



BOARD OF ADJUSTMENT MINUTES

May 30, 2017

7:00 PM

Administration Building,
4th Floor, BCC Meeting Room, 477 Houston Street,
Green Cove Springs, FL 32043

CALL TO ORDER

APPROVAL OF MINUTES

Approval of Minutes for February 16, 2017

PUBLIC COMMENT

PUBLIC HEARINGS

1. Public Hearing to Consider Application BOA-17-03, Variance for a Front Yard Setback Reduction

The applicant is proposing an addition to extend an existing garage. In order to meet the required 40' setback, the addition would have to be placed over the existing septic system which is not permissible. The applicant is seeking a reduction from the front yard setback.

PUBLIC COMMENT

ADJOURNMENT

In accordance with the Americans with Disabilities Act, any person needing a special accommodation to participate in this matter should contact the Clay County ADA Coordinator by mail at Post Office Box 1366, Green Cove Springs, FL 32043, or by telephone at number (904) 269-6347 no later than three (3) days prior to the hearing or proceeding for which this notice has been given. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at 1-800-955-8770 (Voice), or 1-800-955-8771 (TDD).



Agenda Item
BOARD OF ADJUSTMENT

Clay County Administration Building
Tuesday, May 30 7:00 PM

TO: Board of
Adjustment

DATE: 5/2/2017

FROM: Teresa
Capo

SUBJECT:

AGENDA ITEM
TYPE:

ATTACHMENTS:

	Description	Type	Upload Date	File Name
▢	BOA Minutes February 16m 2017	Backup Material	5/2/2017	BOA_Minutes_Packet_02- 16-17.pdf



BOARD OF ADJUSTMENT MINUTES

February 16, 2017

7:00 PM

**Administration Building 4th Floor
BCC Meeting Room, 477 Houston Street,
Green Cove Springs, FL 32043**

CALL TO ORDER

Present: Keith Hadden, Chairman
Mickey Hall, Vice Chairman
Mark Cornelius
William Auclair
Trish Kolosky

Staff Present: Courtney Grimm, County Attorney
Chad Williams, Zoning Chief
Teresa Capo, Recording Secretary

APPROVAL OF MINUTES

Mr. Cornelius made the motion to approve the minutes for January 12, 2017. Ms. Kolosky seconded the motion which carried 5-0.

PUBLIC COMMENT

No public comments were received

PUBLIC HEARINGS

1. Public Hearing to Consider Variance Application BOA-16-10 For a Lot Width Reduction

Chad Williams, Zoning Chief, presented BOA-16-10, which is a request for a variance to reduce the front lot line width from 100' to 95.6'. Mr. Williams offered no formal recommendation.

Following a brief discussion, Chairman Hadden swore in Ivan Rodriguez and Susan St. Peter, 1859 Lake Forest Lane, Fleming Island, who addressed the Board and requested approval of the application.

Chairman Hadden opened the public hearing and receiving no request to speak closed the public hearing.

With no further discussion, Mr. Hall made the motion to recommend approval of BOA-16-10 as presented. Mr. Cornelius seconded the motion which carried 5-0.

2. Public Hearing to Consider Variance Application BOA-17-01 for a Side Setback Reduction

Chad Williams, Zoning, Chief, presented BOA-17-01, which is a request for a variance to reduce the side setback from 7.5' to 0' where the boundary runs conterminous with an unopened right-of-way that belongs to Clay County.

Mr. Williams explained that adjacent to the applicant's property is a 35' unopened right of way. He stated that the applicant approached the Engineering Division to vacate the right of way, but the Engineering Division stated that they did not want to close the right of way due to a small Clay Electric service. He added that the Engineering Division stated that there are no plans to ever open the right of way for access as all the surrounding properties have alternative access points.

Mr. Williams offered no formal recommendation.

Brief discussion followed.

Chairman Hadden swore in William R. Wise, 6703 Woodland Drive, Keystone Heights, who addressed the Board and requested approval of the application.

Chairman Hadden opened the public hearing and receiving no request to speak closed the public hearing.

With no further discussion, Mr. Hall made the motion to recommend approval of BOA-17-01 as presented. Ms. Kolosky seconded the motion which carried 5-0.

PUBLIC COMMENT

No public comments received.

There being no further business, the meeting was adjourned at 7:17 P.M.

Teresa Capo
Recording Secretary

Keith Hadden
Chairman



Agenda Item
BOARD OF ADJUSTMENT

Clay County Administration Building
Tuesday, May 30 7:00 PM

TO: Board Of Adjustment

DATE: 5/23/2017

FROM: Chad A. Williams, Zoning
Chief

SUBJECT: The applicant is proposing an addition to extend an existing garage. In order to meet the required 40' setback, the addition would have to be placed over the existing septic system which is not permissible. The applicant is seeking a reduction from the front yard setback.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	5/23/2017	Application.pdf
▣ Correspondence	Backup Material	5/23/2017	Misc.pdf
▣ Staff Report	Backup Material	5/23/2017	BOA-17-03_Staff_Report.pdf

Clay County Division of Planning and Zoning

Application for the Board of Adjustment



Owner Information

Owner Name: Kenneth R. & Julia W. Clevinger

Phone: 904-591-5927

Email: shelsmom@bellsouth.net

Owners Address: 1361 River Road West, Green Cove Springs, FL 32043

Parcel Information

Parcel ID: 33-05-26-014522-000-00

☒ Check Here If Address Is Same As Owners

Parcel Address: 1361 River Road West, Green Cove Springs, FL 32043

Authorized Agent Information (If Applicable)

Agent Name: _____

Phone: _____

Email: _____

Agent Address: _____

☐ Check Here That The Owners Agent Authorization Form Has Been Completed And Will Be Filed With This Application

Public Hearing Time

Please Check The Time Most Easiest For You To Attend:

☐ 5:00 p.m.☐ 6:00 p.m.☒ 7:00 p.m.

Nature Of The Variance/Appeal Request

Please describe the request or appeal

Our request is for a Variance to build an attached garage to our home. The Clay County Land Development Code requires a 40-foot setback from the front property line for the RA Zoning District. If we were to be held to this requirement, we would only be able to come out less than 5 feet from the corner of our home. The present design calls for the addition of an attached garage on the west side of our current garage. The south wall would be set back approximately 13 feet 6 inches from the northwest corner of the house and extend out approximately 19 feet 6 inches towards the front property line. In addition, our Boundary Survey shows a 25-foot Building Restriction Line. If this were valid, we would have enough room to build in the backyard. However, the location of the septic tank and drainage field prevents this from happening.

We are respectfully requesting a Variance based on the following hardship:

The location of the septic tank and drainage field require that we move the garage forward.

We feel we have met all of the criteria as stated on the Clay County Board of Adjustment's website and in Ordinance No. 82-45, Section 30, Paragraph 5.c.(1). There are at least five (5) properties on River Road West with additional detached garages. Our garage is proposed to be attached because of the location of the septic tank and drainage field.

The following are attached to this Application:

- * Warranty Deed
- * Boundary Survey
- * Printout from CCPAO showing property
- * Clay County Building Permit #11701234 issued on 03/13/17
- * Notice of Commencement issued and recorded on 03/13/17
- * Letter from the Department of Health in Clay County dated 03/13/17
- * Sketch of the proposed attached garage
- * Two (2) pictures of property from CCPAO
- * 17 letters from our neighbors in support of our Variance request

Thank you for your consideration of our request!

Required Attachments

I have provided the required attachments: ☒ Property Deed with Legal Description ☒ Survey ☐ Agent Authorization*

*if applicable

Applicant Certification

I, hereby, certify that I am the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. Furthermore, if the package is found inconsistent with the above requirements, I understand that the application will be returned for correct information. I hereby acknowledge that the variance requested is my choice and have reviewed and agreed to all conditions listed in this application and the requirements Article XII (12-9) of the Clay County Land Development Code. I also understand that the fees paid are non-refundable. For public notification, I acknowledge that the required SIGN(S) must be posted on the property by the owner or agent 21 days in advance of the date of the public hearing. The sign(s) may be removed only after final action of the Board of Adjustment and Appeals and must be removed within 10 days of such action. I must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 15 DAYS IN ADVANCE OF THE PUBLIC HEARING**. Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish proof of publication to the Planning and Zoning Division, prior to the public hearing.

By Kenneth R. Clevinger
Julia W. Clevinger

Print Name: Kenneth R. & Julia W. Clevinger

Date: April 28, 2017

Official Use

Zoning: _____

Land Use: _____

Application Number BOA- 2017000003

BOA Meeting Date: 5/30/17

AD 5/23/17 7:00 AM

Fees: ☒ Residential (\$300.00) ☐ Non Residential (\$500.00)

of Signs 1 x \$20.00 Per Sign = \$ 20.00

Total Fee: \$ 320.00

Application Accepted By: _____

Date: _____

This area is reserved for future use

1850
1850

THIS INSTRUMENT PREPARED BY:

Assurance Land Title & Escrow, Inc.
206 N. Orange Avenue
Green Cove Springs, Florida 32043

✓ **RECORD AND RETURN TO:**

KENNETH R. CLEVINGER
1361 River Road West
Green Cove Springs, Florida 32043

RE PARCEL ID #: 33-05-25-014522-000-00
BUYER'S TIN:

Book: 2392
Page: 0501
Rec: 06/23/2004
08:57 AM
File# 200463246
James B. Jett
Clerk Of Courts
Clay County, FL
FEE: \$18.50
DOC: \$1224.30

8

WARRANTY DEED

THIS WARRANTY DEED made this 7th day of June, 2004 by **ROBERT S. METCALF**, a married man, hereinafter called Grantor, and whose address is 4146 Water Oak Lane, Jacksonville, FL 32210 to **KENNETH R. CLEVINGER** and **JULIA W. CLEVINGER**, husband and wife, hereinafter called Grantee and whose address is 1361 River Road West, Green Cove Springs, Florida 32043.

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

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and NO/100 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Clay County, Florida, viz:

Lot 4, Block 2 of **RIVIERA ESTATES**, according to the plat thereof as recorded in Plat Book 9, pages 7, 8, and 9, of the public records of Clay County, Florida.

The real property described in this instrument is not the constitutional homestead nor the primary physical residence of the Grantor.

SUBJECT TO taxes accruing subsequent to December 31, 2003.

SUBJECT TO covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

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

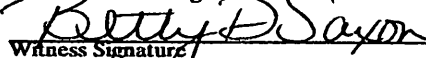
TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

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

OR BOOK 2392 PAGE 0502

Signed, sealed and delivered in our presence:


Witness SignatureSharri B. Hunter
Witness Printed Signature
Witness SignatureBetty D. Saxon
Witness Printed Signature
ROBERT S. METCALFSTATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 28th day of May, 2004 by ROBERT S. METCALF, a married man. He/She is personally known to me or has produced valid drivers licenses as identification.

Notary Public, State and County Aforesaid


Notary SignatureSharri B. Hunter
Notary Printed Signature

(Title or Rank)

(Serial No., if any)



Sharri B. Hunter
MY COMMISSION # DD209593 EXPIRES
July 15, 2007
BONDED THROUGH TROY FARM INSURANCE, INC.

MAP SHOWING BOUNDARY SURVEY OF

LOT 4, BLOCK 2,
RIVIERA ESTATES

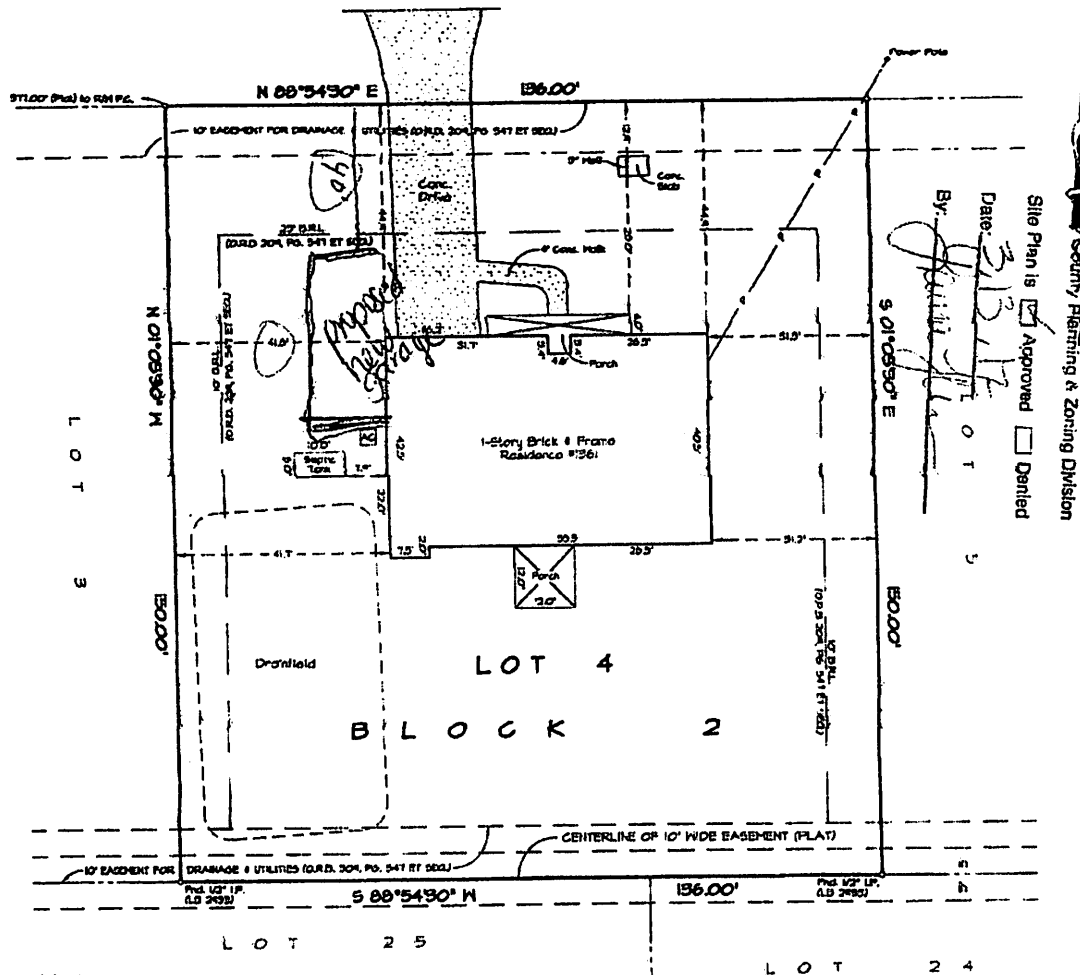
ACCORDING TO PLAT RECORDED IN PLAT BOOK 9 PAGES 7 THRU 9 OF THE PUBLIC
RECORDS OF CLAY COUNTY, FLORIDA

CERTIFIED TO: Kenneth R. and Julia M. Clvinger
First American Title Insurance Company
Assurance Land Title & Escrow, Inc.
Pinnacle Financial Corporation d/b/a Tri Star Lending Group

MAY 25, 2004

RIVER ROAD WEST
(60' R/W)

SCALE 1" = 20'



NOTE
I have examined the Federal Emergency Management Agency Flood Insurance Rate Map dated November 4, 1992 which is vague, not to scale, and which shows streets not in their correct location. It appears, based on my interpretation of said Rate Map, that this property is situated in Zone "X".

GENERAL NOTES

1. Bearings shown hereon are based on the record bearing of N 88°54'30" E for the Centerline of River Road as per P.B. 9, Pgs. 7 thru 9 of the public records of Clay County, Florida.
2. This survey was based on documents provided and was not abstracted for easements, covenants or restrictions, title, overlaps, or other matters of records, or matters unrecorded by this surveyor.
3. Underground utilities serving or crossing this property have not been located or shown.
4. Easements shown hereon are for drainage and utilities unless noted otherwise.
5. This survey depicts visible improvements only; no underground improvements or footings were located.

ABBREVIATIONS

AC Air Conditioner
DL Long Distance Line
ET Electric Transformer
PM Field Measurements
P Water Pipe

LEGEND

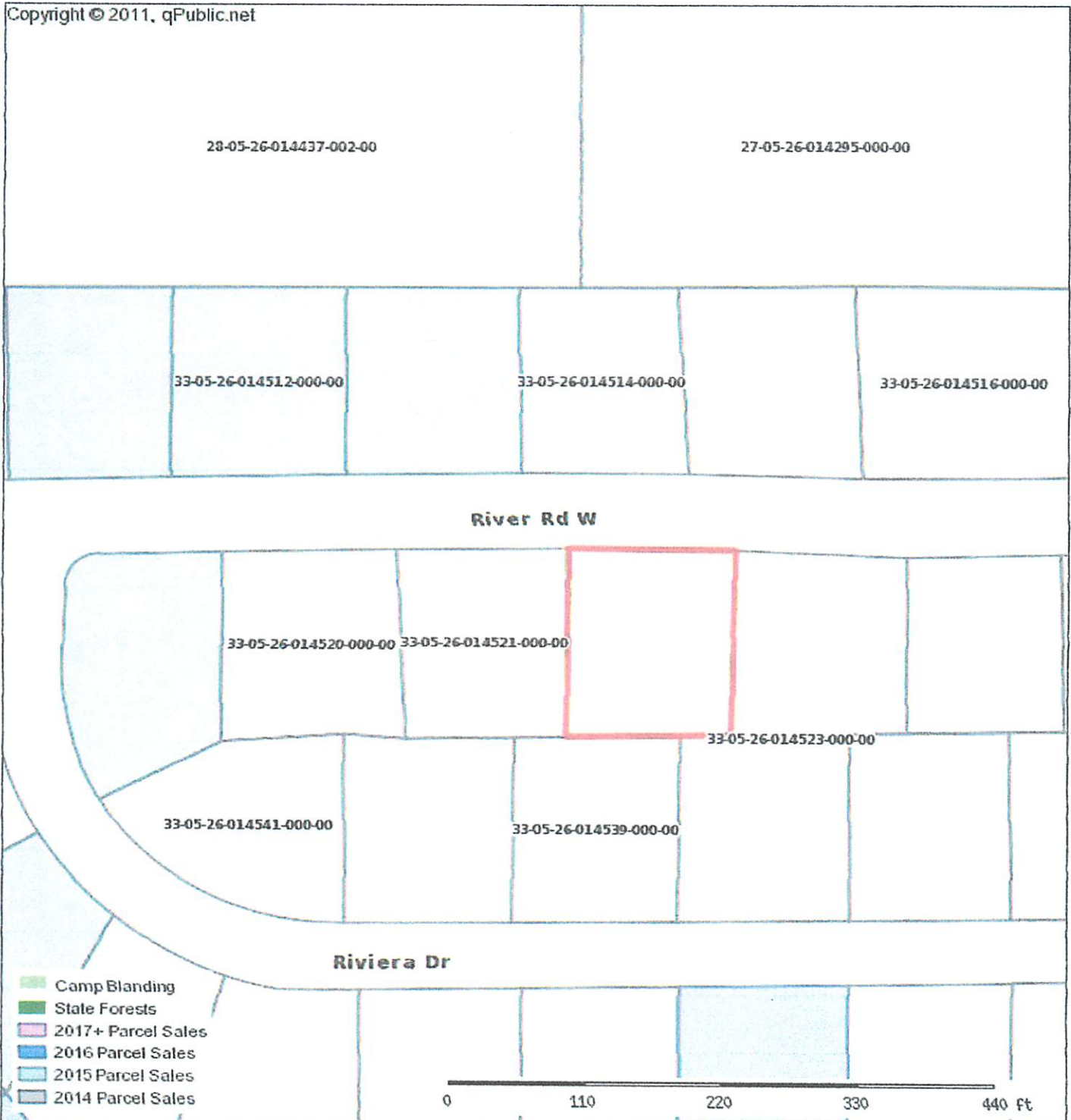
- Found Concrete Monument
- Found 1/2" Iron Pipe (LB 1384)
- Set 1/2" Iron Pipe (LB 1384)
- Fence
- Powerline/Pole and Anchor
- Telephone Line
- Cable TV Line
- Concrete Air Conditioner Pad
- Concrete Elec. Transformer Pad

Not valid without the signature and
the original, raised seal of a District
Inland Surveyor and Mapper.

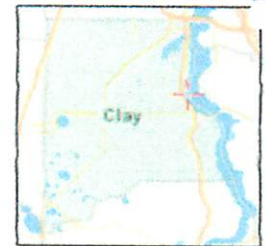
Hand Eiland

Harold T. Elland
License No. LS 2518

Eiland & Associates, Inc.
Professional Surveyors & Mapper
Certificate of Authorization No. LB
615 Blanding Boulevard
Orange Park, Florida 32065
Telephone 904-272-1000



Clay County Appraiser			
Parcel: 33-05-26-014522-000-00 Acres: 0.468			
Name:	CLEVINGER KENNETH R & JULIA W	Land Value:	28,000
Site:	1361 RIVER RD W	Building Value:	163,839
Sale:	\$174,900 on 05-2004 Reason=N Qual=Q	Misc Value:	10,151
Mail:	1361 RIVER RD W GREEN COVE SPRINGS, FL 32043	Just Value:	201,990
		Assessed Value	145,876
		Exempt Value	50,000
		Taxable Value	95,876



The Clay County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER CLAY COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 03/20/17 - 21:28:38

Clay County

Building Permit # 11701234

~~Does not include Electrical, Mechanical, Plumbing~~

****NOTICE**** Permits become null and void if work or construction authorized is not commenced within 180 days or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

Issue Date	Parcel #	Proposed Use	Valuation
3/13/2017	014522-000-00	438 Attached Garage	\$12,000.00

Legal

LOT 4 BLK 2 RIVIERA ESTATES ASREC O R 2392 PG 501

Project Address

1361 RIVER RD W, GREEN COVE SPRINGS FL 32043

Owner

CLEVINGER KENNETH R & JULIA W
1361 RIVER RD W GREEN COVE SPRINGS FL 32043

Contractor

OWNER phone: fax:

Information

Permit requires compliance with all codes and laws for the Type of Work above. ANY violations shall justify immediate revocation of this Permit. The Permit DOES NOT include Electric, Plumbing, Mechanical, Gas, Septic Systems or Wells. Contractor is required to obtain County approvals BEFORE placing any concrete, covering any framework or sheathing, applying any interior wall covering AND upon completion of the work. Any power release is also contingent upon approvals by Clay County Health Department and satisfaction of all Clearance Guidesheet conditions. It is unlawful to occupy this building before a Certificate of Occupancy has been issued under \$500/day and/or 60 days imprisonment penalty, and loss of future early power privileges.

Square Footage : 912 Stories : 0
Flood Zone : X
First Floor Elv : 0
Permit Fee Paid : \$136.96
0 Pending Holds:

PERMIT NUMBER

11701234

NOTICE OF COMMENCEMENT
FLORIDA STATUTE 713.13

STATE OF FLORIDA
COUNTY OF CLAY

The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in the Notice of Commencement.

1. Description of property: (legal description of the property, and street address if available).

33-05-26-014522-000-00

2. General description of improvement: Attached Garage

3. Owner Information:

- a. Name and address:

Kenneth Clevinger
1361 River Rd W G.C.S. Fla.

- b. Interest in property:

Owner

- c. Name and address of fee simple titleholder (if other than owner):

4. Contractor (Name and address):

- a. Phone number:

5. Surety:

- a. Name and address:

- b. Phone number:

- d. Amount of bond: \$

6. Lender: (Name and Address)

- a. Phone number:

CFN # 2017012488

OR BK: 3952 PG: 81 Pages 1 of 1

Recorded: 3/13/2017 12:08 PM Doc: NC

Tara S. Green, CLAY County Clerk, FL

Rec: \$10.00

Deputy Clerk WESTA

- c. Fax number:

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided in Section 713.13(1)(a) 7., Florida Statutes: (name and address)

- a. Phone number:

- b. Fax number:

8. In addition to himself, Owner designates

of

to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.

9. Expiration date of notice of commencement (the expiration date is one (1) year from the date of recording unless a different date is specified)

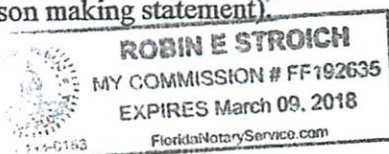
Signature of Owner

Print Name

Sworn to (or affirmed) and subscribed before me this 13 day of March, 2017, by

(Name of person making statement)

Seal:



Signature of Notary - State of Florida

Personally Known OR Produced Identification/Type

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

Celeste Philip, MD, MPH
State Surgeon General and Secretary

Vision: To be the Healthiest State in the Nation

March 13, 2017

Kenneth Clevinger
1361 River Road W
Green Cove Springs, FL 32043

RE: Modification to a Single Family Residence - No Bedroom Addition

Application Document Number: AP1280367
Centrax Permit Number: 10-SC-1746551
1361 River Road W
Green Cove Springs, FL 32043
Lot: 04 Block: 02 Subdivision: Riviera Estates

Dear Applicant,

This will acknowledge receipt of a floor plan and site plan on 03/13/2017 for the use of the existing onsite sewage treatment and disposal system located on the above referenced property. Adding an attached garage.

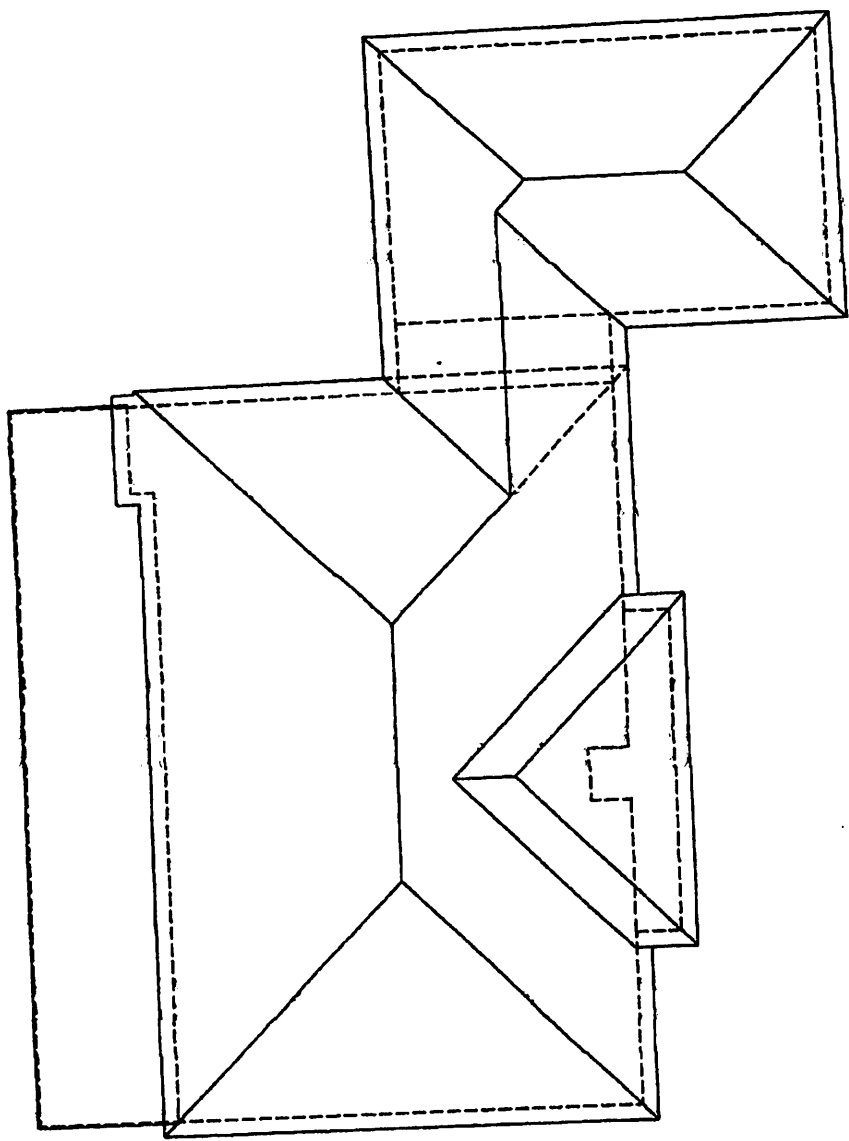
This office has reviewed and verified the floor plan and site plan you submitted, for the proposed remodeling addition or modification to your single-family home. Based on the information you provided, the Health Department concludes that the proposed remodeling addition or modification is not adding a bedroom and that it does not appear to cover any part of the existing system or encroach on the required setback or unobstructed area. No existing system inspection or evaluation and assessment, or modification, replacement, or upgrade authorization is required.

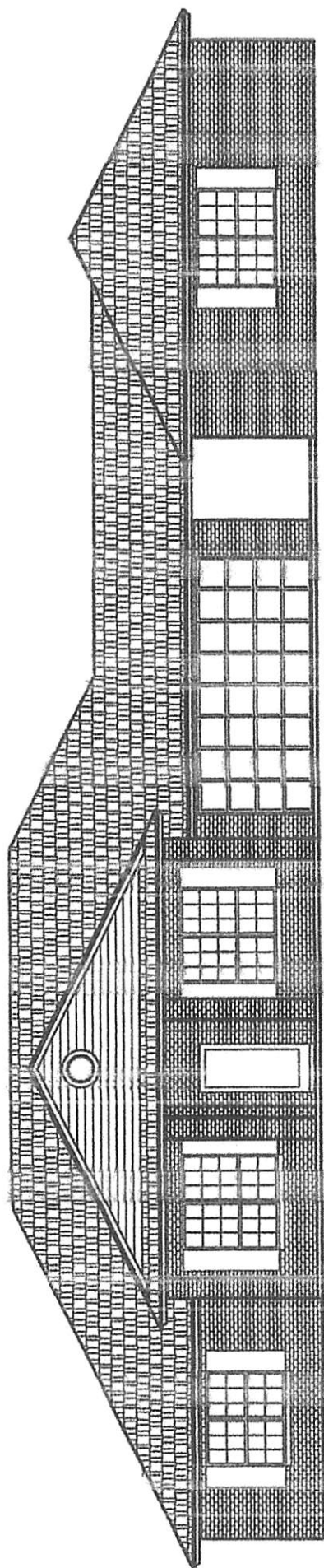
Because an inspection or evaluation of the existing septic system was not conducted, the Department cannot attest to the existing system's current condition, size, or adequacy to serve the proposed use. You may request a voluntary inspection and assessment of your system from a licensed septic tank contractor or plumber, or a person certified under section 381.0101, Florida Statutes.

If you have any questions, please call our office at (904) 278-3784.

Sincerely,

Alan Davis / Christy Davis
Alan Davis
Environmental Specialist III
Department of Health in Clay County







Date: 3/31/17

To: Clay County Board of Adjustment

From: Michael Allen Brown

Address: 1361 River Road West
Green Cove Springs FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 13+ yrs, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Allen Brown", with a long horizontal flourish extending to the right.

Date: 1 April 2017

To: Clay County Board of Adjustment

From: DAVID BROCK

Address: 1349 River Road West
GREEN COVE Springs FL 32043

Re: Support of Variance Request for 1361 River Road West

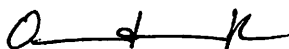
I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since July 1994, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 01 APR 17

To: Clay County Board of Adjustment

From: RICHARD D. WYMAN

Address: 1355 RIVER RD W
G.C.S., FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 1992, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4-1-17

To: Clay County Board of Adjustment

From: Thomas & Kelly Hendershot

Address: 1366 River Rd W
Green Cove Springs, FL 32043

Re: Support of Variance Request for 1361 River Road West

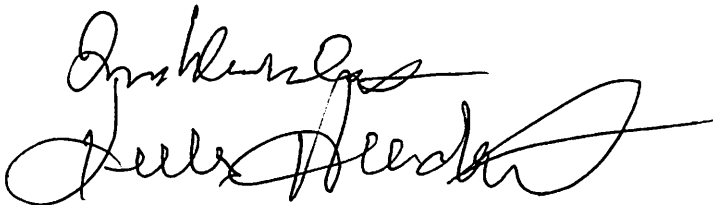
I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since June 2015, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,

The block contains two handwritten signatures in black ink. The top signature is 'Thomas Hendershot' and the bottom signature is 'Kelly Hendershot'. Both are written in a cursive, flowing style.

Date: 4/2/17

To: Clay County Board of Adjustment

From: Ken Hipsley

Address: 1360 River Rd. W
Green Cove Springs, FL 32043

Re: Support of Variance Request for 1361 River Road West

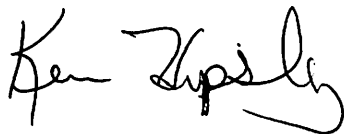
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Having lived in the Riviera Estates subdivision since 2013, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4/2/17

To: Clay County Board of Adjustment

From: CHARLES A Toth

Address: 1350 RIVER Rd W

GCS, FLA 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 1995, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,

Charles A Toth

Date: 3 APR 2017

To: Clay County Board of Adjustment

From: JOHN M. KELATIS

Address: 1345 RIVER RD W
GREEN COVE SPRINGS, FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since JUNE 2000, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4/4/17

To: Clay County Board of Adjustment

From: DAVID L. CHELGREW

Address: 3180 RIVER ROAD W.
GREW COVE SPRINGS, FL. 32043

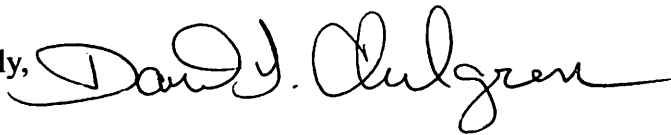
Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 1999, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely, 

Date: 4/5/17

To: Clay County Board of Adjustment

From: Robert D. Carlton

Address: 3161 River Rd. N-
Green Cove Spr., FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 1984/1986, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4-7-17

To: Clay County Board of Adjustment

From: James C. Voss

Address: 3203 River road
Green Cove Springs, FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 2008, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 07 APR 2017

To: Clay County Board of Adjustment

From: BRUCE R. KANE

Address: 1384 RIVER Rd
Green Cove Springs, FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 2001, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4-7-11

To: Clay County Board of Adjustment

From: BANDOLPH B BRUNSON

Address: 1328 BLACKMON RD
GREEN COV SPRINGS, FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

I have reviewed the plans for the addition and find the Clevinger's request for a variance to be reasonable in terms of compatibility with the site and neighborhood, function, and aesthetics. I have also taken into account the location of the septic tank and drainage field which creates an unnecessary hardship to locating the garage elsewhere on the property. The Clevinger's have moved the addition as far back as possible (13' 6") on the west side of their home. This will leave a 27-foot front yard setback plus the additional 10-foot drainage easement for a total of 37 feet from building to street.

Having lived in the Riviera Estates subdivision since 10-2002, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,



Date: 4-7-17

To: Clay County Board of Adjustment

From: Ron Wilson

Address: 1324 Blackman Rd
Green Cove Sp FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

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Sincerely,



Date: 4/7/17

To: Clay County Board of Adjustment

From: John Drouet

Address: 1356 River Road West
Green Cove Springs FL 32043

Re: Support of Variance Request for 1361 River Road West

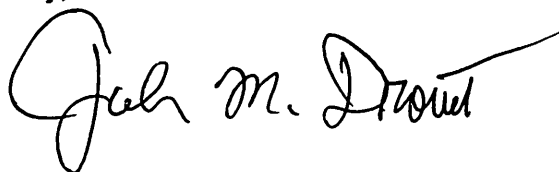
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Sincerely,



Date: 4-7-17

To: Clay County Board of Adjustment

From: Asfred S. Middleton

Address: 1373 River Rd W.
Green Cove Spgs FL 32043

Re: Support of Variance Request for 1361 River Road West

I am writing to lend my full support to Kenneth and Julia Clevinger's request to the Clay County Board of Adjustment regarding a Variance to construct an addition for a garage on their property at 1361 River Road West.

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Sincerely,

Asfred S. Middleton

Date: 4/8/17

To: Clay County Board of Adjustment

From: Matthew Kigsby

Address: 1308 RIVIERA

Re: Support of Variance Request for 1361 River Road West

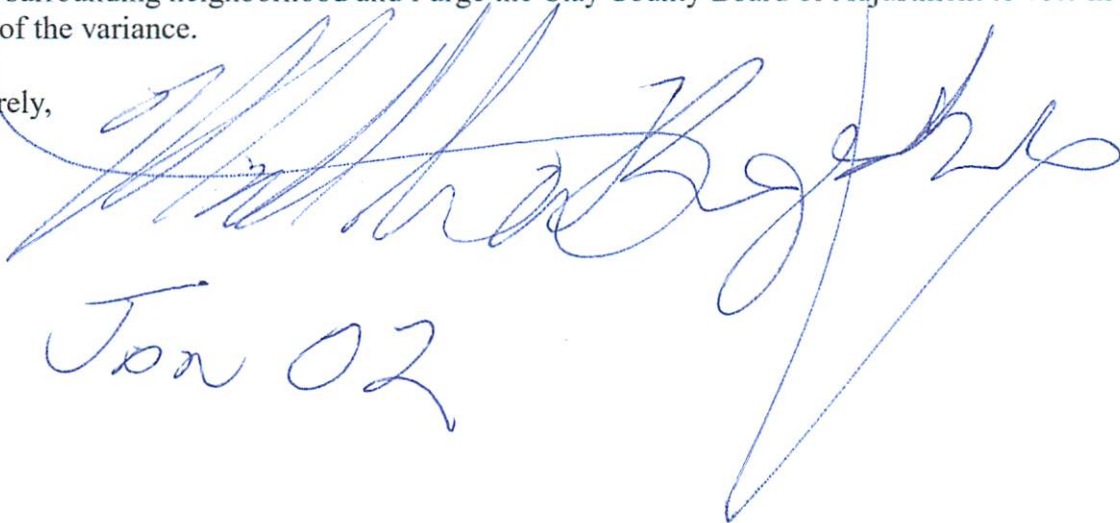
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Sincerely,


Jon 02

Date: 4.9.17

To: Clay County Board of Adjustment

From: MATT; JACQUELINE CARLTON

Address: 3167 RIVER RD. NORTH
GREEN COVE SPRINGS, FL 32043

Re: Support of Variance Request for 1361 River Road West

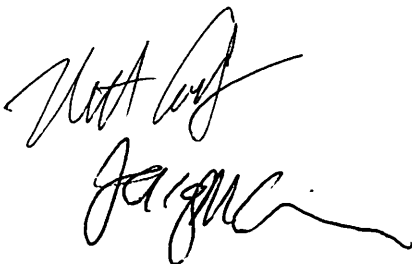
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Having lived in the Riviera Estates subdivision since 2010, I have observed many changes over the years and am delighted to see such a nice addition to our neighborhood and street. A garage with ample storage space also means less clutter to be seen from the street.

As such, I find the Clevinger's request for a variance from the 40-foot front yard setback to a setback of 27 feet to be entirely reasonable. I see no detriment to the health, safety, and welfare of the surrounding neighborhood and I urge the Clay County Board of Adjustment to vote in favor of the variance.

Sincerely,

The block contains two handwritten signatures. The first signature is 'Matt Carlton' and the second signature is 'Jacqueline Carlton'. Both are written in black ink.



Clay County Division of Planning & Zoning

Application Number BOA-17-03

Owner Agent Information

Owner / Petitioner : Kenneth & Julia Clevinger
1361 River Road West
Green Cove Springs, FL 32043

Agent: None

Parcel & Current Zoning Information

Parcel ID # 014522-000-00
Physical Address 1361 River Road West
Commission District: 1 (Commissioner Cella)
Existing Zoning District: RA (Single Family)
Future Land Use Category: RF (Rural Fringe)

BOA Information

Request: To allow for a variance to reduce the front setback to 25'.

Board of Adjustment Date: May 30, 2017@ 7:00 p.m.





Staff Report

The applicant is requesting a variance in order to reduce the front yard setback from 40' to 25'. The applicant is proposing a garage addition to their home. Due to the placement of the septic system, the proposed addition cannot meet the required 40' setback in the RA zoning district. Although not governed by the County, the original developer of Riviera Estates did mandate a minimum 25' setback and there has been some ambiguity due to the surveyors stating that there was a 25' front setback. The applicants in good faith based their original design on the 25' setback but when they came to permit, staff explained that the zoning district established the setback not just a covenant and restriction.

Although staff does not offer a formal recommendation, staff would offer that the applicant did not create the issue and that granting the variance would be in harmony with the general intent of the variance process and that the placement of the septic system is a special condition and circumstance on this parcel. These are conditions that could be determined to be peculiar to the land and conditions that do not result from the actions of the applicant, which meets specific LDC criteria for granting variances.

BOA Variance Requirements

The following is an excerpt from the Ordinance establishing the Board of Adjustment and Appeals. These are the six conditions on which a variance may be granted.

Variances: The Board of Adjustment may authorize a variance from the terms of the ordinances adopted pursuant to Chapter 163 when such variance will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of such ordinances would result in an unnecessary and undue hardship. In order to authorize any variance from the terms of the ordinance adopted pursuant to Chapter 163, the Board of Adjustment shall find:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands structures, or buildings in the same zoning district.
- 2) That the special conditions and circumstances do not result from the actions of the applicant.
- 3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings, or structures in the same zoning district.
- 4) That literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by the other properties in the same zoning district under the terms of the ordinance, and would work unnecessary and undue hardship on the applicant.
- 5) That the variance granted is the minimum variance that will make possible the beneficial use of the land, building or structure.
- 6) That the granting of the variance will be in harmony with the general intent and purposes of these ordinances and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.