465-4232

Mailing Address: 1401-B PENNAU ROAD  
JAX BEACH, FL 32250

E-Mail: Kam1361@yahoo.com

Agent Name: SAMP J

Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Landowner Name: JACKIE STEWART

Telephone 904 241-3955

Mailing Address: 728 HOLLY DRIVE  
JAX BEACH, FL 32250

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

Ref # 17-7860-0000

Street address of property and/or Real Estate Number: 728 HOLLY DRIVE (LOT 5)

Legal description of property (Attach copy of deed): lots 5+6, Blk 11, Pine Grove Unit 2

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). HARDSHIP: NON CONFORMING LOT OF RECORD.

ASKING FOR 4.3 %

ASKING FOR 20' BRL FRONT

Applicant's Signature:

Date of Application: 7-14-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1

FLOOD ZONE: AREA X

CODE SECTION (S): 34-336 (e)(1) c-1 for a front yd. setback of 20', in lieu of 25' required;  
(e)(1) e for 44-5% lot coverage in lieu of 35% maximum;  
to allow construction of a single-family dwelling with pool  
and accessory building.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100136

**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.	Y	<p><b>RECEIVED</b></p> <p>JUL 14 2017</p>
Special circumstances and conditions do not result from the actions of the applicant.	Y	<p><b>PLANNING &amp; DEVELOPMENT</b></p>
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	Y	
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.	Y	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Y	
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.	Y	

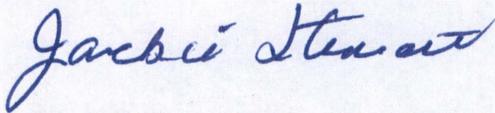
July 12, 2017

This letter is to authorize Kenneth A Massey (buyer) to act on my behalf in applying for a variance on the property described below. The variance is for a 20 foot front yard setback in lieu of a 25 foot setback and also lot coverage of 50% instead of 35%.

LEGAL DESCRIPTION: 17-18 38-2S-29E PINE GROVE UNIT 2 S/D LOTS 5,6 BLK 11

PROPERTY TAX ID: 177860-0000

Sincerely,



Jackie Stewart (seller)

728 Holly Drive

Jacksonville Beach, FL 32250

Phone: 904-241-3955

Buyer Contact info:

Kenneth Massey

Phone: 904-465-4232

State of Florida

County of Duval

Sworn to and subscribed before me this 12th day of July, 2017, by Jackie Stewart who provided a driver's license as identification.

  
Notary Public

**RECEIVED**

JUL 14 2017

17-100136

**PLANNING & DEVELOPMENT**



RECEIVED

JUL 14 2017

17-100136

PLANNING & DEVELOPMENT

## PROPOSED SITE STATISTICS

	SQUARE FEET	ACRES	PERCENT OF SITE
PROPOSED SITE AREA	7,150 SF	0.164 AC	100.0%
BUILDING FOOTPRINT AREA	2,231 SF	0.051 AC	31.20%
CONCRETE AREA	747 SF	0.017 AC	10.45%
FUTURE SHED	192 SF	0.004 AC	2.69%
TOTAL IMPERVIOUS AREA	3,170 SF	0.072 AC	44.34%
TOTAL PERVIOUS AREA	3,980 SF	0.092 AC	55.66%

RECEIVED

JUL 18 2017

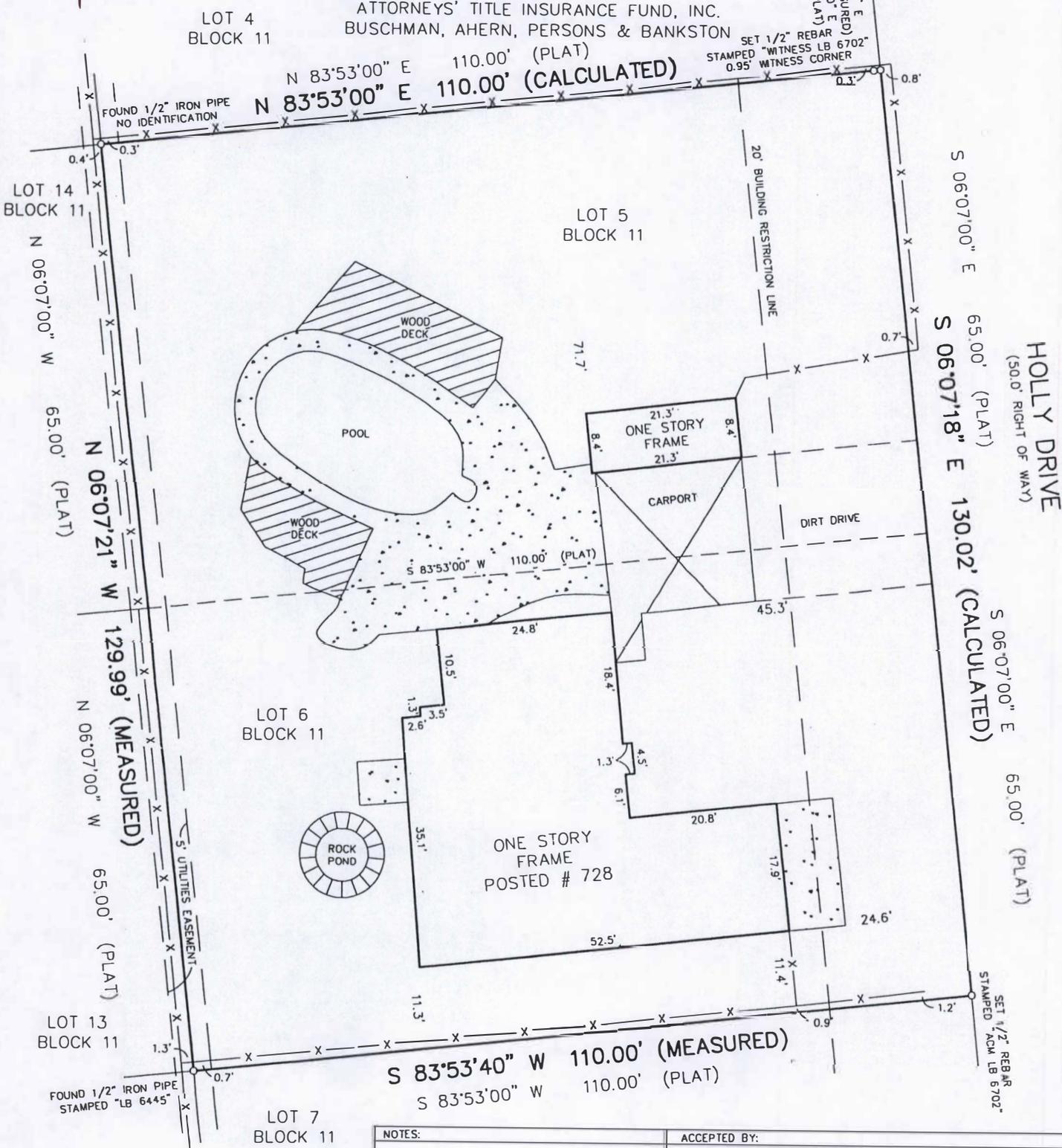
# MAP SHOWING BOUNDARY SURVEY OF

LOTS 5 & 6, BLOCK 11, PINE GROVE UNIT 2, AS RECORDED IN PLAT BOOK 17, PAGE 18,  
OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PLANNING & DEVELOPMENT

CERTIFIED TO:  
JACKIE L. STEWART  
BANK OF AMERICA, N.A.  
ATTORNEYS' TITLE INSURANCE FUND, INC.  
BUSCHMAN, AHERN, PERSONS & BANKSTON

POINT OF CURVATURE  
FOUND 1/2" IRON PIPE  
STAMPED "LB 6635"



LEGEND:

- R = RADIUS
- L = LENGTH
- x — = FENCE
- ⊙ = CONCRETE

NOTES:	ACCEPTED BY:

NOTES:

REVISIONS



NOTE: Copy for  
(Prior required)  
variance to allow  
lot subdivision)

CERTIFIED MAIL# 7016 2140 0000 5138 6017

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

February 22, 2017

Jackie Stewart  
728 Holly Drive  
Jacksonville Beach, FL 32250

RE: BOA# 17-100002  
728 Holly Drive  
(Lots 5 and 6, Block 11, Pine Grove Unit 2 Subdivided)

Dear Mrs. Stewart,

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

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

- 34-336(e)(1)c.2., for a northerly side yard of 7 feet in lieu of 10 feet required;

To allow separation of adjacent lot currently under single ownership.

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,

Heather Ireland, AICP  
Senior Planner



**MAP SHOWING BOUNDARY SURVEY OF**  
 LOTS 5 & 6, BLOCK 11, PINE GROVE UNIT 2, AS RECORDED IN PLAT BOOK 17, PAGE 18,  
 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

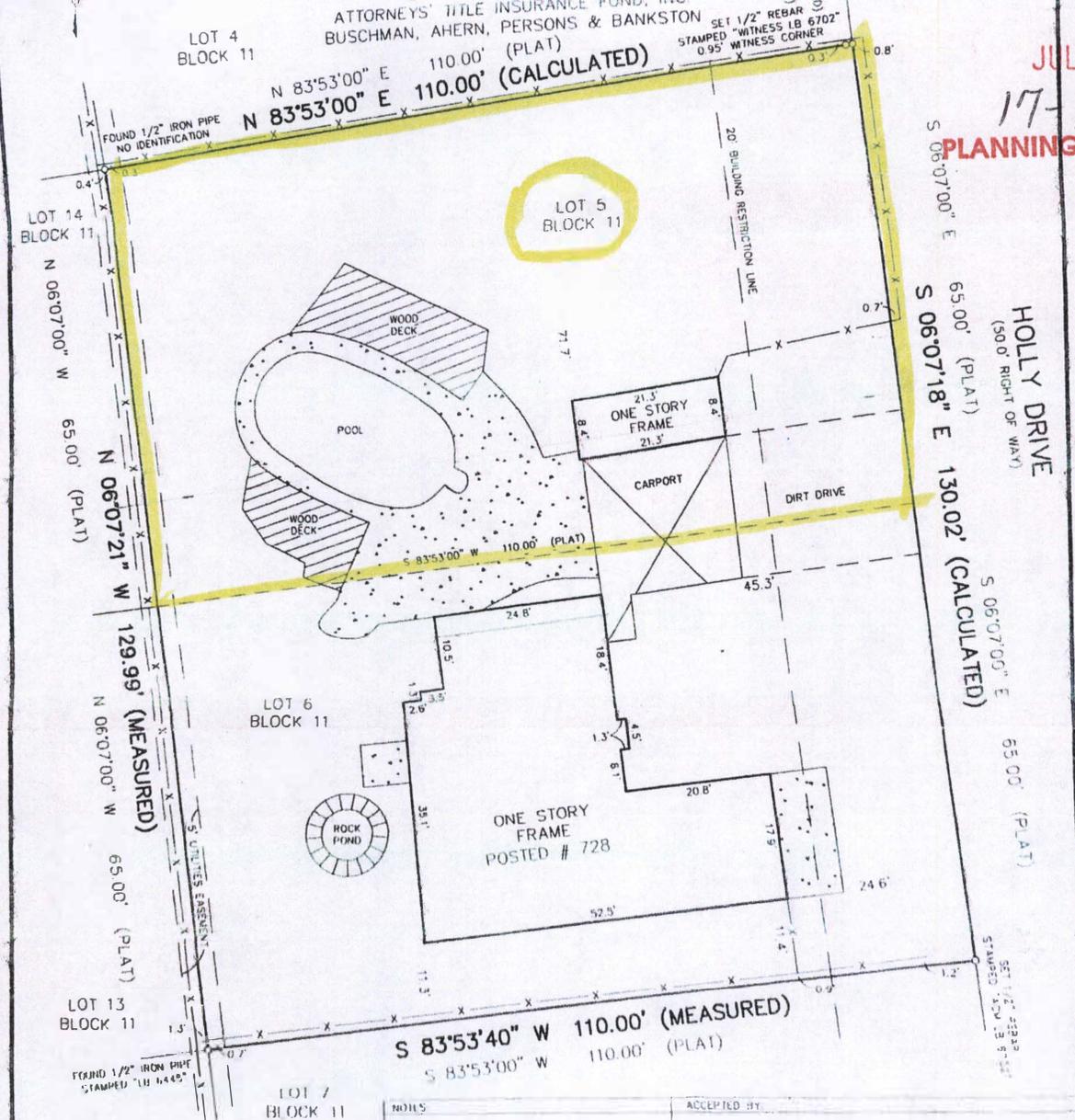
**CERTIFIED TO:**  
 JACKIE L. STEWART  
 BANK OF AMERICA, N A  
 ATTORNEYS' TITLE INSURANCE FUND, INC.  
 BUSCHMAN, AHERN, PERSONS & BANKSTON  
 (PLAT)

**RECEIVED**

JUL 14 2017

17-100130

**PLANNING & DEVELOPMENT**



HOLLY DRIVE  
 (50.0' RIGHT OF WAY)  
 S 06°07'00" E 65.00' (PLAT)  
 S 06°07'18" E 130.02' (CALCULATED)  
 S 06°07'00" E 65.00' (PLAT)

LEGEND:  
 R = RADIUS  
 L = LENGTH  
 --- = FENCE  
 (•••) = CONCRETE

NOTES	ACCEPTED BY

- NOTES:
- BEARINGS ARE BASED ON THE PLAT BEARING OF N 83°53'00" E ALONG THE NORTHERLY BOUNDARY LINE OF SUBJECT PARCEL.
  - BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE X AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED APRIL 17, 1989, COMMUNITY NUMBER 120078, PANEL 0001 D.
  - THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED, UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
  - THIS SURVEY NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE CERTIFYING SURVEYOR.

REVISIONS	
DATE	DESCRIPTION

JOB # 16186    DATE OF FIELD SURVEY: 11-27-01    DATE OF ISSUE: 11-28-01    SCALE 1" = 20'

**ACM SURVEYING INC**  
 LICENSED BUSINESS # 6702  
 2522 Oak Street  
 Jacksonville, Florida 32204  
 (Phone) 904-389-5989  
 (Fax) 904-389-6175

**CERTIFICATE**  
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.072, FLORIDA STATUTES.  
 10/20/01  
 Michael J. Nello  
 STATE OF FLORIDA  
 REGISTERED SURVEYOR AND MAPPER # 4879 STATE OF FLORIDA

LAND SURVEYS    CONSTRUCTION SURVEYS    SUBDIVISIONS

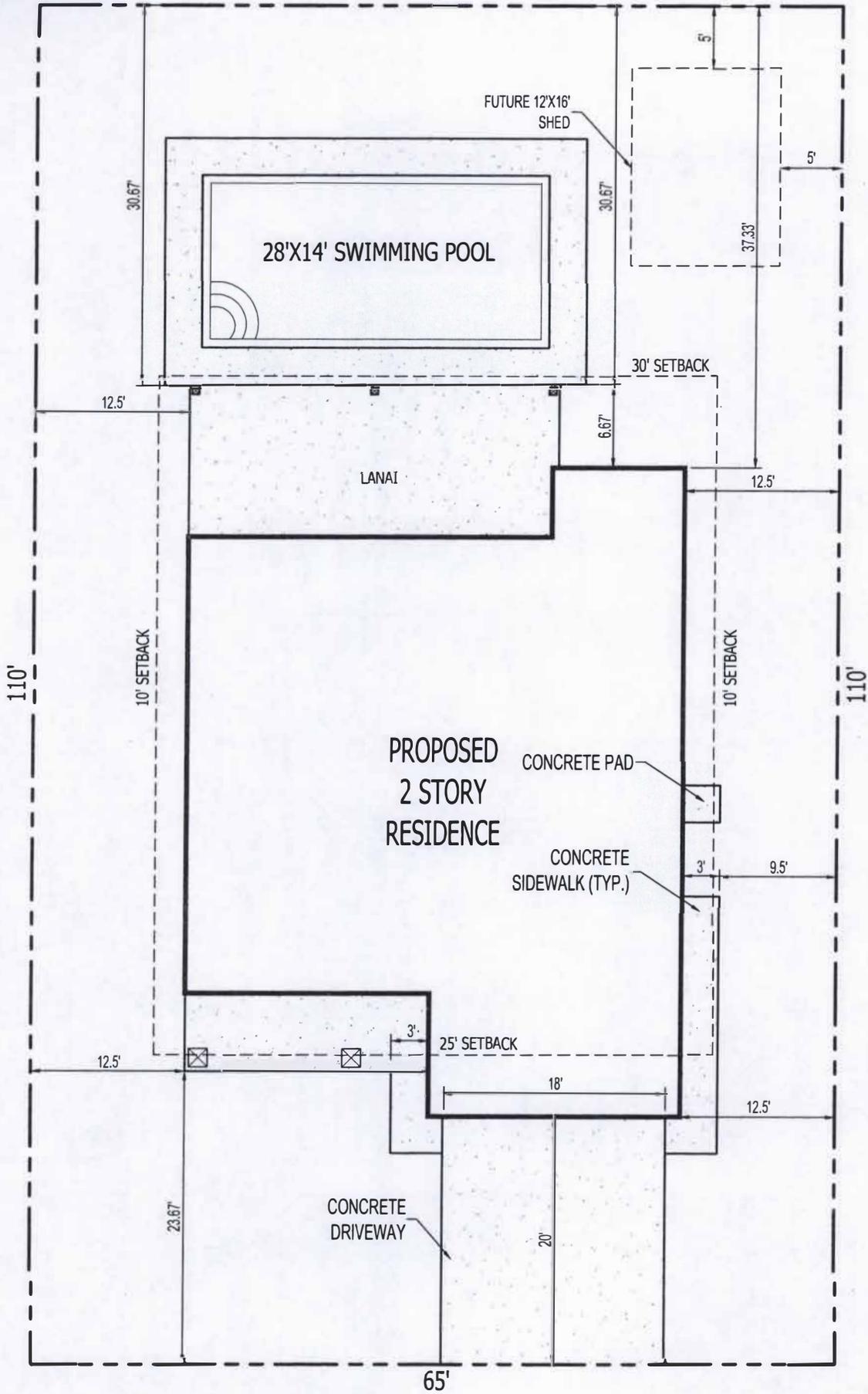
65'

RECEIVED

JUL 14 2017

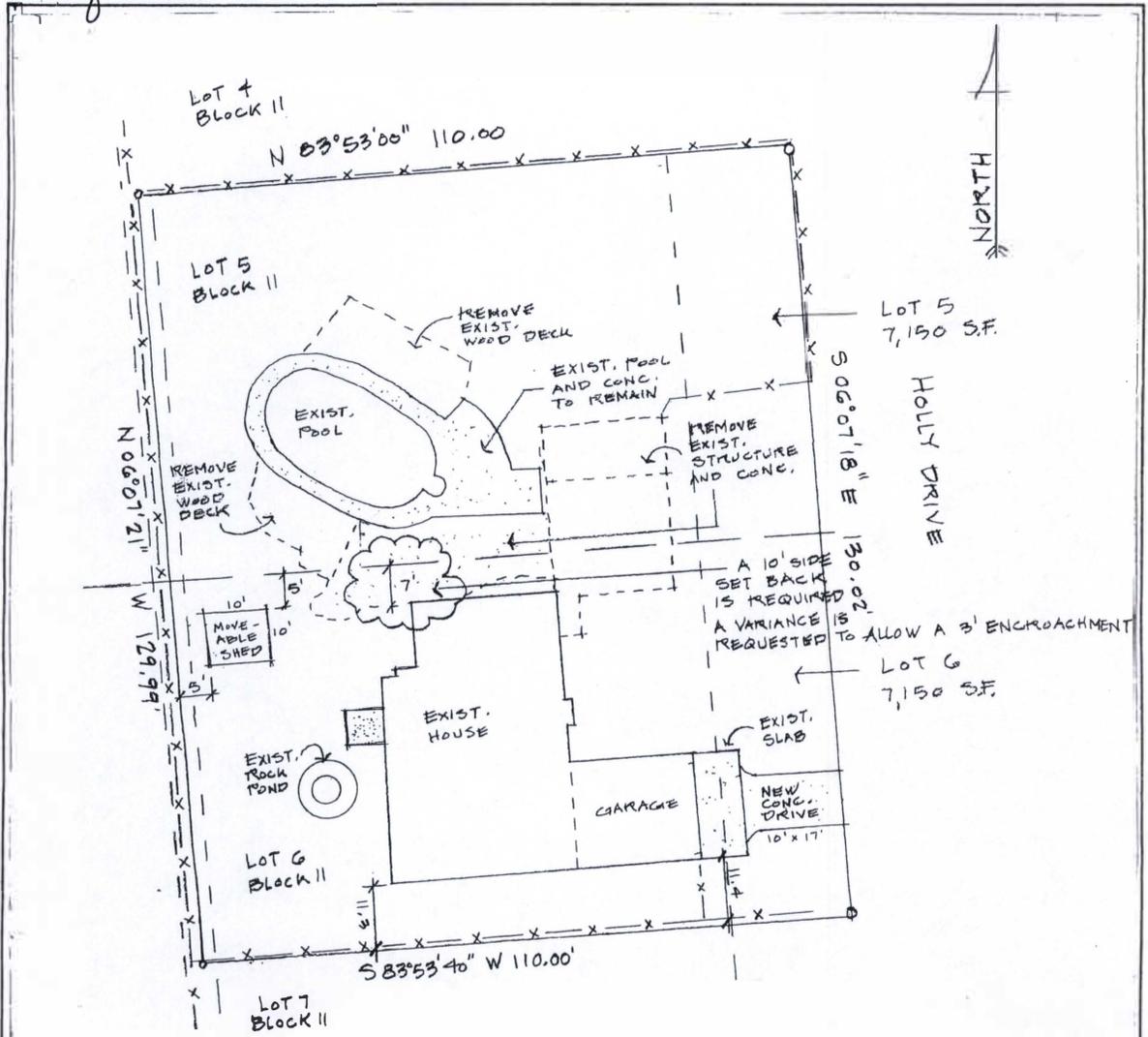
17-100136

PLANNING & DEVELOPMENT



HOLLY DRIVE

Ref. BOA# 17-100136



**PROPOSED SITE PLAN**  
@ 1" = 20'

**PLEASE NOTE:**  
THIS PROPOSED PLAN IS TO SHOW EXISTING CONDITIONS, AS WELL AS PROPOSED CONDITIONS TO ALLOW FOR THE SALE OF LOT 5 (SEE ABOVE)

A VARIANCE IS REQUESTED TO ALLOW FOR A 3' ENCROACHMENT ON THE NORTH SIDE OF LOTS WHERE THE EXISTING HOUSE IS CURRENTLY.

**RECEIVED**

JAN 17 2017

17-100002

PLANNING & DEVELOPMENT

**VERMEY ARCHITECT**  
422 S. THIRD ST., 2ND FLOOR  
JACKSONVILLE BEACH, FLORIDA

PROPOSED SITE PLAN @  
728 HOLLY DRIVE IN  
JACKSONVILLE BEACH FL, 32250

of



# APPLICATION FOR VARIANCE

BOA No. 17-100137

HEARING DATE 9-6-2017

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

## REQUIRED DOCUMENTATION

1. A boundary survey prepared by a registered land surveyor that shows the location of all existing improvements. Survey, plat or new site plan must also show all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

RECEIVED

JUL 14 2017

## PLANNING & DEVELOPMENT

## APPLICANT INFORMATION

Applicant Name: RUSSELL T. COX Telephone: 904 386 5925  
 Mailing Address: 605 12<sup>th</sup> Ave N. JAX Beach E-Mail: CoxdevelopmentGroup  
FL, 32250 @Gmail.com  
 Agent Name: " " Telephone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Landowner Name: RUSSELL T. COX Telephone: 904 386 5925  
 Mailing Address: 605 12<sup>th</sup> AVEN. JAX Beach E-Mail: CoxdevelopmentGroup  
32250 FL @Gmail.com

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

## VARIANCE DATA

605 No. 12<sup>th</sup> Avenue Plot # 175025-0000

Street address of property and/or Real Estate Number: lot 6 Block 5 Beach Homesites - Unit ONE

Legal description of property (Attach copy of deed): lot 6 Block 5 Beach Homesites Unit ONE

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). add garage and addition single story Land development Code

34-338(e)(1) E, asking for 45% lot coverage in lieu of 35% to stay one story with add st  
34-336(e)(1) C?, side yard set back of 7.5' in lieu of 10' set backs for garage property  
doesn't have 90' width to meet min zoning with causing a hardship with property with

Applicant's Signature: Russell T Cox Date of Application: 7-14-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X  
 CODE SECTION (S): 34-336(e)(1)(c) for a front yard setback of 20', in lieu of 25' required;  
(e)(1)(c) for a western side yard of 7.5', in lieu of 10' required;  
(e)(1)(e) for 45% lot coverage, in lieu of 35% maximum, to  
allow for a garage and room additions to an existing  
dwelling unit.

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 17-100137

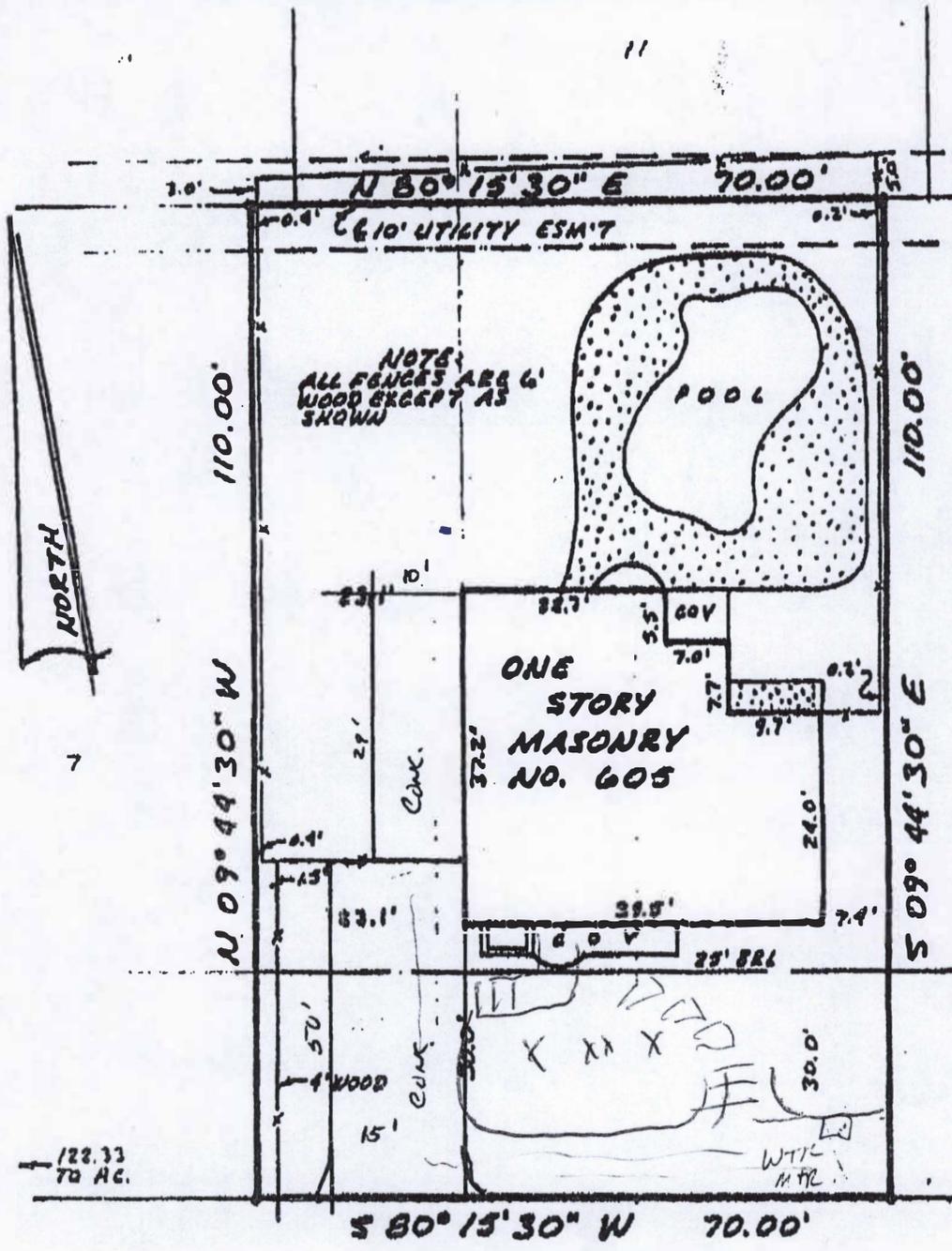
**Section 34-281 Purpose.** Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	NO	<p style="text-align: right;"><b>RECEIVED</b></p> <p style="text-align: right;">JUL 14 2017</p> <p style="text-align: right;"><b>PLANNING &amp; DEVELOPMENT</b></p>
Special circumstances and conditions do not result from the actions of the applicant.	NO	
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	NO	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	yes	
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	<p>with 45% we will be able to build garage and addition to property. Due to less than 10,000 sqft or less 40' wide</p>
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	yes	<p>we will have 360° gutters down spouts to not affect any at the neighbors yards.</p>

MAP SHOWING BOUNDARY SURVEY OF <sup>Existing</sup> LOT 6 BLOCK 5 AS SHOWN ON MAP OF BEACH HOMESITES - UNIT ONE

AS RECORDED IN PLAT BOOK 29 PAGES 78 & 78A OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA  
 CERTIFIED FOR: VICTOR J. & KRISTY YAZBEC, PROFESSIONAL LAND TITLE SERVICES, INC., SECURITY FIRST MORT. CO.



RECEIVED

JUL 14 2017  
 17-100137

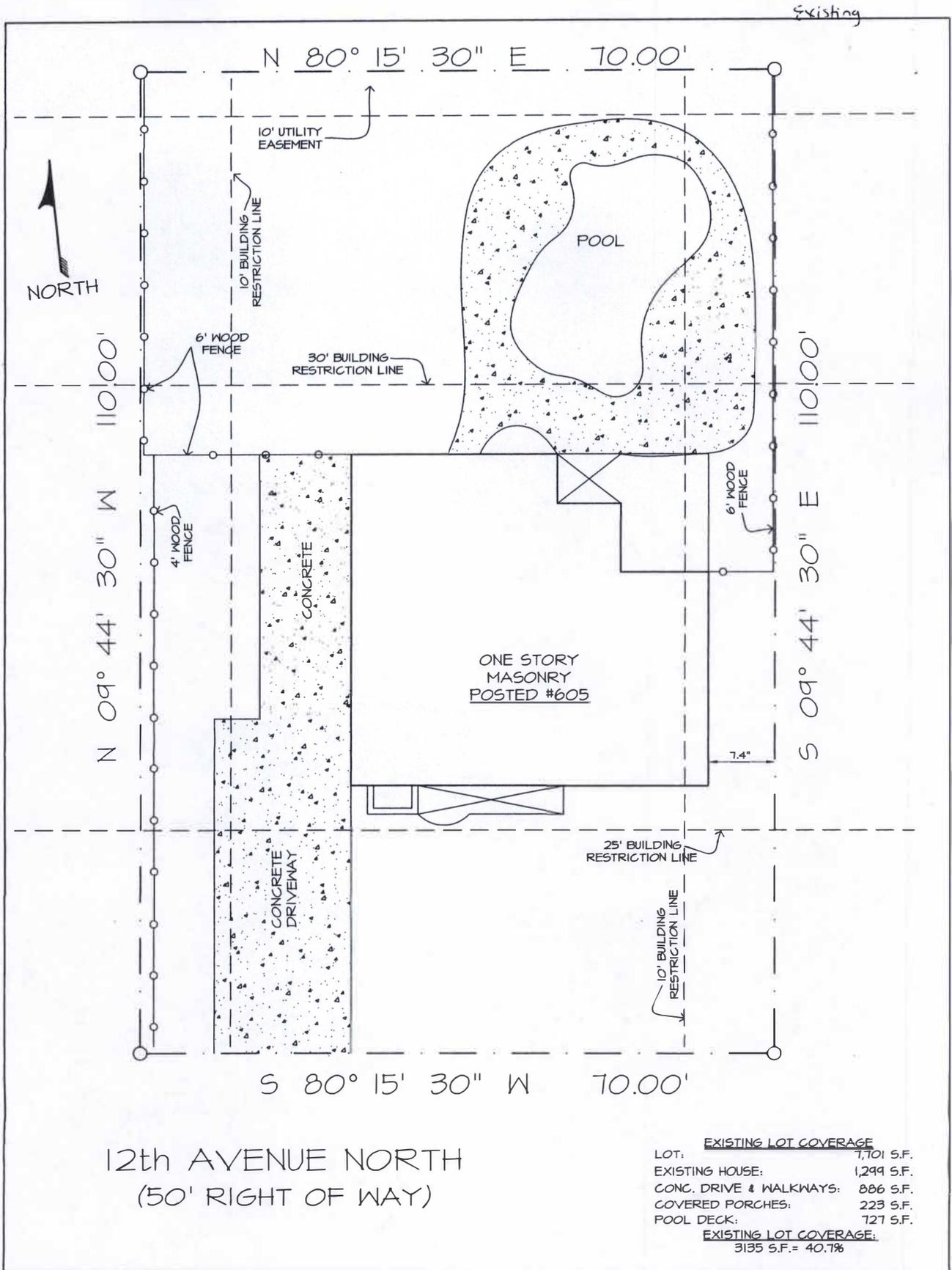
PLANNING & DEVELOPMENT

12<sup>TH</sup> AVE. 50' R/W NORTH

*Handwritten signature*

NOT VALID UNLESS EMBOSSED WITH SEAL OF THE UNDERSIGNED. BEARINGS BASED ON R/W LINE AS SHOWN

I HEREBY CERTIFY THAT THE 607 SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP 2201 FOR JACKSONVILLE & BEACH, FLORIDA, DATED 2-17-89



**EXISTING SITE PLAN**

SCALE: 1" = 10'

PROPOSED ADDITION & REMODELING AT

**605 12th Ave. North**

Jacksonville Beach, Florida

PLANNING & DEVELOPMENT

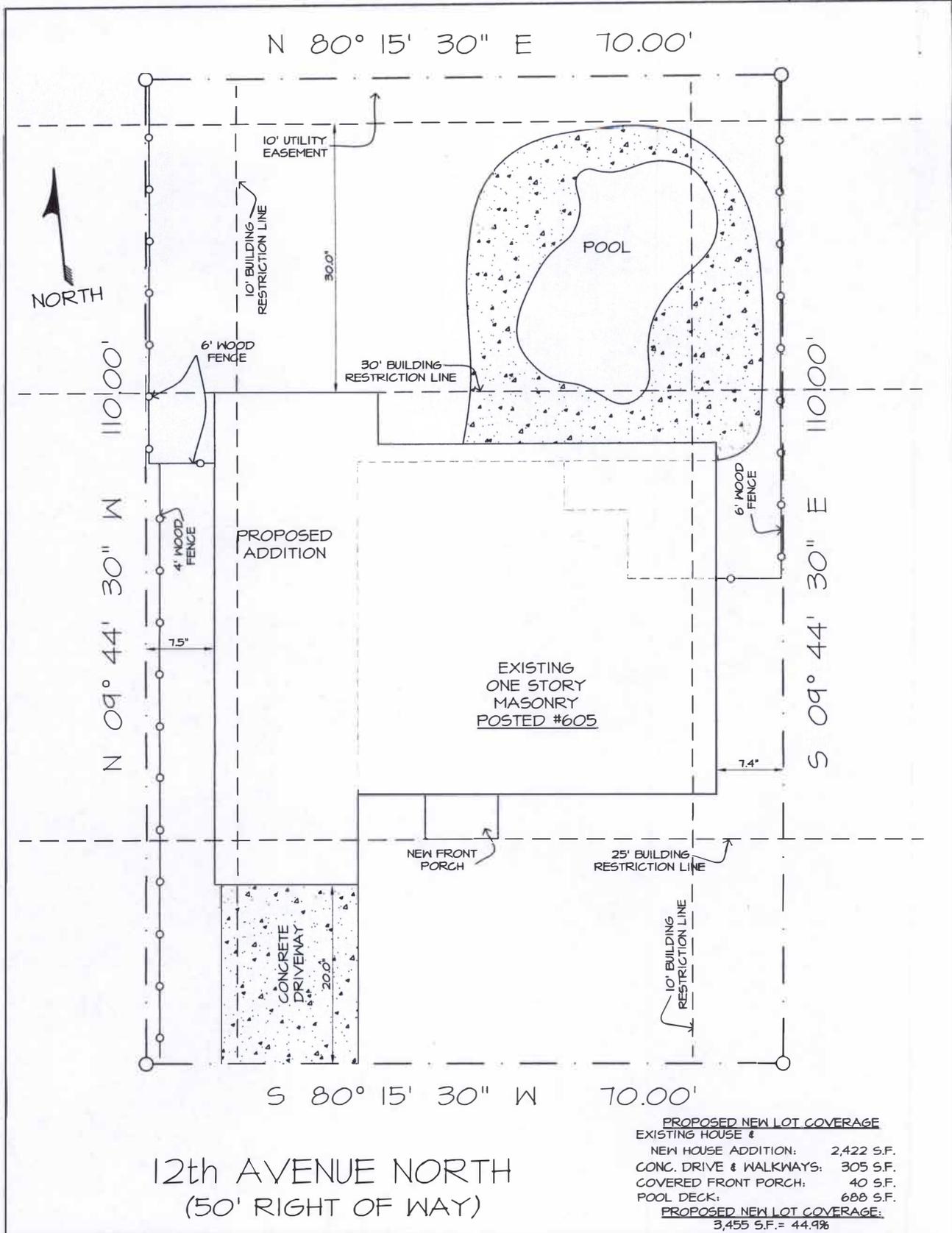
JUL 17 2017  
19-120137

RECEIVED



**BEN BROADFOOT • DESIGN**  
420 SOUTH THIRD STREET (904)  
242-8900  
JACKSONVILLE BEACH, FL 32250-6721

C-044



12th AVENUE NORTH  
(50' RIGHT OF WAY)

**PROPOSED NEW LOT COVERAGE**  
 EXISTING HOUSE # 605  
 NEW HOUSE ADDITION: 2,422 S.F.  
 CONC. DRIVE & WALKWAYS: 305 S.F.  
 COVERED FRONT PORCH: 40 S.F.  
 POOL DECK: 688 S.F.  
**PROPOSED NEW LOT COVERAGE:**  
 3,455 S.F. = 44.9%

**PROPOSED SITE PLAN**  
 SCALE: 1" = 10'

**REQUEST FOR VARIANCE**  
 1. 20' IN LIEU OF 25' FRONT B.R.L.  
 2. 7.5' IN LIEU OF 10' SIDE B.R.L.

PROPOSED ADDITION & REMODELING AT  
**605 12th Ave. North**  
 Jacksonville Beach, Florida

RECEIVED  
 JUL 17 2017  
 PLANNING & DEVELOPMENT

**VERMEY ARCHITECT**  
 420 S. THIRD ST. 246-1150  
 JACKSONVILLE BEACH, FLORIDA

**BEN BROADFOOT • DESIGN**  
 420 SOUTH THIRD STREET (904)  
 242-8800  
 JACKSONVILLE BEACH, FL 322506721

Exp. 07/17/17