



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Revised Agenda

### Board of Adjustment

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Tuesday, October 6, 2020

7:00 PM

Council Chambers

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#### **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 August 4, 2020

#### **CORRESPONDENCE**

#### **OLD BUSINESS**

**NEW BUSINESS**

- a. **Case Number:** **BOA#20-100132**  
 Applicant/Owner: Alfred Gary & Alexis Cerqueira Stubblefield  
 Property Address: 722 3<sup>rd</sup> Avenue North  
 Parcel ID: 173849-0000  
 Legal Description: the north 75 feet of Lots 3 and 4, Block 38, *Atlantic Park*  
 Current Zoning: RS-2  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.3, for a rear yard setback of 27.5 feet in lieu of 30 feet minimum to allow for the construction of a new single-family dwelling.  
 Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_

- b. **Case Number:** **BOA#20-100144**  
 Applicant: The Altman Brothers Restaurant Group dba Jax Beach Brunch Haus  
 Owner: Mario’s Unlimited, Inc. (Peter Modica)  
 Property Address: 610 3<sup>rd</sup> Street South  
 Parcel ID: 176043-0000  
 Legal Description: Lots 1, 2, 3, 4, 5, and the unnumbered lot located west of Lot 5, Block 64, *Pablo Beach South*  
 Current Zoning: C-1  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-342(e)(3)a, for a front yard setback of zero feet in lieu of 10 feet minimum to allow for the installation of an awning over an existing outdoor restaurant seating area.  
 Miscellaneous Info: One previously approved variance request (BZA#36-92) and one previously approved conditional use request (PC#33-17)

Notes: \_\_\_\_\_

- c. **Case Number:** **BOA#20-100145**  
 Applicant/Owner: Ronald C. Stephens  
 Property Address: 715 11<sup>th</sup> Street North  
 Parcel ID: 177739-0000  
 Legal Description: Lot 9, Block 1, *Pine Grove Unit 2*  
 Current Zoning: RS-1  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e**, for 44.3% lot coverage in lieu of 35% maximum to allow for a swimming pool, paver patio, detached accessory structure, and grill area additions to an existing single-family dwelling.  
 Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_

- d. **Case Number:** **BOA#20-100146**  
 Applicant/Owner: Kary and Mary Ellen Krieger  
 Property Address: 3694 Isabella Boulevard  
 Parcel ID: 180810-0020  
 Legal Description: Lot 31, Block 9, together with 25 feet of a 50-foot right-of-way (37<sup>th</sup> Avenue South) closed by COJB Ordinance No. 2003-7864, *Ocean View Highlands*  
 Current Zoning: RS-1  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.1**, for a front yard setback of 10 feet in lieu of 25 feet required to allow for an addition to an existing single-family dwelling.  
 Miscellaneous Info: One previously approved variance request (BZA#359-84)

Notes: \_\_\_\_\_

- e. **Case Number:** BOA#20-100147  
 Applicant/Owner: Mary Ann and Joel Rice  
 Property Address: 476 6<sup>th</sup> Avenue South  
 Parcel ID: 176332-0000  
 Legal Description: Lot 10, Block 1, *Oceanside Park*  
 Current Zoning: RS-2  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; and 34-337(e)(1)e, for 43% lot coverage in lieu of 35% maximum to allow for an addition and a new shed at an existing single-family dwelling.  
 Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_  
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- f. **Case Number:** BOA#20-100148  
 Applicant/Owner: Troy B. Hobbs  
 Property Address: 334 2<sup>nd</sup> Avenue North  
 Parcel ID: 173795-0000  
 Legal Description: Lot 6, Block 24, *Atlantic Park*  
 Current Zoning: C-1 (per RM 1 Standards)  
 Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(3)c.2, for a side yard setback of 6.8 feet and a corner side yard setback of 9.9 feet both in lieu of 10 feet minimum to allow for an addition and substantial improvements to an existing 2-unit multiple-family dwelling.  
 Miscellaneous Info: One previously denied variance request (BOA#05-100099) and one previously approved conditional use request (PC#18-20)

Notes: \_\_\_\_\_  
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- g. Case Number:** **BOA#20-100149**
- Applicant/Owner: DSM Renovations, LLC
- Property Address: 704 3<sup>rd</sup> Avenue North
- Parcel ID: 173849-0000
- Legal Description: Lot 1, and the North 12.50 feet of Lot 2, Block 38, *Atlantic Park*
- Current Zoning: RS-2
- Motion to Consider: **City of Jacksonville Beach Land Development Code Section(s): 34-337(e)**  
(1) c.3, for a rear yard setback of 22 feet as measured to the house and 14 feet as measured to a covered patio both in lieu of 30 feet minimum to allow for the construction of a new single-family dwelling.
- Miscellaneous Info: No previous variance requests

Notes: \_\_\_\_\_

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## **PLANNING DEPARTMENT REPORT**

The next scheduled meeting is Tuesday, October 20, 2020. There are eight scheduled cases.

## **ADJOURNMENT**

## **NOTICE**

Information concerning the hearing process is available online at [www.jacksonvillebeach.org/publichearinginfo](http://www.jacksonvillebeach.org/publichearinginfo) and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Board. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it 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. Speakers will be called to address the Board when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to [cityclerk@jaxbchfl.net](mailto:cityclerk@jaxbchfl.net), (2) Postal mail to City Clerk, Board of Adjustment - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to City Clerk at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Board and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three (3) minutes of reading time. All comments received are public record.

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 no later than one business day before the meeting.

***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.***

**Minutes of Board of Adjustment Meeting  
held Tuesday, August 4, 2020, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> 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 (*absent*)      Jeff Truhlar      John Moreland  
*Alternates:* Dan Janson (*absent*)      Alexi Gonzalez

Building Official George Knight was also present.

**EX PARTE COMMUNICATION:** No ex-parte was reported.

**APPROVAL OF MINUTES:** *None*

**CORRESPONDENCE:** *None*

**OLD BUSINESS:**

*None*

**NEW BUSINESS:**

**A.      Case Number:      **BOA#19-100077****  
Applicant/Owner: Carli Durden  
Agent: Joe Ofalt, Blue Haven Pools  
Property Address: 823 16<sup>th</sup> Avenue South  
Parcel ID: 176955-0090

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e, for 49.2% lot coverage in lieu of 35% maximum (42% previously approved) to allow for a pool and pool decking addition to an existing single-family dwelling.

**Agent:** Joe Ofalt, 2375 St. Johns Bluff Road South, Jacksonville, advised the lot was undersized and nonconforming, causing the hardship. Mr. Truhlar inquired about the amount of coping going around the entire pool. Mr. Ofalt stated the amount of coping requested would be used to install a child-safe barrier around the pool and spa. Mr. Moreland asked about the need for 14 feet of decking. Mr. Ofalt explained the additional decking is also a safety issue and would extend the amount of space from the back step to the edge of the pool.

**Public Hearing:**

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

Mr. Reddington closed the public hearing.

**Discussion:**

Mr. Moreland advised if this were a standard sized lot, it would only be 37% lot coverage. Mr. Cummings noted Mr. Ofalt's proposal was very similar to what was typically given when someone was seeking to put in a pool.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#19-100077, as written and described.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Jeff Truhlar, Alexi Gonzalez, and Francis Reddington  
The motion was unanimously approved.

**B. Case Number: BOA#20-100078**

Applicant/Owner: Patricia Reilly  
Agent: Joe Ofalt, Blue Haven Pools  
Property Address: 1365 Seabreeze Avenue  
Parcel ID: 179459-1024

**City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)e, for 39% lot coverage in lieu of 35% maximum and 34-338(e)(1)g, for an accessory structure (existing shed) setback of 2.5 feet in lieu of 5 feet minimum from an accessory structure to allow for a pool and paver patio addition to an existing single-family dwelling.

**Agent:** Joe Ofalt, 2375 St. Johns Bluff Road South, Jacksonville, advised the hardship was an undersized, nonconforming lot. Mr. Truhlar noted, based on his calculations, the lot is 6,000 square feet, which does not constitute a hardship. He further advised the width, which was 60 feet, also did not meet hardship requirements. Discussion ensued regarding the lack of hardship for this property.

Mr. Moreland inquired about the existing shed, Mr. Ofalt stated the shed was going away.

**Public Hearing:**

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

Mr. Reddington closed the public hearing.

**Discussion:**

There was no further discussion.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Truhlar, to disapprove BOA# 20-100078, as written and described for lack of hardship.

**Roll Call Vote:** Ayes – John Moreland, Jeff Truhlar, Scott Cummings, Alexi Gonzalez and Francis Reddington  
The motion to disapprove the application was unanimously approved.

- C. Case Number: BOA#20-100079**  
Applicant/Owner: David Amber  
Property Address: 1238 Palm Circle  
Parcel ID: 177800-0010

**City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 50.1% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure (pool coping) setback of 4 feet in lieu of 5 feet minimum from a principal structure to allow for a pool and paver patio addition to an existing single-family dwelling.

**Owner:** David Amber, 1238 Palm Circle, Jacksonville Beach, stated the lot was purchased with 41.4% existing coverage. The lot was also undersized at 7,450 square feet verses the 10,000 square feet minimum required resulting in the hardship. He calculated if the lot were standard in size, he would only be requesting 36.3% lot coverage. Mr. Moreland asked if Mr. Amber could work with less than the 50.1% requested. Discussion ensued and Mr. Amber stated he could work with 49.8%.

**Public Hearing:**

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

Mr. Amber provided a petition (on file) with the names of neighbors who supported the variance request.

Mr. Reddington closed the public hearing.

**Discussion:**

There was no further discussion.

**Motion:**

It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve BOA#20-100079, for 49.8% lot coverage, including the setback of 4 feet in lieu of 5 feet minimum from a principal structure to allow for a pool and paver patio addition to an existing single-family dwelling.

**Roll Call Vote:**

Ayes – Jeff Truhlar, Scott Cummings, John Moreland, Alexi Gonzalez and Francis Reddington  
The motion was approved unanimously.

- D. Case Number: BOA#20-100080**  
Applicant/Owner: Ruben Lavarias  
Property Address: 667 12<sup>th</sup> Avenue South  
Parcel ID: 176743-0120

**City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)e, for 42.8% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

No one appeared before the Board for this case.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Truhlar, to suspend consideration for BOA# 20-100080

**Roll Call Vote:** Ayes –Scott Cummings, John Moreland, Jeff Truhlar, Alexi Gonzalez and Francis Reddington  
The motion was unanimously approved.

**E. Case Number: BOA#20-100082**

Applicant: Ryan Davis  
Owner: Robert and Tanya Adams  
Property Address: 745 Penman Road  
Parcel ID: 177862-0010

**City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)c.2, for a northerly side yard setback of 9.7 feet and a southerly side yard setback of 9.8 feet both in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 24.8 feet in lieu of 30 feet minimum; and 34-336(e)(1)(e), for 42.8% lot coverage in lieu of 35% maximum (41% previously approved) all to rectify non-conformities resulting from the construction of a new single-family dwelling.

**Applicant:** Ryan Davis, 1131 Miramar Avenue, Jacksonville, stated the property had two issues that were not discovered until after the home was constructed. Mr. Davis explained due to survey errors, the home was staked out 25 square feet from both the front and rear setbacks instead of the approved 20 square feet. This went unnoticed during construction because the adjacent homes were also built 25 square feet from their own setbacks. Mr. Davis further advised the second issue is was the amount of lot coverage. The lot was small at approximately 7,100 square feet and a previous variance was granted for 41% coverage. A circular driveway was designed for the property but to save an existing Magnolia tree, it was determined the driveway would need to shift from the right of way back into the property, adding an additional 1.8% to the lot coverage. Mr. Moreland asked if these errors occurred due to oversight on the part of the city. Mr. Knight replied no. He advised the errors were caused by the surveyor. Mr. Knight further noted the same surveyor had made the same type of errors on other properties previously approved by the Board.

**Public Hearing:**

The following spoke in support of the application:

- Tonya Adams, 745 Penman Road, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued and the Board agreed the hardship was caused by the surveyor and contractor, not the homeowner.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#20-100082.

**Roll Call Vote:** Ayes – John Moreland, Jeff Truhlar, Scott Cummings, Alexi Gonzalez and Francis Reddington

The motion was unanimously approved.

**F. Case Number: BOA#20-100083**

Applicant/Owner: Steve Cowperthwaite  
Property Address: 438 and 472 6<sup>th</sup> Avenue North  
Parcel ID: 174200-0000

**City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(3)c.2, for side yard setbacks of 7.6 feet in lieu of 10 feet minimum to allow for the conversion of two existing single-family dwellings into one multiple-family dwelling.

**Applicant:** Steve Cowperthwaite, 438 6<sup>th</sup> Avenue North, Jacksonville Beach, advised the hardship was he would like to build a living room addition onto the 438 property but that required a variance to change the property from a detached multi-family to an attached multi-family dwelling. Mr. Moreland asked if the property would remain a multi-family, Mr. Cowperthwaite said yes it would. Mr. Cowperthwaite stated the new construction would not change current lot coverage or setbacks. Mr. Reddington asked about a 2012 change of use that classified the property as a single-family. Mr. Cowperthwaite explained the first structure built was a garage apartment. At that time, a variance was needed because the City required a home to be built first and what they had built was considered an accessory structure.

**Public Hearing:**

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

**Discussion:** Discussion ensued regarding RM1 Zoning coverage definition and conditional use requirements. Mr. Knight advised the variance request would change the conditional use of the property to a multi-family dwelling, which is what it should have been from the start.

**Motion:** It was moved by Mr. Moreland seconded by Mr. Truhlar, to approve BOA#20-1000083 as presented and discussed.

**Roll Call Vote:** Ayes – Jeff Truhlar, Scott Cummings, John Moreland, Alexi Gonzalez, and Francis Reddington  
The motion was unanimously approved.

**G. Case Number: BOA#20-100084**

Applicant/Owner: Joseph and Debra Nordt  
Property Address: 1009 11<sup>th</sup> Street North  
Parcel ID: 179162-0040

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.2, for a southerly side yard setback of 4.8 feet in lieu of 5 feet minimum and 34-337(e)(1)(e), for 46.2% lot coverage in lieu of 35% maximum to rectify non-conformities resulting from the construction of a new single-family dwelling.

**Owner:** Joseph Nordt, 1041 11<sup>th</sup> Street North, Jacksonville Beach, stated the hardship was the lot was small and undersized. Mr. Nordt stated he submitted a proposed survey that came back as approved, but neither he nor the City realized the plan was over the allowed amount of lot coverage. Mr. Knight advised the plans did not include a deck when they were approved. Mr. Knight further advised even without the deck, the lot coverage was over the allowed amount. Mr. Moreland noted if the lot were standard sized, the lot coverage would only be 31.4 %.

**Public Hearing:**

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

**Discussion:**

Discussion ensued and Mr. Moreland reiterated if the lot were standard in size the lot coverage would only be 31.4%

**Motion:** It was moved by Mr. Moreland seconded by Mr. Cummings, to approve BOA#20-1000029, as presented and discussed.

**Roll Call Vote:** Ayes – Jeff Truhlar, Scott Cummings, John Moreland, Alexi Gonzalez and Francis Reddington  
The motion was unanimously approved.

**H. Case Number: BOA#20-100087**

Applicant/Owner: Chad Martin  
Property Address: 2578 Horn Street  
Parcel ID: 180855-0050

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.3, for a rear yard setback of 19.8 feet in lieu of 30 feet minimum for an existing covered porch; 34-337(e)(1)e, for 50.2% lot coverage in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure (pool coping) setback of 3 feet in lieu of 5 feet minimum from a principal structure to allow for a pool and paver patio addition to an existing single-family dwelling and rectify an existing non-conformity.

**Owner:** Chad Martin, 2578 Horn Street, Jacksonville Beach, stated the hardship was the lot was sub-standard. The plan is to build a small 10 x22 pool with partial coping. He further advised he reduced the amount of pavers around the pool to only a small section off the side of the pool and a few coming off of the existing patio. Mr. Moreland asked if Mr. Martin could work with 49.8% lot coverage. Mr. Martin stated he would prefer 49.9%.

**Public Hearing:**

No one came before the Board to speak.

Mr. Reddington closed the public hearing.

**Discussion:**

Mr. Moreland noted if this were a standard sized lot, the amount of coverage would only be 40.2%. Discussion ensued and the Board agreed this was a substandard sized lot.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#20-100087, for 49.9% lot coverage and the rest of the motion as written and discussed.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Jeff Truhlar, Alexi Gonzalez and Francis Reddington  
The motion was unanimously approved.

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Wednesday, August 19, 2020**. There are 8 scheduled cases.

**ADJOURNMENT**

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 8:00 P.M.

Submitted by: Sheila Boman  
Office Assistant

These minutes were reviewed by Planning & Development.

Approval:

\_\_\_\_\_

Chairperson

\_\_\_\_\_

Date



# APPLICATION FOR VARIANCE

BOA No. 20-100132  
HEARING DATE 10.6.2020

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.

RECEIVED

AUG 11 2020

### APPLICANT INFORMATION

### PLANNING & DEVELOPMENT

**Applicant Name:** Alfred Gary Stubblefield **Telephone:** (321) 412-2214  
**Mailing Address:** 786 N. 2nd St. **E-Mail:** stubblefield@gmail.com  
Jacksonville Beach, Fl. 32250  
**Agent Name:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**Landowner Name:** Alfred & Alexis Stubblefield **Telephone:** (321) 412-2214  
**Mailing Address:** 705 2nd Ave. N **E-Mail:** \_\_\_\_\_  
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: 722 3rd Ave. N. / RE# 173849-0000  
 Legal description of property (Attach copy of deed): The North 75 feet of Lots 3 & 4, block 38, Plat book 9, Page 15  
 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).  
Rear yard setback of 27.5 feet in lieu of 30 feet required.

### AFFIDAVIT

I, Alfred Gary Stubblefield, 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.

[Signature]  
APPLICANT SIGNATURE

Alfred Gary Stubblefield  
PRINT APPLICANT NAME

8-11-2020  
DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
Sworn to and signed before me this 11th day of August, 2020 by Albert Stubblefield who is personally known to me or has produced FL DL 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-2 **FLOOD ZONE:** X(shaded)

**CODE SECTION (s):**  
34-337(e)(1)c.3, for a rear yard setback of 27.5 feet in lieu of 30 feet minimum to allow for the construction of a new single-family dwelling

## VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 20-100132

*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.

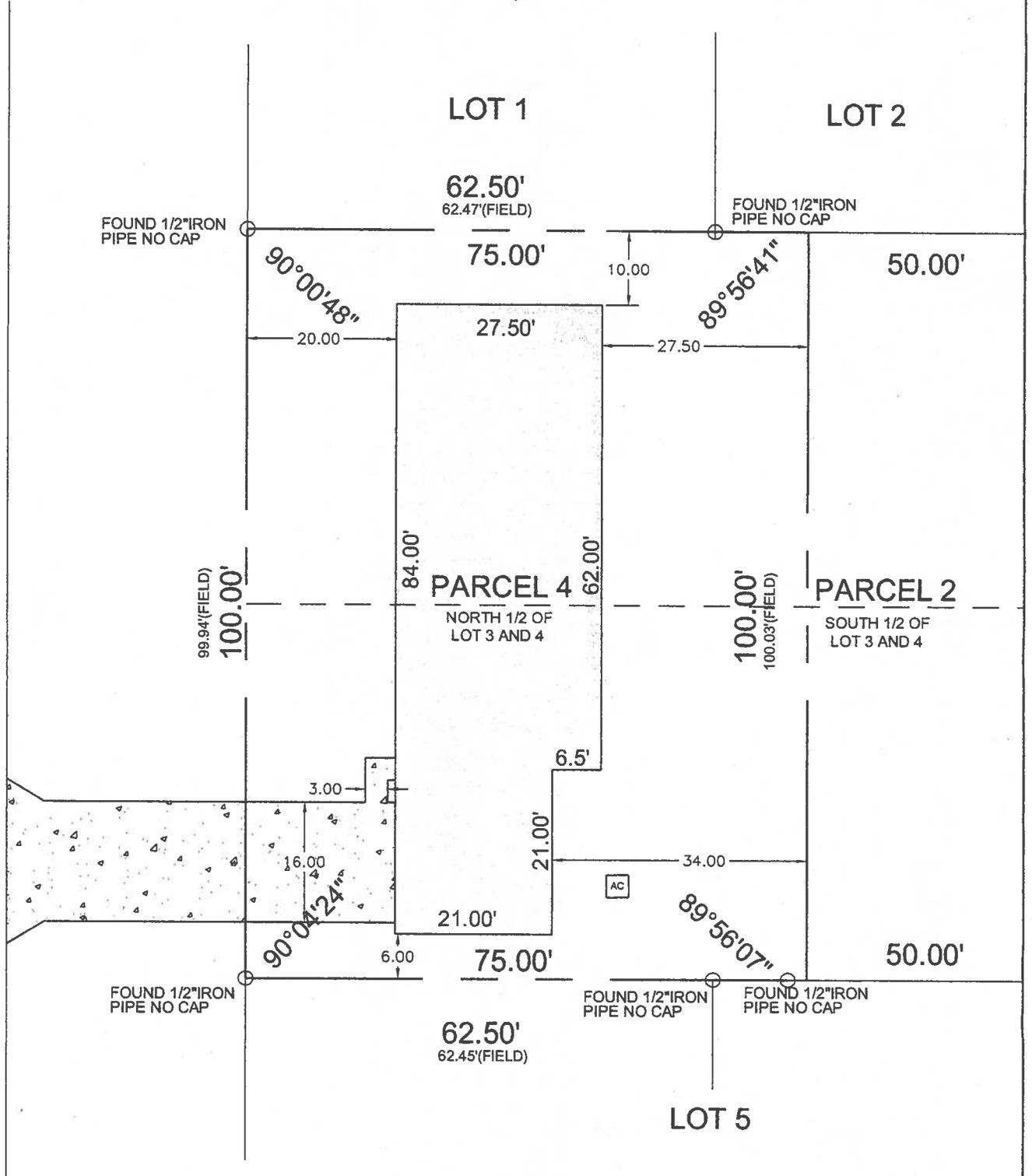
| <b>Standard</b>  | <b>Applies?<br/>Yes/No</b> | <b>Circumstances/ Explanation</b>  |
|--|----------------------------|--|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.                   | Yes                        | Lot is undersized in depth. RECEIVED<br>AUG 11 2020                                |
| Special circumstances and conditions do not result from the actions of the applicant.  | Yes                        | Lot was purchased as is. PLANNING & DEVELOPMENT                                    |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | Yes                        | Many if not all properties in the area do not comply with all setbacks             |
| 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                        | Variances have been granted to almost all new construction in the immediate area.  |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | Yes                        | Granting of this variance will make the home only 27.5 feet deep.                  |
| 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.   |                            | Granting of the variance will actually increase the setbacks on the side setbacks. |

PROPOSED

# MAP SHOWING SURVEY OF

THE NORTH 75.0' OF LOTS 3 AND 4, BLOCK 38, ATLANTIC PARK AS  
RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC  
RECORDS OF DUVAL COUNTY, FLORIDA

3RD AVE. NORTH  
80' RIGHT-OF-WAY (PAVED PUBLIC ROAD)



RECEIVED  
20-100132  
AUG 11 2020

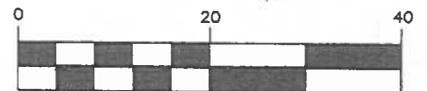
DATA SUMMARY

|                                 |                 |
|---------------------------------|-----------------|
| POST-DEVELOPMENT DRAINAGE DATA: |                 |
| SITE AREA:                      | ±7,500 SF       |
| IMPERVIOUS AREA:                |                 |
| BUILDINGS:                      | 2,167 SF        |
| CONCRETE PAVEMENT:              | 353 SF          |
| TOTAL:                          | <u>2,621 SF</u> |
| PERCENT IMPERVIOUS:             |                 |
| 2,621 SF / 7,500 SF             | 34.95%          |

PLANNING & DEVELOPMENT



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft.

CHECKED BY: RKP  
DRAWN BY: DB  
FILE: 1000-20

**3RD AVENUE NORTH**  
**1/2 OF LOT 3 & 4, BLOCK 38**  
**JACKSONVILLE BEACH, FL**  
**POST-DEVELOPMENT**

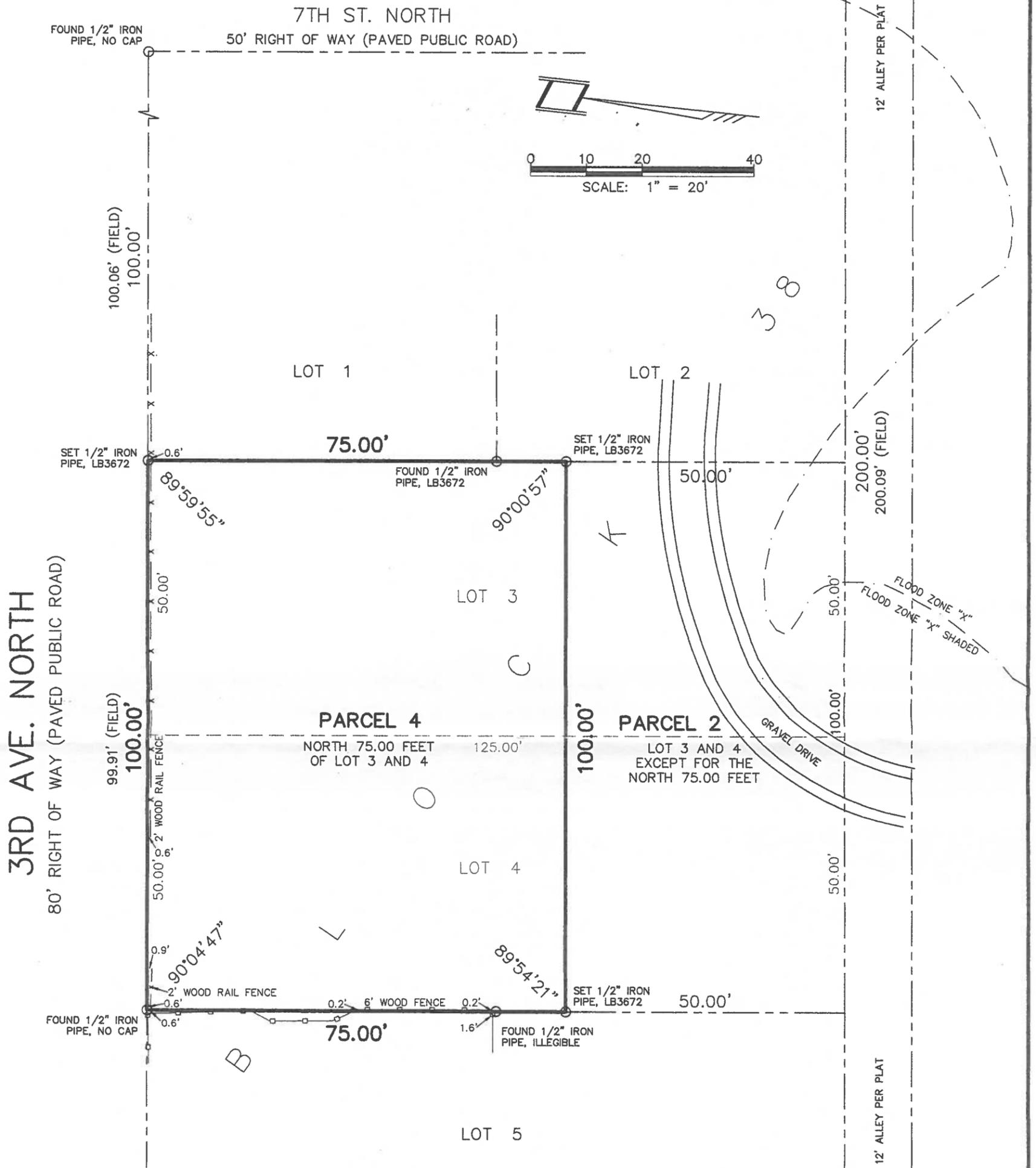
DATE: AUG 2020

SHEET 1 OF 1

EXISTING

# MAP SHOWING SURVEY OF

THE NORTH 75.00 FEET OF LOTS 3 AND 4, BLOCK 38, ATLANTIC PARK AS RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



**NOTES:**

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

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" SHADED AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12031C0417J REVISED NOVEMBER 02, 2018 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF ATKINS BUILDERS, INC.

**RECEIVED**  
20-100137  
AUG 11 2020

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

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

CHECKED BY: \_\_\_\_\_  
 DRAWN BY: DAF  
 FILE: 2020-0818-4

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

DATE:  
 JUNE 30, 2020  
 SHEET 1 OF 1

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.

goes by Jesse (Dan) 404-226-1965

**APPLICANT INFORMATION**

Applicant Name: The Altman Brothers Rest Corp dba Jax Beach Brunch Haus Telephone: 904-945-4287  
Mailing Address: 610 3rd Street South Jacksonville Beach, FL 32250 E-Mail: Dan@jaxbeachbrunchhaus.com

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

**MARIOSUNLIMITED, INC**  
Landowner Name: Pete Modica Telephone: 904-864-6493  
Mailing Address: 150 B - Roscoe Blvd N Ponte Vedra, FL 32082 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

RE # 176043-0000

**VARIANCE DATA**

Street address of property AND Real Estate Number: 610 3rd Street South Jacksonville Beach FL  
Legal description of property (Attach copy of deed): lots 1-5 block 64 PPS & unnumbered lot to west  
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):  
Attach permanent awning to the east side of the building

RECEIVED

**AFFIDAVIT**

I, J. Daniel Altman, 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.

APPLICANT SIGNATURE: [Signature] PRINT APPLICANT NAME: J. Daniel Altman DATE: 6-15-20

STATE OF FLORIDA, COUNTY OF DUVAL:  
Sworn to and signed before me this 15 day of June, 2020 by Pietro Modica Jesse Altman, who is personally known to me or has produced FDL as identification

NOTARY PUBLIC SIGNATURE: [Signature] PRINT NOTARY NAME: Enid Johnson  
ENID V. JOHNSON  
Commission # GG 008504  
Expires July 5, 2020  
Bonded Thru Troy Fain Insurance 800-385-7019  
(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: C-1 FLOOD ZONE: AE/X-shaded

CODE SECTION (S):  
34-342(e)(3)a, for a front yard setback of zero feet in lieu of 10 feet minimum to allow for the installation of an awning over an existing outdoor restaurant seating area

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20.100144

**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?<br>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                | We have seating with a variance for this area.   |
| Special circumstances and conditions do not result from the actions of the applicant.  | Yes                | <p style="text-align: right; color: red;">RECEIVED</p> <p style="text-align: right; color: red;">AUG 19 2020</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.                      | Yes                | <p style="text-align: right; color: red;">PLANNING &amp; DEVELOPMENT</p>   |
| 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                | Especially due to the restrictions of some capacity outside seating is at a premium.                             |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | Yes                |  |
| Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.   | Yes                | Space is currently being used for seating but the dining will make it more available to guests.                  |

Board of Adjustment Minutes  
August 18, 1992  
Page 2

36-92 Eng

Jack Eng, lots 1, 2, 3, 4, 5, 6, block 64, Pablo Beach South (3rd Street South and 6th Avenue), variance request for setbacks and parking.

Motion to approve

Mr. Jolley moved to approve, seconded by Mr. Corwin.

Tom Morgan, Architect for the project was present to represent Mr. Eng. Mr. Eng has owned this property since 1971. He would like to develop a restaurant on this property. It is extremely odd shaped and narrow on the back portion.

Mr. Corwin asked why the entry was being built on 3rd Street.

Mr. Morgan said they thought it would look nice. This is only for 20' and they feel the main entrance will be in the rear.

Mr. Sorensen asked how high the entry court will be.

Mr. Morgan said it would be 6', totally open.

Mr. Sorensen asked about using the alley for parking and asking the city to abandon this alley.

Mr. Morgan said they will ask permission to pave the alley, but the sewer line runs through the alley. The alley is not in use except for this sewer.

No one in the audience wished to speak on this matter.

Mr. Sorensen feels it would be an asset to the neighborhood.

Mr. Corwin said the variance is only for a small bit of landscaping and parking. The only problem is the entry court on 3rd Street.

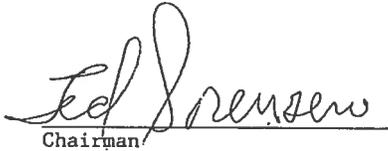
Mr. Morgan said they intend to pave the adjacent street from the present pavement to the property line.

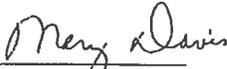
Vote to approve

Roll call vote on each section of the variance request resulted in all ayes except for 1(a) 3rd Street frontage reduce 10' setback to 4'8", for a distance of 20 feet to allow construction of an entry court with archway--resulted in 3 nays.

Adjournment

There being no further business, the meeting was adjourned.

  
Chairman

ATTEST:   
Secretary



CERTIFIED MAIL RECEIPT# 7017 0660 0000 0986 8408

July 11, 2017

Ref BOA #20-100144

J. Daniel Altman  
2237 2nd Street South  
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 33-17**  
**Conditional Use Application** for outdoor restaurant seating, located in a *Commercial, limited: C-1* zoning district, located at 610 South 3<sup>rd</sup> Street.  
(*Jax Beach Brunch Haus*)

Mr. Altman,

The City of Jacksonville Beach Planning Commission met on Monday, July 10, 2017 in Council Chambers to consider your **Conditional Use Application** for outdoor seating at an new restaurant, in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

The request was Approved.

Please remove the public notices posted on the property. Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

  
Heather Ireland, AICP  
Senior Planner

Attachment: Section 34-407 of the Jacksonville Beach LDC

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



Proposed

# PROPOSED

## MAP SHOWING SURVEY OF

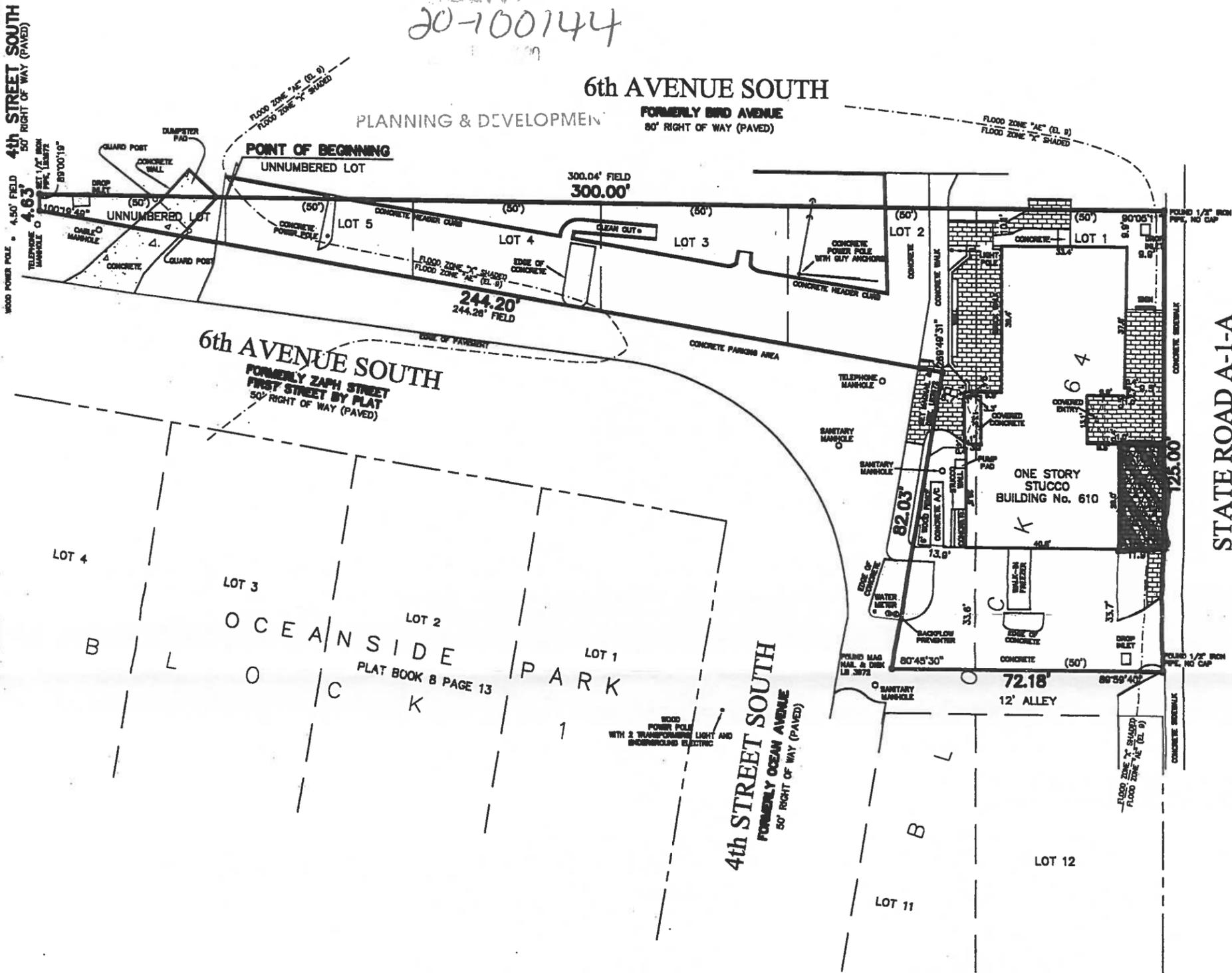
LOTS 1, 2, 3, 4 AND 5, BLOCK 64, PABLO BEACH SOUTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THAT CERTAIN UNNUMBERED LOT LYING WEST OF SAID LOT 5 IN BLOCK 64, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT CERTAIN UNNUMBERED LOT LYING WEST OF LOT 5, BLOCK 64, PABLO BEACH SOUTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF LOT 5 OF SAID BLOCK 64; THENCE WESTERLY, ALONG THE SOUTH RIGHT OF WAY LINE OF 6th AVENUE SOUTH (FORMERLY BIRD AVENUE, AN 80 FOOT RIGHT OF WAY AS NOW ESTABLISHED) A DISTANCE OF 50 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 64; THENCE SOUTHERLY, ALONG THE WESTERLY LINE OF SAID BLOCK 64 (THE SAME BEING THE EAST RIGHT OF WAY LINE OF 4th STREET SOUTH, A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED), TO ITS INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF 6th AVENUE SOUTH (FORMERLY ZAPH STREET, A 50 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE EASTERLY, ALONG OF LOT 5, TO THE POINT OF BEGINNING. BEING THE SAME LANDS KNOWN AS LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 64, PABLO BEACH SOUTH, AS RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AS SAME LANDS ARE DESCRIBED IN OFFICIAL RECORDS VOLUME 3548, PAGE 888 OF SAID PUBLIC RECORDS.

RECEIVED  
20-100144

### 6th AVENUE SOUTH

FORMERLY BIRD AVENUE  
80' RIGHT OF WAY (PAVED)

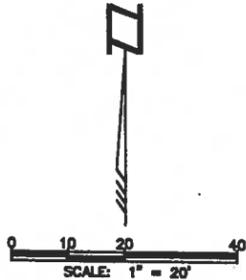
PLANNING & DEVELOPMENT



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

**FLOOD ZONE:**

THE PROPERTY DESCRIBED HEREON LIES IN FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD IN COASTAL ZONE) AND FLOOD ZONE "AE" (ELEVATION 9 FEET) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NUMBER 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.



THIS SURVEY WAS MADE FOR THE BENEFIT OF MARIO'S UNLIMITED, INC. AND BOREE CANVAS.

THIS IS A REDUCED PRINT  
DO NOT SCALE DISTANCES

*[Signature]*  
**DONN W. BOATWRIGHT, P.S.M.**  
 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. 20-100/45  
HEARING DATE 10/6/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

**RECEIVED**

AUG 25 2020

PLANNING & DEVELOPMENT

### APPLICANT INFORMATION

Applicant Name: Ron Stephens Telephone: (904) 237-0921  
 Mailing Address: 715 11<sup>th</sup> Street N E-Mail: RonStephens1969@Yahoo.com  
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 Real Estate Number: 715 11<sup>th</sup> Street North 177739-0000  
 Legal description of property (Attach copy of deed): Lot 9, Block 1  
 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 cover 15 39.5% Applying for 44.3%  
pool and Guest Room and patio Area

### AFFIDAVIT

I, Ron Stephens, 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.

APPLICANT SIGNATURE: [Signature] PRINT APPLICANT NAME: Ronald Stephens DATE: 8/25/20

STATE OF FLORIDA, COUNTY OF DUVAL:  
This instrument was acknowledged before me by means of  physical presence or  online notarization, this 25<sup>th</sup> day of August, 2020, by Ronald Stephens, who is personally known to me or produced FL DL as identification.

NOTARY PUBLIC SIGNATURE: [Signature]  
 PRINT NOTARY NAME: Deanna Yoders



(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):  
 34-336(e)(1)e, for 44.3% lot coverage in lieu of 35% maximum to allow for a swimming pool, paver patio, detached accessory structure, and grill area additions to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100145

**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.

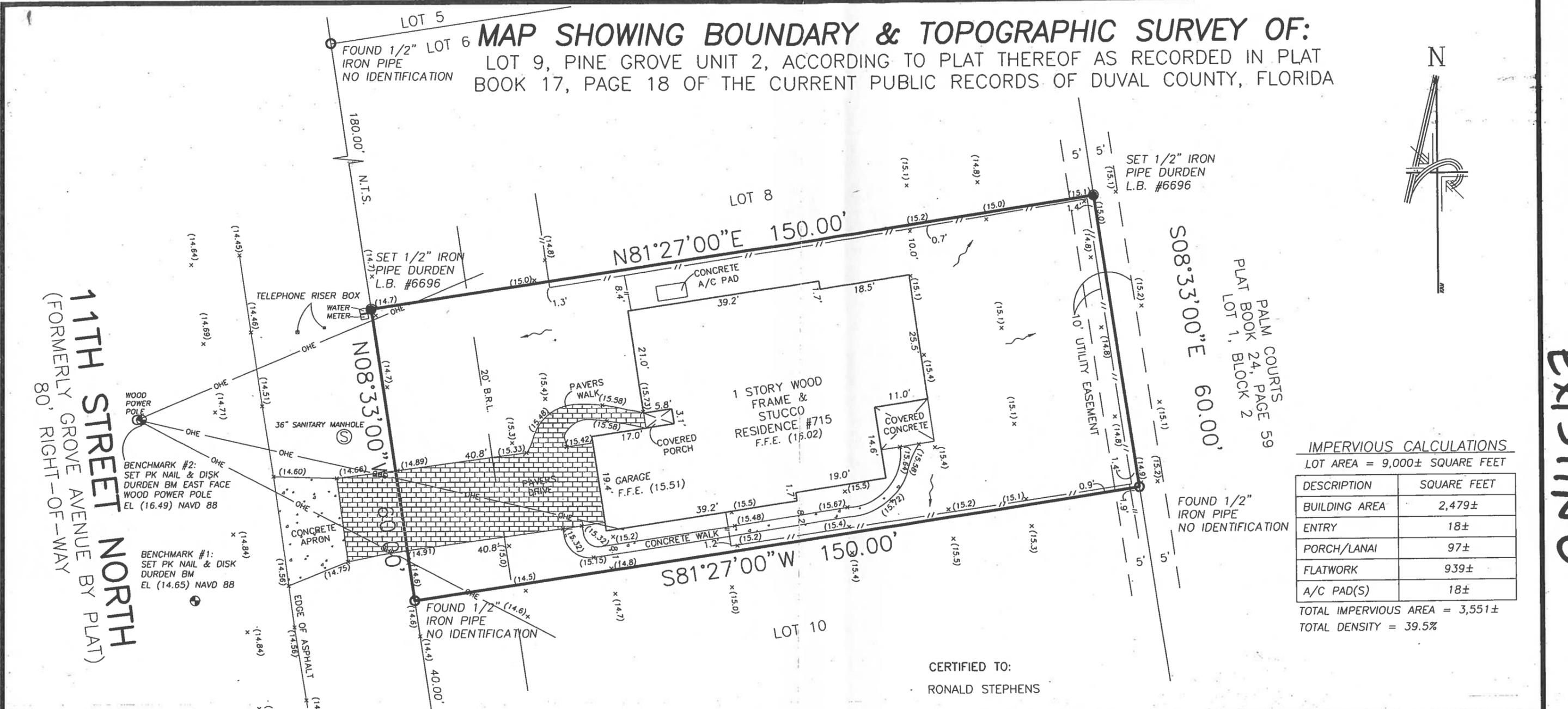
| Standard   | Applies?<br>Yes/No | Circumstances/ Explanation      |
|--|--------------------|---------------------------------|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.                   | NO                 | RECEIVED<br>AUG 25 2020         |
| Special circumstances and conditions do not result from the actions of the applicant.  | NO                 | PLANNING & DEVELOPMENT          |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | NO                 |                                 |
| Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship. | NO                 |                                 |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | YES                | Adul-y Pool<br>AND Cookout Area |
| Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.   | YES                |                                 |

Existing

# MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF: LOT 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



11TH STREET NORTH  
(FORMERLY GROVE AVENUE BY PLAT)  
80' RIGHT-OF-WAY



### IMPERVIOUS CALCULATIONS

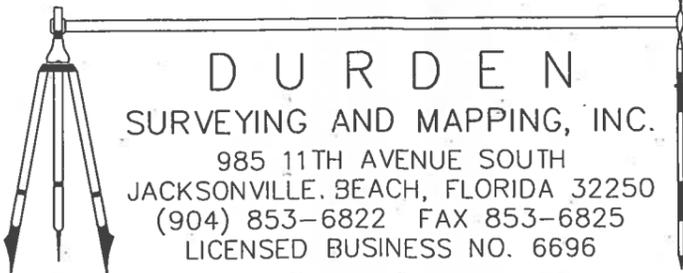
LOT AREA = 9,000± SQUARE FEET

| DESCRIPTION   | SQUARE FEET |
|---------------|-------------|
| BUILDING AREA | 2,479±      |
| ENTRY         | 18±         |
| PORCH/LANAI   | 97±         |
| FLATWORK      | 939±        |
| A/C PAD(S)    | 18±         |

TOTAL IMPERVIOUS AREA = 3,551±  
TOTAL DENSITY = 39.5%

CERTIFIED TO:  
RONALD STEPHENS

**NOTES:**  
THIS PROPERTY LIES IN FLOOD ZONE "X" PER FLOOD INSURANCE RATE MAP (FIRM), CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, COMMUNITY No. 120078, MAP/PANEL No. 12031C-0417-J, REVISED NOVEMBER 2, 2018  
ELEVATIONS SHOWN AS THUS (16.49) AND ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (N.A.V.D.) OF 1988  
BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF 11TH STREET NORTH AS BEING N 08°33'00" W  
20' BUILDING RESTRICTION LINE (B.R.L.) BY PLAT  
F.F.E. DENOTES FINISHED FLOOR ELEVATION  
~ DENOTES FLOW ARROWS  
N.T.S. DENOTES NOT TO SCALE  
OHE DENOTES OVERHEAD ELECTRIC  
ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 1 UNLESS OTHERWISE 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.



**DURDEN**  
SURVEYING AND MAPPING, INC.  
985 11TH AVENUE SOUTH  
JACKSONVILLE, BEACH, FLORIDA 32250  
(904) 853-6822 FAX 853-6825  
LICENSED BUSINESS NO. 6696

**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.

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.*  
FLORIDA REGISTERED SURVEYOR No. 470  
H. BRUCE DURDEN, JR.  
REGULATED

SIGNED JUNE 17, 2020  
SCALE: 1" = 20'  
WORK ORDER NUMBER: 20247

RECEIVED  
30-100145  
AUG 25 2020

PLANNING & DEVELOPMENT

B-9689

EXISTING

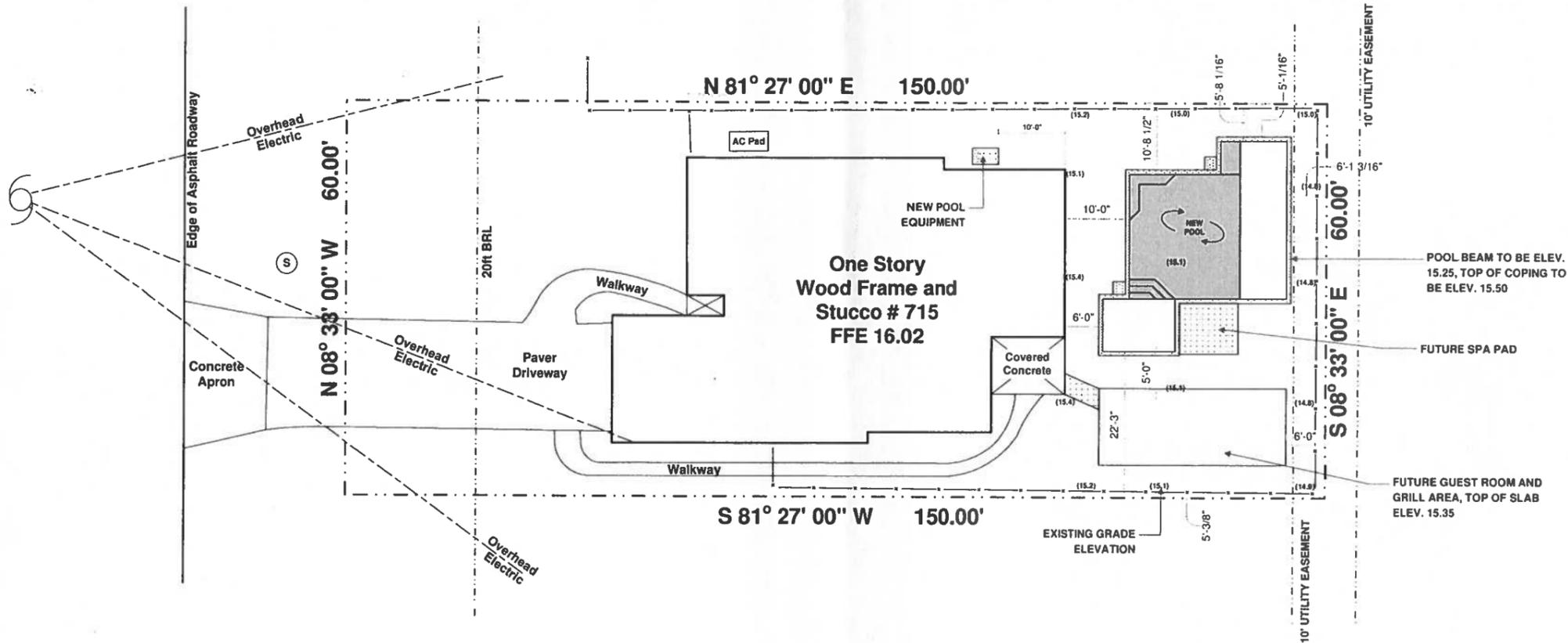
# PROPOSED

Proposed

**SITE NOTES:**

1. ALL GRADING, LANDSCAPING, AND SOIL STABILIZATION OF POOL AREA AND OTHER DISTURBED GROUND AREA TO BE COMPLETED PRIOR TO FINAL INSPECTION.
2. FINISHED GRADING AROUND POOL TO MATCH THE EXISTING GRADE.
3. GRADING SHALL NOT EXCEED 5% SLOPE WITHIN 5FT OF THE PROPERTY LINE.
4. NO DECK IS INCLUDED IN THIS PROJECT, POOL BEAM TO BE COVERED WITH COPING PAVERS.
5. OWNER TO PROVIDE AN AS-BUILT SURVEY AFTER CONSTRUCTION SHOWING ALL IMPROVEMENTS.

**11<sup>TH</sup> STREET NORTH**  
(FORMERLY GROVE AVENUE)  
80' RIGHT OF WAY



**Lot Coverage Calculations:**

|                 |    |                           |
|-----------------|----|---------------------------|
| 9,000           | sf | Total Lot                 |
| -2,479          | sf | House                     |
| -18             | sf | Entry                     |
| -97             | sf | Porch/Lanai               |
| -939            | sf | Flatwork                  |
| -18             | sf | HVAC pad                  |
| <hr/>           |    |                           |
| 3,551           | sf | Total Existing Impervious |
| 39.46%          | %  | Total Existing Impervious |
| <hr/>           |    |                           |
| <b>New Work</b> |    |                           |
| -82             | sf | New Pool Coping           |
| -336            | sf | Future Structure          |
| -18             | sf | New Concrete              |
| <hr/>           |    |                           |
| 3,987           | sf | Total New Impervious      |
| 44.3%           | %  | Total New Impervious      |

55.7% New Pervious Coverage

RECEIVED  
BOA#20-100145  
SEP 11 2020

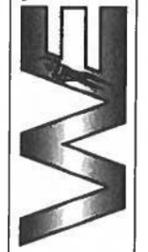
PLANNING & DEVELOPMENT

Information shown is based on survey provided by Durden Surveying and Mapping, Inc. for Ronald Stephens. This drawing is not an official survey and should only be used for general house, property, and pool locations.

| No. | Date    | Description   |
|-----|---------|---|
| 1   | 09/2020 | Clarified Dimensions, Changed Future pad to be 8ft from pool coping |

A New Pool For The  
Stephens Family  
715 11<sup>th</sup> Street North  
Jacksonville Beach, FL 32250

**WE ENGINEERING** LLC  
Certificate of Authorization #00719  
2922 Zimac Lane  
Lundey, FL 32088  
904-451-0810  
NCE@WeEngineerPool.com



Nicholas W. Eckhardt, P.E.  
FL # 69144  
Professional Engineer

SCALE: 1" = 10'  
DRAWN BY: NWE  
DESIGNED BY: RS  
CHECKED BY: RS

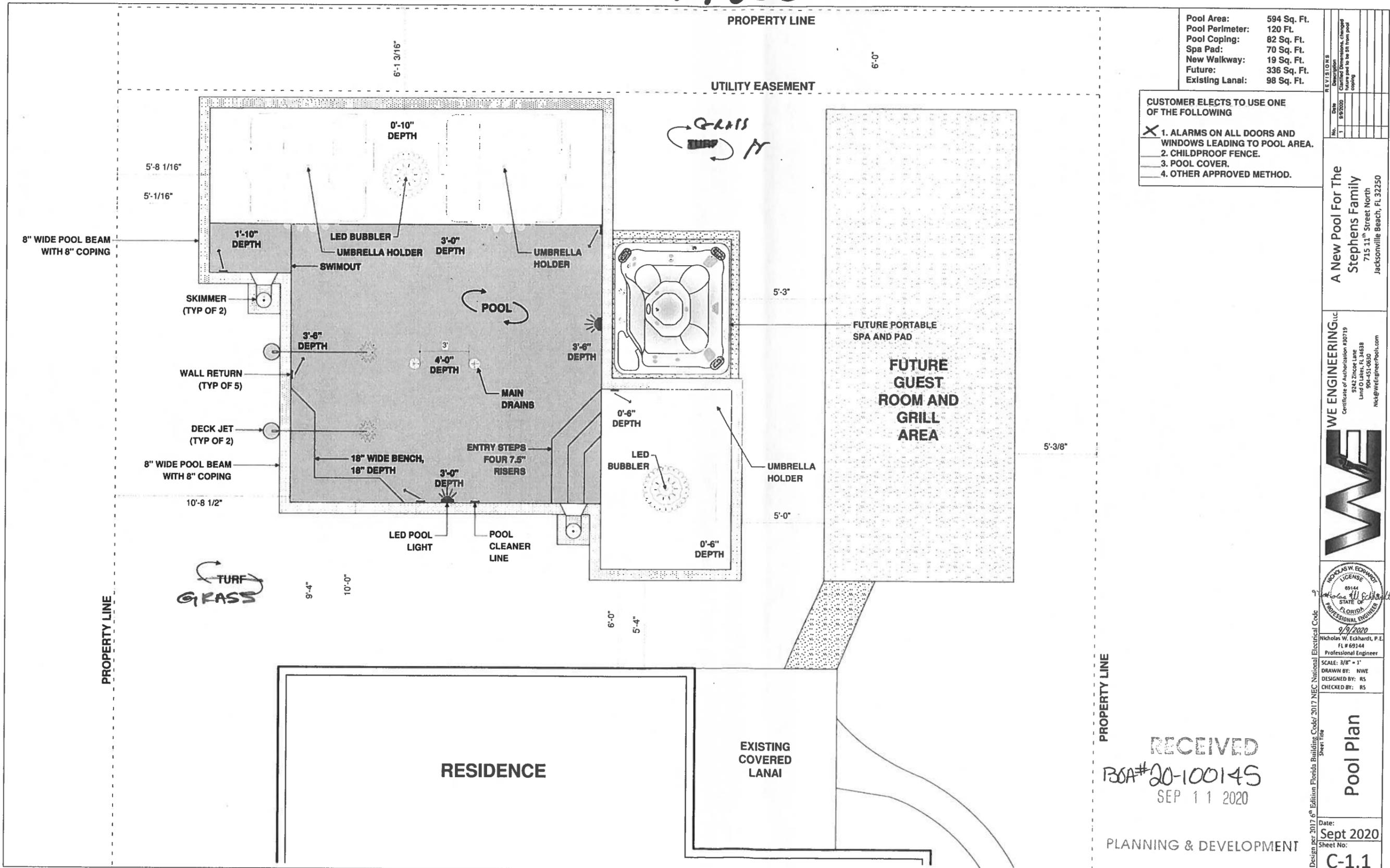
**Site Plan**

Date: **Sept 2020**

Sheet No: **C-1.0**

Design per 2017, 6<sup>th</sup> Edition, Florida Building Code/ 2017 NEC National Electrical Code

# PROPOSED



|                 |             |
|-----------------|-------------|
| Pool Area:      | 594 Sq. Ft. |
| Pool Perimeter: | 120 Ft.     |
| Pool Coping:    | 82 Sq. Ft.  |
| Spa Pad:        | 70 Sq. Ft.  |
| New Walkway:    | 19 Sq. Ft.  |
| Future:         | 336 Sq. Ft. |
| Existing Lanai: | 98 Sq. Ft.  |

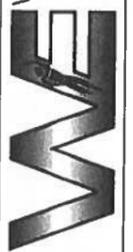
CUSTOMER ELECTS TO USE ONE OF THE FOLLOWING

- 1. ALARMS ON ALL DOORS AND WINDOWS LEADING TO POOL AREA.
- 2. CHILDPROOF FENCE.
- 3. POOL COVER.
- 4. OTHER APPROVED METHOD.

| No. | Date     | Revisions   |
|-----|----------|---|
| 1   | 8/9/2020 | Clarified dimensions, changed future pad to be 5ft from pool coping |

A New Pool For The  
Stephens Family  
715 11<sup>th</sup> Street North  
Jacksonville Beach, FL 32250

WE ENGINEERING, LLC  
Certificate of Authorization #30719  
5242 Zincok Lane  
Lauder Lake, FL 34638  
904-451-0830  
nick@weengineeringllc.com



Electrical Code: 2017 NEC National  
Scale: 3/8" = 1'  
Drawn By: NIWE  
Designed By: RS  
Checked By: RS

PROPERTY LINE

PROPERTY LINE

RECEIVED  
PSA# 20-100145  
SEP 11 2020

PLANNING & DEVELOPMENT

Pool Plan

Date: Sept 2020  
Sheet No: C-1.1



# APPLICATION FOR VARIANCE

BOA NO. 20-100146  
HEARING DATE 10/6/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of **\$500.00** (due at the time of application submittal).
7. Completed application.

RECEIVED

AUG 25 2020

### APPLICANT INFORMATION

**Applicant Name:** Kary and Mary Ellen Krieger **Telephone:** (917) 690-1008  
**Mailing Address:** 3694 Isabella Boulevard **E-Mail:** mek@kelkedesign.com  
Jacksonville Beach, Florida 32250  
**Agent Name:** n/a **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: 3694 Isabella Boulevard / 180810-0020  
 Legal description of property (Attach copy of deed): 11-36 09-3S-29E 162 Oceanview Highlands, LOT 31, BLK 9  
 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).  
Front YARD setback of 10ft in lieu of 25ft for addition.

### AFFIDAVIT

I, Mary Ellen Krieger, 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.

Mary Ellen Krieger Mary Ellen Krieger 8.25.2020  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

### STATE OF FLORIDA, COUNTY OF DUVAL:

This instrument was acknowledged before me by means of  physical presence or  online notarization, this 25th day of August, 2020, by Mary Ellen Krieger, who is personally known to me or produced FL DL as identification.

Deanna Yoders  
 NOTARY PUBLIC SIGNATURE  
Deanna Yoders  
 PRINT NOTARY NAME



(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):**  
34-336(e)(1)c.1, for a front yard setback of 10 feet in lieu of 25 feet required to allow for an addition to an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-10014

**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?<br>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                | We have an odd shaped lot created by the dead end and closed street.   |
| Special circumstances and conditions do not result from the actions of the applicant.  | Yes                | <p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center;">AUG 25 2020</p> <p style="text-align: center;"><b>PLANNING &amp; DEVELOPMENT</b></p> |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | Yes                |  |
| Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship. | Yes                | We have a small 2 bedroom and two growing teens (Boys/Girl!)   |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | Yes                |  |
| Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.   | Yes                | No neighbor will be affected or even be able to see the addition.  |

# Reference BOA# 20-1001

Regular meeting of the Board of Zoning and Adjustment held on Tuesday, April 3, 1984 in the Council Chamber of City Hall at 8:00 p.m.

- Call to order The meeting was called to order.
- Roll Call Present: Guy Craig, Charles Jolley, Reid McCormick, David Polovina, Rick Shore
- Also present were Walter Henderson, Building Department and Gerald Lute, Fire Marshal.
- Approval of minutes The minutes of the previous meeting were approved as written.
- 357-84  
Becker-Schemer Becker-Schemer Builders, 22nd Avenue South and Ocean Drive, variance request for side yard setback of 5 feet in lieu of 7 feet and 15 feet in lieu of 20 feet, parking, rear yard setback of 15 feet in lieu of 30 feet. There is 15 feet between the buildings.
- Motion to deny Mr. Shore moved to deny the variance request, seconded by Mr. McCormick.
- Discussion The green area is met. The storm water management system will need further study. The parking is the biggest problem and there is no place indicated for the dumpster.
- Subst. Motion to carryover Mr. Polovina moved a substitute motion to carryover this matter until the next meeting to allow for revision of the plans, seconded by Mr. Jolley. Vote resulted in 4 ayes, nay by Mr. McCormick.
- Discussion William Newbern, Ocean 21-22 resident and speaking for the Association with 6 members present in the audience, objected to this project. They object to the effect upon the area and the community. They represent 72 owners who object to the increased traffic problems.
- Cal Gilbert, Ocean 21-22 stated that they had to provide additional parking by purchasing property. People are constantly using their parking and their dumpster and does not want this project approved by the Board.
- 358-84  
Alvarez Virginia Alvarez, 9th Avenue South and 5th Street, rear yard variance request for 25 feet in lieu of 30 feet required.
- Motion to approve Mr. Shore moved to grant the variance as requested, seconded by Mr. McCormick. Vote resulted in all ayes.
- 359-84  
McGill William McGill, lot 31, block 9, Oceanview Highlands, corner setback request of 16 feet in lieu of 20 feet, 1492 square feet in lieu of 1600.
- Motion to approve Mr. Jolley moved to approve the variance as requested, seconded by Mr. McCormick. Vote resulted in all ayes.
- Mr. Polovina stated that he was not against this variance but the members of the Board are not always consistent in their way of thinking on this type variance request.
- Adjournment There being no further business, the meeting was adjourned.

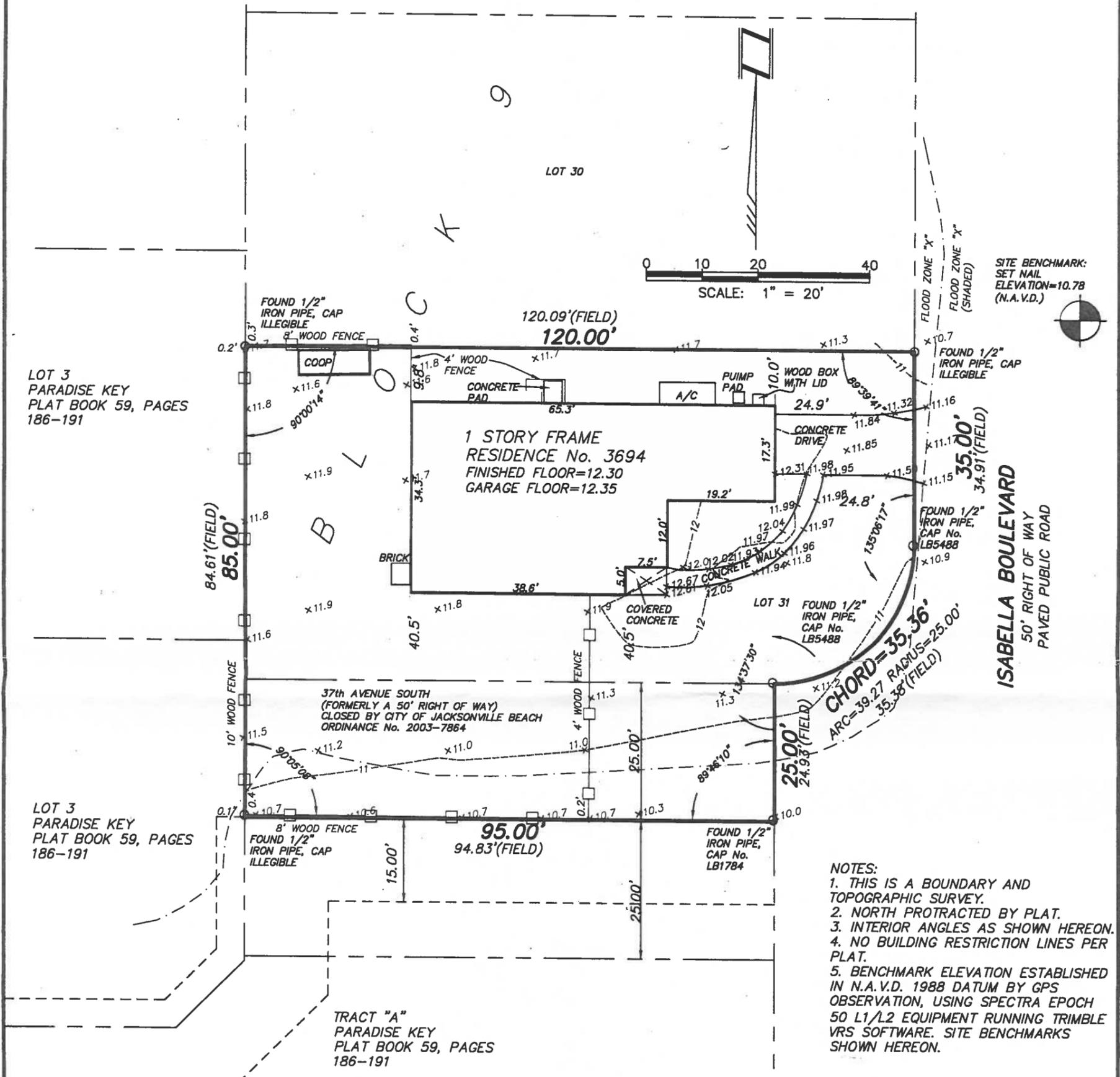
WH-4-5-84



# EXISTING

## MAP SHOWING SURVEY OF

LOT 31, BLOCK 9, OCEAN VIEW HIGHLANDS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 36, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE APPURTENANT PORTION OF COLUMBUS AVENUE (37th AVENUE SOUTH) LYING SOUTHERLY OF AFOREMENTIONED LOT 31 AND ADJACENT THERETO, SAID PORTION CLOSED BY CITY OF JACKSONVILLE BEACH ORDINANCE No. 2003-7864.



LOT 3  
PARADISE KEY  
PLAT BOOK 59, PAGES  
186-191

LOT 3  
PARADISE KEY  
PLAT BOOK 59, PAGES  
186-191

TRACT "A"  
PARADISE KEY  
PLAT BOOK 59, PAGES  
186-191

TOTAL LOT AREA=9441 SQ FT  
HOUSE AREA= 1876 SQ FT  
CONCRETE DRIVE AND WALK AREA=418 SQ FT  
A/C, PUMP PAD, SHOWER, BRICK PAD AREA=74 SQ FT  
TOTAL IMPERVIOUS AREA=2368 SQ FT  
IMPERVIOUS %=25

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONES "X" (AREA OUTSIDE OF THE 0.2% CHANCE FLOODPLAIN) AND "X" (SHADED) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

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

- NOTES:
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
  2. NORTH PROTRACTED BY PLAT.
  3. INTERIOR ANGLES AS SHOWN HEREON.
  4. NO BUILDING RESTRICTION LINES PER PLAT.
  5. BENCHMARK ELEVATION ESTABLISHED IN N.A.V.D. 1988 DATUM BY GPS OBSERVATION, USING SPECTRA EPOCH 50 L1/L2 EQUIPMENT RUNNING TRIMBLE VRS SOFTWARE. SITE BENCHMARKS SHOWN HEREON.

RECEIVED  
20-100146  
AUG 25 2020

PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF KARY AND MARY ELLEN KRIEGER.



DON 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: CL  
FILE: 2018-1820

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

DATE: NOVEMBER 21, 2018  
SHEET 1 OF 1



# APPLICATION FOR VARIANCE

BOA No. 20-100147  
HEARING DATE 10/6/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

RECEIVED

AUG 25 2020

### APPLICANT INFORMATION

Applicant Name: Mary Ann Rice Telephone: (904) 270-8168  
 Mailing Address: 476 6th Avenue South E-Mail: maryannrice2012@att.net  
Jacksonville Beach, FL 32250

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

Landowner Name: Joel and Mary Ann Rice Telephone: (904) 270-8168  
 Mailing Address: 476 6th Avenue South E-Mail: maryannrice2012@att.net  
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: 476 6th Avenue South, Jax Beach 176332--0000  
 Legal description of property (Attach copy of deed): 8-13 04-3S-29E Oceanside Park Lot 10 BLK 1  
 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).  
Extend garage 5 feet, balcony to be built on top of the garage but not longer or wider than the garage and add a tool shed in backyard.  
 FY of 15 ft ILO 20ft  
 Lot coverage of 43% ILO 38% max

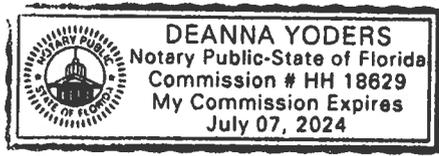
### AFFIDAVIT

I, MARY ANN RICE, 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.

Mary Ann Rice APPLICANT SIGNATURE      MARY ANN RICE PRINT APPLICANT NAME      8/25/2020 DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
 This instrument was acknowledged before me by means of  physical presence or  online notarization, this 25th day of August, 2020, by Mary Ann Rice, who is personally known to me or produced FL DL as identification.

Deanna Yoders NOTARY PUBLIC SIGNATURE  
Deanna Yoders PRINT NOTARY NAME



(Affix Notary Seal Above)

THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE

CURRENT ZONING CLASSIFICATION: RS-2 FLOOD ZONE: AE/X (shaded)

CODE SECTION (s):  
 34-337(e)(1)c.1, for a front yard setback of 15 feet in lieu of 20 feet minimum; and 34-337(e)(1)e, for 43% lot coverage in lieu of 35% maximum to allow for an addition and a new shed at an existing single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100147

**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?<br>Yes/No | Circumstances/ Explanation<br><b>RECEIVED</b> |
|--|--------------------|---|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.                   | No                 | AUG 25 2020<br><br>PLANNING & DEVELOPMENT     |
| Special circumstances and conditions do not result from the actions of the applicant.  | No                 |   |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | No                 |   |
| Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship. | No                 |   |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | No                 |   |
| 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.   | No                 |   |

PROPOSED

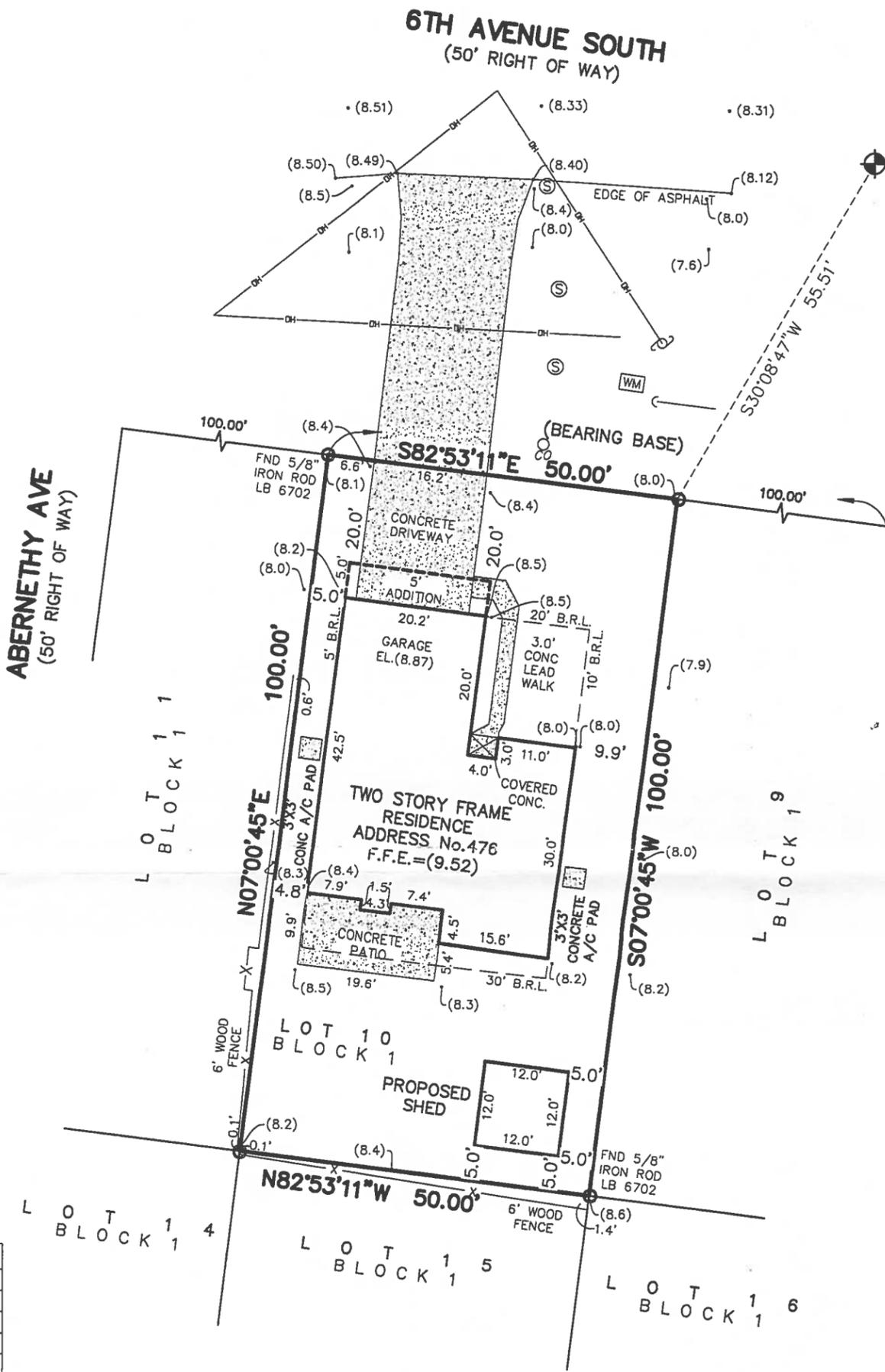
# MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF

## LOT 10 BLOCK 1 AS SHOWN ON MAP OF OCEANSIDE PARK

AS RECORDED IN PLAT BOOK 8 PAGE 13 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FL.  
CERTIFIED TO: JOEL H. & MARY ANN RICE

RECEIVED  
20-100147  
AUG 25 2020

PLANNING & DEVELOPMENT



**BUILDERS ENDORSEMENT**  
 SIGNED: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 DATE: \_\_\_\_\_

DIMENSIONS SHOWN HEREON ARE PER FOUNDATION PLAN

|                       |                    |
|-----------------------|--------------------|
| LOT 10                | CUSTOM, LT         |
| LOT SIZE              | 5,000± SQ. FT.     |
| DRIVEWAY TO R/W       | 322± SQ. FT.       |
| LEAD WALK             | 62± SQ. FT.        |
| APPROXIMATE SIDEWALK  | 0± SQ. FT.         |
| RIGHT-OF-WAY LENGTH   | 50.00 FT.          |
| TOTAL IMPERVIOUS AREA | 1,909± SQ. FT. 38% |
| PROPOSED 5' ADDITION  | 101± SQ. FT.       |
| PROPOSED SHED         | 144± SQ. FT.       |
| TOTAL W/ADDITIONS     | 2,154± SQ. FT. 43% |

**BENCHMARK:**  
 NAIL & DISK FND NO I.D.  
 IN FRONT OF LOT 9  
 ELEVATION: (8.24)

ELEVATIONS SHOWN HEREON  
 REFER TO NAVD OF 1988

- DENOTES FOUND 1/2" IRON PIPE NO I.D. UNLESS OTHERWISE NOTED
- WM - DENOTES WATER METER
- DENOTES GUY ANCHOR
- ⊙ DENOTES 36" SANITARY SEWER MAN HOLE
- ⊙ DENOTES 4" PVC SANITARY SEWER CLEAN OUT
- ⊙ DENOTES 12" WOOD POWER POLE
- OH— DENOTES OVERHEAD POWER LINES

MORTGAGE & TOPOGRAPHIC; W.O.#183178; 7-15-2020 (FIELD)

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

UNDERGROUND ENCROACHMENTS NOT LOCATED

THE LAND SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP 0417 J FOR DUVAL COUNTY, FLORIDA, F.I.R.M INDEX DATE 11-02-18

### ALL AMERICAN SURVEYORS OF FLORIDA, INC.

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

**Legend**

|       |                |         |                                    |
|-------|----------------|---------|------------------------------------|
| COV.  | = COVERED      | F.F.E.  | = FINISH FLOOR ELEVATION           |
| FND.  | = FOUND        | A/C     | = AIR CONDITIONER                  |
| ESH/T | = EASEMENT     | I.D.    | = IDENTIFICATION                   |
| CONC  | = CONCRETE     | P.R.M.  | = PERMANENT REFERENCE MONUMENT     |
| MON.  | = MONUMENT     | P.T.    | = POINT OF TANGENCY                |
| I.P.  | = IRON PIPE    | P.C.P.  | = PERMANENT CONTROL POINT          |
| I.R.  | = IRON ROD     | P.C.    | = POINT OF CURVE                   |
| Δ     | = DELTA ANGLE  | P.R.C.  | = POINT OF REVERSE CURVE           |
| CH    | = CHORD        | P.C.C.  | = POINT OF COMPOUND CURVE          |
| A     | = ARC LENGTH   | B.R.L.  | = BUILDING RESTRICTION             |
| R     | = RADIUS       | F.P.&L. | = FLORIDA POWER & LIGHT (TYP.)     |
| (C)   | = CALCULATED   | NGVD    | = NATIONAL GEODETIC VERTICAL DATUM |
| (D)   | = DEED         | NAV D   | = NORTH AMERICAN VERTICAL DATUM    |
| (P)   | = PLAT         | N.T.S.  | = NOT TO SCALE                     |
| (R)   | = RADIAL LINE  | LB      | = LICENSED BUSINESS                |
| C     | = CENTER LINE  | P.I.    | = POINT OF INTERSECTION            |
| R/W   | = RIGHT-OF-WAY | EDW     | = EDGE OF WATER                    |
| (A)   | = ACTUAL       | TOB     | = TOP OF BANK                      |
| (W)   | = WITNESS      |         |                                    |

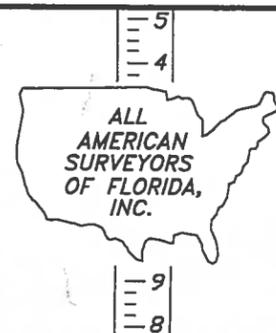
THIS IS TO CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 / CHAPTER 610.17-6, FLORIDA STATUTES.

SURVEY NOT VALID UNLESS EMBOSSED BY SEAL  
 JAMES D. HARRISON, JR., No. 2647  
 MICHAEL A. GARRETT, No. 18643

SCALE 1"=20'

DATE 07-15-2020

STATE OF FLORIDA  
 JAMES D. HARRISON, JR.  
 FLORIDA REGISTERED SURVEYOR AND MAPPER







VARIANCE APPLICATION STANDARDS AND CONDITIONS

BOA No. 20-100148

**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?<br>Yes/No | Circumstances/ Explanation   |
|--|--------------------|--|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.                   | NO                 | <p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">20-100148<br/>AUG 25 2020</p> <p style="text-align: center;">PLANNING &amp; DEVELOPMENT</p> |
| Special circumstances and conditions do not result from the actions of the applicant.  | YES                | Buildings Built in 1937, PRIOR to applicable setback STANDARDS   |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | NO                 |  |
| Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship. | YES                | Applicant / OWNER desires to vertically add SQUARE FOOTAGE to EXISTING structure. Construction will remain within EXISTING FOOTPRINT                                   |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | YES                | Verticle construction within City of Jax Beach Height Restriction, 35', + x/O EXPANSION OF EXISTING FOOTPRINT  |
| 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                | Verticle construction will update the APPEARANCE OF PROPERTY AND ENHANCE the PROPERTY + SURROUNDING PROPERTY   |

Ref. BOA 20-100148



# City of Jacksonville Beach

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**



**FILE COPY**

May 11, 2005

Troy Hobbs  
334 North 2<sup>nd</sup> Avenue  
Jacksonville Beach, FL 32250

RE: BOA # 05-100099  
334 2<sup>nd</sup> Avenue North

Dear Mr. Hobbs:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:00 p.m. on May 3, 2005, to consider your variance application.

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

- 34-377(c)(4): for 3 parking spaces in lieu of 4 spaces required
- 34-373 (d) for 0 feet in lieu of 5 feet minimum parking area set back
- 34-373 (c) for no turning/maneuvering space adjacent to handicap parking.

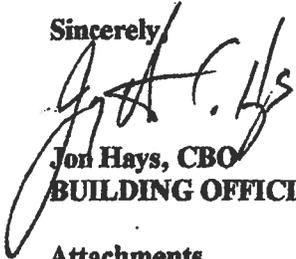
To allow for a 1296 square feet addition to a (1/300 requirement) professional and business office

The results of the meeting were:

- Denied.

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

Sincerely,

  
Jon Hays, CBO  
BUILDING OFFICIAL

Attachments



CERTIFIED MAIL RECEIPT# 7017 3040 0000 2086 0354

Ref. BJA 20100148

September 17, 2020

Troy B. Hobbs  
334 2nd Avenue North  
Jacksonville Beach, FL 32250



FILE COPY

RE: **Planning Commission Case: PC# 18-20**  
**Conditional Use Application** for an existing multiple-family property located in a Commercial, limited: C-1 zoning district, for property located at 334 2nd Avenue North.

The City of Jacksonville Beach Planning Commission met on **Monday, September 14, 2020** in Council Chambers to consider your **Conditional Use Application** for an existing multiple-family property located in a Commercial, limited: C-1 zoning district, to allow for a substantial improvement, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code, for property located at 334 2nd Avenue North.

**The request was approved.**

Pursuant to Section 34-234 of the Jacksonville Beach Land Development Code, conditional use approvals are not transferrable and are granted only to the applicant (Troy Hobbs). 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

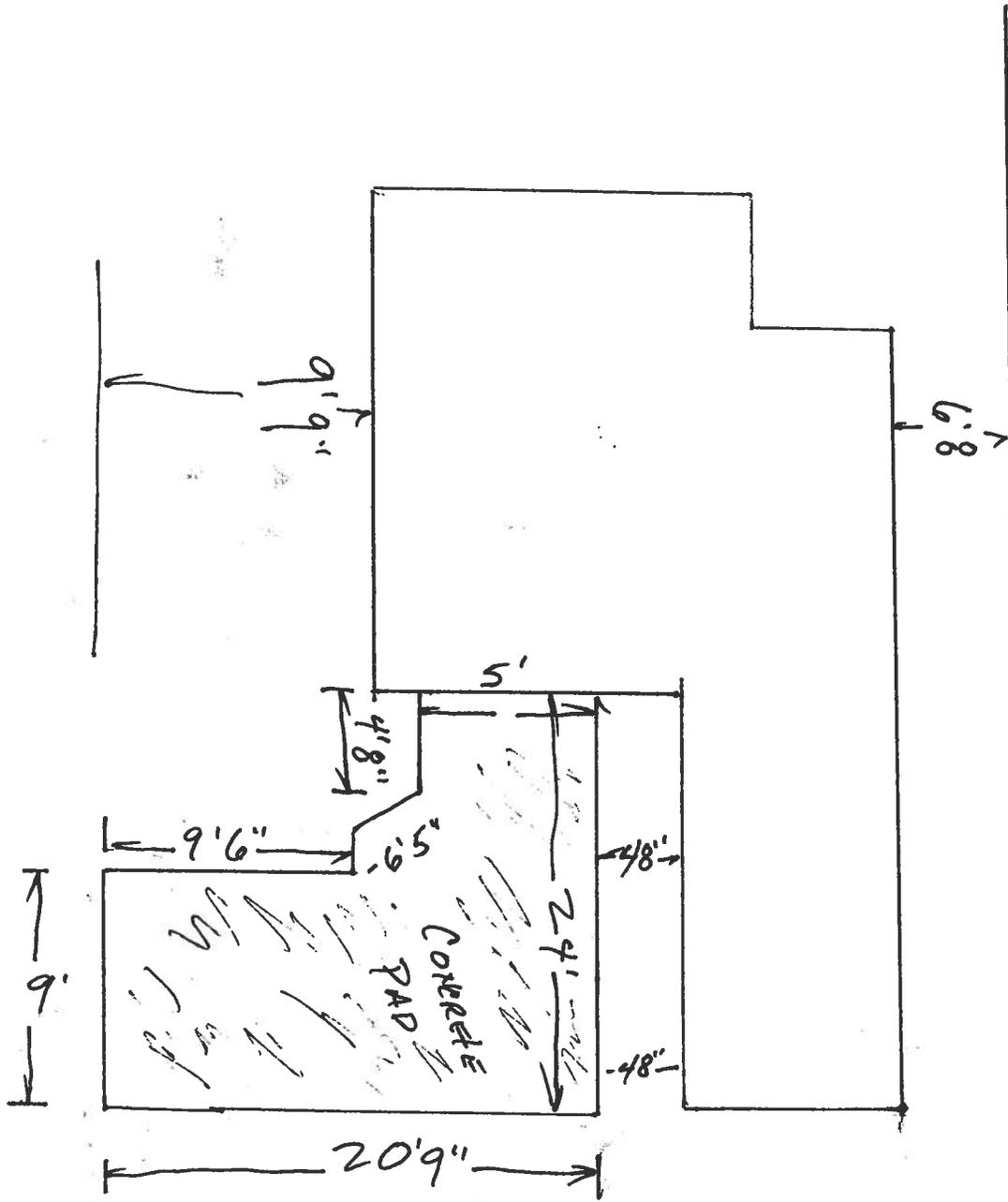
Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



# PROPOSED



RECEIVED  
20-100148  
AUG 25 2020

PLANNING & DEVELOPMENT



# APPLICATION FOR VARIANCE

BOA No. 20-100,149  
HEARING DATE 10/6/20

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 that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to ~~the drawing, to scale~~ (on 11" x 17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not owner, notarized written authorization from owner is required.
6. Non-refundable processing fee of \$500.00 (due at the time of application submittal).
7. Completed application.

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### APPLICANT INFORMATION

**Applicant Name:** DSM Renovations LLC **Telephone:** (904) 239-0059  
**Mailing Address:** 1433 A1A South **E-Mail:** dsmcph@comcast.net  
Ponte Vedra Beach, FL 32082

**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 Real Estate Number: TBD RE# 173849-0000 704 3rd Ave N,  
 Legal description of property (Attach copy of deed): Lot 1, and the N 12.50 ft of lot 2, blk 38, Atlantic Park, bk9, page 15 duval co FL  
 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).  
Request a rear set back of 14ft in lieu of 30ft.

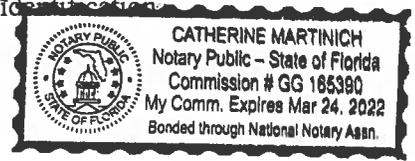
### AFFIDAVIT

I, John McPherson for DSM Renovations LLC, 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.

[Signature] John McPherson 9/14/20  
 APPLICANT SIGNATURE PRINT APPLICANT NAME DATE

STATE OF FLORIDA, COUNTY OF DUVAL:  
 This instrument was acknowledged before me by means of  physical presence or  online notarization, this 14th day of September, 2020, by John McPherson, who is personally known to me or produced \_\_\_\_\_ as identification.

[Signature]  
 NOTARY PUBLIC SIGNATURE  
CATHERINE MARTINICH  
 PRINT NOTARY NAME



(Affix Notary Seal Above)

**THIS BOX FOR OFFICE USE ONLY, GO TO NEXT PAGE**

**CURRENT ZONING CLASSIFICATION:** RS-2 **FLOOD ZONE:** X-shaded

**CODE SECTION (S):**  
34-337(e)(1)c.3, for a rear yard setback of 22 feet as measured to the house and 14 feet as measured to a covered patio both in lieu of 30 feet minimum to allow for the construction of a new single-family dwelling

**VARIANCE APPLICATION STANDARDS AND CONDITIONS**

BOA No. 20-100149

**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.

AUG 24 2020

**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.

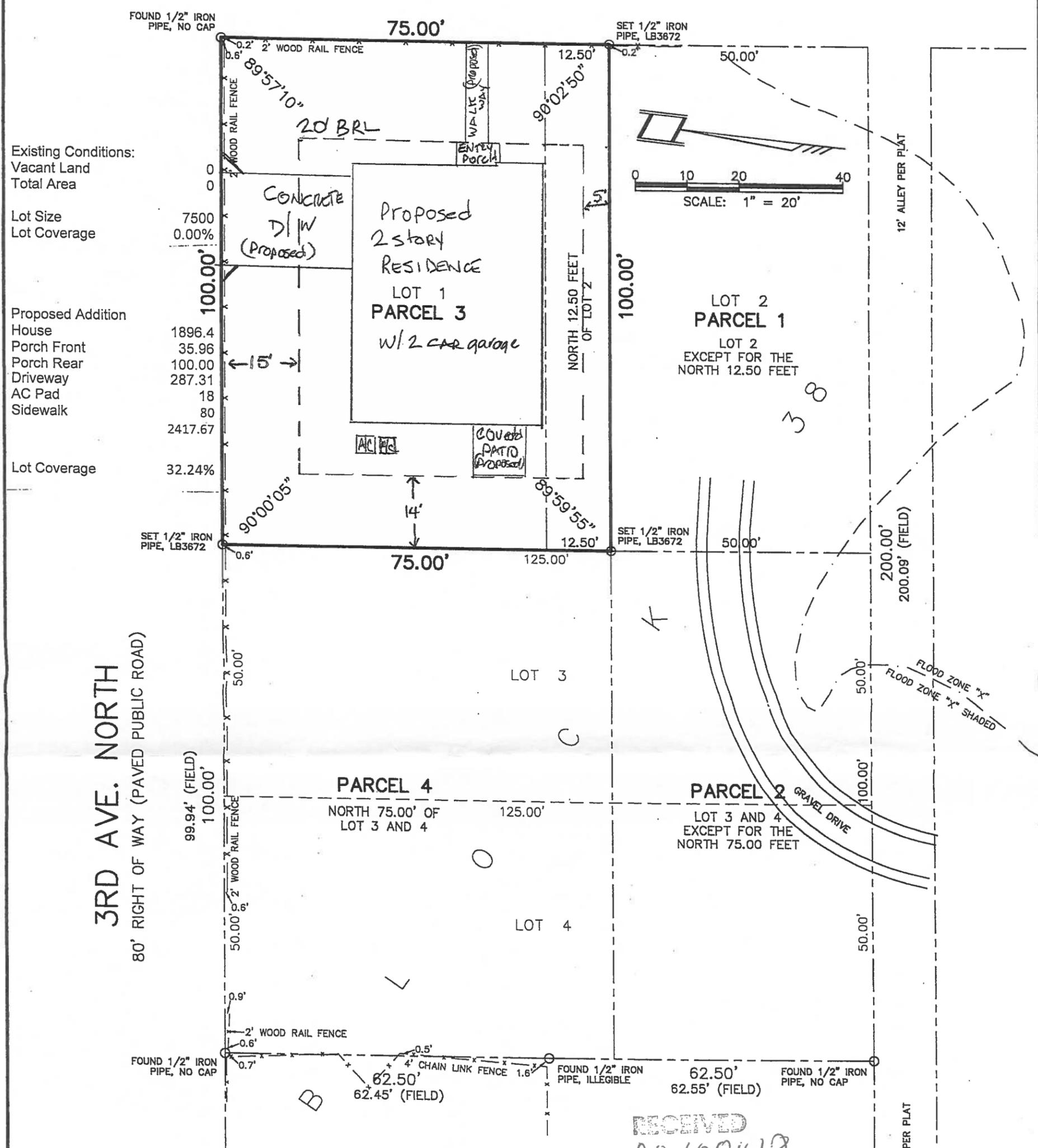
| Standard   | Applies?<br>Yes/No | Circumstances/ Explanation      |
|--|--------------------|---------------------------------|
| Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.                   | YES                | INFERIOR SIZED LOT AT 7500 SQFT |
| Special circumstances and conditions do not result from the actions of the applicant.  | NO                 |                                 |
| Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.                      | NO                 |                                 |
| Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship. | YES                |                                 |
| Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.   | YES                |                                 |
| 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                |                                 |

# PROPOSED MAP SHOWING SURVEY OF

LOT 1, AND THE NORTH 12.50 FEET OF LOT 2, BLOCK 38, ATLANTIC PARK AS RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## 7TH ST. NORTH

50' RIGHT OF WAY (PAVED PUBLIC ROAD)



Existing Conditions:  
Vacant Land  
Total Area

Lot Size  
Lot Coverage

Proposed Addition  
House  
Porch Front  
Porch Rear  
Driveway  
AC Pad  
Sidewalk

Lot Coverage

|         |
|---------|
| 0       |
| 0       |
| 7500    |
| 0.00%   |
| 100.00' |
| 1896.4  |
| 35.96   |
| 100.00  |
| 287.31  |
| 18      |
| 80      |
| 2417.67 |
| 32.24%  |

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

THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE "X" SHADED AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP NO. 12031C0417J REVISED NOVEMBER 02, 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: DAF  
FILE: 2020-0818-3

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

DATE: JUNE 30, 2020  
SHEET 1 OF 1

PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF RIBAUT GARDEN CLUB, INC.

RECEIVED  
20-100149  
SEP - 1 2020

PLANNING & DEVELOPMENT

THIS SURVEY WAS MADE FOR THE BENEFIT OF RIBAUT GARDEN CLUB, INC.

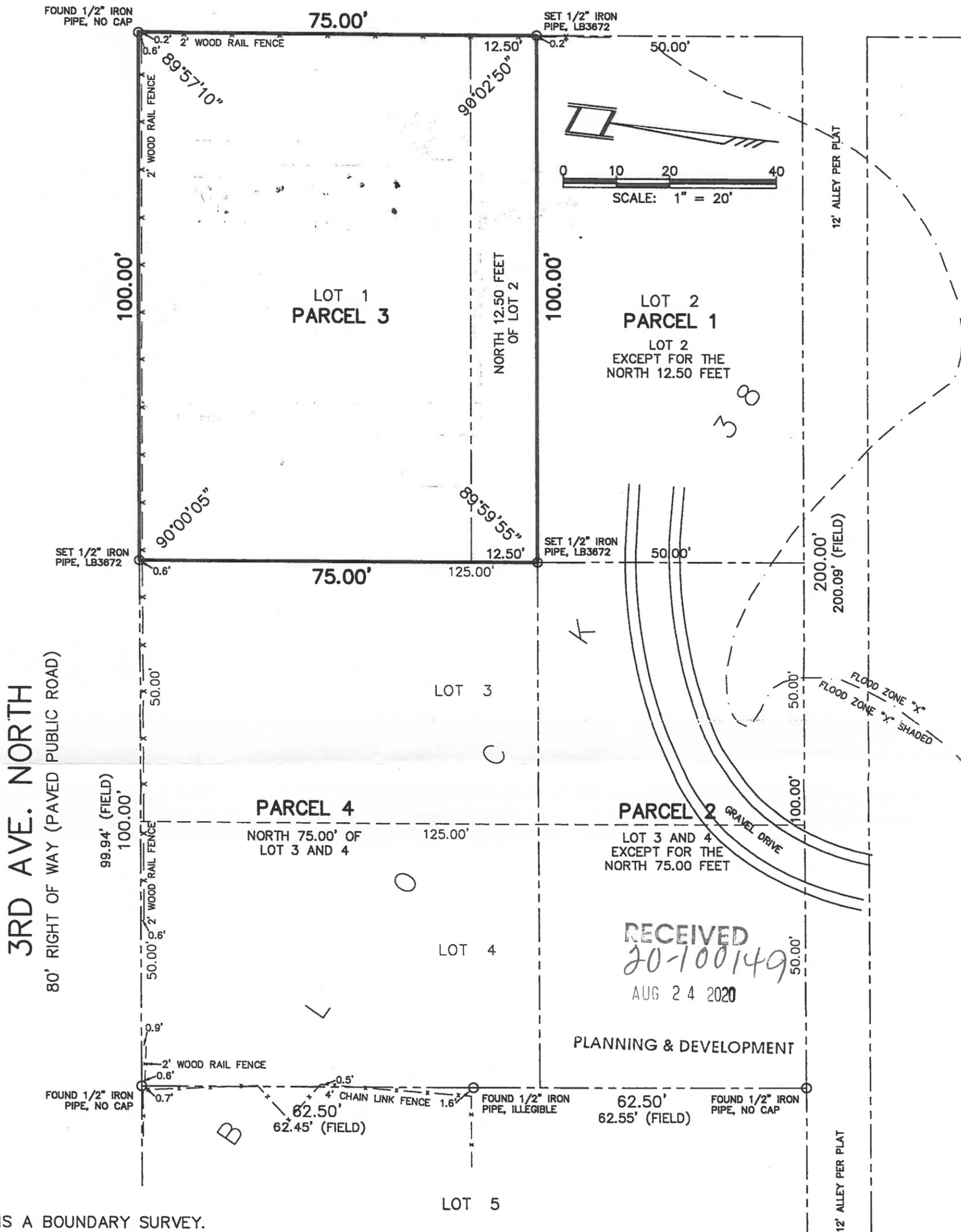
DONN W. BOATWRIGHT, P.E.S.M. STATE OF FLORIDA LIC. SURVEYOR and MAPPER No. 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

# MAP SHOWING SURVEY OF **EXISTING**

LOT 1, AND THE NORTH 12.50 FEET OF LOT 2, BLOCK 38, ATLANTIC PARK  
AS RECORDED IN PLAT BOOK 9, PAGE 15 OF THE CURRENT PUBLIC  
RECORDS OF DUVAL COUNTY, FLORIDA.

## 7TH ST. NORTH

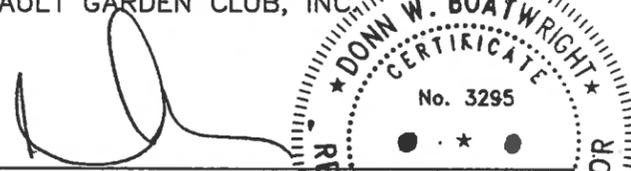
50' RIGHT OF WAY (PAVED PUBLIC ROAD)



- NOTES:
1. THIS IS A BOUNDARY SURVEY.
  2. ANGLES AS PER FIELD SURVEY.
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**DONN W. BOATWRIGHT, P.S.M.** STATE OF FLORIDA LIC. SURVEYOR and MAPPER No. 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

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CHECKED BY: \_\_\_\_\_  
DRAWN BY: DAF  
FILE: 2020-0818-3

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

DATE: JUNE 30, 2020  
SHEET 1 OF 1