



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Board of Adjustment

Tuesday, November 7, 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 August 15, 2017 and October 3, 2017

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number:** **BOA 17-100178**
Applicant/Owner: George and Ann Speyerer
Property Address: 3824 Tropical Terrace
Parcel ID: 181308-0100
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 19 feet, in lieu of 30 feet required; 34-336(e)(1)e., for 43% lot coverage, in lieu of 35% maximum required; to allow replacement of an existing screen room addition to a single-family dwelling, for property legally described Lot 10, Block 8, *Ocean Terrace*.**

Miscellaneous Info: No previous variance requests.

Notes:

- b. **Case Number:** **BOA 17-100179**
Applicant/Owner: Michael Murtagh
Property Address: 1026 South 2nd Street Unit B
Parcel ID: 176165-0200
Current Zoning: C-1 to RM-2 Standards (PC#06-02 Conditional Use)
Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(4)c.3., for a rear yard setback of 22.5 feet in lieu of 30 feet required; 34-340(e)4.e., for 72.3% lot coverage, in lieu of 65% maximum; to allow a second-story rear yard deck addition, to an existing townhouse unit; for property legally described South 16.25 feet of North 42.5 feet of Lots 11 and 12, Block 103, *Pablo Beach*.**

Miscellaneous Info: One previous variance request (BOA# 17-100083).

Notes:

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, November 21, 2017**. There are five (5) scheduled cases.

ADJOURNMENT**NOTICE**

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

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

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

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



CALL TO ORDER

Chairman John Moreland called the meeting to order.

ROLL CALL

Chairman: John Moreland
Vice-Chairwoman: Sylvia Osewalt (*absent*)
Board Members: Thomas Buck (*absent*) Scott Cummings Jeff Truhlar
Alternates: Francis Reddington
Chase Sams

Ex-parte Communications

No ex-parte communications were received by the Board members.

Approval of Minutes

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

- July 18, 2017

Correspondence

No correspondence were received by the Board members.

OLD BUSINESS:

NEW BUSINESS:

(A) Case Number: BOA 17-100167

Name of Applicant: Mark Inman

Property Address: 523 North 17th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1 for front yard setback of 14 feet, in lieu of 25 feet required; 34-336(e)(1)c.2 for a westerly side yard of 7 feet, in lieu of 10 feet required; to allow addition to an existing new single-family dwelling for property legally described Lot 7, Block 7, Surf Park Unit One.

Applicant: The agent for the applicant, Mr. Richard Henderson, 12567 Sweetwater Lane, Jacksonville, stated that the residents desired bath and garage additions to their home.

Mr. Cummings asked why they wanted a garage larger than required. Mr. Henderson stated that is what he recommended to the residents if they wished to park larger vehicles in the garage. Mr. Cummings expressed his design concerns in regards to the line of site and the aesthetics of the neighborhood.

Mr. Moreland asked if the side yard request was to address an existing setback. Mr. Henderson reported that this was a continuation of the 7 feet that already exists. Discussion followed on how the garage could be redesigned to be less of a front yard setback variance request. Senior Planner, Heather Ireland, brought to the Board's attention that in order for the garage to qualify as a parking space, the structure should be a minimum of 9' x 17'.

Public Hearing:

No one wished to speak at this time about the application.

Motion: It was moved by Mr. Sams, and seconded by Mr. Cummings, to approve the application, for a front yard setback of 21 feet in lieu of 25 feet required and to keep the westerly side yard of 7 feet in lieu of the 10 feet required.

Roll Call Vote: Ayes – Truhlar, Reddington, Sams, Cummings, and Moreland. Motion to approve the application as amended, was approved unanimously.

Adjournment

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:20 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:

Chairman

Date: _____

Minutes of Board of Adjustment Meeting
held Wednesday, August 15, 2017, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida 32250



CALL TO ORDER

Chairman John Moreland called the meeting to order.

ROLL CALL

Chairman: John Moreland
Vice-Chairwoman: Sylvia Osewalt
Board Members: Thomas Buck Scott Cummings Jeff Truhlar
Alternates: Francis Reddington (absent)
Chase Sams

EX-PARTE COMMUNICATIONS

Mr. Moreland and Mr. Buck reported they received ex-parte communications. However, the cases they were referring to, were no longer on the agenda.

APPROVAL OF MINUTES

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

- July 5, 2017

CORRESPONDENCE

Mr. Moreland stated there was no correspondence included in the packets.

OLD BUSINESS

(A) Case No: BOA 17-100025 Request for Reconsideration

The case was moved to September 6th, 2017, meeting date.

(B) Report from City Attorney – Special Magistrate Report and Recommendation Pursuant to Section 70.51, Florida Statutes: Application BOA 16-100187

The case was moved to September 6th, 2017, meeting date.

NEW BUSINESS

(A) Case No: BOA 17-100104

Name of Applicant: South Jax Beach, LLC

Property Address: 3510 Ocean Drive South, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1., for a front yard setback of 18 feet, in lieu of 25 feet required; 34-336(e)(1)c.2., for a northerly side yard of 6.5 feet, and a southerly side yard of 8.2 feet, each in lieu of 10 feet required; 34-336(e)(1)c.3., for a rear yard setback of 10 feet, in lieu of 30 feet required; 34-336(e)(1)e., for 48.7% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling with pool, for property legally described as A part of Lots 8, 9, 10, and 11, Block 5, *Atlantic Shores*. (Lot B).

Applicant: The applicant, Mr. Rick Johnson, 3528 Ocean Drive, Jacksonville Beach, stated the lot was non-conforming, and the front yard setback is consistent with the Coastal Construction Control Line. He added the requested front yard setback follows the others down the road.

Mr. Mann noted there was a separate lot of record they would consider later in this meeting with the same address. Discussion followed on the size and layouts of the two adjacent lots. Mr. Mann explained the requirements for building at the Coastal Construction Control Line. He noted the FDEP would have to issue a permit if it were seaward of that line.

Mr. Buck asked about the development around the pool. Mr. Johnson stated there would be decking. Mr. Mann clarified there was no decking around the pool associated with the variance application. Mr. Cummings asked about the second floor of the garage. Mr. Johnson responded it was to be a bonus room.

Public Hearing:

Mr. Gary Cater, 3500 Ocean Drive, Jacksonville Beach, stated he was opposed to the front yard setback. He expressed concerns about parking issues which may result. Also, he added the Board did not grant a variance for him some years ago for a front yard setback and expressed concerns this would be a precedent for other development in the neighborhood.

Mr. George Tellam, 3509 Ocean Drive, Jacksonville Beach, voiced his opposition to the setback from the street, expressing concern about parking.

Mr. Johnson responded by stating the front yard setback is a requirement, and the parking would be accommodated in the rear of the property. He added they are not modifying the existing streetscape. Ms. Osewalt asked if all of the houses along

the road has 18 feet setbacks. Mr. Johnson stated yes they were, except for the corner lot.

Ms. Kathleen Lewis, 24 South 31st Avenue, Jacksonville Beach, expressed her concern about permeability issues and flooding.

Mr. Johnson responded there were design standards on how the water is handled and distributed.

Mr. John Swindell, 3115 First Street South, Jacksonville Beach, spoke in favor of the granting the application. He stated there were numerous homes along the street closer than the requested setback. He stated this was the highest and best use for the parcel.

Discussion:

Ms. Osewalt stated there was a total of 27 feet requested which was an overabundance of variance. Mr. Truhlar noted there was concern about the second story, and the garage being only 10 feet from the property line.

Mr. Buck noted most of the garages in this neighborhood were in the front of the house. He stated in this case; the garage is in the back so there would not be parking on the street. He added he was not a proponent of 18 feet setbacks, but in this case, with the garage in the back, it should not be a problem.

Mr. Cummings noted a 10-foot variance with a two-story building was very unusual.

Ms. Osewalt questioned whether this was the least which could have been asked for.

Motion: It was moved by Mr. Cummings and seconded by Mr. Buck to approve the application as read into the record.

Roll Call Vote: Ayes –Buck and Moreland
Nays – Cumming, Osewalt, and Truhlar
The motion was defeated by a 3 to 2 vote.

(B) Case No: BOA 17-100106

Name of Applicant: Jeffery B. Hall

Property Address: 605 Upper 8th Avenue South, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 46.6% lot coverage, in lieu of 35% maximum; to allow a patio addition to an

existing single-family dwelling, for property legally described as Lot 19, Block 7, *Oceanside Park*.

Applicant: The applicant, Ms. Lenee Peters, 605 Upper 8th Avenue South, and Ms. Pam Peters, 482 15th Avenue South, stated the variance is for a patio slab in addition to what they presently have. They stated they wanted a functional patio, as there was not much room for the children to play.

Public Hearing:

No one wished to speak at this time.

Discussion:

Ms. Osewalt asked what the coverage is now. Mr. Mann stated it was 41%. Mr. Buck noted the lot is substandard by a large percentage.

Motion: It was moved by Mr. Cummings and seconded by Mr. Truhlar to approve the application as read into the record, proposed and discussed.

Roll Call Vote: Ayes – Cummings, Moreland, Osewalt, Truhlar, and Buck.
The motion carried unanimously.

(C) Case No: BOA 17-100119

The application was withdrawn by the applicant prior to the meeting.

(D) Case No: BOA 17-100122

Name of Applicant: Robert Angelieri

Property Address: 175 South 21st Street, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front yard setback of 12 feet in lieu of 20 feet required; 34-338(e)(1)c.2, for a corner side yard setback of 2 feet in lieu of 10 feet required, and side yards totaling 7 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet required; 34-338(e)(1)e., for 59% lot coverage in lieu of 35% maximum; to allow construction of a new single-family dwelling on Lot 3, for property legally described as Lot 3, except the easterly 5 feet thereof and all of Lot 6, Block BB *as shown on map of Permenters Replat of South Pablo or Atlantic Camp Grounds*.

Applicant: The agent for the applicant, Mr. John Denneen, 1254 Neck Road, Ponte Vedra Beach, stated the lot was substandard. Mr. Mann reported to the Board that the applicant was recently granted conditional use approval for single family.

Mr. Moreland stated he was concerned with the line of sight. Mr. Denneen stated he could flip the house if necessary.

Ms. Osewalt asked if this was the minimum for lot coverage. Mr. Denneen stated it was. Mr. Moreland noted if this were a standard size lot, the lot coverage would be about 30%, but questioned whether the size of the house was the least could be requested. Mr. Denneen replied it was to provide a return for the lot cost.

Mr. Cummings expressed concern if they flipped the house what the impact of cars parked at the corner would be.

Public Hearing:

Ms. Osewalt read correspondence received concerning this request. There were letters stating the lot should be held to the requirements of the City for setbacks, expressing concern about the proximity to adjacent properties, amount of the request, and affects on property values. These concerns were also voiced for subsequent cases to be addressed.

Mr. Kastriot Tusha, 2103 2nd Street South, Jacksonville Beach, expressed concerns about traffic and parking impacts from this proposal.

Ms. Susan Mullaney, 2043B 2nd Street South, Jacksonville Beach, stated this proposed variance would have a major impact on the neighborhood.

Ms. Michelle Steffen, 2043A 2nd Street South, Jacksonville Beach, did not address the Board but was opposed to the proposal.

Ms. Osewalt read correspondence from a property owner expressing concern about the impacts on safety from traffic.

Mr. Denneen stated there would not be any more traffic than there is right now.

Discussion:

Mr. Truhlar asked about the conditional use request. Mr. Mann stated it was for the whole lot and the property could be developed in multi-family now without the conditional use approval and described the alternative type of development could occur.

Mr. Moreland noted these lots are exceptionally small lots, but he stated this was a huge request. Ms. Osewalt noted this might not be the minimum variance they could request.

Mr. Cummings stated the decision was tough because single-family is more preferable than multi-family. Mr. Moreland added he would like to see a reasonable

product on the lot, and duplexes would not be good for the neighborhood but noted the request was extreme.

Ms. Osewalt stated this was extensive and the next request would add more coverage to the other lot.

Motion: It was moved by Ms. Osewalt and seconded by Mr. Truhlar to deny the application, finding that the request is not the minimum variance needed which would allow reasonable use of land.

Roll Call Vote: Ayes – Moreland, Osewalt, Truhlar, Buck, and Cummings.
Motion to deny the application was approved unanimously.

(E) Case No: BOA 17-100123

The application was withdrawn at the meeting by the applicant's agent John Deneen.

(F) Case No: BOA 17-100125

Name of Applicant: Brian Dohmen

Property Address: 3108 South Ocean Drive, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1., for a front yard setback of 18 feet, in lieu of 25 feet required; 34-336(e)(1)c.2., for 5 foot side yards, each in lieu of 10 feet required; 34-336(e)(1)e., for 49% lot coverage, in lieu of 35% maximum; 34-336(e)(1)g., for an accessory structure (pool deck) setback of 2 feet in lieu of 5 feet required; to allow construction of a new single-family dwelling for property legally described as Lot 6, Block 1, *Atlantic Shores Ocean Front Section – Division B*.

Applicant: The agent for the applicant, Ms. Christi Elflein, 3512 Bay Isle Circle, Jacksonville Beach, stated the oceanfront lots in this area were platted before the zoning regulations. She stated this is a nonconforming lot is 32% smaller than the required lot size. She stated the house existed there did not meet the setback standards, and they are asking for less variance than had existed. She noted how the lot geometry required the proposed plan for the parcel. Mr. Mann noted there was a 2-car garage proposed. Ms. Elflein noted the angle of the driveway allowed for the driveway of 27 feet. She noted if the lot were conforming the requested coverage would comply.

Ms. Elflein stated the neighbors to the north are in favor of the plan and asked if they could situate the house to preserve the view. Mr. Moreland asked if would affect lot coverage. Ms. Elflein responded it would a little. Ms. Elflein stated they had to get FDEP permits because they were seaward of the Coastal Construction Control Line.

Ms. Osewalt then read the letter from the neighbor into the record. Mr. Brian Dohmen, 3108 Ocean Drive, Jacksonville Beach, stated he met with the southern neighbor, and they were generally in support.

Public Hearing:

Ms. Kathleen Lewis, 24 South 31st Avenue, Jacksonville Beach, voiced her opposition to the proposal. She stated this was a vacation home. She added she was concerned about the amount of impermeable surface. She stated parking would also be an issue. Also, she expressed concerns with the line of sight.

Ms. Julia Starr Sanford, 370 4th Avenue South, Jacksonville Beach, stated she had done another project down the street was an asset to the neighborhood. She added the footprint is narrow, and the most affected neighbor to the north is pleased with the design.

Ms. Elflein stated the footprint should improve the views. She added this would be a permanent residence.

Discussion:

Mr. Buck noted the footprint of the old house to the new house is similar. He added the parking situation would be improved by putting the garage further off the street.

Mr. Moreland stated they have a problem with oceanfront lots, and this one has done a better job in decreasing the potential lot coverage.

Mr. Truhlar expressed concern about the line of sight to the ocean. Mr. Cummings stated no matter what would be built on the lot; it would affect the ocean view.

Motion: It was moved by Mr. Buck and seconded by Mr. Cummings to approve the application as shown, submitted and discussed.

Roll Call Vote: Ayes – Buck, Cummings, and Moreland.
Nays – Truhlar and Osewalt.
The motion was approved 3 to 2.

(G) Case No: BOA 17-100126

Name of Applicant: South Jax Beach, LLC

Property Address: 3510 South Ocean Drive, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.1., for a front yard setback of 18 feet, in lieu of 25 feet required; 336(e)(1)c.2., for side yard setbacks of 7.5 feet each, in lieu of 10 feet required; 34-336(e)(1)c.3., for a

rear yard setback of 15 feet, in lieu of 30 feet required; and 34-336(e)(1)e., for 52.5% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling with pool, for property legally described as A part of Lots 8, 9, 10, and 11, Block 5, *Atlantic Shores*. (Lot A)

Applicant: The agent for the applicant, Mr. Rick Johnson, 3528 Ocean Drive South, Jacksonville Beach, stated this was a nonconforming lot of record. He stated the reduction in the rear yard is less because the lot is slightly bigger than the previous lot. He added he would consider accepting some tweaks or common ground to his request.

Mr. Moreland asked about parking. Mr. Johnson responded the parking area could hold five cars.

Mr. Johnson stated there were 727 square feet of pool decking. He added they could decrease the size if necessary. Ms. Osewalt asked what the minimum he could live with. Mr. Johnson replied 48%. Mr. Mann noted the plans show the deck eliminated on the south side of the pool. Mr. Buck confirmed brought it to the 52.5%.

Public Hearing:

Mr. George Tellam, 3509 Ocean Drive, Jacksonville Beach, stated the lot was large, and the requested variance was not necessary.

Ms. Osewalt read into the record an e-mail from Mr. Frederick Irving, 3515 Ocean Drive South, Jacksonville Beach, objecting to the proposed 18-foot front yard setback. He stated the road was too narrow to allow for the variance and added the parking would not be sufficient. The e-mail expressed concerns about other portions of the request as well.

Mr. Gary Cater, 3500 Ocean Drive, Jacksonville Beach, stated the concerns he had were the same as before, in particular, the front yard setback.

Mr. Johnson stated the 18 feet was consistent with the other lots in the street.

Mr. Moreland stated if the screened in porch was lessened the front yard setback could be increased. Mr. Mann noted the porch was scaled at 21'4". Mr. Buck asked if they do away with the 18-foot setback and made it 20-feet would that be acceptable. Mr. Johnson stated yes.

Motion: It was moved by Mr. Buck and seconded by Mr. Truhlar to approve City of Jacksonville Beach Land Development Code Section 34-336(e)(1)c.1., for a front yard setback of 20 feet, in lieu of 25 feet required with the remainder staying the same, and 48 % lot coverage as discussed.

Roll Call Vote: Ayes – Buck, Cummings, Moreland Osewalt, and Truhlar.
The motion passed as amended, unanimously.

(H) Case No: BOA 17-100129

Name of Applicant: Shawn T. Shanahan

Property Address: 919 North 8th Avenue, Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.2., for an easterly side yard setback of 4.1 feet, in lieu of 5 feet required; 34-337(e)(1)c.3., for a rear yard setback of 21.5 feet, in lieu of 30 feet required; 34-337(e)(1)e., for 48.6% lot coverage, in lieu of 35% maximum; to allow for a room addition and carport to garage conversion for an existing single-family dwelling, for property **legally described** as the west 20 feet of Lot 10 and the east 40 feet of Lot 11, Block 100, *Pablo Beach Improvement Company's Plat of the northern portion of Pablo Beach.*

Applicant: The applicant, Shawn Shanahan and Lisa Lopez, 919 8th Avenue North, Jacksonville Beach stated the lot is substandard. Mr. Shanahan stated they want to close the carport within the existing structure. He stated the original intention was for the garage to go in the backyard but the lot is too small. He added they plan to take up the existing gravel. He stated they want the garage to be a full-width garage even though not full depth. They would be able to accommodate one car.

Mr. Truhlar asked about current lot coverage. Mr. Shanahan responded it was currently 46%. Mr. Mann stated the net addition to coverage is 120 square feet.

Mr. Mann stated the prior variance cited RS-2 zoning standards as well. The variance in 2012 allowed for 46% when they asked for 55%. In response to Ms. Oswalt, Mr. Shanahan stated 48.6% is the minimum they would find acceptable.

Public Hearing:

No one wished to speak at this time.

Motion: It was moved by Mr. Buck and seconded by Mr. Cummings to approve the application as read into the record, as shown, submitted and discussed.

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

ADJOURNMENT

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 9:13 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:

Chairman

Date: _____



APPLICATION FOR VARIANCE

BOA No. 17-100178

HEARING DATE 11-7-1700

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

SEP 25 2017

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Applicant Name: GEORGE & ANN SPEYERER Telephone: 904-241-1751
 Mailing Address: 3824 TROPICAL TERRACE E-Mail: gspeyerer@att.net
JACKSONVILLE BEACH, FLORIDA, 32250 Office: 904-278-0810
 Agent Name: WILLIAM HURLEY Telephone: 904-502-4579
 Mailing Address: 538 PARK AVENUE, SUITE #1, E-Mail: bhimprovement@
ORANGE PARK, FLORIDA, 32073 yahoo.com
 Landowner Name: George & Ann Speyerer Telephone: 904-241-1751
 Mailing Address: 3824 TROPICAL TERRACE E-Mail: gspeyerer@att.net
JACKSONVILLE BEACH, FLORIDA, 32250

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 3824 TROPICAL TERRACE
 Legal description of property (Attach copy of deed): 10-2 09-3S-29E OCEAN TERRACE LOT 10 BLK B
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Please refer to separate sheet attached for statement. Thank you!

Applicant's Signature: George M. Speyerer Date of Application: 9/25/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: N/A
 CODE SECTION (S): 34-336(e)(1) c-3
6' or a rear yard setback of 19', in lieu of 30' required;
exile for 43% lot coverage, in lieu of 35% maximum, to allow
replacement of an existing screen room addition to a single
family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100178

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 RECEIVED
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	SEP 25 2017 PLANNING & DEVELOPMENT
Special circumstances and conditions do not result from the actions of the applicant.	NA	
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.		This request for a composite roof over an existing screen enclosure is a commonly built structure for homeowners within this 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	(Please see form attached.) Other parcels in this district have built structures as this we are placing a request for.
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	YES	
Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.	YES	

Justification for Variance

9/25/2017

George and Ann Speyerer
3824 Tropical Terrace,
Jacksonville, Florida, 32250

The hardship created for the homeowners requesting the structure changes is that they currently have a screen enclosure with a screen roof and cannot enjoy their patio unless weather permits due to the rain overflowing into the room and excessive sunlight. The applicants would like to convert the roof from a screen to a 3" composite roof and keep enclosed with screen walls which we would like to replace for them due to wear and tear of age.

RECEIVED

SEP 25 2017

17-100178

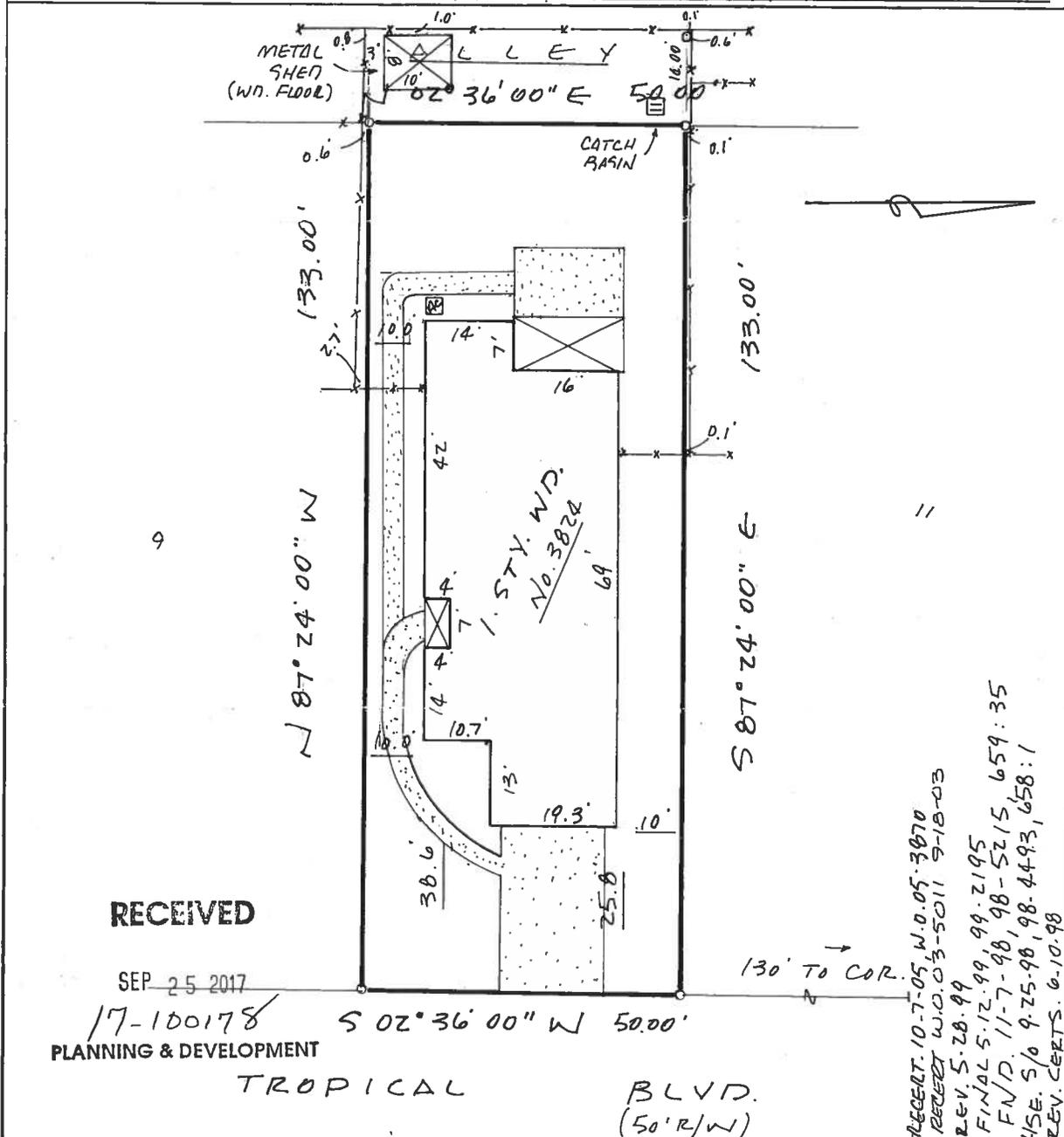
PLANNING & DEVELOPMENT

(X15711) 9

MAP SHOWING BOUNDARY SURVEY OF

LOT 10 BLOCK 8 AS SHOWN ON MAP OF
OCEAN TERRACE

AS RECORDED IN PLAT BOOK 10 PAGES 2 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
CERTIFIED FOR: GEORGE MONROE & DYESS SPEYERER; EMILY ANN R. HODIN; STEWART
TITLE GUARANTY CO.; SOUTHERN TITLE HOLDING CO. LLC



RECEIVED

SEP 25 2017
17-100178
PLANNING & DEVELOPMENT
TROPICAL BLVD.
(50' R/W)

REGRPT. 10-7-05, W.O. 05-3870
 REGRPT. W.O. 03-5011 9-18-03
 REV. 5-28-99
 FINAL 5-12-99, 99-2195
 F.N.D. 11-7-98, 98-5215, 659:35
 HSE. 5/6 9-25-98, 98-4493, 658:1
 REV. CERTS. 6-10-98

THE PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD HAZARD ZONE X AS SCALED FROM FLOOD INSURANCE RATE MAP 0002 FOR THE CITY OF JACKSONVILLE, FLORIDA, DATED 4-17-89 AND IS SHOWN AS A COURTESY ONLY AND DOES NOT CONSTITUTE A CERTIFICATION OF SAME.

TRI-STATE LAND SURVEYORS, INC.

8411 BAYMEADOWS WAY SUITE #2, JACKSONVILLE, FLORIDA 32256 (904) 731-7235

- LEGEND
- CONC. MON
 - IRON COR.
 - (SET WITH CAP # LS 4144)
 - x- FENCE
 - IRON COR. (FOUND)
 - ⊗ CROSS CUT
 - B.R.L. BUILDING RESTRICTION LINE
 - ESMT EASEMENT
 - R/W RIGHT-OF-WAY
 - COV. COVERED AREA
 - ⊕ CENTERLINE
 - A/C AIR CONDITIONING PAD
 - (R) RADIAL DISTANCE
 - ▨ CONCRETE

BEARINGS BASED ON R/W LINE, AS SHOWN.

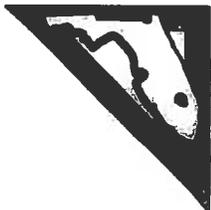
THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.

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

SCALE: 1" = 20'

DATE: 5-28-90

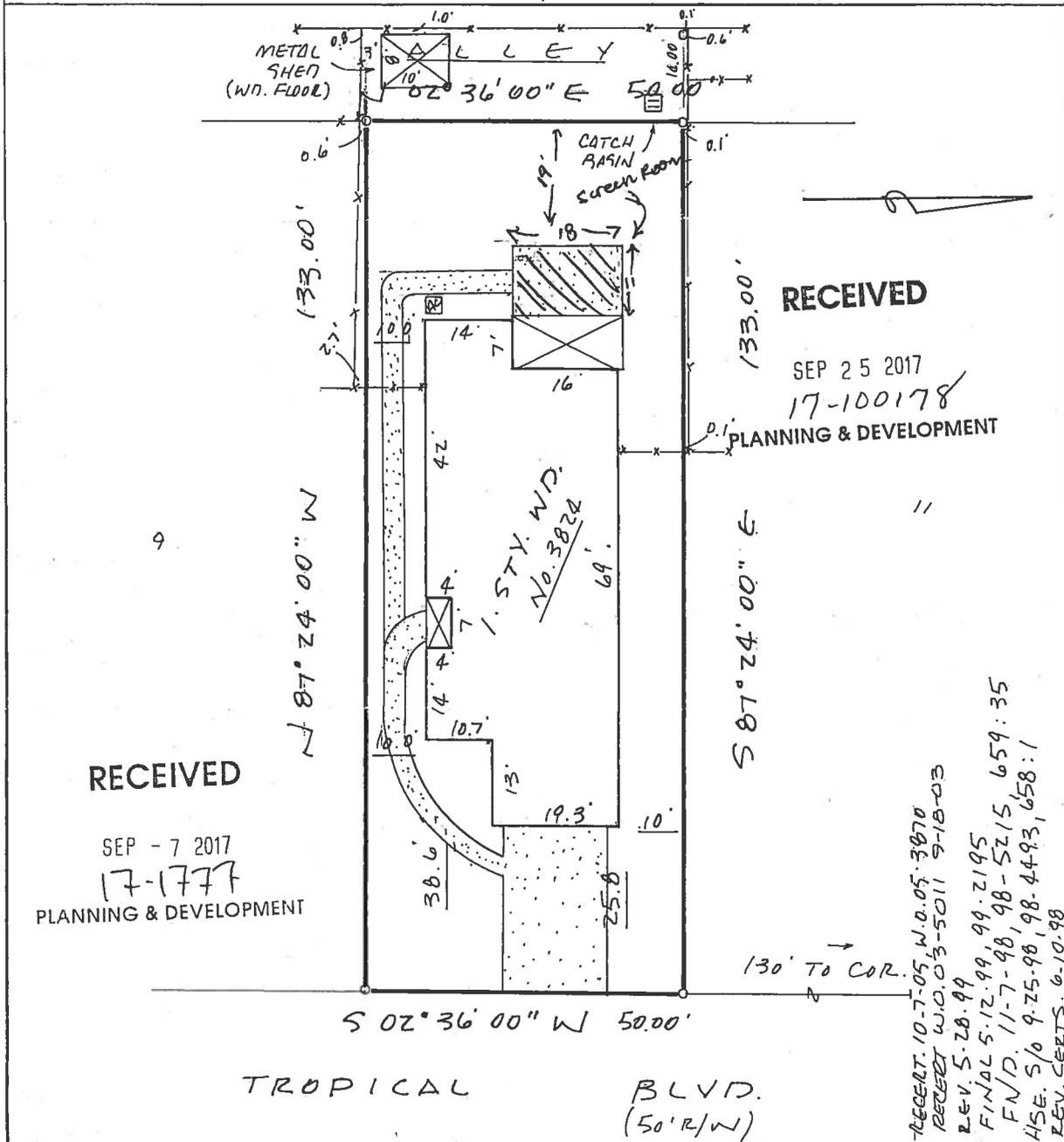
No. 4144
 LARRY G. EDDY, P.L.S. No. 4144
 STATE OF FLORIDA
 REGISTERED SURVEYOR AND MAPPER,
 STATE OF FLORIDA (LB 14921)



PROPOSED

MAP SHOWING BOUNDARY SURVEY OF LOT 10 BLOCK 8 AS SHOWN ON MAP OF OCEAN TERRACE

AS RECORDED IN PLAT BOOK 10 PAGES 2 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
CERTIFIED FOR: GEORGE MONRDE & DYESS SPEYERER; EMILY ANN RHODIN; STEWART
TITLE GUARANTY CO.; SOUTHERN TITLE HOLDING CO. LLC



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11

RECEIVED 10-7-05 W.O. 05-3870
 REVERT W.O. 03-5011 9-18-03
 REV 5-28-99
 FINAL 5-12-99, 99-2195
 FN/D. 11-7-98, 98-5215, 659:35
 HSE. 5/0 9-25-98, 98-4493, 658:1
 REV. CERTS. 6-10-98

THE PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD HAZARD ZONE X AS SCALED FROM FLOOD INSURANCE RATE MAP 000Z FOR THE CITY OF JACKSONVILLE, FLORIDA, DATED 4-17-89 AND IS SHOWN AS A COURTESY ONLY AND DOES NOT CONSTITUTE A CERTIFICATION OF SAME.

TRI-STATE LAND SURVEYORS, INC.

8411 BAYMEADOWS WAY SUITE #2, JACKSONVILLE, FLORIDA 32256 (904) 731-7235

- LEGEND
- CONC. MON
 - IRON COR.
 - (SET WITH CAP # LS 4144)
 - ✕ FENCE
 - IRON COR. (FOUND)
 - ⊗ CROSS CUT
 - B.R.L. BUILDING RESTRICTION LINE
 - ESMT EASEMENT
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BEARINGS BASED ON R/W LINE AS SHOWN.

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SCALE: 1" = 20'

DATE: 5-28-98

No. 4144
 LARRY G. EDDY, P.L.S. No. 4144
 STATE OF FLORIDA
 REGISTERED SURVEYOR AND MAPPER,
 STATE OF FLORIDA (UB #4921)





APPLICATION FOR VARIANCE

BOA No. 17-100179

HEARING DATE 11-7-2017

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.

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.

SEP 26 2017

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APPLICANT INFORMATION

Applicant Name: Michael Mustagan Telephone: 407-221-4531
 Mailing Address: 1026 2nd St S, Apt B E-Mail: _____
Jacksonville beach FL 32250 Michael Mustagan1@Hotmail.com
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: Michael Mustagan Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property and/or Real Estate Number: 1026 2nd St S, Apt-B

Legal description of property (Attach copy of deed): _____

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). My property has been deviated due to no fault of my own by other units having a deck

Applicant's Signature: Michael Mustagan Date of Application: 9-26-17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 to RM-2 Standards FLOOD ZONE: X
(pc#06-02 cond.use)

CODE SECTION (S): _____

34-390(e)(4)c-3 for a rear yard setback of 22.5' in lieu of 30' required;
(e) 4-e for 72-3% lot coverage, in lieu of 65% maximum, to allow
a 2nd story rear yard deck addition to an existing back house unit.



CERTIFIED MAIL# 7016 1370 0001 1148 9285

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

June 23, 2017

Michael Murtagh
1026 South 2nd Street #B
Jacksonville Beach, FL 32250

RE: BOA# 17-100083
1026 South 2nd Street #B
(South 16.25 feet of North 42.50 feet of Lots 11 and 12, Block 103,
Pablo Beach)

Dear MR. Murtagh,

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

- LDC Sec 34-340(e)(4)c.3, for a rear yard setback of 11 feet in lieu of 30 feet required;
- LDC Sec 34-340(e)(4)e., for 82.3% Lot Coverage in lieu of 65% maximum;

To allow a second story deck addition to the rear of an existing townhouse dwelling unit.

The Board **denied** the request 3-0, finding that the request was not the minimum variance necessary to make reasonable use of the land, building or structure.

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

Sincerely,

William C. Mann III, AICP
Planning and Development Director



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

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

Recommendation:

Approval.

✓ PC #2-97- Public Hearing

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

Location: 200 Block, 11th Ave. S.

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

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

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

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

Recommendation: Approval.

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

✓ PC #06-02 - Public Hearing

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

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

Agent: N/A

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

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

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

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

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

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

Recommendation: Approval.

PC #07-02 - Public Hearing

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

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

Agent: N/A

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

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

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

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

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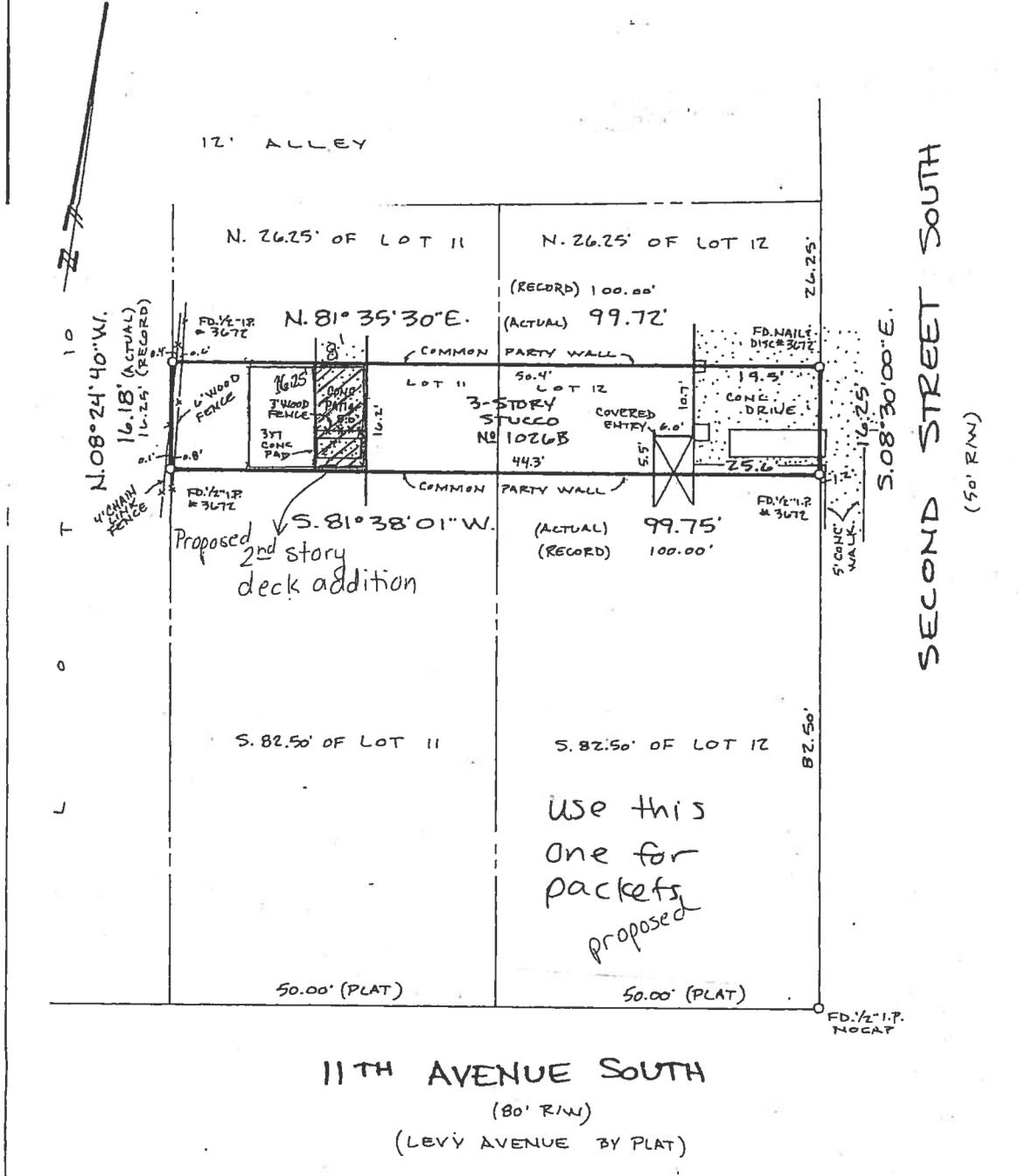
SEP 26 2017
17-100179
PLANNING & DEVELOPMENT

Existing

MAP SHOWING BOUNDARY SURVEY OF

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

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



PERRET AND ASSOCIATES, INC.

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

- GENERAL NOTES:**
- (1) BEARINGS SHOWN HEREON ARE BASED ON $S.08^{\circ} 30' 00'' E.$ FOR THE W'LY R/W LINE OF SECOND STREET
 - (2) THIS PROPERTY HAS NOT BEEN ABSTRACTED FOR EASEMENTS, COVENANTS, RESTRICTIONS
 - (3) UNDERGROUND UTILITIES SERVING THIS PROPERTY HAVE NOT BEEN LOCATED OR SHOWN
 - (4) THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP DATA

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

LEGEND

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

SCALE 1" = 20'

17-9-2003

Louis Kemp

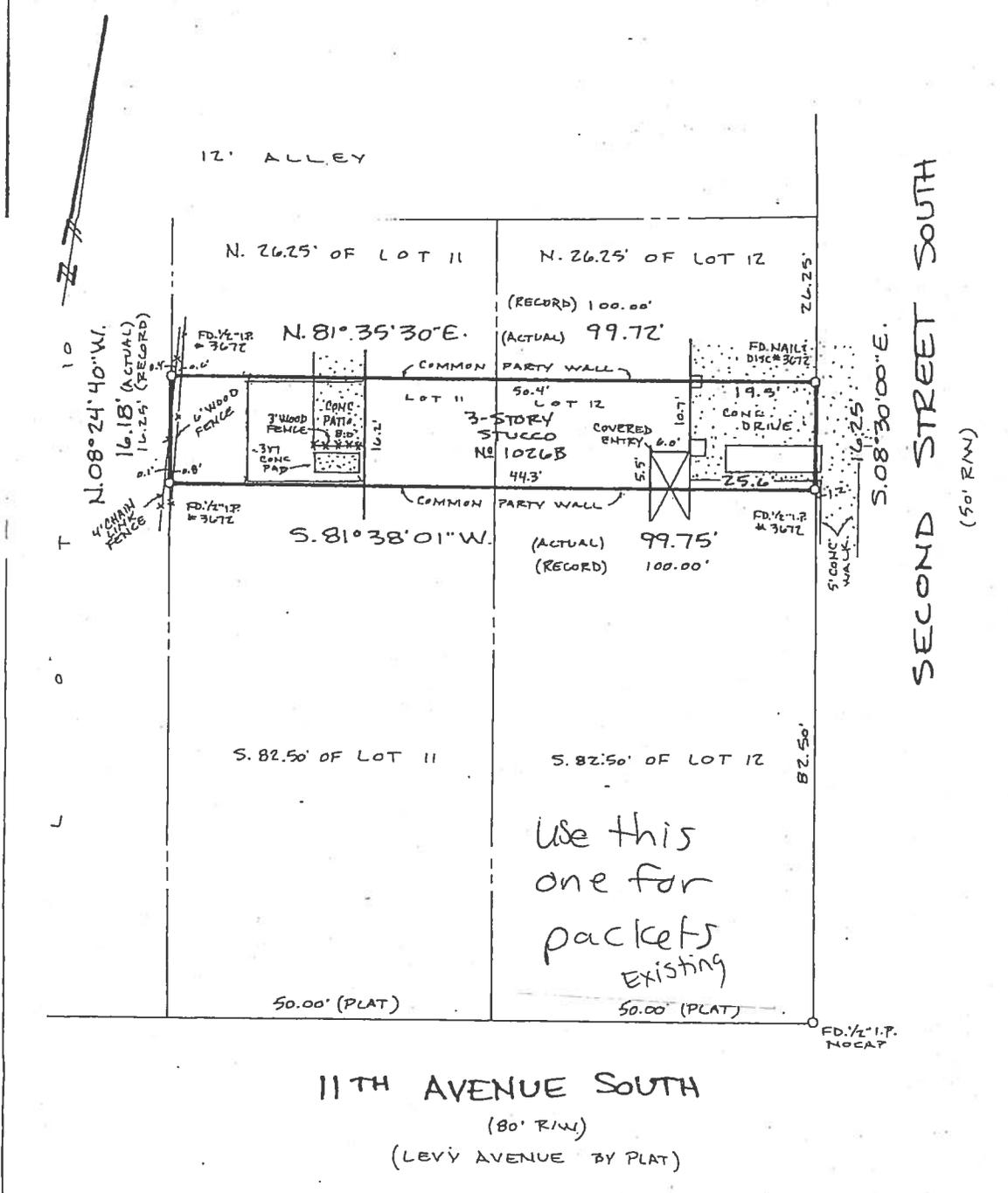


Proposed

MAP SHOWING BOUNDARY SURVEY OF

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

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



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LEGEND

P.C.	POINT OF CURVATURE	R	RADIUS
P.T.	POINT OF TANGENCY	Δ or D	DELTA (CENTRAL ANGLE)
P.R.C.	POINT OF REVERSE CURVE	A or L	ARC LENGTH
P.C.C.	POINT OF COMPOUND CURVE	C or CH	CHORD
P.O.C.	POINT ON CURVE	CB	CHORD BEARING
B.R.L.	BUILDING RESTRICTION LINE	(R)	LINE RADIAL TO CURVE
C/L	CENTER LINE	A/C	AIR CONDITIONER
R/W	RIGHT-OF-WAY	CONC.	CONCRETE
O.R.V.	OFFICIAL RECORDS VOLUME	FD.	FOUND
		I.P.	IRON PIPE

SCALE 1" = 20'

Louis Kemp

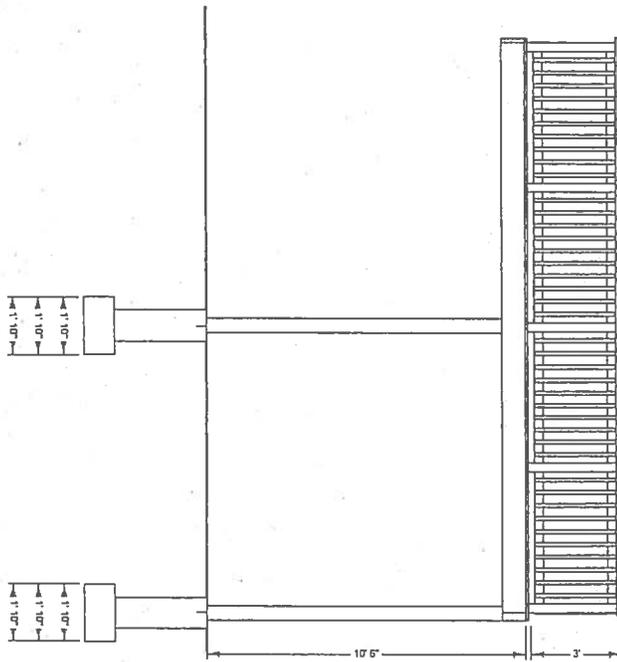


SCALE: 1/4" = 1' WHEN PRINTED ON 11X17 PAPER

BASED ON THE INTERNATIONAL RESIDENTIAL CODE

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



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

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2x10 Ledger Board to be flashed and bolted (2) 1/2" bolts with washers or equivalent every 16" on center. (See ledger detail in deck construction guide)

Joists to be 2x10 pressure treated southern yellow pine installed 16" on center.

Beams to be 2-2x10 pressure treated southern yellow pine nailed.

Guard Rails to be 36" high with less than 4" openings per IRC code. (See rail detail in deck construction guide)

Stairs to be built max rise 7-3/4" min rise 4" in run 10" per IRC code. (See stair detail in deck construction guide)

Decking to be 5/4x6 Pressure Treated Pine. (Follow manufacturers' installation instructions)

All hardware to be corrosion resistant and installed per manufacturers' instructions.



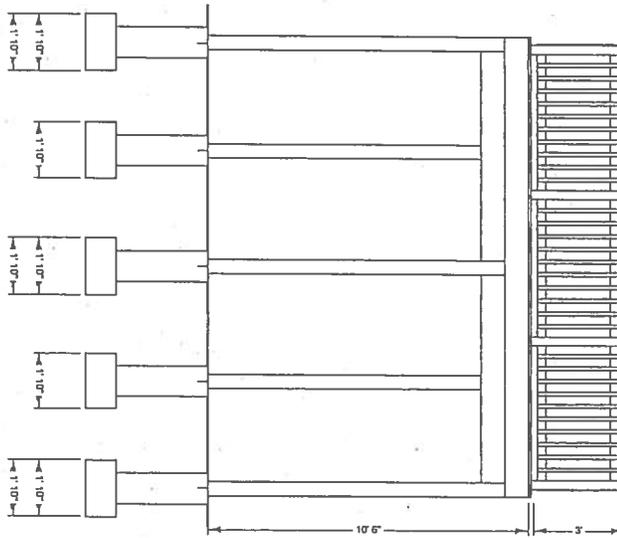
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17-100083

SEP 26 2017
17-100179

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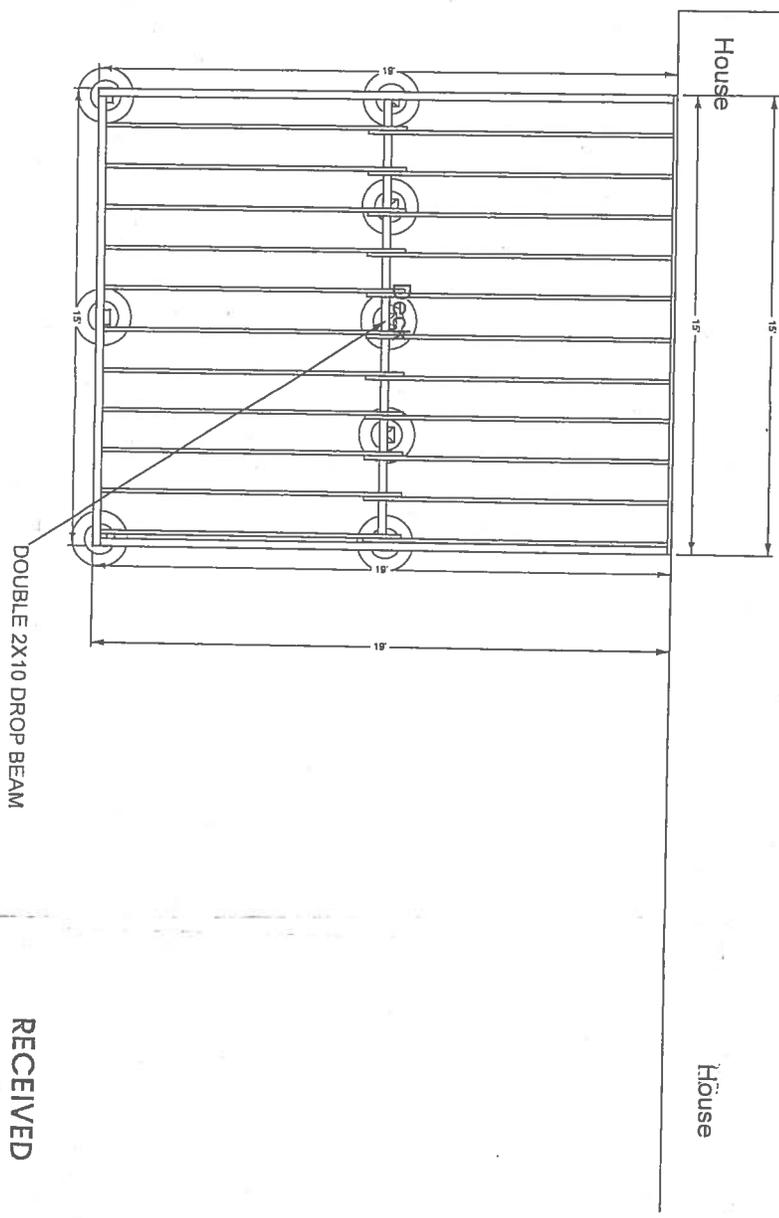
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BASED ON THE INTERNATIONAL RESIDENTIAL CODE

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

Footings to be installed to 48" depth as is required by your local building ordinance. Footing size based on 55 lbs per sq ft live load plus 10% compression capacity (assumed dry soil). See footing detail in deck construction guide.

DISCLAIMER: THIS PLAN IS NOT CONSIDERED COMPLETE UNLESS APPROVED BY YOUR BUILDING INSPECTOR OR STRUCTURAL ENGINEER. BUILDER ACCEPTS ALL RESPONSIBILITY AND LIABILITY. DECKS.COM LLC AND ASSOCIATED SPONSORS ACCEPT NO LIABILITY FOR THE USE OF THIS PLAN. © DECKS.COM LLC

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