



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda (Amended)

Board of Adjustment

Tuesday, April 18, 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

- a. Regular Board of Adjustment Agency Meeting Held March 21, 2017

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number:** **BOA 17-100036**
 Applicant: DSM Renovation, LLC
 Owner: John Mc Pherson, DMS Renovation LLC
 Property Address: 11 North San Pablo Circle
 Parcel ID: 178256-0000
 Current Zoning: RS-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):**
 34-336(e)(1)c.2., for 7.7 feet side yards, each in lieu of 10 feet required; 34-336(e)(1)c.3, for a rear yard of 25 feet in lieu of 30 feet required; 34-336(e)(1)d., for no garage, in lieu of a required one-car garage; 34-377 for one off-street parking space, in lieu of two required: to allow substantial improvement and addition to an existing nonconforming single-family dwelling for property **legally described** as Lot 13, Block 4, *San Pablo Manor*.

 Miscellaneous Info: No previous variance requests.

Notes:

- b. **Case Number:** **BOA 17-100037**
 Applicant/Owner: Benjamin Subercaseux
 Property Address: 512 Palm Tree Road
 Parcel ID: 177837-0000
 Current Zoning: RS-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):**
 34-336(e)(1)d, for no garage in lieu of a required one-car garage for an existing single-family dwelling, for property **legally described** as Lot 6, Block 9, *Pine Grove Unit 2*.

 Miscellaneous Info: One previous variance request (BOA# 24-2003).

Notes:

c. **Case Number: BOA 17-100038**

Applicant: The Playgarden by the Sea
 Owner: 219/221 8th Avenue South Realty Trust
 Agent: Matthew Gardner
 Property Address: 219/221 South 8th Avenue
 Parcel ID: 176070-0000
 Current Zoning: C-1
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):**
 34-377 for no additional parking, in lieu of three required spaces;
 to allow an addition to an existing daycare center (conversion of
 use of an existing detached garage), for property **legally described**
 as Lot 10, Block 73, *Pablo Beach South*.
 Miscellaneous Info: No previous variance requests.

Notes:

d. **Case Number: BOA 17-100039**

Applicant/Owner: James C. Wallace, Jr. and Jennifer P. Wallace
 Agent: Lisa Pelkey
 Property Address: 807 South 15th Avenue South
 Parcel ID: 176906-0015
 Current Zoning: RM-2
 Motion to Approve: **City of Jacksonville Beach Land Development Code Section(s):**
 34-337(e)(1) for 44% lot coverage, in lieu of 35% maximum; to
 allow a swimming pool and deck addition and driveway
 improvements, to a single-family dwelling, for property **legally**
described as Lot 11, Block 149, *Oceanside Park*.
 Miscellaneous Info: No previous variance requests.

Notes:

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, May 2, 2017**. There is one (1) scheduled case.

ADJOURNMENT**NOTICE**

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

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

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

**Minutes of Board of Adjustment Meeting
held Tuesday, March 21, 2017, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairperson John Moreland.

Roll Call

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

Alternates:
Francis Reddington
Chase Sams

Ex-parte Communications

None

Approval of Minutes

None

Correspondence

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

NEW BUSINESS:

(A) Case Number: BOA 17-100011

Name of Applicant: The Discovery School of Jacksonville, Inc.

Property Address: 102 South 15th Street

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a rear yard of 10 feet in lieu of 30 feet required, to allow for temporary classroom buildings on an existing approved conditional use private school.

Applicant: The agent for the applicant, Brandon Speeg, 102 15th Street South, Jacksonville Beach, stated that they were granted a ten-foot variance in 2015 to allow for traffic stacking, which allows them to stack vehicles to keep them off 15th Street. He stated that they needed three temporary buildings to accommodate growth, and until they could raise funds for the permanent building.

Mr. Mann stated that the Planning Commission had approved the single-building plan, and this was an interim proposal. Mr. Cummings asked if they approved the temporary classrooms would that apply to the building itself. Mr. Mann stated yes. Mr. Mann stated that the ten-foot variance was for the permanent structure.

Mr. Speeg noted that these classrooms would be on the parcels that they just purchased. Mr. Reddington asked about a timeline. Mr. Speeg responded five years was granted by the Planning Commission.

Public Hearing:

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

Discussion:

Mr. Reddington noted that they should make a motion adding the five-year timeline for the variance.

Amended Motion to Approve: It was moved by Mr. Truhlar and seconded by Ms. Osewalt, to approve a request for a rear yard of 10 feet in lieu of 30 feet required, to allow for temporary classroom buildings on an existing approved conditional use private school for a period matching the period adopted by the Planning Commission not to exceed five years.

Roll Call Vote on Amended Motion: Ayes – Buck, Cummings, Moreland, Osewalt, and Truhlar.

The amended motion was approved unanimously.

(B) Case Number: BOA 17-100020

Name of Applicant: Kevin Newsome

Property Address: 1125 North 13th Avenue

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for 47% lot coverage in lieu of 35% maximum, and for accessory structure setback of one foot in lieu of five feet minimum along the easterly property line, to allow a swimming pool and deck addition to an existing single-family dwelling.

Applicant: The applicant, Mr. Kevin Newsome, 1125 13th Avenue North, Jacksonville Beach, stated that the previous owner took up 35% lot coverage. He stated that he wanted to add a pool. He added that the one-foot setback is for the pool equipment, not an enclosure or a deck. Mr. Buck asked if they could put it on the west side. Mr. Newsome stated that they would have to cut ceilings to run power to it and that would be too costly.

Mr. Buck stated that the drawing shows the pool equipment on the west side. Mr. Newsome stated that they had changed that plan.

Mr. Cummings noted that this is a nonconforming lot due to size, noting 10,000 square feet was the minimum. Discussion followed on why the pool equipment would be better situated on the east side of the house.

Public Hearing:

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

Discussion:

Ms. Osewalt stated that she had an issue with the one-foot setback. Mr. Cummings stated that he agreed. Mr. Buck stated that his pool equipment makes very little noise.

Mr. Moreland stated that the request is only 35.5% of a conforming sized lot.

Motion to Approve: It was moved by Mr. Truhlar, seconded by Mr. Cummings, to approve a request for 47% lot coverage in lieu of 35% maximum to allow a swimming pool and deck addition to an existing single-family dwelling.

Roll Call Vote on Amended Motion: Ayes – Cummings and Truhlar.
Nays – Moreland, Osewalt, and Buck.
The amended motion was denied 3-2.

Roll Call Vote on Original Motion: Ayes – Buck.
Nays– Cummings, Moreland, Osewalt, and Truhlar.
The original motion was denied 4-1.

(C) Case Number: BOA 17-100021

Name of Applicant: Scott and Gail Lewis

Property Address: 3625 South Ocean Drive

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a front yard setback of 21.5 feet in lieu of 25 feet required to allow an addition to the front of an existing single-family dwelling.

Applicant: The applicant, Scott Lewis, 3625 Ocean Drive South, Jacksonville Beach, stated that the road angles such that the house is positioned so that there is less space on one side of the house. He stated that the intent is to add to the garage. Mr. Mann explained what the request entailed.

Public Hearing:

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

Discussion:

Ms. Osewalt thanked Mr. Mann for the explanation of the request. She stated that the request was for a small portion of the addition and not for the full width of the structure.

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

(D) Case Number: BOA 17-100027

Name of Applicant: Adam Papka

Property Address: 1306 and 1308 South 1st Street

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a front yard setback of nine feet in lieu of 20 feet required; for side yards of five feet each in lieu of ten feet required; for a rear yard setback of ten feet in lieu of 30 feet required; and for 58.7% lot coverage in lieu of 35% maximum to allow construction of a new two-family dwelling.

Applicant: The applicant, Adam Papka, 1306 1st Avenue South, Jacksonville Beach, stated that there were setbacks granted in 2008 and they weren't asking for much more. This request will allow for a more marketable product. He stated that the second floor is held by columns that resulted in the nine-foot request. Mr. Papka explained how this request different from the one approved in 2008.

Mr. Moreland compared this request with the one denied a few months ago, noting the changes from that request.

Ms. Osewalt noted that a reason for the request, the rent amount, is not a hardship. Mr. Cummings noted that in 2008 he was approved for 58% and this request was

for 58.7%. Mr. Moreland noted that the lot coverage was not necessary. Mr. Papka agreed that they could fall within the 58%. Mr. Moreland agreed that this lot did constitute a severe hardship.

Public Hearing:

Ms. Osewalt read a letter from Ms. Lillian Park, 112 13th Avenue South, opposing the request. Ms. Park's letter stated that this would be an invasion of her property.

Ms. Heather Weber, 1306 1st Street South, stated that there was damage to the structure from the hurricane and it could not be retained.

Mr. Steve Calta, 5601 Soaring Eagle Court, stated that they had to realize what existed there now. He stated that there had to be some sort of variance to build anything. He stated that he had requested the variance in 2008 without consulting a contractor, and this request was much more functional. He stated that the current structure coverage is 70% lot coverage. He noted that the first floor entry is still 18 feet setback, but with the columns they needed to request it to nine feet.

Mr. Jim Brennan, 1301 1st Street South, Unit 901, Jacksonville Beach, stated that the five-foot side setback will be the beginning of other changes in this area. He expressed concern that cars would be parked over the sidewalk.

Mr. George Pisacano, 1359 2nd Street South, Jacksonville Beach, stated that his units have ten-foot setbacks and that is even tight. He thought this request was being driven by economics and not hardship.

Mr. Papka stated that the people on either side of the property have less setbacks than what they are asking for, and they are asking for less variance than what exists now on the north side.

Discussion:

Mr. Cummings stated that we are basically addressing changes from what was granted in 2008. He stated that he did not think the additional variance was not good for the community. Ms. Osewalt agreed that there would be issues with flooding.

Mr. Moreland stated that they could construct a duplex with the existing variances, so they had a choice, or they have the option to request a single-family dwelling.

Roll Call Vote: Ayes –Buck.

Nays – Osewalt, Truhlar, Cummings, and Moreland.

The motion was denied 4-1.

Planning Directors Report

Mr. Mann stated that they would like to have a training session at the April 4 meeting.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:57 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

Chairman

Date: _____



APPLICATION FOR VARIANCE

BOA No. 17-100036

HEARING DATE 4-18-2017

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 attached to the drawing, **to scale** (on 11"x17" paper or smaller).
2. Proof of ownership (copy of deed or current property tax notification).
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of **\$250.00** (due at the time of application submittal).
5. Completed application.

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MAR - 1 2017

PLANNING & DEVELOPMENT

APPLICATION INFORMATION

Applicant Name: DSM Renovation LLC Telephone: (904) 239-0059

Mailing Address: 1433 A1A South E-Mail: dsmcph@comcast.net

Ponte Vedra Beach, 32082

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

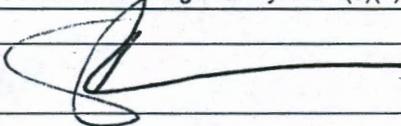
Street address of property and/or Real Estate Number: 11 N San Pablo Circle /178256-0000

Legal description of property (Attach copy of deed): 27-97 38-2S-29E San Pablo Manor Lot 13 Blk 4

Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Remodel existing and additional living area. Respectfully request variance for

Land Development Code 34-336 Residential, single-family: RS-1(e)(1) c2 for side yard 7.7 feet in lieu of 10 feet required

Land Development Code 34-336 Residential, single-family: RS-1(e)(1) c3 for a rear yard of 25 feet in lieu of 30 feet required

Applicant's Signature:  Date of Application: 3/3/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: _____

CODE SECTION (S): 34-336(e)(1) c. 2. for 7.7' side yards, each in lieu of 10' required;

34-336 (e)(1) c. 3 for a rear yard of 25', in lieu of 30' required;

34-336(e)(1) d. for no garage in lieu of a required one-car garage;

34-377 for one off-street parking space in lieu of two required; to

allow substantial improvement and addition to an existing

nonconforming single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100036

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

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	No	<p>RECEIVED</p> <p>MAR 1 2017</p>
Special circumstances and conditions do not result from the actions of the applicant.	No	<p>PLANNING & DEVELOPMENT</p>
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.		
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	

RECEIVED

Prepared by and return to:

Bryan C. Goode III, P.A.
320 1st Street North Suite 613
Jacksonville Beach, FL 32250
904-247-1755
File Number: 17-0210
Will Call No.:

MAR - 1 2017
17-100036
PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Personal Representative's Deed

This Personal Representative's Deed made this 1st day of March, 2017 between Ronald Elston, Individually and as Personal Representative of the Estate of Beatrice Mary George whose post office address is 108 Victor Street, Warner Robins, GA 31088, grantor, and DSM Renovations, LLC, a Florida limited liability company whose post office address is 1433 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082, grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum 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 grantees heirs and assigns forever, the following described land, situate, lying and being in Duval County, Florida, to-wit:

Lot 13, Block 4, SAN PABLO MANOR, a subdivision according to the plat thereof recorded at Plat Book 27, Page 97, in the Public Records of Duval County, Florida.

Parcel Identification Number: 178256-0000

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

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

And the grantor hereby covenants with said grantee that the grantor has good right and lawful authority to sell and convey said land; that the grantor warrants the title to said land for any acts of Grantor and will defend the title against the lawful claims of all persons claiming by, through, or under Grantor.

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:

Bonnie Harbuck
Witness Name: Bonnie Harbuck
Gail W. Rogers
Witness Name: GAIL W. ROGERS

Ronald Elston
Ronald Elston, Individually and as Personal Representative

State of Georgia
County of HOUSTON

The foregoing instrument was acknowledged before me this 28th day of February, 2017 by Ronald Elston, Individually and as Personal Representative of the estate of Beatrice Mary George, deceased, who is personally known to me or has produced a driver's license as identification.

[Notary Seal]

Bonnie Michelle Smith
Notary Public
Printed Name: Bonnie Michelle Smith
My Commission Expires: 9-21-2017



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MAR - 1 2017
17-100034
PLANNING & DEVELOPMENT

MAP SHOWING BOUNDARY SURVEY OF
 LOT 13, BLOCK 4, SAN PABLO MANOR, AS RECORDED IN PLAT BOOK 27,
 PAGE 97, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

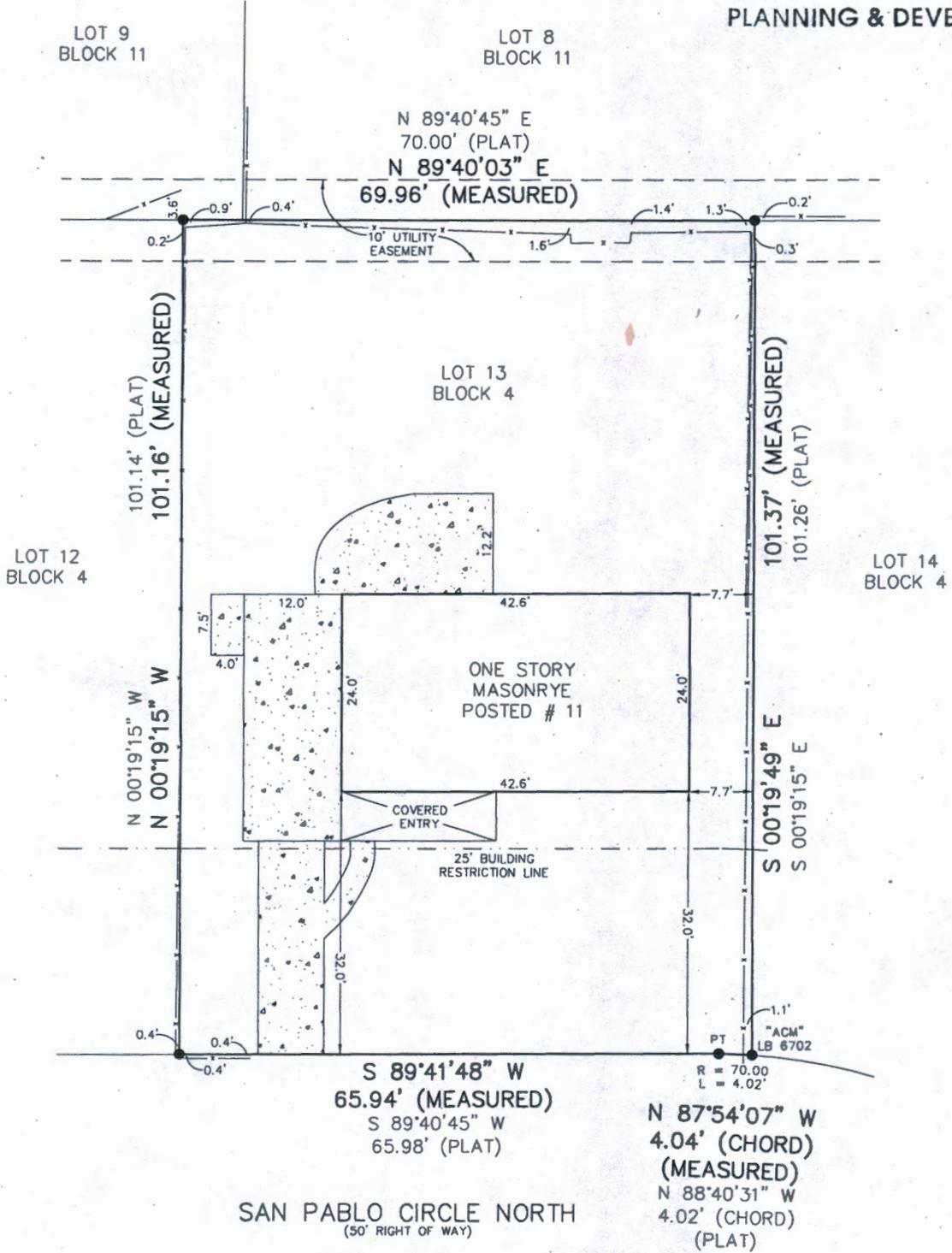
CERTIFIED TO:
 DSM RENOVATIONS

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MAR - 1 2017
 17-100036

PLANNING & DEVELOPMENT

BEACH HOMESITES UNIT 3
 PLAT BOOK 25, PAGE 38



LEGEND:

- x — = FENCE
- = CONCRETE
- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER

PC = POINT OF CURVATURE
 PT = POINT OF TANGENCY

PRC = POINT OF REVERSE CURVATURE
 PCC = POINT OF COMPOUND CURVATURE

NOTES:

- BEARINGS ARE BASED ON THE PLAT BEARING OF N 00°19'15" W ALONG THE WESTERLY 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 JUNE 3, 2013, COMMUNITY NUMBER 12007B, PANEL 0417 H.
- 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 IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

REVISIONS

DATE	DESCRIPTION

JOB # 31860

DATE OF FIELD SURVEY: 01-19-17

SCALE: 1" = 20'

Ray Thompson
SURVEYING, Inc.

Going the DISTANCE for You

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

CERTIFICATE

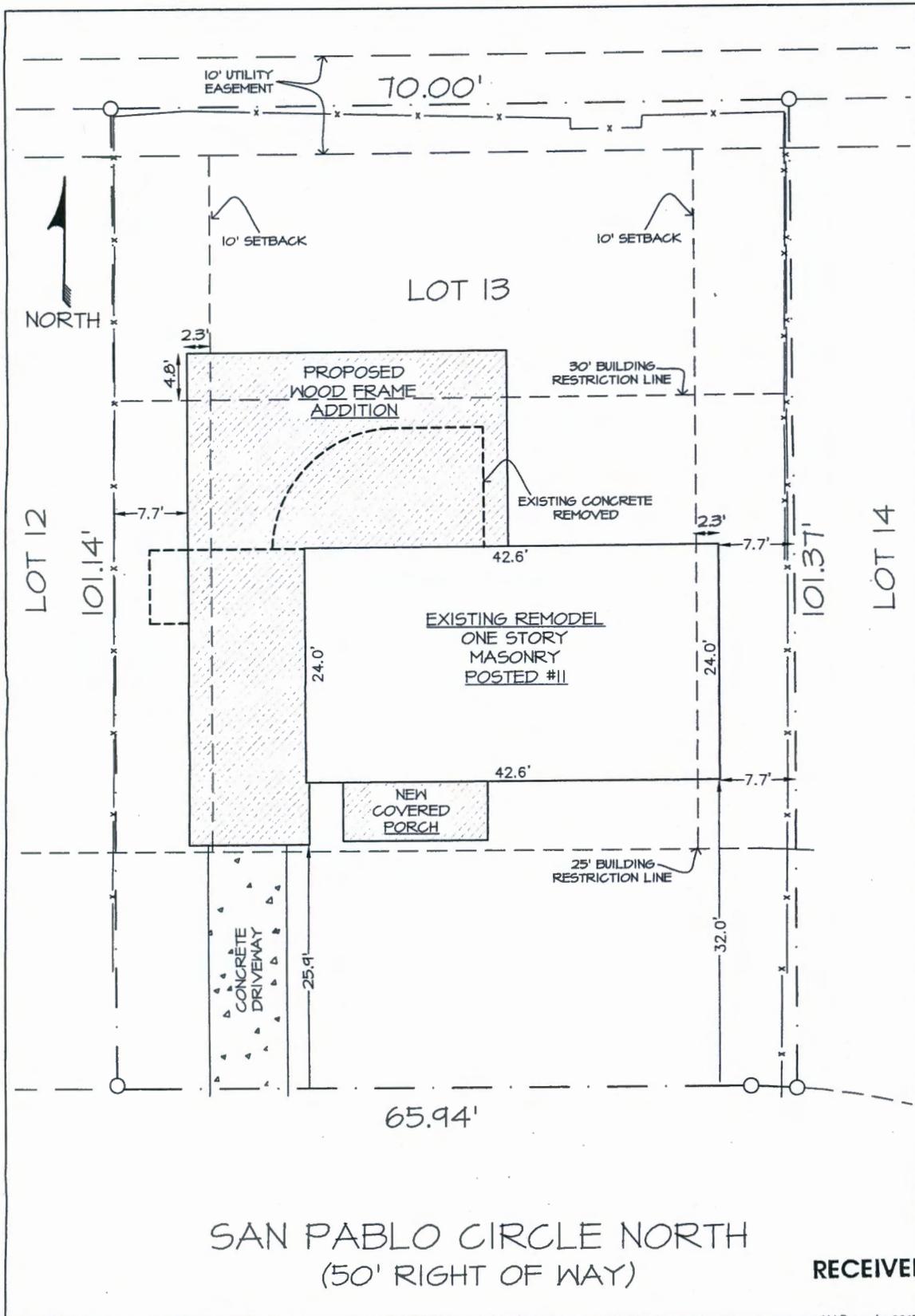
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS AND CRITERIA SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND ENGINEERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 402.07, FLORIDA STATUTES.

Raymond Thompson
 RAYMOND THOMPSON
 REGISTERED SURVEYOR AND ENGINEER #6146 STATE OF FLORIDA
 LICENSE BUSINESS # 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS



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SITE PLAN

SCALE: 1" = 10'

MAR - 1 2017

17-100036
PLANNING & DEVELOPMENT

Sheet
a1
of 1

PROPOSED ADDITION & REMODELING AT

11 San Pablo Circle North

Atlantic Beach, Florida

VERMEY ARCHITECT
480 S. THIRD ST. 2ND-1100
JACKSONVILLE BEACH, FLORIDA

BEN BROADFOOT • DESIGN
420 SOUTH THIRD STREET 604
242-8900
JACKSONVILLE BEACH, FL 32250-6721



APPLICATION FOR VARIANCE

BOA No. 17-100037
HEARING DATE 4-18-2017

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
MAR - 2 2017

PLANNING & DEVELOPMENT

APPLICATION INFORMATION

Applicant Name: Benjamin Subersseaux Telephone: 904.318.1229
 Mailing Address: 512 Palm Tree Rd E-Mail: ben.subersseaux@gmail.com
Jacksonville Beach, FL 32250

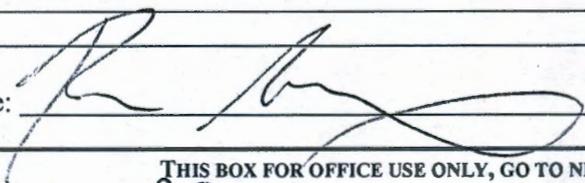
Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____

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: 512 Palm Tree Rd, 32250
 Legal description of property (Attach copy of deed): Lot 6, Block 9, 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). See attached titled Justification for Variance

Applicant's Signature:  Date of Application: 3/2/2017

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X
 CODE SECTION (S): 34-33b(e)(1) d. for no garage in lieu of a required one-car garage for an existing single-family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100037

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

MAR - 2 2017

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

Standard	Applies? Yes/No	Circumstances/ Explanation
Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.	Yes	See Standards & Conditions
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.	Yes	See Standards & Conditions
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	See Standards & Conditions
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	Yes	See Standards & Conditions
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	See Standards & Conditions

16079876

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MAR - 2 2017
17-100037
PLANNING & DEVELOPMENT

General Warranty Deed

Made this September 2nd, 2016 A.D. By **SUSAN RUDD WEST, FKA SUSAN L. RUDD and HUGH G. WEST, wife and husband**, whose address is: 1001 Cedar St., Neptune Beach, Florida 32266, hereinafter called the grantor, to **BENJAMIN E. SUBERCASEAUX, a single man**, whose post office address is: 512 PALM TREE ROAD, Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of \$336,000.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

Lot 6, Block 9, Pine Grove Unit 2, according to plat thereof as recorded in Plat Book 17, Page 18 of the current public records of Duval County, Florida.

Parcel ID Number: 177837-0000

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2015.

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

Signed, sealed and delivered in our presence:

Michael Blazek
Witness Printed Name Michael Blazek

Susan Rudd West FKA Susan Rudd (Seal)
SUSAN RUDD WEST FKA SUSAN L. RUDD
Address: 1001 Cedar St., Neptune Beach, Florida 32266

Dallas Alvarez
Witness Printed Name Dallas L. Alvarez

Hugh G. West (Seal)
HUGH G. WEST
Address: 1001 Cedar St., Neptune Beach, Florida 32266

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 2nd day of September, 2016, by SUSAN RUDD WEST, FKA SUSAN L. RUDD and HUGH G. WEST, wife and husband, who is/are personally known to me or who has produced VALID DRIVERS LICENSE as identification.

Dallas Alvarez
Notary Public
Print Name: Dallas L. Alvarez
My Commission Expires: 1-26-2020



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17-100037
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Standards and Conditions

MAR - 2 2017

17-100037

PLANNING & DEVELOPMENT

- 1. 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.**

The special conditions in this case are the fact that the garage does not face out towards the road like most houses in the zone and creates a difficult parking situation due to the sharp left turn required to enter the garage from the driveway. Therefore, the garage cannot fulfill its primary duty of housing an automobile. The garage space would be much better utilized if converted as part of the house.

- 2. 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.**

I do not believe granting this variance will confer any special privilege to myself. It will simply allow me to utilize the garage space since I cannot utilize it effectively for parking purposes.

- 3. 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.**

The code requires that all homes have at least a single car garage. The purpose of a garage is to park one's car, and due to the layout of my garage, I cannot enjoy the benefits of parking my car as other parcels of land in the same zoning district can. The garage space would be much better utilized if converted as part of the house.

- 4. 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 the variance will allow for us to make use of the garage structure as it cannot serve its initial purpose of housing an automobile, due to it's layout in relation to the house.

- 5. Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code will not adversely affect adjacent land.**

The aesthetic change in converting the garage from the outside will be so subtle that it will not affect the adjacent land or the character of the neighborhood. Since the garage does not face the road like most homes in the neighborhood, it currently resembles part of the house and not a garage when looking at it from the road. Only standing at the far northeast corner of Palm Tree Rd can you see the actual garage door which gives away that it is a garage. Converting the garage door to a wall with a window or French doors will have a very mild effect on the external aesthetics of the home and will generally be consistent with the purposes, goals, objectives, and policies of the comprehensive plan.

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Justification for Variance

The current code states that all homes within our zone must include a single car garage. The layout of the garage in our home is such that the garage door faces the north and does not face the street. Therefore, upon entering the driveway from the east, one has to make a sharp left turn into the garage, which becomes a huge inconvenience and burden, especially with a larger automobile.

Because the garage space cannot adequately serve its primary purpose of housing an automobile, it would be much better utilized as part of the living space of the home. The driveway offers plenty of room for parking and storage is accommodated by a storage shed in the backyard. Furthermore, the garage currently resembles part of the living space of the home and not a garage when looking at it from Palm Tree Rd due to its unique layout. Converting the garage would alter the external aesthetics minimally and would not impact the character of the community nor any adjacent land.

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City of Jacksonville Beach



ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

April 17, 2003

Hugh West
512 Palm Tree Road
Jacksonville Beach FL 32250

RE: BOA 24-2003, located at 512 Palm Tree Road

Dear Mr. West:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on April 16, 2003, to consider your variance application.

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

- Section 34-336 (e)(1) c.1., for a front yard of 16 feet in lieu of 25 feet required
- Section 34-336 (e)(1) c.2., for a southerly side yard of 7.6 feet in lieu of 10 feet required, and
- Section 34-336 (e)(1) e., for 41% lot coverage in lieu of 35% maximum, to allow for improvements to a single-family dwelling.

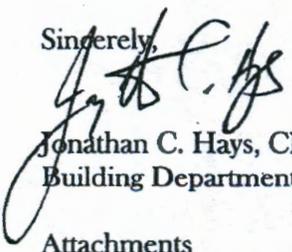
The results of the application were amended and approved for:

- A front yard of 20 feet in lieu of 25 feet required,
- A southerly side yard of 7.6 feet in lieu of 10 feet required, and
- Lot coverage of 41% in lieu of 35% maximum.

You are required to apply for a building permit for the approved project. A building permit application and 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 Board of Adjustment public notice posted on your property for the hearing. If you have any questions regarding this variance, please feel free to call me at (904) 247-6231.

Sincerely,


Jonathan C. Hays, CBO
Building Department

Attachments

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To:	H. West 24-03
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Name (Please Print Clearly) (to be completed by mailer)	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	

7099 3400 0000 0000 1887 2361

PS Form 3800, July 1999

MAP SHOWING BOUNDARY SURVEY OF LOT 6, BLOCK 9, AS SHOWN ON MAP OF PINE GROVE UNIT 2

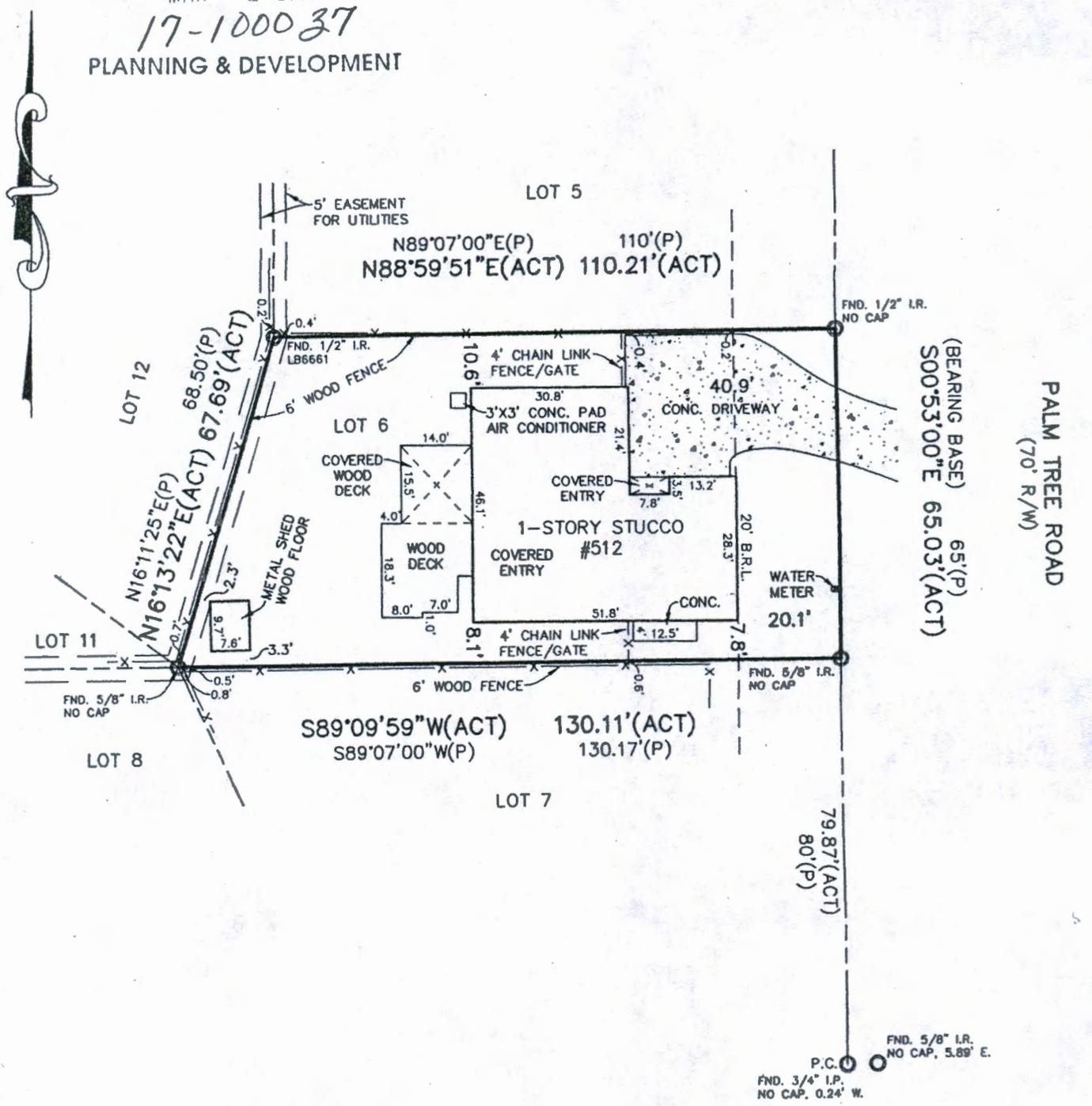
AS RECORDED IN PLAT BOOK 17, PAGE 18, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLA.
CERTIFIED TO: BENJAMIN E. SUBERCASEAUX; WATSON TITLE SERVICES OF N. FL., INC.; OLD REPUBLIC
NATIONAL TITLE INSURANCE COMPANY; USAA FEDERAL SAVINGS BANK

SCALE: 1"=30'

DATE: 08/11/16

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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

THE LOT SHOWN HEREON IS IN FLOOD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP 12031C0417H FOR DUVAL COUNTY, FLORIDA, DATED 06-03-13.

C & C LAND SURVEYORS, INC.
774 STATE ROAD 13, STE. 4, ST. JOHNS, FLORIDA 32259
(904) 287-0407 - LICENSED BUSINESS NO. 7390

ABBREVIATIONS USED IN THIS DRAWING

A = ARC LENGTH	N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
(ACT) = ACTUAL	MON. = MONUMENT
B.R.L. = BUILDING RESTRICTION LINE	(P) = PLAT
CH = CHORD DISTANCE	P.C. = POINT OF CURVATURE
CONC. = CONCRETE	P.C.C. = POINT OF COMPOUND CURVATURE
C = CENTERLINE	P.I. = POINT OF INTERSECTION
Δ = DELTA	P.R.C. = POINT OF REVERSE CURVATURE
ESMT = EASEMENT	P.T. = POINT OF TANGENCY
F.F.E. = FINISH FLOOR ELEVATION	R/W = RIGHT OF WAY
FND. = FOUND	R = RADII
I.P. = IRON PIPE	(R) = RADIAL
I.R. = IRON ROD	TAN = TANGENT
OHL = OVERHEAD LINE(S)	(W) = WITNESS
LB = LICENSED BUSINESS	P.N.T. = POINT OF NON-TANGENCY
LS = LICENSED SURVEYOR	

ALL MAPPED FEATURES SHOWN HEREON WERE PERFORMED UNDER MY DIRECT SUPERVISION AND DIRECTION. THIS MAP/SURVEY MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.

THIS MAP/SURVEY IS NOT VALID WITHOUT SIGNATURE AND RAISED SEAL
SAMUEL C. COOLER

[Signature] 8/13/16
PROFESSIONAL SURVEYOR & MAPPER NO. LS 6076





APPLICATION FOR VARIANCE

BOA No. 17-100038

HEARING DATE 4-18-2017

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

REQUIRED DOCUMENTATION

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

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APPLICATION INFORMATION

Applicant Name: The Playgarden by the Sea (Matthew Garner) Telephone: 904-241-3259
 Mailing Address: 223 8th Ave S E-Mail: gatorgarner@gmail.com
Jacksonville Beach, FL 32250
 Agent Name: Matthew Garner Telephone: 904 338 1295
 Mailing Address: 106 Margaret St E-Mail: gatorgarner@gmail.com
Neptune Beach FL 32266
 Landowner Name: 219/221 8th Ave S Realty Trust c/o Brian Conley Telephone: _____
 Mailing Address: 125 Lost Beach Ln E-Mail: _____
PVB, FL 32082

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: 219/221 8th Ave South (176070-0000)

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). The Playgarden is hoping to acquire this property to expand its campus. For the first 5 years of ownership only, the detached garage will be converted to school building (while the duplex remains a rental). We need to add a bathroom and a minimum of 2 parking spaces behind (north) the garage. (to the SW corner)

Applicant's Signature: [Signature] Date of Application: 3/6/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 FLOOD ZONE: X
 CODE SECTION (S): 34-377 for no additional parking, in lieu of three required spaces, to allow an addition to an existing daycare center. (conversion of use of an existing detached garage)

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100038

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	Requesting approval of the building addition (bathroom) to the SW corner and addition of <u>2</u> dedicated parking spots along North alley. Parking will be parallel to alley.
Special circumstances and conditions do not result from the actions of the applicant.	No	RECEIVED
Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.	No	MAR - 7 2017 PLANNING & DEVELOPMENT
Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.	No	Parking spots already exist on North side of garage with 16'4" distance to property line along alley.
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 requesting a bathroom addition ~ 64 ft ² and the designation of 2 parking spots along the <u>N</u> alley. The duplex will be fenced off from the garage.
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	

5 MIN. RETURN
PHONE # 247-1305

RECORD AND RETURN TO:
Brian Conley
465 Tresca Road
Jacksonville, Florida 32225

Doc# 2003399718
Book: 11519
Pages: 625 - 626
Filed & Recorded
12/10/2003 03:33:34 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 9.00
TRUST FUND \$ 1.50
DEED DOC STAMP \$ 1,395.00

WARRANTY DEED TO TRUSTEE

This WARRANTY DEED made this 20 day of October 2003 by GREG CONLEY, MICHAEL CONLEY & BRIAN CONLEY, hereinafter called the Grantors, to BRIAN CONLEY & MICHAEL CONLEY, Trustees of the 219-221 8th Ave South Realty Trust u/d/t dated October 20, 2003, with full power and authority, to protect, conserve, sell, lease, encumber or otherwise manage and dispose of said property pursuant to Florida Statute 689.071, Grantee, whose post office address is

465 TRESCA RD,
JACKSONVILLE, FL 32225

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantees all the certain land situated in Duval County, Florida, viz:

Address: 219-221 8th Ave South, Jacksonville Beach, Florida

Legal Description: Lot 10, Block 73, Pablo Beach South, according to the plat thereof as recorded in Plat Book 3, page 28, of the current public records of Duval County, Florida.

Parcel Id. # 176070-0000

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

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

AND THE GRANTORS hereby covenants with said Grantees that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land; that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

THE INTERESTS of the beneficiaries under said Trust is personal property. Persons dealing with the Trustees are not obligated to look to the application of purchase monies. The interest of the beneficiaries is solely in the rights, proceeds and avails of Trust Property, not in the title, legal or equitable, of said real estate. The liability of the Trustee under this deed and the Trust Agreement is limited to the assets of the Trust and the Trustees hereunder have no personal liability whatsoever.

PREPARED BY: TIMOTHY J. ERVIN
1 OLDE NORTH ROAD, SUITE 103
CHUMSFORD MA 01824

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

SIGNED, SEALED & DELIVERED:

Witness: [Signature]
John F. Gallant

[Signature]
Greg Conley

Witness: [Signature]
STEPHEN A. HOULD

[Signature]
Michael Conley

Witness: NA

[Signature]
Brian Conley

STATE OF FLORIDA)
) ss:
County of Duval)

October 20, 2003

I hereby certify that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements personally appeared the above-named Greg Conley, Michael Conley and Brian Conley who are personally known to me or have produced a valid Florida Driver's license as identification and who executed the foregoing instrument and they acknowledged the foregoing instrument to be their free act and deed before me.

Witness my hand and official seal in the county and state aforesaid this 20th day of October 2003.

[Signature]
Notary Public:
My Commission Expires  Stephen A Hould
My Commission DD100911
Expires July 6, 2006

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219 221 8TH AVE SOUTH REALTY TRUST
C/O BRIAN CONLEY
 125 LOST BEACH LN
 PONTE VEDRA BEACH, FL 32082
CONLEY MICHAEL
CONLEY BRIAN

Primary Site Address
 219 S 8TH AVE
 Jacksonville Beach FL 32250

Official Record Book/Page
 03482-00635

File #
 9504

219 S 8TH AVE
Property Detail

RE #	176070-0000
Tax District	USD2A
Property Use	0800 Multi-Family Units 2-9
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03201 PABLO BEACH SOUTH
Total Area	6367

Value Summary

	2016 Certified	2017 In Progress
Value Method	CAMA	CAMA
Total Building Value	\$135,199.00	\$150,285.00
Extra Feature Value	\$1,440.00	\$1,440.00
Land Value (Market)	\$218,750.00	\$218,750.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$355,389.00	\$370,475.00
Assessed Value	\$355,389.00	\$370,475.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$355,389.00	See below

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

Taxable Values and Exemptions - In Progress

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

County/Municipal Taxable Value
 No applicable exemptions

SJRWMD/FIND Taxable Value
 No applicable exemptions

School Taxable Value
 No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
03482-00635	3/16/1973	\$27,000.00	WD - Warranty Deed	Unqualified	Improved
04193-00396	7/16/1976	\$35,000.00	WD - Warranty Deed	Unqualified	Improved
05572-01835	10/1/1982	\$68,100.00	WD - Warranty Deed	Unqualified	Improved
06696-00196	4/10/1989	\$15,000.00	WD - Warranty Deed	Unqualified	Improved
06878-01877	3/23/1990	\$100.00	WD - Warranty Deed	Unqualified	Improved
07995-01922	12/9/1994	\$103,500.00	WD - Warranty Deed	Qualified	Improved
09425-01127	9/21/1999	\$212,500.00	WD - Warranty Deed	Qualified	Improved
09440-02206	10/8/1999	\$140,000.00	QC - Quit Claim	Unqualified	Improved
09990-01005	4/30/2001	\$140,000.00	WD - Warranty Deed	Unqualified	Improved
10426-02310	3/25/2002	\$260,000.00	WD - Warranty Deed	Qualified	Improved
11519-00625	10/20/2003	\$199,400.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	DKWR2	Deck Wooden	1	14	11	154.00	\$655.00
2	DKWR2	Deck Wooden	1	14	11	154.00	\$785.00

Land & Legal

Land

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value
1	1000	COMMERCIAL	JC-1	50.00	125.00	Common	6,250.00	Square Footage	\$218,750.00

Legal

LN	Legal Description
1	3-28 04-3S-29E
2	PABLO BEACH SOUTH
3	LOT 10 BLK 73

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Buildings

Building 1
 Building 1 Site Address
 219 S 8TH AVE
 Jacksonville Beach FL 32250

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Element	Code	Detail
Exterior Wall	8	8 Horizontal Lap

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219-221 8th Avenue South
Realty Trust

Michael Conley, Trustee
Brian Conley, Trustee
P.O. Box 94
Ponte Vedra Beach, FL 32004
904-509-0705
bconley125@gmail.com

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March 7, 2017

To whom it may concern:

The 219-221 8th Ave Realty Trust is granting permission for The Playgarden by the Sea to submit an Application for Variance for property:

219-221 8th Avenue South
Jacksonville Beach, FL 32250

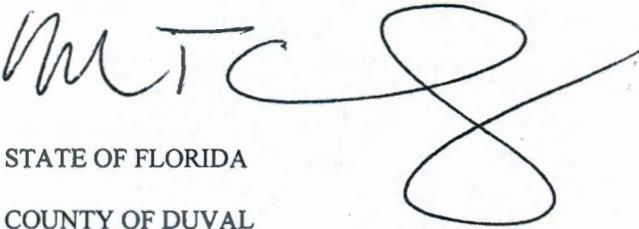
The Application for Variance will address the remodeling of the detached garage with an addition of a bathroom on the southwest corner of the building.

The application will also address the designation of two parking spots north of the detached garage along the alleyway.

We greatly appreciate your consideration for this Variance.

Kindly,

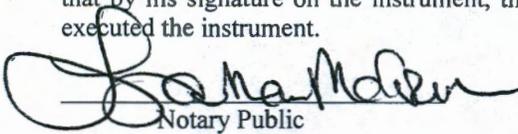
Michael Conley, Trustee



STATE OF FLORIDA

COUNTY OF DUVAL

On the 7 day of March 2017, before me the undersigned, personally appeared **Michael Conley** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

 **LEAH MCCRUM**
MY COMMISSION #FF087447
EXPIRES April 18, 2018
(407) 398-0153 FloridaNotaryService.com

MAP SHOWING BOUNDARY SURVEY OF

LOT 10 BLOCK 73 ACCORDING TO THE PLAT OF

PABLO BEACH SOUTH

AS RECORDED IN PLAT BOOK 3, PAGE(S) 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

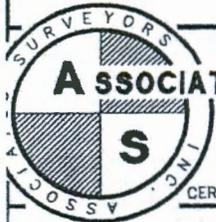
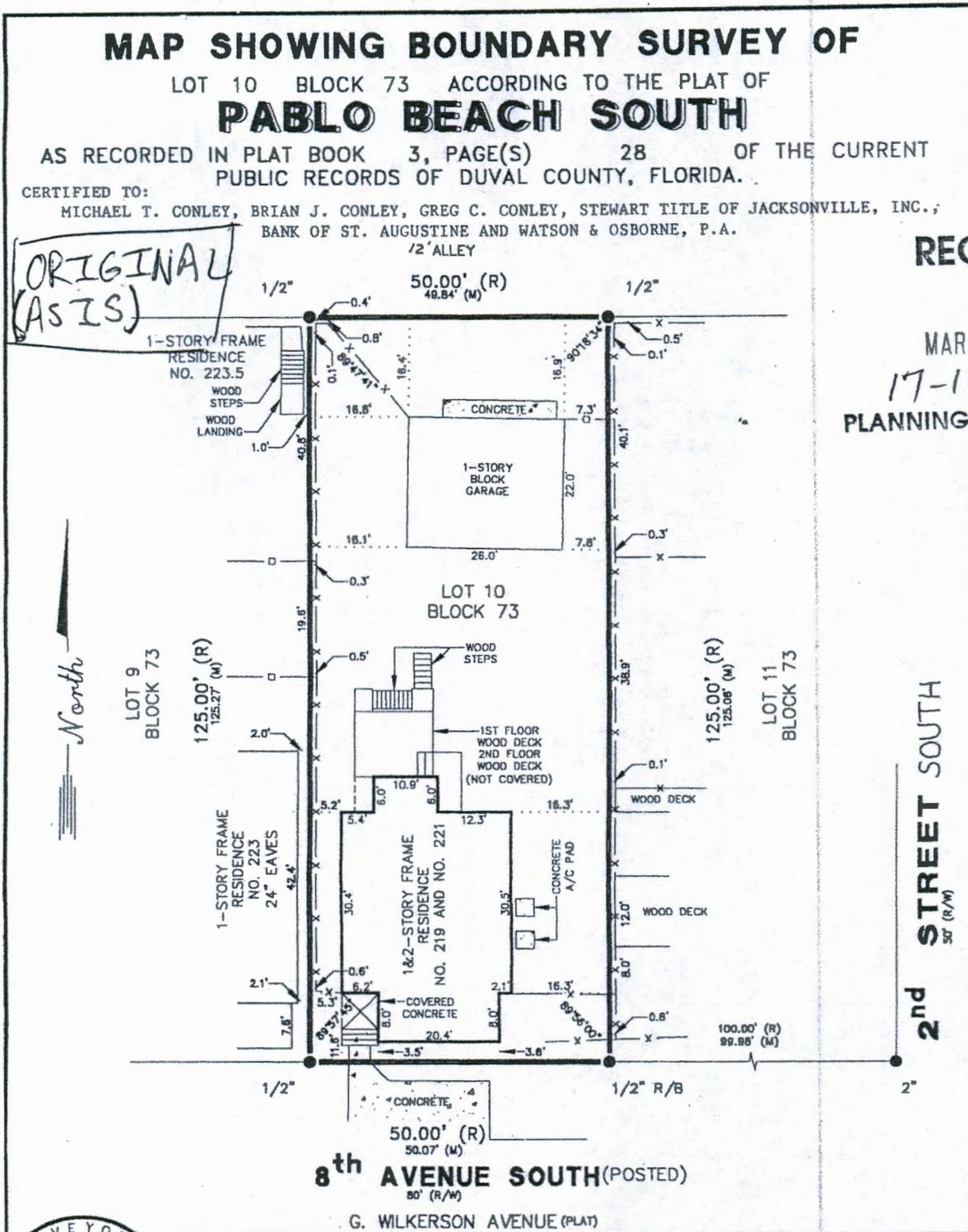
CERTIFIED TO:

MICHAEL T. CONLEY, BRIAN J. CONLEY, GREG C. CONLEY, STEWART TITLE OF JACKSONVILLE, INC.,
BANK OF ST. AUGUSTINE AND WATSON & OSBORNE, P.A.
1/2 ALLEY

ORIGINAL
(AS IS)

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ASSOCIATED SURVEYORS INC.

LAND & ENGINEERING SURVEYS

3846 BLANDING BOULEVARD
JACKSONVILLE, FLORIDA 32210
904-771-6468

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATION CODE, CHAPTER 472, F.S.

BY: *Raymond J. Schaefer*
CHARLES B. HATCHER FLORIDA CERTIFICATE NO. 3771
CHARLES L. STARLING FLORIDA CERTIFICATE NO. 4579
RAYMOND J. SCHAEFER FLORIDA CERTIFICATE NO. 6132

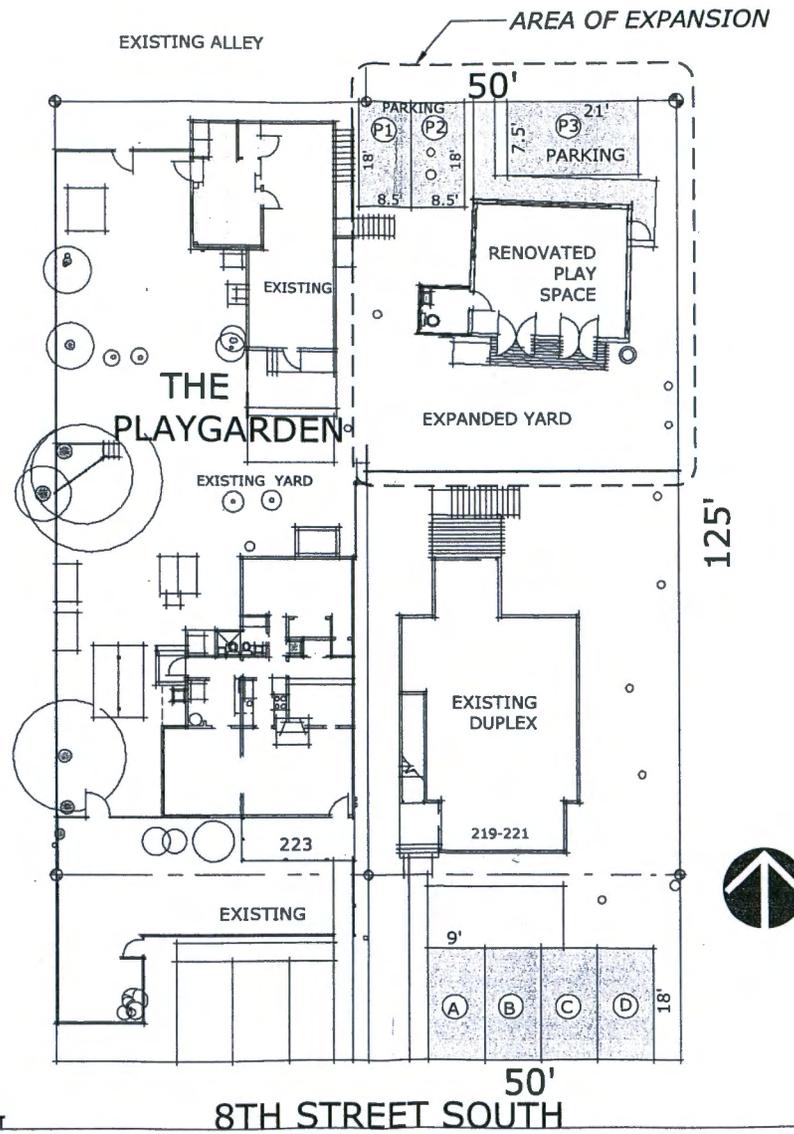
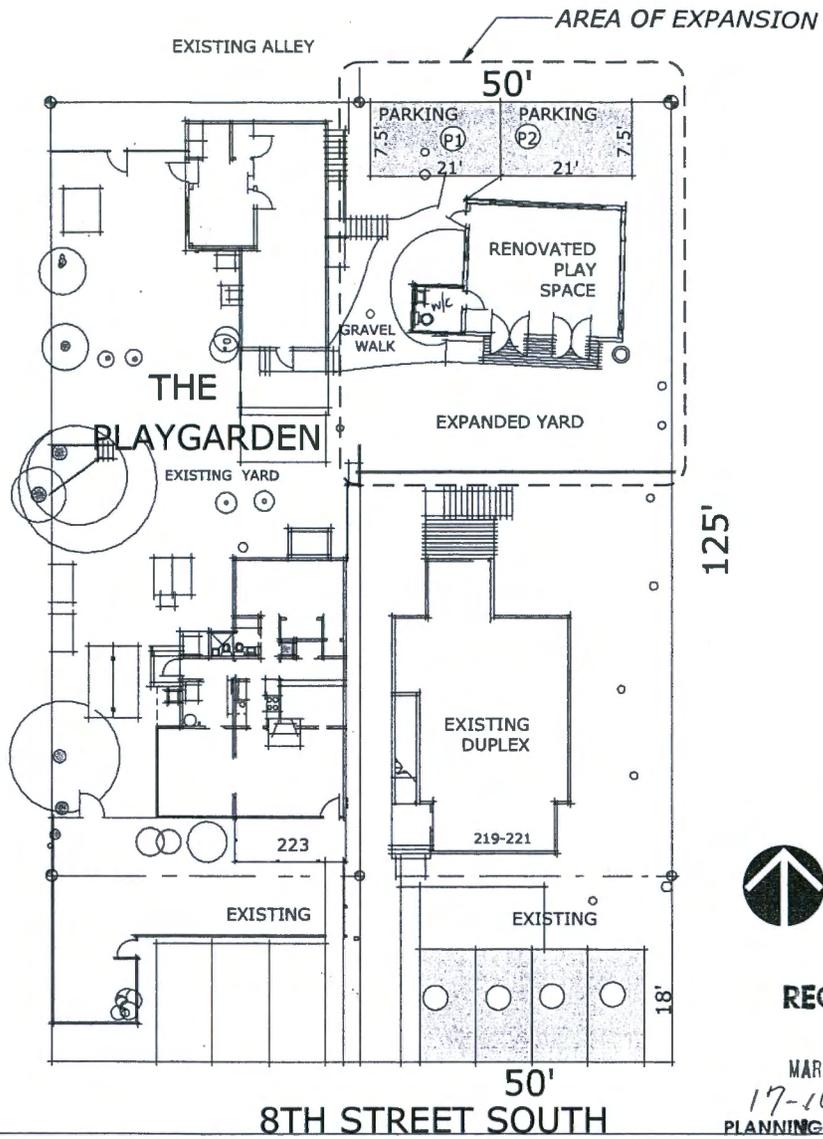
JOB NO. 30444
SCALE: 1" = 20'

DATE 03-06-2002
DRAFTER C. MUNGOVAN JR.

GENERAL NOTES:

- ANGLES AS SHOWN ON THIS SURVEY
- STRUCTURE NO. 219, 221 SHOWN HEREON LIES WITHIN FLOOD ZONE X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 1 DATED 04/17/1989.
- THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
- JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
- THIS SURVEY WAS BASED ON LEGAL DESCRIPTIONS FURNISHED AND THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE, COVENANTS OR RESTRICTIONS THAT MAY AFFECT THIS PARCEL.
- UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND/ABBREVIATIONS		(R) = RECORD
○ = SET IRON PIPE (SIP) MARKED "ASSOC. SURVEY" OR L.B. 5488	P.C. = POINT OF CURVE	(M) = MEASURED
● = FOUND IRON PIN OR PIPE (FIP)	P.T. = POINT OF TANGENCY	Δ = CENTRAL ANGLE
■ = FOUND CONCRETE MONUMENT (FCM)	C/L = CENTERLINE	L = ARC LENGTH
X = CROSS CUT OR DRILL HOLE	R/B = REBAR	R = RADIUS
P.R.C. = POINT OF REVERSE CURVE	R/W = RIGHT OF WAY	C = CHORD
P.C.C. = POINT OF COMPOUND CURVE	W-W = WIRE FENCE	⊙ = WATER METER
B.R.L. = BUILDING RESTRICTION LINE	D-O = WOOD FENCE	⊕ = WELL
(ORB) = OFFICIAL RECORDS BOOK	CONC. = CONCRETE	☆ = STREET LIGHT
(ORV) = OFFICIAL RECORDS VOLUME	X-X = CHAINLINK FENCE	ET = ELECTRIC TRANSFORMER
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY	□ = UTILITY POLE	PE = POOL EQUIPMENT
	-OU- = OVERHEAD UTILITIES	



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SCHEME "A" SCALE 1'=20'-0"

SCHEME "B" SCALE 1'=20'-0"

In by 3-1 for 9-18



APPLICATION FOR VARIANCE

BOA No. 17-100039

HEARING DATE 4-18-2017

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

REQUIRED DOCUMENTATION

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

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APPLICANT INFORMATION

Applicant Name: James C. Wallace, Jr Telephone: 904-574440
 Mailing Address: 1887-1 Beach Avenue E-Mail: claywall@hotmail.com
Atlantic Beach, FL 32233
 Agent Name: Lisa Pelkey Telephone: 904-521-4858
 Mailing Address: 1887 Beach Ave E-Mail: sealevelbuilding@gmail.com
Atlantic Beach, FL 32233
 Landowner Name: James C. Wallace, Jr & Jennifer P. Telephone: 904-521-4895
 Mailing Address: 1887-1 Beach Avenue E-Mail: claywall@hotmail.com
Atlantic Beach, FL 32233

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: 807 15th Avenue South, Jax Beach
 Legal description of property (Attach copy of deed): lot 11, Block 149 Oceanside Park
 Justification for Variance: (State the hardship that is created by the application of the code to the property). (Attach a separate sheet if necessary). Please see attached sheet

176906-0015

Applicant's Signature: [Signature] Date of Application: 3/6/17

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: X
 CODE SECTION (S): 34-337(e)(1) for 44% lot coverage in lieu of 35% maximum,
to allow swimming pool and deck addition and driveway improvements
to a single-family dwelling.

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 17-100039

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.	yes	MAR - 7 2017 PLANNING & DEVELOPMENT
Special circumstances and conditions do not result from the actions of the applicant.	yes	Platted substandard lot of recon
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	others have received similar variances
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	others have received similar variances
Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.	yes	Just trying to keep my kids away from speeding traffic on street
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	

Prepared by:

The Law Offices of Rod Schloth, P.A.
2187 South Third Street
Jacksonville Beach Florida 32250
File #: RS16-4084

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Record and return to:
James C. Wallace, Jr. and Jennifer P. Wallace
815 15th Avenue South
Jacksonville Beach, Florida 32250

General Warranty Deed

Made this July 27, 2016 A.D. By George Santayana, and Ann T. Santayana, husband and wife, whose address is: 1886 Beach Avenue, Atlantic Beach, Florida 32233, hereinafter called the grantor, to James C. Wallace, Jr., and Jennifer P. Wallace, husband and wife, whose address is: 815 15th Avenue South, Jacksonville Beach, Florida 32250, hereinafter called the grantee:

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

Witnesseth, that the grantor, for and in consideration of the sum of One Hundred Eighty Eight Thousand dollars & no cents, (\$188,000.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

Lot 11, Block 149, OCEANSIDE PARK, a subdivision according to the plat thereof recorded at Plat Book 8 page 13 in the Public Records of Duval County, Florida.

Parcel ID Number:

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2015.

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

Signed, sealed and delivered in our presence:

Glenda M. Carter
Witness Printed Name GLENDAM. CARTER

George Santayana (Seal)
George Santayana
Address: 1886 Beach Avenue, Atlantic Beach, Florida 32233

Carlita Senzo
Witness Printed Name Carlita Senzo

Ann T. Santayana (Seal)
Ann T. Santayana
Address:

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 27th day of July, 2016, by George Santayana, and Ann T. Santayana, husband and wife, who is/are personally known to me or who has produced DRIVERS LICENSE as identification

~~GE. SCHLOTH
Commission # FF 076916
Expires January 24, 2018
Bonded This Tray File Insurance 800-385-7018~~

Notary Public
Print Name: GLENDAM. CARTER
My Commission Expires: _____

GLENDAM. CARTER
Commission # FF 021638
Expires May 27, 2017
Bonded This Tray File Insurance 800-385-7018

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Board of Adjustment

City of Jacksonville Beach

Dear Members:

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My wife and I are requesting a variance to pour a solid driveway and eliminate the stripped driveway for our new home as shown on the site plan. This would allow our children more area for outside activities away from the street. We are concerned for their safety due to the excessive speeding on 15th Avenue South and want to keep them from playing near the street. 15th Avenue South is used as a cut-through from 3rd Street to 9th Street by many people.

Please take into consideration the concerns I have of wanting an area for my children to play other than the street.

We are also requesting permission to add a small area of pavers from my lanai to the pool area.

Sincerely,



James C. Wallace, Jr.

2,189 sq. ft./6,248 sq. ft. lot =35% lot coverage as shown on plans

Requesting additional 130 sq. ft. for solid driveway in lieu of stripped driveway

Requesting additional 317 sq. ft. for pavers from lanai to pool

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2,189+130+317=2,636 sq. ft. of coverage

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2,636 sq. ft./6,248 sq. ft. lot =42.2% impervious coverage requested through variance.

If Lot 11 was not a sub-standard lot, we would be at 35.1% impervious coverage without requesting a variance.

2,636 sq. ft./7,500 sq. ft. lot+35.1%

(8) Golf courses. (Regulation golf courses only).

(9) Child day care services, including kindergartens when operated on the same site as and in conjunction with a religious organization.

(e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the RS-2 zoning district.

(1) *Single family dwelling unit.*

a. *Minimum lot area:* Seven thousand five hundred (7,500) square feet.

6,250 #

b. *Minimum lot width:* Seventy-five (75) feet at the building line and a minimum of thirty-five (35) feet at the street.

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c. *Minimum yards:*

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1. *Front yard:* Twenty (20) feet.

2. *Side yard:* Fifteen (15) feet in total for both side yards provided the side yards are (5) feet, except when the lot is a corner lot. For a corner lot, the side yard on the corner shall be twenty (20) percent of the lot width or ten (10) feet, whichever is greater, except the side yard is never required to exceed twenty (20) feet.

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3. *Rear Yard:* Thirty (30) feet.

d. *Floor area:* A single family dwelling unit shall contain a minimum of one thousand two hundred (1,200) square feet of conditioned living area and a one (1) car garage or carport. The garage or carport shall not be included as part of the single family dwelling unit's minimum square footage.

e. *Maximum lot coverage:* Thirty-five (35) percent.

f. *Height:* Thirty-five (35) feet.

g. *Accessory structures:* All accessory structures shall be located a minimum of five (5) feet from any property line or principal or accessory structures.

(2) *Public and private parks, playgrounds and recreational facilities:* There are no minimum dimensional standards for public and private parks, playgrounds and recreational facilities.

(f) *Off-street parking and loading.* The off-street parking and loading standards for the RS-2 zoning district are found in Article VIII, Division 1.

(g) *Supplemental standards.* The supplemental standards for the RS-2 zoning district are found in Article VIII, Division 2.

(h) *Landscape standards.* The landscape standards for the RS-2 zoning district are found in Article VIII, Division 3.

(i) *Sign standards.* The sign standards for the RS-2 zoning district are found in Article VIII, Division 4.

(j) *Environmental standards.* The environmental standards for the RS-2 zoning district are found in Article VIII, Division 5.

March 8, 2017

Board of Adjustment

City of Jacksonville Beach

I hereby authorize Lisa S. Pelkey to act as my agent for any matters regarding my variance application for 807 15th Avenue South, Jacksonville Beach, FL - Lot 11 Block 149, Oceanside Park submitted March 7, 2017.

Sincerely,



James C. Wallace, Jr.

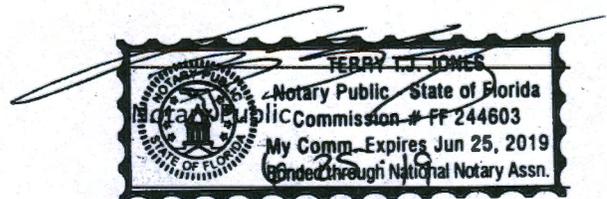
State of Florida

County of Duval

The foregoing instrument was acknowledged before me this 8th day of March, 2017 by James C. Wallace, Jr. who is personally known to me or who has produced drivers license as identification.

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MAR 14 2017



My Commission Expires:

Proposed Pool

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IMPERVIOUS LOT COVERAGE

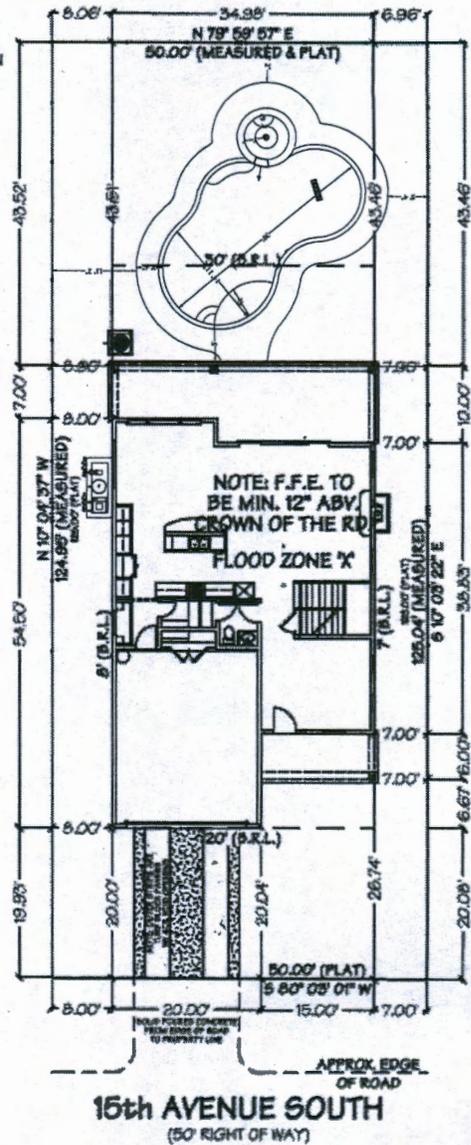
LOT S.F.	6,540 S.F.
HOUSE FOOTPRINT S.F.	2,028 S.F.
CENTER STRIP OF DRIVEWAY	80 S.F.
OUTER STRIPS OF DRIVEWAY	50 x 2 = 100 * 80 = 8,000 S.F.
TOTAL IMPERVIOUS COVERAGE	2,028 / 6,540 = 31.2%
ALLOWED IMPERVIOUS COVERAGE	5% S.F.

A FOUNDATION SURVEY SHALL BE PERFORMED AND A COPY OF THE SURVEY SHALL BE ON THE SITE FOR THE BUILDING INSPECTORS USE PRIOR TO FRAMING INSPECTION

Pool deck is 317 sq ft



LOT 11 BLK 149
OCEANSIDE PARK
AS RECORDED IN PLAT BOOK 8, PAGE 13 OF THE
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



IMPERVIOUS LOT COVERAGE

LOT S.F.	6,240 S.F.
HOUSE FOOTPRINT S.F.	2,063 S.F.
CENTER STRIP OF DRIVEWAY	80 S.F.
OUTER STRIPS OF DRIVEWAY	$30 \times 2 = 60 \times 60\% = 36$ S.F.
TOTAL IMPERVIOUS COVERAGE	$2,199 / 6,240 = 35.0\%$
ALLOWED IMPERVIOUS COVERAGE	$3 = \dots$ S.F.

A FOUNDATION SURVEY SHALL BE PERFORMED AND A COPY OF THE SURVEY SHALL BE ON THE SITE FOR THE BUILDING INSPECTORS USE PRIOR TO FRAMING INSPECTION



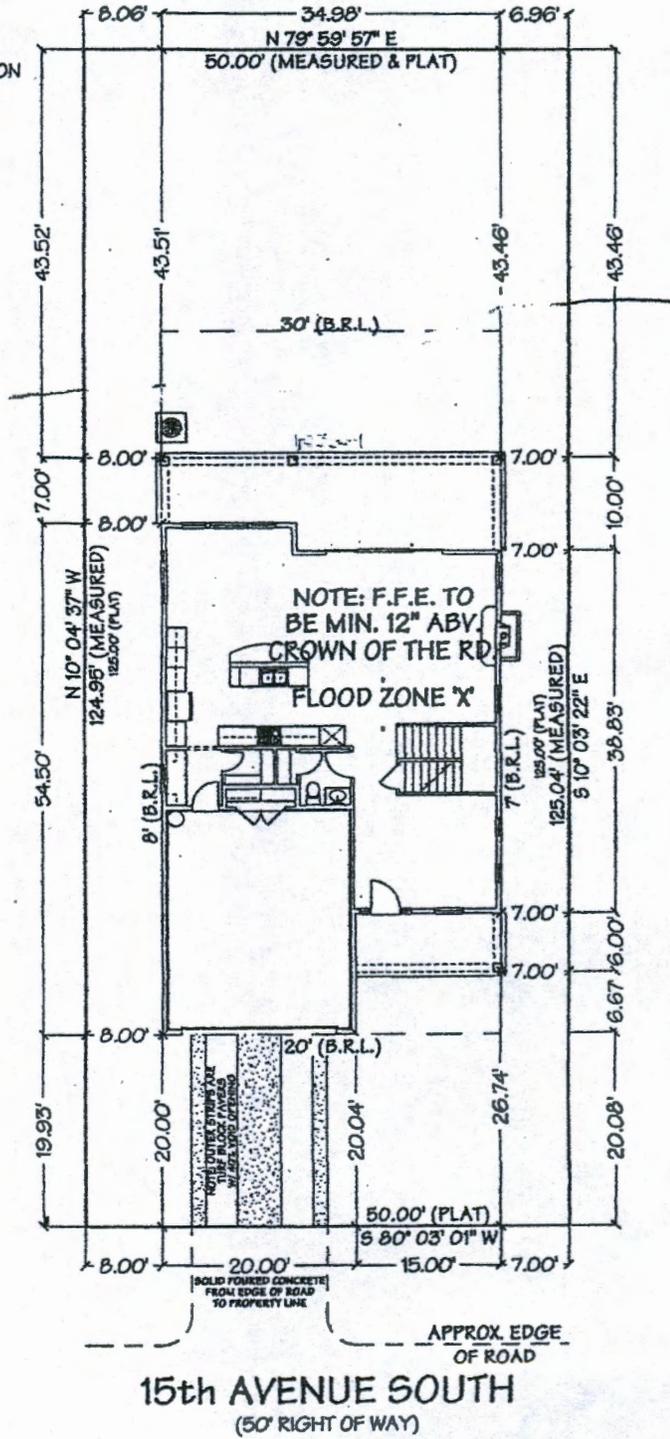
SITE PLAN
SCALE: 1" = 20'-0"

LOT 11 BLK 149
OCEANSIDE PARK

AS RECORDED IN PLAT BOOK 8, PAGE 13 OF THE
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

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