



Agenda

Board of Adjustment

Tuesday, February 4, 2020

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

Francis Reddington (Chairperson), Scott Cummings (Vice-Chairperson), John Moreland, Sylvia Osewalt, Jeff Truhlar
Alternates: Daniel Janson, Alexi Gonzalez

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

- a. Regular Board of Adjustment Meeting held January 7, 2020

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- a. **Case Number:** **BOA#19-100218**
 Applicant/Owner: Darin Pobst
 Property Address: 3971 Palm Way
 Parcel ID: 181378-0000
 Legal Description: Lot 14, Block 12, *Ocean Terrace*
 Current Zoning: RS-1
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 49.2% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 2.3 feet in lieu of 5 feet minimum to allow for a pool and paver patio addition to an existing single-family dwelling
 Miscellaneous Info: No previous variance requests

Notes: _____

- b. **Case Number:** **BOA#19-100219**
 Applicant/Owner: Pamela Cosgrove
 Property Address: 117 7th Avenue South
 Parcel ID: 176026-0060
 Legal Description: the North 35 feet of the East ½ of Lot 7, together with the West 37 feet of Lot 9, Block 62, *Pablo Beach South*
 Current Zoning: RM-2 (per RS-3 Standards)
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)c.1, for a front yard setback of 13 feet on the ground and 7 feet on the 2nd and 3rd stories for covered cantilevered decks both in lieu of 20 feet required; 34-338(e)(1)c.2, for a westerly side yard setback of 4 feet in lieu of 5 feet minimum and total side yard setbacks of 11 feet in lieu of 15 feet required; and 34-338(e)(1)e, for 45% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling
 Miscellaneous Info: One previously approved variance request not applicable to this case. Conditional use approved for an existing single-family dwelling (PC#6-19). One previously denied variance request (BOA#19-100127)

Notes: _____

- c. **Case Number:** **BOA#19-100220**
Applicant: Shannon (Devlin) Stanford
Owner: Shannon Devlin and Gregory Stanford
Property Address: 22 10th Avenue North
Parcel ID: 174515-0000
Legal Description: the east ½ of Lot 6, Block 101, *Florida Land Investment Company's Re-Subdivision of Blocks 101 & 111 Pablo Beach North*
Current Zoning: RM-2
Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-340(e)(3)c.1, for a front yard of 2 feet in lieu of 20 feet required; 34-340(e)(3)c.2, for an easterly side yard of 2 feet in lieu of 10 feet minimum; 34-340(e)(3)c.3, for a rear yard of 2 feet in lieu of 30 feet minimum; 34-340(e)(3)e, for 88% lot coverage in lieu of 65% maximum; 34-340(e)(3)g, for an accessory structure of 0 feet in lieu of 5 feet minimum; 34-373(d), for a parking area of 0 feet in lieu of 5 feet minimum and 34-377, for 3 parking spaces in lieu of 4 parking spaces required, all to rectify existing non-conformities of a multiple-family zoned property
Miscellaneous Info: One previously approved variance request (BOA#43-2002) and one previously denied variance request (BOA#13-100165)

Notes: _____

- d. **Case Number:** **BOA#19-100223**
Applicant: Pam Joiner, Manager
Owner: Soloma, LLC.
Property Address: 7 San Pablo Circle North
Parcel ID: 178258-0000
Legal Description: Lot 15, Block 4, *San Pablo Manor*
Current Zoning: RS-1
Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-373(d), for a parking area setback of 3.5 feet in lieu of 5 feet minimum to rectify an existing non-conformity resulting from a driveway replacement at an existing single-family dwelling
Miscellaneous Info: No previous variance requests

Notes: _____

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, February 18, 2020. There are two scheduled cases.

ADJOURNMENT**NOTICE**

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

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

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

**Minutes of Board of Adjustment Meeting
held Tuesday, January 7, 2020, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Francis Reddington called the meeting to order.

ROLL CALL

Chairperson: Francis Reddington
Vice-Chairperson: Scott Cummings
Board Members: Sylvia Osewalt John Moreland
Alternates: Dan Janson Alexi Gonzalez

Building Official George Knight was also present.

EX PARTE COMMUNICATION: *None*

APPROVAL OF MINUTES:

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

- December 3, 2019

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

A. **Case Number:** **BOA#19-100199**
Applicant/Owner: Tommy Tam
Agent: Carl Shea
Property Address: 818 4th Street South

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c.1, for a front yard of 9.8 feet in lieu of 20 feet; 34-337(e)(1)c.3, for a rear yard of 6.8 feet in lieu of 30 feet required; and 34-337(e)(1)e, for 52% lot coverage in lieu of 35% maximum to allow for substantial improvements to an existing single-family dwelling.

Applicant/Owner: Tommy Tam, 818 4th Street South, Jacksonville Beach, said his plan would not increase the footprint; he would only construct a second floor.

Public Hearing:

The following spoke in support of the application:

- Charlie and Carla Irle, 307 9th Avenue South, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

Ms. Osewalt was concerned about the 52% lot coverage. Mr. Moreland stated 52% lot coverage variances with pre-existing conditions had been granted in the past. He also advised if this lot were standard in size, the lot coverage would be less than the 35% maximum. Mr. Janson noted the Applicant only intended to build a second floor inside the current footprint of the home.

Motion: It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA#19-100199 as presented and discussed.

Roll Call Vote: Ayes – Scott Cummings, John Moreland, Sylvia Osewalt, Dan Janson and Francis Reddington
The motion was approved 5-0.

B. Case Number: BOA#19-100206

Applicant/Owner: Matthew Feldhammer and Sarah Pickles

Property Address: 3869 Grande Boulevard

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 49.8% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Applicant/Owner: Matthew Feldhammer, 3869 Grande Boulevard, Jacksonville Beach, stated the hardship is the sub-standard lot size. It is 6,630 square feet and 50 feet wide instead of the standard 10,000 square feet and 90 feet wide. The current lot coverage is 48.3%, and he is requesting a 1.5% increase (99 square feet).

Public Hearing:

No one came before the Board to speak about this case.

Mr. Reddington closed the public hearing.

Discussion:

Discussion ensued, and the Board Members agreed this was a reasonable request as the lot is substandard in size.

Motion: It was moved by Ms. Osewalt, seconded by Mr. Janson, to approve BOA#19-100206, as discussed and presented.

Roll Call Vote: Ayes – John Moreland, Sylvia Osewalt, Scott Cummings, Dan Janson, and Francis Reddington
The motion was approved unanimously.

- C. Case Number:** BOA#19-100207
Applicant: Mark Whittle
Owner: Mark and Deborah Whittle Life Estate
Property Address: 3477 3rd Street South

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 45.7% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Applicant: Mark Whittle, 3477 3rd Street South, Jacksonville Beach, said the hardship is the lot size of 5,939 square feet. He stated the current lot coverage is 38.5%.

Public Hearing:

No one came before the Board to speak about this case.
Mr. Reddington closed the public hearing.

Discussion:

Board members did not object to the request.

Motion:

It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve BOA#19-100207, as presented and discussed.

Roll Call Vote:

Ayes – Sylvia Osewalt, Scott Cummings, John Moreland, Dan Janson, and Francis Reddington
The motion was approved unanimously.

- D. Case Number:** BOA#19-100208
Applicant/Owner: Mary Jessica Rowe
Agent: Steve Jarrett
Property Address: 119 6th Avenue South

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)c.2, for an easterly side yard of 4.7 feet and a westerly side yard of 6.5 feet each in lieu of 10 feet minimum and 34-340(e)(3)c.3, for a rear yard of 15 feet in lieu of 30 feet required to allow for a dwelling unit addition to an existing multiple-family zoned property.

Agent: Steve Jarrett, 3741 1st Street South, Jacksonville Beach, stated the front and side setbacks were already in existence. He said they had reoriented the mother-in-law's quarters because it would have been too expensive to build it where they originally planned. They now needed the variance for the rear setback only for 15 feet instead of the required 30 feet.

Architect: Scott Rae, 345 South Roscoe Boulevard, Ponte Vedra Beach, stated the hardship was the adjacent multi-story buildings were built "at that setback or beyond." The new orientation would allow the main house and mother-in-law's quarters to share a common yard between them, affording privacy. Ms. Oswalt did not believe this was a hardship and recalled previously the side yards had been approved, but the requests for the rear and front yards had been denied because this is a conforming lot; the property did not create a hardship.

Public Hearing:

The following spoke in opposition to the application:

- Chris Cenci, 123 6th Avenue South, Unit A, Jacksonville Beach
- Mensur Molla, 123 6th Avenue South, Unit B, Jacksonville Beach
- Barbara Warwick, 123 6th Avenue South, Unit C, Jacksonville Beach

The following opposed the application, but preferred not to speak:

- Paul Vetter, 123 6th Avenue South, Unit C, Jacksonville Beach

Mr. Reddington read a letter (on file) sent by the following, who opposed the request:

- Dalene S. Byrd, 123 6th Avenue South, Unit A, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

Board members agreed there was no hardship.

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to reject BOA#19-100208.

Roll Call Vote: Ayes –Scott Cummings, John Moreland, Sylvia Osewalt, Dan Janson and Francis Reddington
The motion to deny BOA#19-100208 was approved 5-0.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Wednesday, January 22, 2020**. There are two scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 7:48 P.M.

Approval:

Chairperson

Date



APPLICATION FOR VARIANCE

BOA No. 19-100218HEARING DATE 2/4/20

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

DEC 13 2019

APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Darin Pobst Telephone: 904.994-4905
 Mailing Address: 3971 Palm Way E-Mail: pobst.darin@gmail.com
Jacksonville Beach, FL 32250
 Agent Name: _____ Telephone: _____
 Mailing Address: _____ E-Mail: _____
 Landowner Name: same as above Telephone: _____
 Mailing Address: _____ E-Mail: _____

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

VARIANCE DATA

Street address of property AND Real Estate Number: 3971 Palm Way / 1368906.0000
 Legal description of property (Attach copy of deed): Lot 17, Block 12, Ocean Terrace
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
see attached

AFFIDAVIT

I, Darin Pobst, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

D. Pobst
 APPLICANT SIGNATURE

Darin Pobst
 PRINT APPLICANT NAME

11-Dec-2019
 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 11 day of December, 2019 by Darin Pobst, who is personally known to me or has produced _____ as identification.

[Signature]
 NOTARY PUBLIC SIGNATURE

Kevin H. Hoelzer
 PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

| | |
|--|----------------------|
| CURRENT ZONING CLASSIFICATION: <u>RS-1</u> | FLOOD ZONE: <u>X</u> |
| CODE SECTION (S): <u>34-336(e)(1)e. for 49.2% lot coverage in lieu of 35% maximum and 34-336(e)(1)g. for an accessory structure setback of 2.3 feet in lieu of 5 feet minimum to allow for a pool and paver patio addition to an existing single-family dwelling</u> | |
| | |
| | |
| | |

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100218

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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.

DEC 13 2019

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

PLANNING & DEVELOPMENT

| Standard | Applies? Yes/No | Circumstances/ Explanation |
|--|--------------------|---|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district. | N | |
| Special circumstances and conditions do not result from the actions of the applicant. | N | |
| 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. | N | |
| 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. | N | |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. | Y | For improvement to land property and improve property value. |
| Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land. | Y | Similar variance have been given in the area. |

Proposal:

The applicants are proposing to construct a 14' x 28' in-ground swimming pool & spa. The previous deck and hot tub will be removed for the pool & spa installation. The distance setback from the edge of the pool to the east side of the property is 2.3'. Impervious calculation increases from 47.1% to 49.2% with the new construction. The new construction / impervious calculations are very similar to their next-door neighbors which have identical houses with very similar lots. Both lots are undersized which does not allow a deck to safely navigate around pool to stay within the lot restrictions. Their address is 3967 Palm Way.

Picture below.

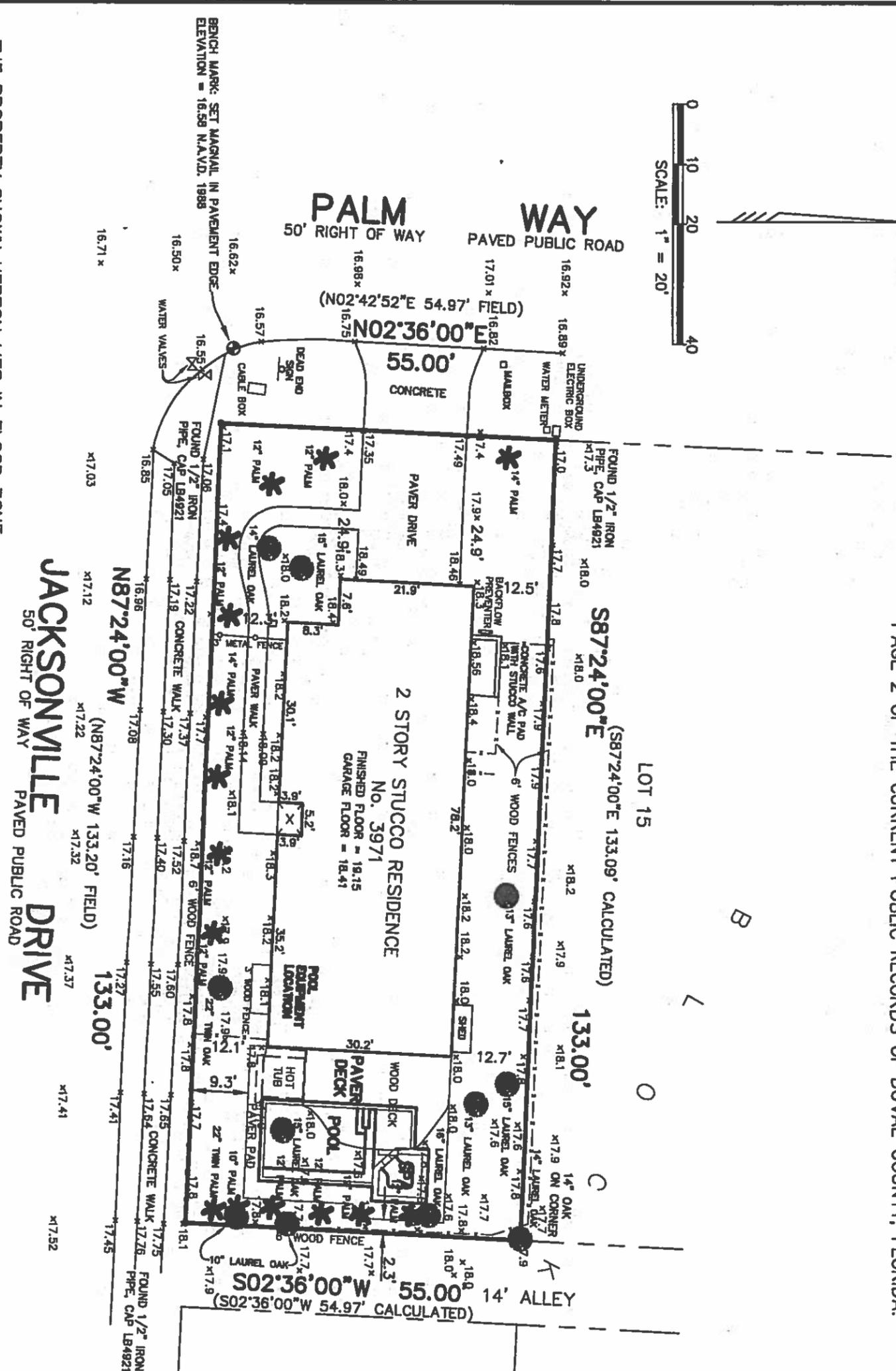
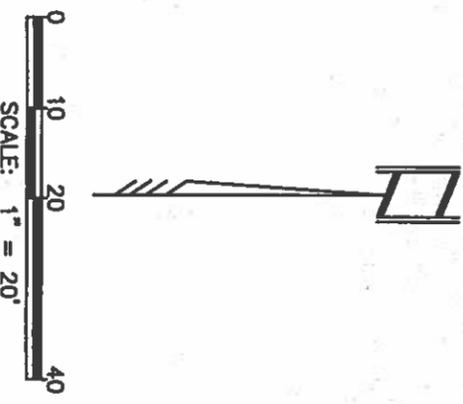


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BOA# 19-100218
PLANNING & DEVELOPMENT

PLOT PLAN OF

LOT 14, BLOCK 12, OCEAN TERRACE AS RECORDED IN PLAT BOOK 10,
PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



IMPERVIOUS CALCULATIONS:

| | |
|-----------------------------|--------------------|
| LOT AREA | = 7315 square feet |
| EXISTING: | |
| HOUSE AREA | = 2278 square feet |
| PAVERS | = 734 square feet |
| CONCRETE | = 71 square feet |
| SHED | = 24 square feet |
| WOOD DECK | = 337 square feet |
| TOTAL IMPERVIOUS | = 3444 square feet |
| | = 47.1% |
| PROPOSED IMPERVIOUS: | |
| TOTAL ABOVE | = 3444 square feet |
| REMOVE WOOD DECK | = 337 square feet |
| REMOVE SPA PAD | = 70 square feet |
| ADJUSTED IMPERVIOUS | = 3037 square feet |
| ADD POOL DECKING | = 563 square feet |
| TOTAL PROPOSED IMPERVIOUS | = 3600 square feet |
| | = 49.2% |

- NOTES**
1. THIS IS A PLOT PLAN.
 2. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 14, BLOCK 12 BEING NORTH 87°24'00" WEST, AS PER PLAT.
 3. NO BUILDING RESTRICTION LINES PER PLAT.
 4. BENCH MARK ELEVATION ESTABLISHED FROM MAGNAIL IN THE EAST EDGE OF PAVEMENT AT THE NORTH LINE OF LOT 18, BLOCK 8 (3881 PONCIANNA BOULEVARD) AS SET BY GPS OBSERVATIONS USING SPECTRA PRECISION EPOCH 50, RUNNING TRIMBLE VRS SOFTWARE. ELEVATION = 16.61 N.A.V.D. 1988 BOUNDARY DATA AS PER SURVEY BY THIS FIRM UNDER WORK ORDER 2019-1659.
 5. FIRM UNDER WORK ORDER 2019-1659.

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19-100218
PLANNING & DEVELOPMENT

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" (AREA OF MINIMAL FLOOD HAZARD) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 121031C0419J, REVISED NOVEMBER 7, 2018 FOR DUVAL COUNTY, FLORIDA.

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

CHECKED BY: _____
DRAWN BY: SMC

FILE: 2019-1709

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE: DECEMBER 13, 2019
SHEET 1 OF 1

THIS MAP WAS MADE FOR THE BENEFIT OF LUKE MORRIS and JESSICA R. MORRIS.
DONN V. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672



APPLICATION FOR VARIANCE

BOA No. 19-100219
HEARING DATE 2/4/20

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

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APPLICANT INFORMATION

Applicant Name: Pamela Cosgrove Telephone: (904) 635-2658 PLANNING & DEVELOPMENT
 Mailing Address: 117 7th Avenue South E-Mail: pamela.cosgrove@comcast.net
Jacksonville Beach, FL 32256

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

Landowner Name: Pamela Fellabaum (maiden name) Telephone: same as above
 Mailing Address: same as above E-Mail: same as above

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 Real Estate Number: 117 7th Avenue South RE#176026-0060
 Legal description of property (Attach copy of deed): West 37 feet Lot 9 Block 62 Pablo Beach South
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Requesting 45% lot coverage in lieu of 35% to build a single family home.
Requesting a side yard setback of 10' in lieu of 15' total. One side yard is to be 4' in lieu of 5' minimum.
Requesting a ground floor front yard of 13' in lieu of 20' and for a 2nd floor or higher front yard of 7' in lieu of 20'

AFFIDAVIT

I, Pamela Cosgrove, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

Pamela Cosgrove _____ Pamela Cosgrove _____ 12/17/19 _____
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:
 Sworn to and signed before me this 17th day of December, 2019 by Pamela Cosgrove, who
 is personally known to me or has produced _____ as identification.

[Signature] _____ Chandra Medford _____
 NOTARY PUBLIC SIGNATURE PRINT NOTARY NAME
 (Affix Notary Seal)  CHANDRA MEDFORD
 Commission No. GG 283199
 Expires December 21, 2022
 Notary Public State of Florida

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RM-2 (per RS-3 Std) FLOOD ZONE: X-Shaded

CODE SECTION (s): _____
34-338(e)(1)c.1, for a front yard setback of 13 feet on the ground and 7 feet on the 2nd and 3rd stories for covered cantilevered decks both in lieu of 20 feet required; 34-338(e)(1)c.2, for a westerly side yard setback of 4 feet in lieu of 5 feet minimum and total side yard setbacks of 11 feet in lieu of 15 feet required; and 34-338(e)(1)e, for 45% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100219

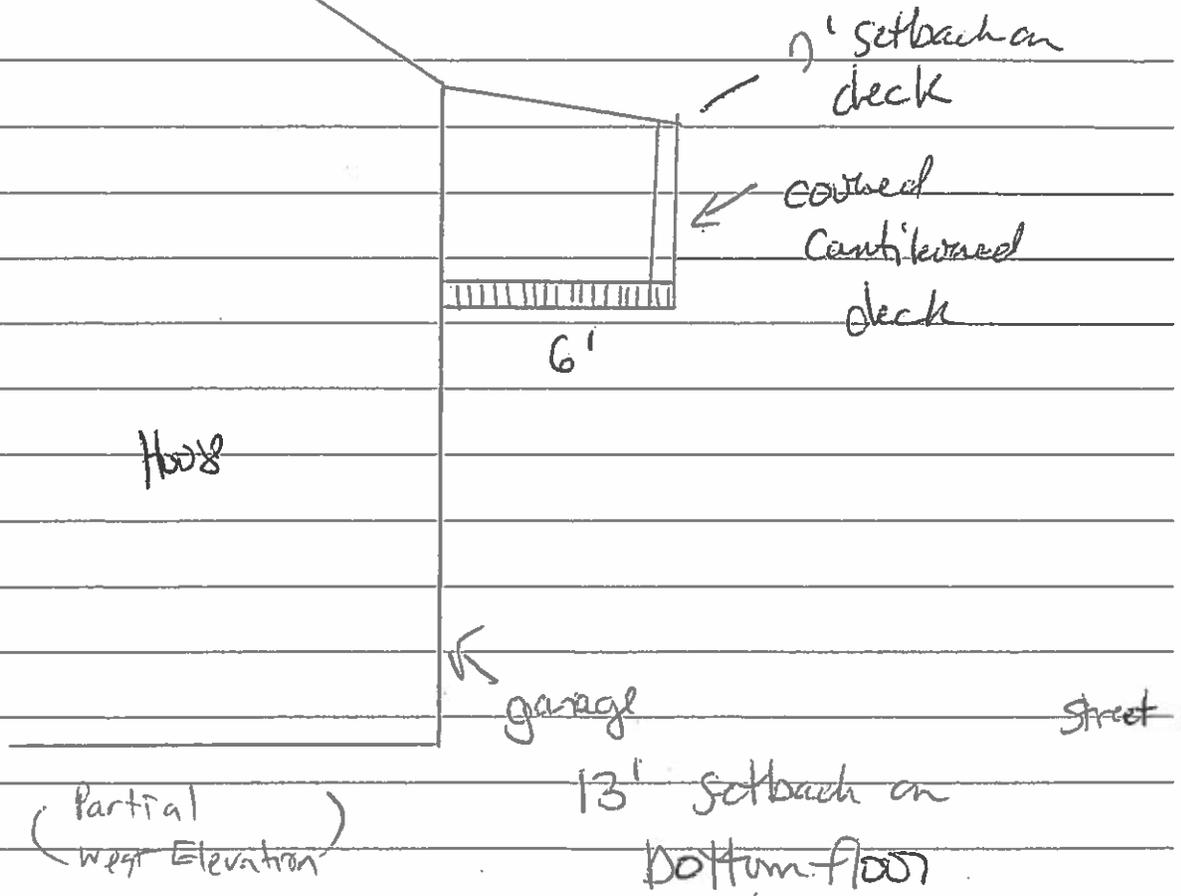
Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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 | Lot is undersized. RECEIVED |
| Special circumstances and conditions do not result from the actions of the applicant. | No | DEC 17 2019 PLANNING & DEVELOPMENT |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district. | No | Many other homes in the neighborhood do not comply with setbacks or lot coverage. |
| 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 | All of the homes on the same side of the block do not meet the front yard setbacks. New home is to be built in same location as existing home with regards to front yard setbacks. Variances have been granted to many other homes in the neighborhood. |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. | Yes | Lot is undersized and variance granted will allow a reasonable home to be built. |
| 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 | New home is to be built in approximately the same location as the existing home. Granting of the variance will enhance neighborhood and enhance property values of surrounding homes. |

Side view of front of house



(Partial West Elevation)

M 12-20-19

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DEC 17 2019

BOA 19-100219
PLANNING & DEVELOPMENT

117 7th Ave South
Cosgrove



CERTIFIED MAIL# 7017 3040 0000 2086 0644

August 21, 2019

RECEIVED

DEC 17 2019

BOA 19-100219

PLANNING & DEVELOPMENT

Pamela (Fellabaum) Cosgrove
117 7th Avenue South
Jacksonville Beach, FL 32250

RE: BOA#19-100127
117 7th Avenue South
(the North 35 feet of the East 1/2 of Lot 7, together with the West 37 feet of Lot 9, Block 62, *Pablo Beach South*)

Dear Ms. Cosgrove,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, August 20, 2019, to consider the above application for a variance from the requirements of the Land Development Code.

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

- 34-338(e)(1)c.1, for a front yard setback of 7 feet in lieu of 20 feet required;
- 34-338(e)(1)c.2, for a westerly side yard setback of 4 feet in lieu of 5 feet minimum and total side yard setbacks of 10 feet in lieu of 15 feet required;
- 34-338(e)(1)g, for an accessory structure setback (walkway) of 1.5 feet in lieu of 5 feet required; and
- 34-338(e)(1)e, for 50% lot coverage in lieu of 35% maximum

To allow for construction of a new single-family dwelling

The Board *denied* the request.

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

Sincerely,

George D. Knight, CBO
Building Official

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

www.jacksonvillebeach.org





CERTIFIED MAIL RECEIPT# 7017 3040 0000 2076 7509

April 23, 2019

Pamela Fellabaum
117 South 7th Avenue
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 6-19**
Conditional Use Application for an existing single-family dwelling located in a *Residential, multiple-family: RM-2* zoning district, for property located at 117 South 7th Avenue.

The City of Jacksonville Beach Planning Commission met on **Monday, April 22, 2019** in Council Chambers to consider your **Conditional Use Application** for an existing single-family dwelling located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340(d)(12) of the Jacksonville Beach Land Development Code, for property located at 117 South 7th Avenue.

The request was approved.

Please remove the public notices posted on the property. Please provide a copy of this letter with any other applications or building permits. Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

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

www.jacksonvillebeach.org



Chandra Medford

From: Jeremy Armstrong <jeremy.daniel.armstrong@gmail.com>
Sent: Saturday, January 25, 2020 9:26 PM
To: Planning Division
Subject: BOA #19-100219

Good evening,

I am writing in reference to the variance request BOA # 19-100219, for the property at 117 7th Avenue South. I am the owner of the property just west, at 153 7th Ave S., and would like to see this variance application declined.

In August of 2019, the Board of Adjustment reviewed a similar variance request from this property owner, and ruled no hardship existed to allow for a variance to the 20 feet required for a front setback (BOA# 19-100127). The Board mentioned at that time the conservation of an ocean view did not constitute a hardship to be approved. I would like to see the current request be denied for the same reasons. This plot of land has sufficient space to the rear of the lot to allow for the construction of a single-family residence, without encroaching on the front setback requirement of 20 feet.

Thank you,
Jeremy Armstrong

City of Jacksonville Board

Board of Adjustments

Case # BOA# 19-100219

Case Location 117 7th Ave South

Dear Sir/Madam

I want to send you a letter to let you know that I am in favor of you granting the above variance request.

I think a new home on the block will be a good addition to the neighborhood. Please grant the variance

Sincerely,

Phil Wages

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

RE: Case Number – BOA#19-100219
Case Location – 117 7th Avenue South
Public Hearing – Tuesday, February 4, 2020

I live on the block. I am writing to you about the house at 117 7th Avenue. I would like for you to vote in favor of the variance request. I don't have any objections to the setbacks or the lot coverage. I think that the house will be a nice addition to the block.

Thank you for your time.

Sincerely,


Maria C. Rodriguez

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

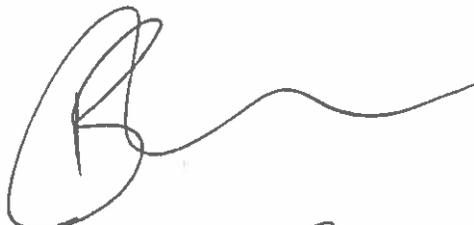
RE: Case Number – BOA#19-100219
Case Location – 117 7th Avenue South
Public Hearing – Tuesday, February 4, 2020

I live and own property at in the same area as my neighbor who is asking for this variance. I would like for you to vote in favor of the variance request.

I don't have any objections to the setbacks or the lot coverage which is being requested. I think that the new house will add value and curb appeal to the block as well as all of Jacksonville Beach

Thank you for your time.

Sincerely,



Brenden Sicilia

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach - Board of Adjustment
BOA#19-100219
117 7th Avenue South

Dear Board Member:

I will be out of town on February 4, 2020 and will not be able to attend the variance meeting. I have no objections to the variance request that my neighbors have submitted to you. Please grant the variance to them because I think that it will be a good thing to have a nice, new home on our block.

Thank you.

Kathryn S. Prosser

Sincerely,

Kathryn S. Prosser

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach
Board of Adjustment
11 North 3rd St.
Jacksonville Beach, FL 32250

RE: Case Number – BOA #19-100219
Case Location – 117 7th Ave. South
Public Hearing – Tuesday, February 4, 2020

To Whom It May Concern:

I would like to voice my support for the variance request for 117 7th Ave. South. I have no objections to the proposed setbacks and believe the proposal is consistent with many other properties in the immediate vicinity, as well as throughout Jacksonville Beach.

Thank you for your consideration.

Sincerely,
Bonnie Bradshaw



RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

JANUARY 21, 2020

TO: CITY OF JACKSONVILLE BEACH
BOARDS OF ADJUSTMENT

RE: CASE# - BOA #19-100219
CASE LOCATION - 117 7th AVENUE SOUTH
JACKSONVILLE, FL 32250

DEAR SIR/MADAM,

I WANTED TO SEND THIS LETTER TO DEMONSTRATE
MY SUPPORT IN FAVOR OF THE BOARDS GRANTING A
VARIANCE FOR THE ABOVE LOCATION. I THINK THAT
THE PROPOSED NEW HOME CONSTRUCTION WILL HAVE
A POSITIVE IMPACT ON THE NEIGHBORHOOD.

AS SUCH, I REQUEST THAT THE BOARDS PLEASE
GRANT THE VARIANCE. THANK YOU.

Sincerely,



CHERYL L. MITCHELL

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

RE: Case Number - BOA#19-100219
Case Location - 117 7th Avenue South
Public Hearing - Tuesday, February 4, 2020

Dear Board Member,

Please approve the variance request for 117 7th Avenue South. I think the plans to build a new home will improve the neighborhood. I have no objections to the setbacks proposed.

Please grant the variance to the homeowner because I think a nice, new home on the block is a good thing for the community.

Thank you,

Lube, D. Lewis
01/22/2020

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

Re: Case Number BOA #19-100219
Case Location - 117 7th Avenue South
Public Hearing - Tuesday February 4, 2020

Dear Board Member,

Please approve the variance request for 117 7th Avenue South. I think that the plans to build a new home will improve the neighborhood. I have no objections to the setbacks proposed.

Please grant the variance to them because I think that it will be a good thing to have a nice, new home on the block.

Thank you
Danda R. Snyder

RECEIVED

JAN 27 2020

PLANNING & DEVELOPMENT

January 26, 2020

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

RECEIVED

JAN 28 2020

RE: Case Number – BOA#19-100219
Case Location – 117 7th Avenue South
Public Hearing – Tuesday, February 4, 2020

PLANNING & DEVELOPMENT

Dear Board of Adjustment Members:

I live and own property directly adjacent to the subject property. I own 151 7th Avenue South, the lot directly west and adjacent to 117 7th Avenue South. My property is the eastern one-half of a duplex. Looking at the request, I am the property owner that would be the most impacted by the project if the variance is granted. Because I would be the most impacted, I feel that I should send a letter to you about the project.

I have no objections to the variance request as proposed. The front yard setback, the side yard setback and the percent lot coverage seem very reasonable to me. I feel that, if approved and constructed, the new home would positively affect both my home and my property values.

I would like for you to vote in favor of the variance request as submitted.

Thank you for your time.

Sincerely,



Pamela Cosgrove

151 7th Avenue South

Jacksonville Beach, Florida 32250

January 26, 2020

City of Jacksonville Beach
Board of Adjustment
11 North 3rd Street
Jacksonville Beach, FL 32250

RECEIVED

JAN 28 2020

RE: Case Number – BOA#19-100219
Case Location – 117 7th Avenue South

PLANNING & DEVELOPMENT

Dear Board of Adjustment Members:

I am writing to you about a possible negative document that you may receive with regards to the above variance request. In August of last year, I applied for a similar variance in order to replace my old home with new construction. My request was denied. During that process, a neighbor, Jeremy Armstrong (153 7th Avenue South) sent in an objection to the variance citing a potential ocean view that would be impacted by the new construction. This objection was based solely upon his argument that, by standing on the roof of his garage, on a hypothetical deck, he would no longer be able to see a sliver of the ocean.

Because I am now coming before you for a revised variance request, I feel that it is in my best interest to share with you some additional facts that were not presented during my previous variance meeting:

1. The property owner that would be the most impacted if the variance is granted is myself. I own the property directly adjacent to 117. I do not feel that the new home would negatively affect my property values. In fact, I feel just the opposite. Owning a townhome adjacent to a very old house that is great need of repair, however, does negatively affect my property value. In addition, the 117 home is much closer to our shared property line that the distance that is being requested in the variance application. This would be another benefit to me if the variance is granted.
2. The owner of 153, Mr. Armstrong, does not have a current permit nor a permit application for a deck over his garage that I am aware of.
3. The townhome duplex that is 151/153 is under a deed restriction. Neither owner may make certain modifications to the structure without the approval of the other owner. I have not given any approval for any deck addition over the garage of 153 because I feel that it would negatively affect my property in many ways, not just in property values. In addition, when this was discussed with another owner on the block, they indicated that in their opinion, a deck over the front garage would negatively affect other property values on the block.
4. 151 and 153 both do not meet the front yard setback of 20'. Based upon my review of our survey, both appear to be setback only 15'. As a result, both enjoy a variance. In my opinion, it is hypocritical for one unit that enjoys a front yard setback variance to voice dissatisfaction for another property owner's request for a front yard setback variance. Especially for a home that has been in the same location since 1909 as 117 has.

Considering the above, I respectfully ask respectfully that you give little credence to any objections raised by Mr. Armstrong.

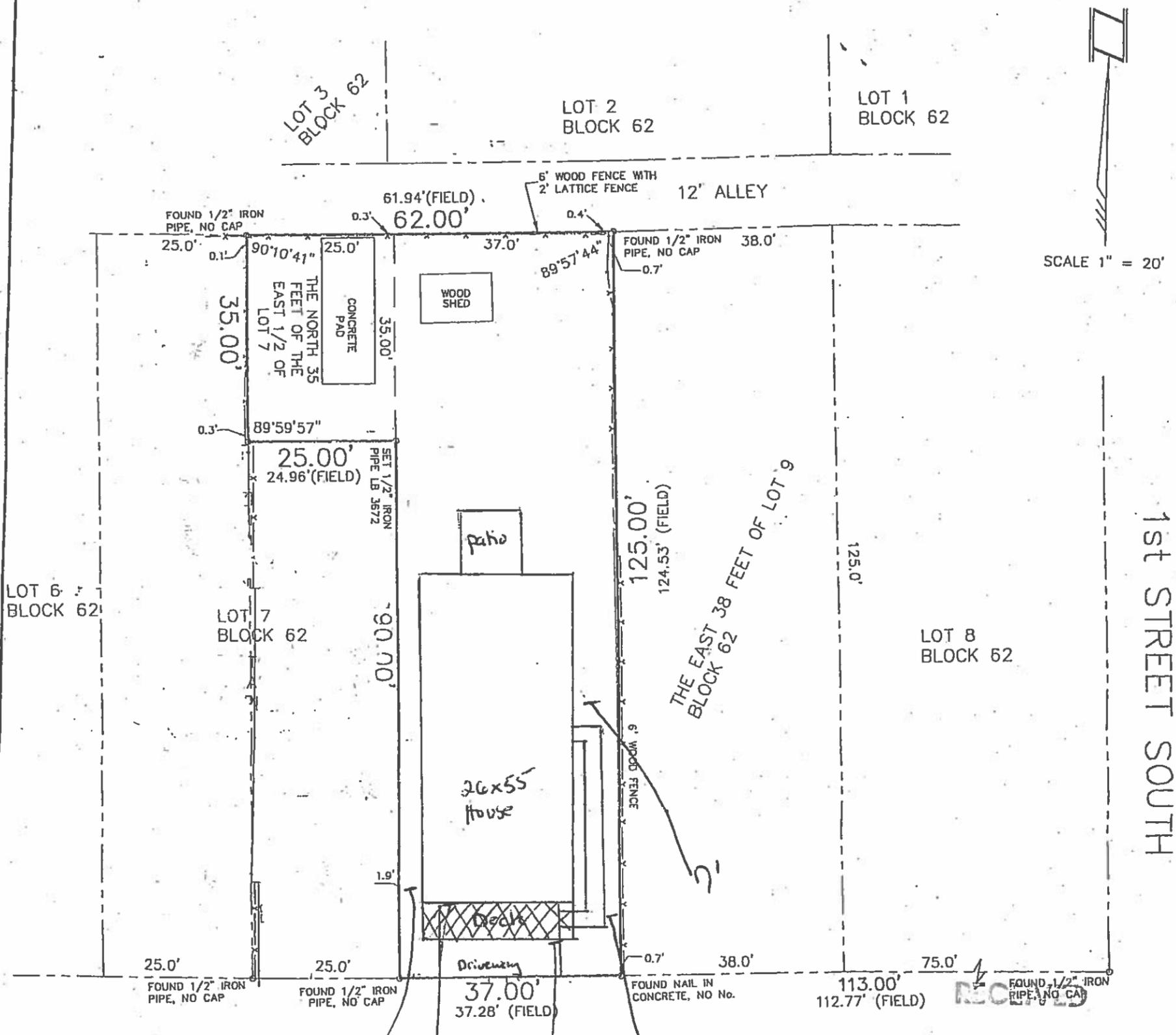
Thank you for your time.

Sincerely,


Pamela Cosgrove

MAP SHOWING SURVEY OF

THE NORTH 35.00 FEET OF THE EAST 1/2 OF LOT 7 TOGETHER WITH THE WEST 37.00 FEET OF LOT 9, BLOCK 62, PABLO BEACH SOUTH AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



1st STREET SOUTH

7th AVENUE SOUTH

80' RIGHT OF WAY PAVED (FORMERLY JONES AVENUE)

DEC 17 2019

BOA19-100219
PLANNING & DEVELOPMENT

NOTES

1. THIS IS A BOUNDARY SURVEY.
2. NO BUILDING RESTRICTION LINES AS PER PLAT.
3. ANGLES AS PER FIELD SURVEY.
4. NORTH PROTRACTED FROM PLAT.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" AS WELL AS CAN BE DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" COMMUNITY-PANEL NUMBER 120078 COMMUNITY-PANEL NUMBER 120078 0002 D, REVISED APRIL 17, 1989 FOR THE CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA.

Lot size

$$37 \times 125 = 4625$$

45% Lot coverage

$$2081.25$$

$$\text{House } 26 \times 55 = 1430$$

$$\text{Driveway } 13 \times 20 = 260$$

$$\text{Sidewalk } 45 \times 3 = 135$$

$$\text{Roof overhang on deck } 6 \times 3 = 18$$

$$\text{Patio } 10 \times 11 = 110$$

$$\text{A/c Pad } 3 \times 3 = 9$$

$$\text{Shed } 12.5 \times 8.1 = 101.25$$

Total
2081.25

THIS SURVEY WAS MADE FOR BENEFIT OF PAM FELLAUBAM

Proposed Home

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

CHECKED BY:

DRAWN BY: MCC

FILE: 2008-778

BOATWRIGHT LAND SURVEYORS, INC.

1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE:

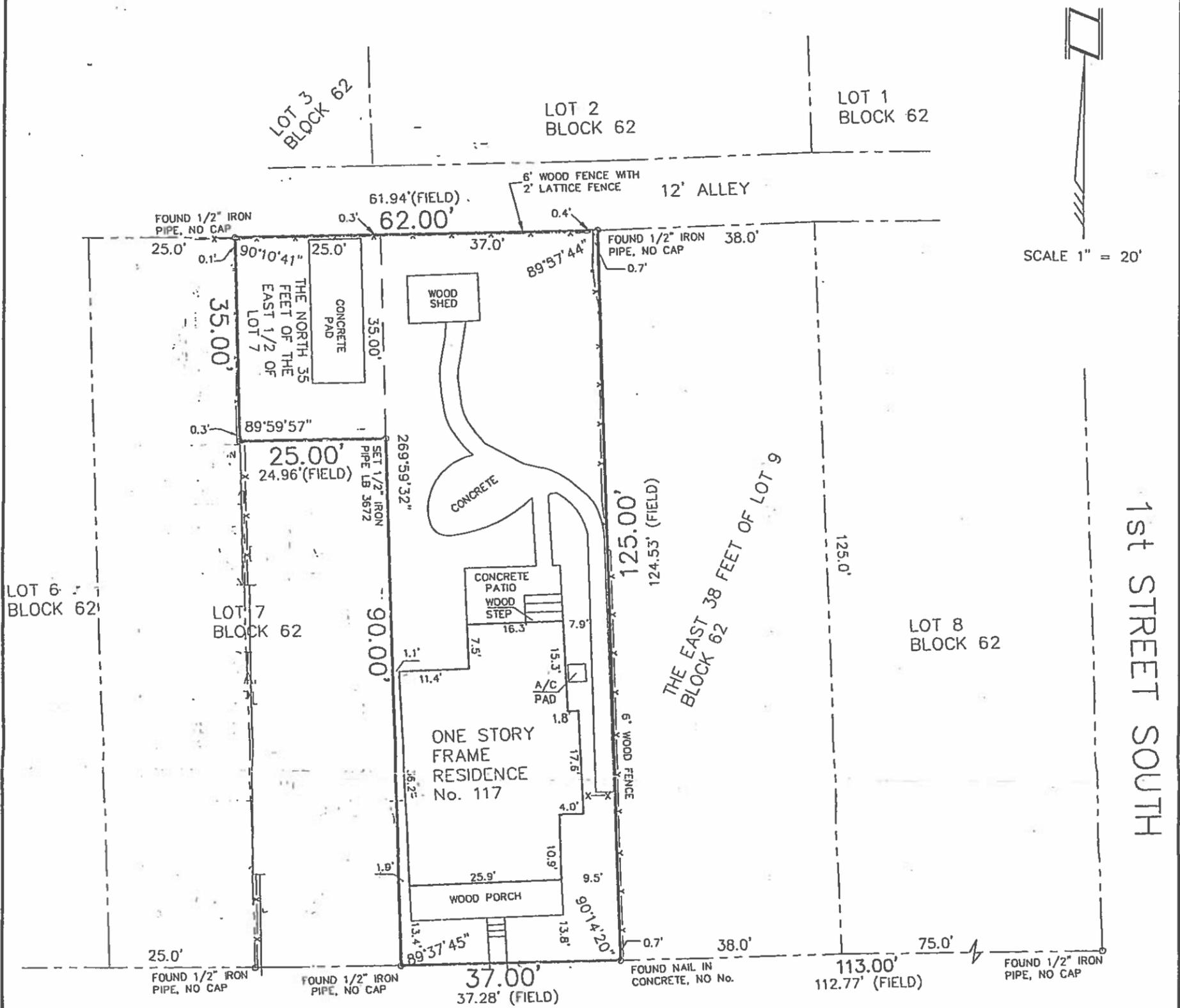
SEPTEMBER 4, 2008

SHEET 1 OF 1

Existing

MAP SHOWING SURVEY OF

THE NORTH 35.00 FEET OF THE EAST 1/2 OF LOT 7 TOGETHER WITH THE WEST 37.00 FEET OF LOT 9, BLOCK 62, PABLO BEACH SOUTH AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



7th AVENUE SOUTH

80' RIGHT OF WAY PAVED
(FORMERLY JONES AVENUE)

RECEIVED

DEC 17 2019

BOA 19-100219
PLANNING & DEVELOPMENT

NOTES

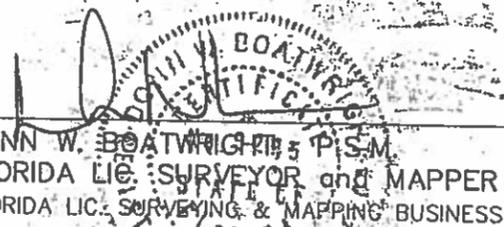
1. THIS IS A BOUNDARY SURVEY.
2. NO BUILDING RESTRICTION LINES AS PER PLAT.
3. ANGLES AS PER FIELD SURVEY.
4. NORTH PROTRACTED FROM PLAT.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" AS WELL AS CAN BE DETERMINED FROM THE "FLOOD INSURANCE RATE MAP" COMMUNITY-PANEL NUMBER 120078 0002 D, REVISED APRIL 17, 1989 FOR THE CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR BENEFIT OF PAM FELLAUBAUM

Current Home

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


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

CHECKED BY: _____
 DRAWN BY: MCC
 FILE: 2008-778

BOATWRIGHT LAND SURVEYORS, INC.
 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE: SEPTEMBER 4, 2008
 SHEET 1 OF 1



APPLICATION FOR VARIANCE

BOA No. 19-100220HEARING DATE 2/4/20

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

DEC 18 2019

APPLICANT INFORMATION

Applicant Name: Shannon (Devlin) Stanford Telephone: (904) 329-6843
 Mailing Address: 22 10th Avenue North E-Mail: gstanf22@gmail.com
Jacksonville Beach, FL 32250

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

Landowner Name: Shannon Devlin and Gregory Stanford Telephone: (904) 329-6843
 Mailing Address: 22 10th Avenue North E-Mail: gstanf22@gmail.com
Jacksonville Beach, FL 32250

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

VARIANCE DATA

Street address of property AND Real Estate Number: 22/ 24 10th Avenue North/RE#174515-0000
 Legal description of property (Attach copy of deed): E 1/2 Lot 6, Blk 101 Florida Land Inv B101 & B111 of PBN
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).
Non-conforming lot of record. Lot is substandard size and width. Variances requested to correct existing non-conformities. Please see Addendum "A" for specific variances requested.

AFFIDAVIT

I, Shannon Devlin, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

Shannon Stanford
APPLICANT SIGNATURE

Shannon Stanford
PRINT APPLICANT NAME

18-DEC-19
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and Signed before me this 18th day of December, 2019 by Shannon Devlin, who is personally known to me or has produced Drivers License as identification.

Chandra Medford
NOTARY PUBLIC SIGNATURE

Chandra Medford
PRINT NOTARY NAME

 CHANDRA MEDFORD
Commission No. GG 283189
Expires December 21, 2022
Notary Public State of Florida
(Affix Notary Seal Above)

| | | |
|--|--------------------------|--|
| THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE | | |
| CURRENT ZONING CLASSIFICATION: <u>RM-2</u> | FLOOD ZONE: <u>X</u> | |
| CODE SECTION (s): <u>34-340(e)(3)b, for a minimum lot width of 50 feet in lieu of 75 feet required; 34-340(e)(3)c.1, for a front yard of 2 feet in lieu of 20 feet required; 34-340(e)(3)c.2, for an easterly side yard of 2 feet in lieu of 10 feet minimum; 34-340(e)(3)c.3, for a rear yard of 2 feet in lieu of 30 feet minimum; 34-340(e)(3)e, for 88% lot coverage in lieu of 65% maximum; 34-340(e)(3)g, for an accessory structure of 0 feet in lieu of 5 feet minimum; 34-373(d), for a parking area of 0 feet in lieu of 5 feet required and 34-377, for 3 parking spaces in lieu of 4 parking spaces required, all to rectify existing non-conformities of a multiple-family zoned property</u> | <u>Lot of Record (m)</u> | |

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100220

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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.

DEC 18 2019

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 | Substandard lot size and width. Lot is only 50' x 53', smaller than average and is bounded on the east side by a public right of way. |
| Special circumstances and conditions do not result from the actions of the applicant. | Yes | The lot and structures existed at time of purchase (11/2011). Home was originally built in 1939. |
| 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 | No special privileges will be granted. |
| 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 | Adherence to existing offset and coverage requirements would result in only 90 square feet of usable space. |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. | Yes | Variance request is to address existing non-conformities to maintain current usage of the property. |
| 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 | All adjacent properties have similar or greater non-conformities. |

Gregory Stanford
22/24 10th Avenue North
Jacksonville Beach, FL 32250

RECEIVED

Addendum "A"

DEC 18 2019
BOA# 19-100220
PLANNING & DEVELOPMENT

- 1) Minimum lot width at the building line of fifty (50) feet in lieu of sixty (60) feet.
- 3) Minimum front yard of two (2) feet in lieu of twenty (20) feet.
- 4) Minimum east side yard of two (2) feet in lieu of ten (10) feet.
- 5) Minimum rear yard of two (2) feet in lieu of thirty (30) feet.
- 6) Maximum lot coverage of eighty-eight (88) percent in lieu of thirty-five (35) percent.
- 7) No garage or carport in lieu of one (1) required.
- 8) Accessory structure setback of zero (0) feet in lieu of five (5) feet.
- 9) Parking area setback of zero (0) feet in lieu of five (5) feet.

JACKSONVILLE BEACH

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

FOR REFERENCE
DEPARTMENT OF PLANNING & DEVELOPMENT

BOA # 19-100270

CERTIFIED MAIL # 7012 0470 0000 7799 6007

September 18, 2013

Gregory Stanford
24 10th Avenue North
Jacksonville Beach, FL 32250

RE: BOA# 13-100165
22/24 North 10th Avenue (the east ½ of Lot 6, Block 101, Florida Land
Investment Company's Re-Subdivision of Blocks 101 & 111 Pablo Beach North)

Dear Mr. Stanford,

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on Tuesday, September 17, 2013, to consider your application for a variance from the requirements of the Land Development Code.

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

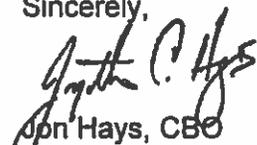
- 34-340(e)(3)c.1, for a front yard of 2 feet in lieu of 20 feet required;
- 34-340(e)(3)c.2, for an easterly side yard of 2 feet and a westerly side yard of 0 feet in lieu of 10 feet required;
- 34-340(e)(3)c.3, for a rear yard of 0 feet in lieu of 10 feet required; and
- 34-340(e)(3)e, for 91% lot coverage in lieu of 72% maximum

To ratify existing non-conformities and allow for an addition to a multi-family dwelling.

The Board **Denied** the variance request.

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

Sincerely,


Jon Hays, CEO
Building Department



FOR REFERENCE
BOA 43-2002

City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

March 6, 2002

Jamie & R.A. Flayharty
24 N 10th Ave.
Jacksonville Bch FL 32250

RE: Case No. # BOA 43-2002
22 & 24 N. 10th Avenue

Dear Mr. & Mrs. Flayharty:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on March 5, 2002 to consider your variance application.

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

- Section 34-340 (e)(1) f., for 83% lot coverage in lieu of 35% maximum,
- Section 34-373 (d), for parking area setback of 1 foot in lieu of 5 feet minimum to a property line.

The results of the meeting were:

- o Amended and approved for;
 - 72% lot coverage in lieu of 35% maximum,
 - Parking area setback of 1 foot in lieu of 5 feet minimum to a property line, to allow improvements to a two-family dwelling.

You are required to apply for a application and a checklist for t application along with the requi

Please remove the public hearin regarding this variance, please fi

Sincerely,

Jonathan Hays
Jonathan Hays, CBO
Building Code Official

Attachment(s)

JCH/EB

| | | | | | |
|--|--|--|--|---|--|
| SENDER | | A. Received by (Please Print Clearly) | | B. Date of Deliv | |
| <input checked="" type="checkbox"/> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits. | | <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail | | <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D. | |
| 1. Article Addressed to: | | C. Signature | | D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| <i>Flayharty</i> <i>BOA 43-2002</i> | | <i>[Signature]</i> | | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| 2. Article Number (Copy from service label) | | 3. Service Type | | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| <i>7099 3400 0000 1988 2009</i> | | <input type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail | | <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D. | |

10th AVENUE
80' RIGHT OF WAY
(FORMERLY LAFAYETTE AVENUE)
NOK!!!
PUBLIC ROAD

EROSION CONTROL LINE

2.0' CONCRETE BULKHEAD

EAST LINE OF BLOCK 101 PER PLAT

GENERAL PERMIT LINE

BOA 19-100220
12/18/19
Submitted

LOT 5

101 LOT 4

FOUND 1" IRON ROD, NO CAP

RANNIE STREET

PAVED PUBLIC ROAD

16' RIGHT OF WAY (53.05' FIELD)

53.00'

PAVER DRIVE (49.91' FIELD)

50.00'

B



FOUND 1/2" REBAR, CAP LB5488

50.00'

6" WOOD FENCE

1.2'

FOUND 1/2" IRON PIPE, RED CAP LB6702 (0.7' NW1/4)

508°32'55"E

COASTAL CONSTRUCTION CONTROL LINE
726.01'

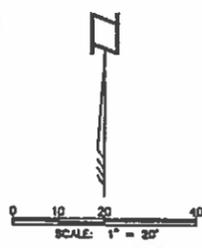
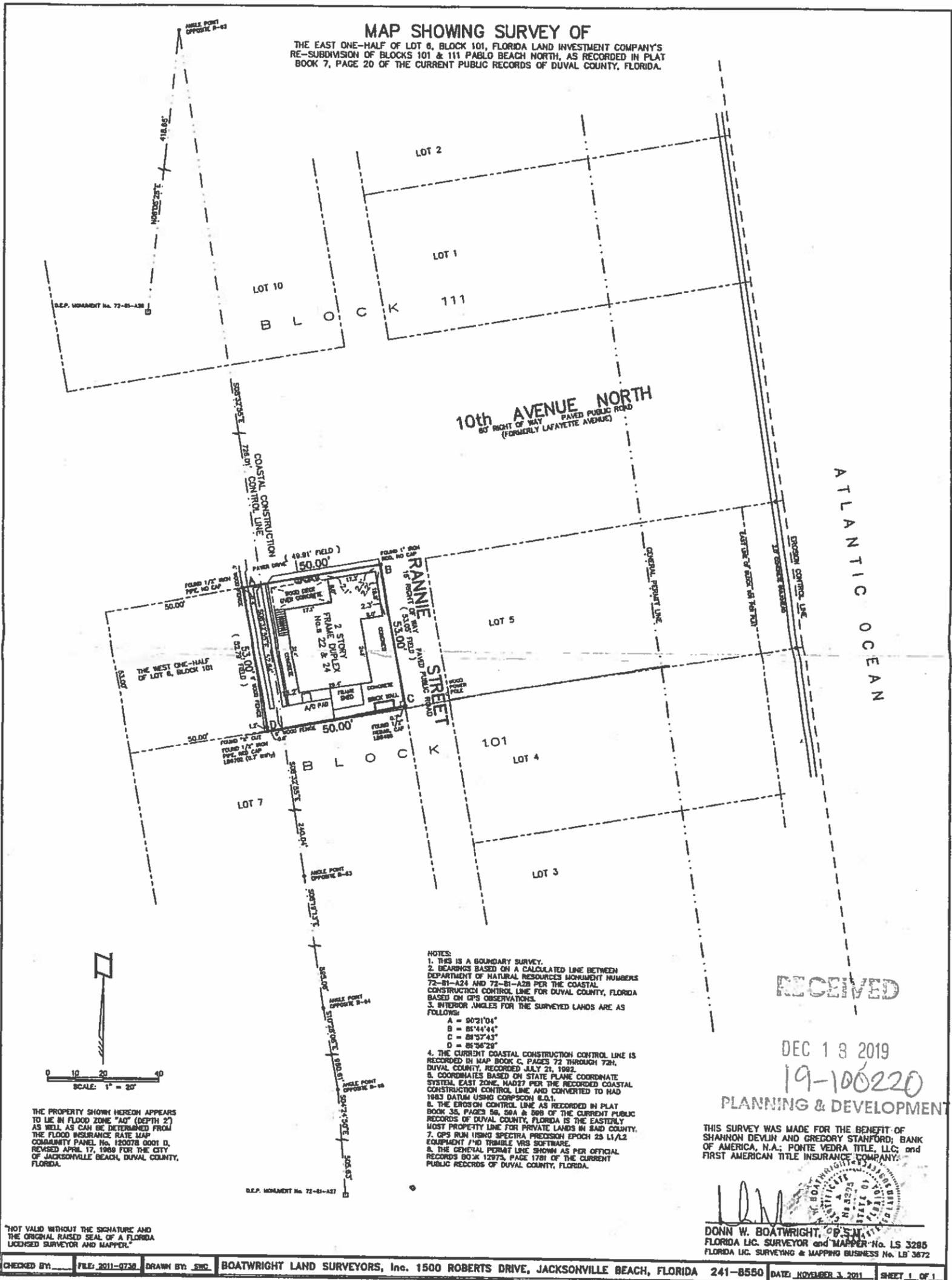
53.00' (52.79' FIELD)

508°32'55"E

240

LOT 7

MAP SHOWING SURVEY OF
 THE EAST ONE-HALF OF LOT 6, BLOCK 101, FLORIDA LAND INVESTMENT COMPANY'S
 RE-SUBDIVISION OF BLOCKS 101 & 111 PABLO BEACH NORTH, AS RECORDED IN PLAT
 BOOK 7, PAGE 20 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



THE PROPERTY SHOWN HEREIN APPEARS TO BE IN FLOOD ZONE "A0" (DEPTH 2') AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 120078 0001 D, REVISED APRIL 17, 1989 FOR THE CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA.

- NOTES:**
1. THIS IS A BOUNDARY SURVEY.
 2. BEARINGS BASED ON A CALCULATED LINE BETWEEN DEPARTMENT OF NATURAL RESOURCES MONUMENT NUMBERS 72-81-A24 AND 72-81-A28 PER THE COASTAL CONSTRUCTION CONTROL LINE FOR DUVAL COUNTY, FLORIDA BASED ON GPS OBSERVATIONS.
 3. INTERIOR ANGLES FOR THE SURVEYED LANDS ARE AS FOLLOWS:
 A = 90°21'04"
 B = 85°44'44"
 C = 88°37'43"
 D = 82°36'28"
 4. THE CURRENT COASTAL CONSTRUCTION CONTROL LINE IS RECORDED IN MAP BOOK C, PAGES 72 THROUGH 72H, DUVAL COUNTY, RECORDED JULY 21, 1992.
 5. COORDINATES BASED ON STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD83 PER THE RECORDED COASTAL CONSTRUCTION CONTROL LINE AND CONVERTED TO HAD 1983 DATUM USING COMPOSOX 8.0.1.
 6. THE EROSION CONTROL LINE AS RECORDED IN PLAT BOOK 36, PAGES 59A, 59B & 59C OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA IS THE EASTERLY MOST PROPERTY LINE FOR PRIVATE LANDS IN SAID COUNTY.
 7. GPS RUN USING SPECTRA PRECISION EPOCH 2S L1/L2 EQUIPMENT / NO TRIMBLE VRS SOFTWARE.
 8. THE GENERAL PERMIT LINE SHOWN AS PER OFFICIAL RECORDS 803K 12974, PAGE 1781 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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 19-100220

PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF SHANNON DEVLIN AND GREGORY STANFORD; BANK OF AMERICA, N.A.; PONTE VEDRA TITL, LLC; and FIRST AMERICAN TITLE INSURANCE COMPANY.

Donn W. Boatwright

DONN W. BOATWRIGHT, P.S., J.
 FLORIDA LIC. SURVEYOR and MAPPER No. LS 3285
 FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

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



APPLICATION FOR VARIANCE

BOA No. 19-100223HEARING DATE 2/4/20

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. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, 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 \$500.00 (due at the time of application submittal).
5. Completed application.

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APPLICANT INFORMATION

PLANNING & DEVELOPMENT

Applicant Name: Pam Joiner for SOLANA, LLC Telephone: 904-576-1129
 Mailing Address: 310 2nd St E-Mail: pamelajoiner@comcast.net
Atlantic Beach, FL 32233
 Agent Name: _____ Telephone: _____
 Mailing Address: SAME E-Mail: _____
 Landowner Name: _____ Telephone: _____
 Mailing Address: SAME E-Mail: _____

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

VARIANCE DATA

Street address of property AND Real Estate Number: 7 N. San Pablo Circle JAX Beach # 178258-0000
 Legal description of property (Attach copy of deed): RES LD 3-7 ; ZONED JRS-1/24-97.38-29
 Description of requested variance (example: front yard setback of 17ft in lieu of 20ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary): LOT 15 BIK 4 San Pablo Manor 29
Driveway Variance requested Driveway extends 18" into property line setback

AFFIDAVIT

I, Pam Joiner, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

Pam Joiner
APPLICANT SIGNATURE

Pam Joiner
PRINT APPLICANT NAME

12/23/19
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 23rd day of December, 2019 by Pamela Joiner, who is personally known to me or has produced FL Driver License as identification.

[Signature]
NOTARY PUBLIC SIGNATURE

Chandra Medford
PRINT NOTARY NAME


CHANDRA MEDFORD
Commission No. GG 283199
Expires December 21, 2022
Notary Public State of Florida
(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-1 FLOOD ZONE: X

CODE SECTION (s): 34-373(d), for a parking area setback of 3.5 feet in lieu of 5 feet minimum to rectify an existing non-conformity resulting from a driveway replacement at an existing single-family dwelling

VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 19-100223

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

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 | Driveway is positioned between property line easement and utility easement. Lot is pie-shaped and sloped requiring |
| Special circumstances and conditions do not result from the actions of the applicant. | Yes* | an encroachment into easement to avoid a sharp & dangerous turning radius from street to driveway. This is a new driveway that |
| 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 | replaced a deteriorated driveway in same location before current JAX Beach building restrictions applied. |
| 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 | * New driveway posted. RECEIVED |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. | Yes | DEC 23 2019 PLANNING & DEVELOPMENT |
| 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 | |

MAP SHOWING BOUNDARY SURVEY OF:
 LOT 15, BLOCK 4, SAN PABLO MANOR, AS RECORDED IN PLAT BOOK 27,
 PAGE 97 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



**SAN PABLO
 CIRCLE NORTH
 50' RIGHT-OF-WAY**

NOTES:
 THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY No. 120078, CITY OF JACKSONVILLE BEACH, MAP/PANEL No. 12031C-0417-J, REVISED NOVEMBER 2, 2019.
 BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF SAN PABLO CIRCLE NORTH AS BEING N 07°31'15" W.
 25' BUILDING RESTRICTION LINE BY PLAT.
 ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 4 EXCEPT AS NOTED.
 -X- DENOTES 3' CHAIN LINK FENCE EXCEPT AS NOTED
 -//- DENOTES 6' WOOD FENCE EXCEPT AS NOTED
 THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

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 BO# 19-100223
 PLANNING & DEVELOPMENT
 CERTIFIED TO:
 PAMELA JOINER

DURDEN
 SURVEYING AND MAPPING, INC.
 1825-B 3RD STREET NORTH
 JACKSONVILLE BEACH, FLORIDA 32250
 (904) 853-6822 FAX 853-6825
 LICENSED BUSINESS NO. 6696

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027 Florida Statutes and Chapter 5J17 Florida Administrative Code

Bruce Durden Jr.
 BRUCE DURDEN, JR.
 FLORIDA REGISTERED SURVEYOR No. 4707

SURVEYOR'S NOTE:
 THE SURVEY HEREON WAS MADE WITHOUT THE BENEFIT OF ABSTRACT OR SEARCH OF TITLE AND THEREFORE THE UNDERSIGNED AND DURDEN SURVEYING AND MAPPING, INC., MAKE NO CERTIFICATIONS REGARDING INFORMATION SHOWN OR NOT SHOWN HEREON PERTAINING TO EASEMENTS, CLAIMS OF EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, OVERLAPS, BOUNDARY LINE DISPUTES, AGREEMENTS, RESERVATIONS OR OTHER SIMILAR MATTERS WHICH MAY APPEAR IN THE ABSTRACT OR SEARCH OF TITLE. THIS SURVEY NOT VALID UNLESS THIS PRINT IS EMBOSSED WITH THE SEAL OF THE ABOVE SIGNED.

SIGNED: SEPTEMBER 23 2019
 WORK ORDER NUMBER: 19557

B-9553