



BOARD OF ADJUSTMENT MEETING

December 4, 2025

5:00 PM

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

CALL TO ORDER

APPROVAL OF MINUTES

Board of Adjustment Meeting Minutes September 25, 2025.

PUBLIC COMMENT

PUBLIC HEARINGS

1. Public Hearing to Consider BOA 25-0016
A request to consider a reduction in side setbacks from the required 20' to 9'.6" in the AR Zoning District for the construction of a larger replacement home.
2. Public Hearing to Consider BOA 25-0017
A request to consider a reduction in side setbacks from the required 10' to 9' in the RA Zoning District for the purpose of an ADA accessible bathroom addition.

PUBLIC COMMENT

ADJOURNMENT

In accordance with the Americans with Disabilities Act, any person needing accommodations to participate in this matter should contact Clay County Risk Management by mail at P.O. Box 1366, Green Cove Springs, Florida 32043, or by telephone at (904) 679-8596, no later than three (3) days prior to the hearing or proceeding for which this notice has been given. Deaf and hard-of-hearing persons can access the 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
Thursday, December 4 5:00 PM

TO: DATE:

FROM:

SUBJECT:

AGENDA
ITEM
TYPE:

ATTACHMENTS:

Description	Type	Upload Date	File Name
Board of Adjustment Meeting Minutes September 25, 2025.	Backup Material	11/21/2025	Board_of_Adjustment_Meeting_Minutes_September_25__2025dsada.pdf



BOARD OF ADJUSTMENT MEETING MINUTES

September 25, 2025

5:00 PM

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

CALL TO ORDER

Present: Keith Hadden, Chairman
Tom Goldsbury, Vice-Chairman
Brian Kraut

Absent: Nykki Van Hof
Brandon Ludwig

Staff Present: Zoning Chief Jenni Bryla

Chairman Keith Hadden called the meeting to order at 5:00 pm.

APPROVAL OF MINUTES

Board of Adjustment Meeting Minutes August 28, 2025.

Vice-Chairman Tom Goldsbury made a motion for approval for the August 28, 2025, BOA meeting minutes, seconded by Braun Kraut, which carried 3-0.

PUBLIC COMMENT

Chairman Keith Hadden opened the floor for public comment at 5:02 pm.

Hearing no comments, Chairman Keith Hadden closed the public comment at 5:02 pm.

PUBLIC HEARINGS

1. BOA 25-0013

A request to consider allowing owner to exceed the 30% maximum lot coverage allowance for a Florida room addition.

Item One (1) can be seen at [www.claycountygov.com/government/clay-county-tv-and-video/archive/Board of Adjustment/September 25, 2025](http://www.claycountygov.com/government/clay-county-tv-and-video/archive/Board%20of%20Adjustment/September%2025), beginning at 0:59 and ending at 27:40. Below is a summary of the discussion and the vote for this agenda item.

Jenni Bryla, Zoning Chief, presented a PowerPoint presentation for the public hearing to

provide details and information to consider BOA-25-0013, as identified above. See Attachment A.

There were questions and discussions regarding setback compliance and the percentage of coverage.

Chairman Keith Hadden opened the floor for the public hearing at 5:10 pm.

Ronald Wilson, 3119 Fox Squirrel, Orange Park, Florida, addressed the Board to provide more details and information regarding the requested variance and answer questions from the Board. Also, providing documentation for the intended improvements.

More questions and discussions were had to clarify the intended variance request, property line, location of the new structure, removal of old structures, opposition from neighbors (none), size of structures, percentage of coverage by the existing home and shed, usage of the ROW, letter from the VA, and use of the additional structure.

Hearing no comments, Chairman Keith Hadden closed the public hearing at 5:27 pm.

Vice-Chairman Tom Goldsbury made a motion for approval and mentioned why he supports the request. There were comments regarding the impact on surrounding properties. Brian Kraut seconded the motion, which carried 2-1, with Chairman Keith Hadden in opposition.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Hearing no further business, Chairman Keith Hadden adjourned the meeting at 5:28 pm.

Attest:

Committee Chairman

Recording Deputy Clerk

Attachment
“A”
BOA-25-0013



BOARD OF ADJUSTMENT

BOA 25-0013

Public Hearing

September 25, 2025

APPLICATION INFORMATION

Applicant:	Ronald & Judy Wilson
Agent:	N/A
Location:	3119 Fox Squirrel, Orange Park, FL 32073
Request:	Variance to the Ordinance 92-25, to allow building coverage on the lot to increase from 30% to 37% coverage in the Spencer's Crossing PUD.



Aerial

Background

The parcel is in the Branan Field Master Plan Community. The parcel is also located in the Spencer's Crossing PUD on the west side of Cheswick Oak Avenue. The PUD was developed with 319 single family units on 104.3 acres in 1992. The lots in Parcel 1, to the north, are intended to be larger lots with those in Parcel 2 a bit smaller. The Applicant's property is in Parcel 2. Typically, a variance to a PUD is not allowable, as PD's are negotiated zoning. However, the Branan Field Master Plan allows for it.

The property has approximately gross 2,700 square feet and a lot size of approximately 7,666 square feet. This equates to roughly 35% of the lot, the PUD requires a max 30% building coverage with a 10' rear setback.

The Applicant's would like to add a 8' x 17' addition along the rear of the property. This equates to an additional 136 sf., or 37% building coverage.



- View into area to be enclosed



Conditions for a Variance

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.

That the special conditions and circumstances do not result from the actions of the applicant.

The subject property has no special conditions or circumstances associated with the land.

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.

The granting of the variance will confer on the Applicant a privilege denied to other properties that have built structures and have been able to meet the requirements of the zoning district

Conditions for a Variance

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.

The literal interpretation of the ordinance would not deprive the Applicant of rights commonly enjoyed by other property owners in the PUD. As stated, multiple homes have been constructed with a similar configuration within Parcel 2.

Conditions for a Variance

That the variance granted is the minimum variance that will make possible the beneficial use of the land, building or structure.

The requested variance is to allow for the placement of an enclosed porch that would exacerbate an already exceeded level of building coverage. None conformities can remain but are not intended to become more intense.

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.

The granting of the variance is not in harmony with the pattern of development within the PUD, nor is the request consistent with the intent of the land development code

Recommendation

Staff finds that the requested variance to exceed the building coverage from 30% to 37% is not consistent with the Land Development Code nor the Spencer's Creek.

Staff recommends denial of the request to allow the buildable area to be exceeded.

QUESTIONS



Agenda Item
BOARD OF ADJUSTMENT

Clay County Administration Building
Thursday, December 4 5:00 PM

TO: BOARD OF ADJUSTMENT
MEMBERS

DATE:

FROM: Jenni Bryla, Zoning Chief

SUBJECT: A request to consider a reduction in side setbacks from the required 20' to 9'.6" in the AR Zoning District for the construction of a larger replacement home.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The parcel is located in the Oak Park Subdivision on the east side of Swimming Pen Drive.

Planning Requirements:

Public Hearing Required (Yes\No):

Hearing Type:

Initiated By:

Douglas & Judy Fuzzell

ATTACHMENTS:

Description	Type	Upload Date	File Name
▣ Application	Backup Material	11/25/2025	BOA_Application.ADA_aw.pdf
▣ Staff Report BOA 25-0016	Backup Material	11/25/2025	BOA_25- 0016_STAFF_Report_jb.ADA_aw.pdf
▣ Site Plan	Backup Material	11/25/2025	7_Swimming_Pen_Dr_- _Site_Plan_v1.ADA_aw.pdf

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 in Article XII (12-10) 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 twenty-one (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 ten (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 FIFTEEN (15) DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are payable by the applicant directly to the newspaper. Proof of publication is required prior to the public hearing.			
Owner Signature: <u>Douglas K. Fuzzell</u>	Date: <u>9/29/25</u>	Print Name: <u>DOUGLAS K. FUZZELL</u>	
Official Use			
Zoning: <u>AR</u>	Land Use: <u>UC-10</u>	Application # BOA: <u>25-0016</u>	
BOA Meeting Date: <u>12.4.25</u>	Fees: ☒ Residential (\$300.00) ☐ Non-Residential (\$500.00)		
# of Signs <u>1</u> x \$30.00 Per Sign = \$ <u>30.00</u>			
Total Fee: \$ <u>330.00</u>			
Application Accepted By: <u>DANSON</u>		Date: <u>9.30.25</u>	
This area is reserved for future use.			



Department of Economic and Development Services

Planning & Zoning Division

P.O. Box 1366, Green Cove Springs, FL 32043

Phone: (904) 284-6300

www.claycountygov.com



BOARD OF ADJUSTMENT APPLICATION

Owner's Name: <u>DOUGLAS K. & JUDY R. FUZZELL</u>		
Owner's Address: <u>1712 PICKWICK PLACE</u>		
City: <u>FLEMING ISLAND</u>	State: <u>FL</u>	Zip Code: <u>32003</u>
Phone: <u>904-614-5256</u>	Email: <u>fuzz1@bellsouth.net</u>	
Parcel Information		
Parcel ID #: <u>02-05-25-008846-000-00</u>	☐ Check here if Address is Same as Owner's	
Parcel Address: <u>77 SWIMMING PEN DRIVE, MIDDLEBURG, FL 32068</u>		
Authorized Agent Information (If Applicable)		
Agent's Name:		
Agent's Address:		
City:	State:	Zip Code:
Phone:	Email:	
☐ Check here that the Owner's Agent Authorization Form has been Completed & will be filed with this Application		
Nature of the Variance / Appeal Request		
Please describe the request or appeal. Include the Section of the Code from which a variance is requested.		
My wife (Judy Fuzzell) & I just purchased her Mom's (Irene) home. Judy lived there since 7th grade. (Hedge) We will replace existing home with new construction. Per Land Development Code, Sec. 3-13, Item (f), number 5, AR zoning 20 foot setbacks on the sides. We are requesting a variance from the AR zoning side setbacks to 9'6" (9 feet, 6 inches), on side setbacks to match existing structure. The new zoning would not allow us to build a typical 2500-3000 sq. ft. home, if left at 20' side setbacks. We wish to be "Grandfathered" in, to existing home.		

County Manager: Howard Wanamaker

District 1
John Sgromolo

District 2
Alexandra Compere

District 3
Jim Renninger

District 4
Betsy Condon

District 5
Dr. Kristen Burke



BOA Application # 25-0016

Staff Report

Copies of the application are available at the Clay County Administrative Offices, 3rd floor, located at 477 Houston Street, Green Cove Springs, FL 32043

Applicant Information

Owner: Douglas & Judy Fuzzell
Phone: 904.614-5256

Address: 1712 Pickwick Place
Fleming Island, FL 32003

Email: fuzz1@bellsouth.net

Property Information

Parcel ID: 02-05-25-008846-000-00
Zoning: AR (Agricultural/Residential)
Land Use: UC10 (Urban Core 10)

Address: 77 Swimming Pen Drive
Middleburg, FL 32068

Commission District: District 1 John Sgromolo

BOA Date: December 4, 2025

Land Development Code Requirement

Ordinance 92-25 requires side setback of 20' in the Agricultural/Residential zoning district.

Applicant Request

Variance to the Ordinance 92-25 Section 13-3(f)(5), to allow a side setback reduction from 20' to 9.5'.

Aerial Photo

Staff Assessment and Recommendation

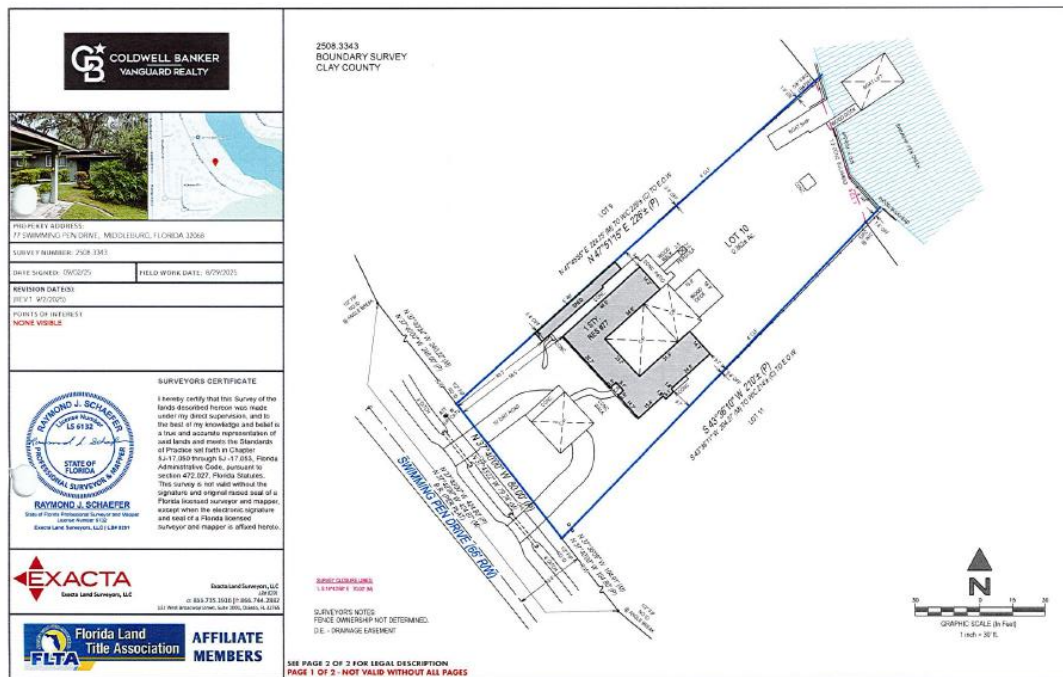
The parcel is located in the Oak Park Subdivision on the east side of Swimming Pen Drive. The home was built in 1970 prior to zoning in the County. The existing home currently has 9.5' side setbacks. As such, the parcel would fall under the direction of code section 13-11(d) *non-conforming structures* (2), which says a non-conforming structure may exist but if more than 60% of the structure is removed, it shall be constructed in conformity with the current code.



Aerial

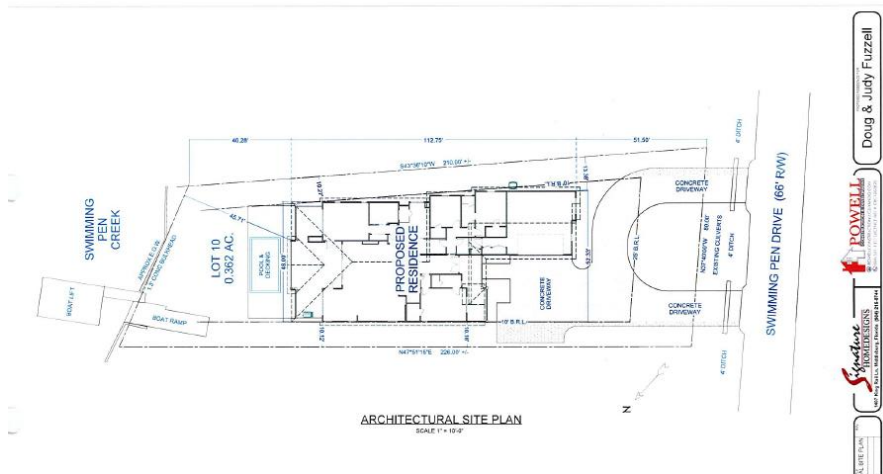
The Applicant would like to tear down the existing home and build a new one. The existing home is at a 9.5' side setback as will the proposed home, this placement is consistent with the pattern of development along swimming pen. Although Staff finds no hardship exists with the land that is not shared with other properties within the adjacent zoning district Staff does recognize the homes were built before zoning and to develop inconsistently with the established development pattern would bestow on the applicant an undue hardship, and therefore recommends approval.

Existing Home site plan



The existing home sits approximately 9.5' off the side property lines currently as evidenced by the survey. Staff offers discussion on the six criteria from the Land Development Code that **must be** present in order to approve a variance.

Proposed Home



Variance Requirements

Section 12-9 of the LDC sets for the procedures and criteria for consideration of approval for a variance.

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. The Board of Adjustment must first determine whether the need for the variance arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the specific property involved. 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.

The residence is located within the Oak Park Plat on which essentially all of the lots are approximately 80' wide. The minimum lot width for the AR zoning district is currently 100'. These properties appear to all have been built with a narrow setback. So although there is nothing peculiar to this lot that would prevent them from building at the 20' side setback, it is not the norm in the neighborhood.

- 2) That the special conditions and circumstances do not result from the actions of the applicant.

The existing residential structure was built in 1970 before zoning was established. The applicant would like to upgrade the home and therefore he would be responsible for not adhering to the code.

- 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.

The granting of the variance will confer on the applicant a privilege denied to other properties in the Agricultural/Residential zoning district by reducing the side setback from 20' to 9.5'.

- 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.

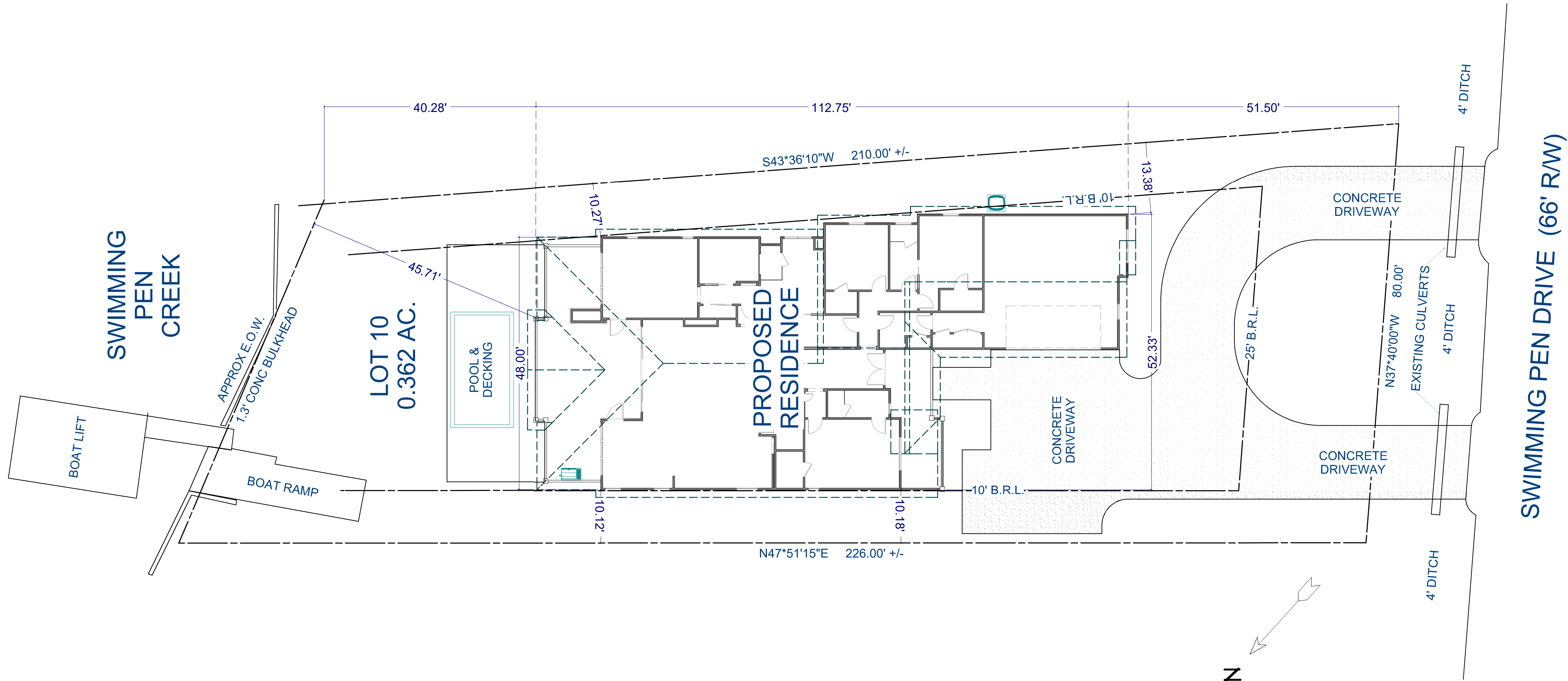
The literal interpretation of the ordinance would not deprive the applicant of rights commonly enjoyed by other property owners within the AR zoning district, it would however deprive the applicant of provisions enjoyed by others in the Oak Park plat.

- 5) That the variance granted is the minimum variance that will make possible the beneficial use of the land, building or structure.

The requested variance to decrease the side setbacks is the minimum variance to allow for the construction of a new home consistent with the patterns along the street

- 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.

The granting of the variance will be in harmony with the general intent of the land development code by mimicking the historic pattern of development throughout the neighborhood.



ARCHITECTURAL SITE PLAN
SCALE 1" = 10'-0"

LEGAL DESCRIPTION
77 SWIMMING PEN DRIVE,
MIDDLEBURG, FLORIDA, 32068
LOT TEN (10) OF OAK PARK
SUBDIVISION, ACCORDING TO PLAT
THEREOF AS RECORDED IN PLAT
BOOK 6, PAGE 31, OF THE PUBLIC
RECORDS OF CLAY COUNTY,
FLORIDA.



Agenda Item
BOARD OF ADJUSTMENT

Clay County Administration Building
Thursday, December 4 5:00 PM

TO: Board of Adjustment Members

DATE:

FROM: Jenni Bryla, Zoning Chief

SUBJECT: A request to consider a reduction in side setbacks from the required 10' to 9' in the RA Zoning District for the purpose of an ADA accessible bathroom addition.

AGENDA ITEM TYPE:

BACKGROUND INFORMATION:

The parcel is located in Fleming Island, south of CR 220 and east of Swimming Pen Creek

Planning Requirements:

Public Hearing Required (Yes/No):

Hearing Type:

Initiated By:

John Wagner

ATTACHMENTS:

Description	Type	Upload Date	File Name
Application	Backup Material	11/25/2025	Wagner_Board_of_Adjustment_Application_24Oct25_v1F_(1)DSADA.pdf
Staff Report	Cover Memo	11/25/2025	BOA_25-0017_STAFF_Report_jb_bcdsada.pdf
BOA 25-0017			
Site Survey	Backup Material	11/25/2025	1857_Osprey_Bluff_Blvd_Site_Survey___Master_Plan_WORKING_v1dsada.pdf



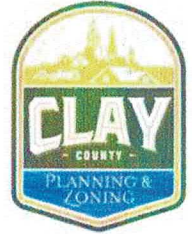
Department of Economic and Development Services

Planning & Zoning Division

P.O. Box 1366, Green Cove Springs, FL 32043

Phone: (904) 284-6300

www.claycountygov.com



BOARD OF ADJUSTMENT APPLICATION

Owner's Name: John Frederic Wagner			
Owner's Address: 1857 Osprey Bluff Blvd			
City: Fleming Island		State: Florida	Zip Code: 32003
Phone: 904-574-1542		Email: jfwagner44@gmail.com	
Parcel Information			
Parcel ID #: 42-05-26-015214-001-21		☒ Check here if Address is Same as Owner's	
Parcel Address: 1857 Osprey Bluff Blvd, Fleming Island, Florida, 32003			
Authorized Agent Information (If Applicable)			
Agent's Name:			
Agent's Address:			
City:		State:	Zip Code:
Phone:		Email:	
☐ Check here that the Owner's Agent Authorization Form has been Completed & will be filed with this Application			
Nature of the Variance / Appeal Request			
Please describe the request or appeal. Include the Section of the Code from which a variance is requested.			
Property Owner respectfully requests a 1 Foot variance from the 10 Foot minimum setback abutting an interior lot under the Clay County Land Development Code, Article III Zoning and Land Use, Sec.3-16 SINGLE FAMILY RESIDENTIAL DISTRICT (ZONE RA), subparagraph (f) (4). A variance is requested to allow construction of a new 263 SF Bathroom addition on the north side of the existing residence adjacent to the property line abutting Lot 22. This bathroom will serve the adjacent existing primary bedroom. The current 10'0" setback limits the width of the proposed bathroom toilet and shower area passageway to 28 inches (30" min. req'd by code). It is cost prohibitive to construct the new bathroom inside the existing home footprint. The entire northeast corner (472 SF) abutting the proposed bathroom was originally constructed in 1986 on a turn-down slab-on-grade without a footing or a foundation wall as required by Clay County code. This latent defect was not discovered until after we moved into the home. We have already spent over \$18,000 to shore up the slab and repair settlement. We would also need to saw-cut existing floors into other finished areas to connect the new bathroom to existing underslab sanitary piping. I am 2 years from retirement and we need this bathroom to be accessible (36" minimum openings and passageways) to allow us to age in place in our home. The location of the original home relative to the property line (16'-1/2" from P/L at NE corner), the location and invert elevation of the gravity sanitary sewer tie-in (67' south of the NE corner of the home), and defects in the construction of the original home severely limit our options and create a hardship in that can be easily overcome by reducing the setback by 12 inches.			

County Manager: Howard Wanamaker

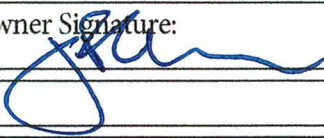
District 1
John Sgromolo

District 2
Alexandra Compere

District 3
Jim Renninger

District 4
Betsy Condon

District 5
Dr. Kristen Burke

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 in Article XII (12-10) 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 twenty-one (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 ten (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 FIFTEEN (15) DAYS IN ADVANCE OF THE PUBLIC HEARING. Advertising costs are payable by the applicant directly to the newspaper. Proof of publication is required prior to the public hearing.			
Owner Signature: 		Date: <u>10/24/25</u>	Print Name: John Frederic Wagner
Official Use			
Zoning:	Land Use:	Application # BOA:	
BOA Meeting Date:	Fees: ☐ Residential (\$300.00) ☐ Non-Residential (\$500.00)		
	# of Signs _____ x \$30.00 Per Sign = \$ _____		
	Total Fee: \$ _____		
Application Accepted By:		Date:	
This area is reserved for future use.			



BOA Application # 25-0017

Staff Report

Copies of the application are available at the Clay County Administrative Offices, 3rd floor, located at 477 Houston Street, Green Cove Springs, FL 32043

Applicant Information

Owner: John Wagner

Phone: 904.574-1542

Address: 1857 Osprey Bluff Blvd.
Fleming Island, FL 32003

Email: jfwagner44@gmail.com

Property Information

Parcel ID: 42-05-26-015214-001-21

Zoning: RA (Single Family Residential)

Land Use: RF (Rural Fringe)

Address: 1857 Osprey Bluff Blvd.
Fleming Island, FL 32003

Commission District: District 1 John Sgromolo

BOA Date: December 4, 2025

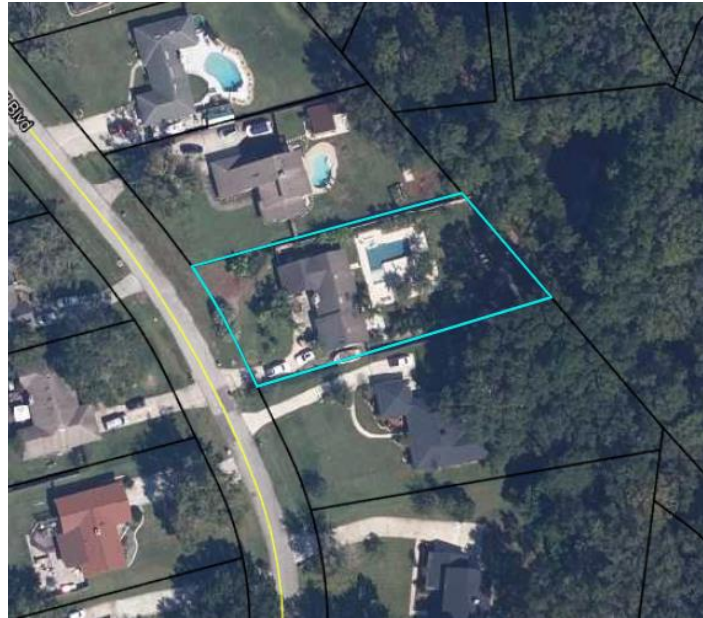
Land Development Code Requirement

Ordinance 93-16 requires side setback of 10' in the Single Family Residential zoning district.

Applicant Request

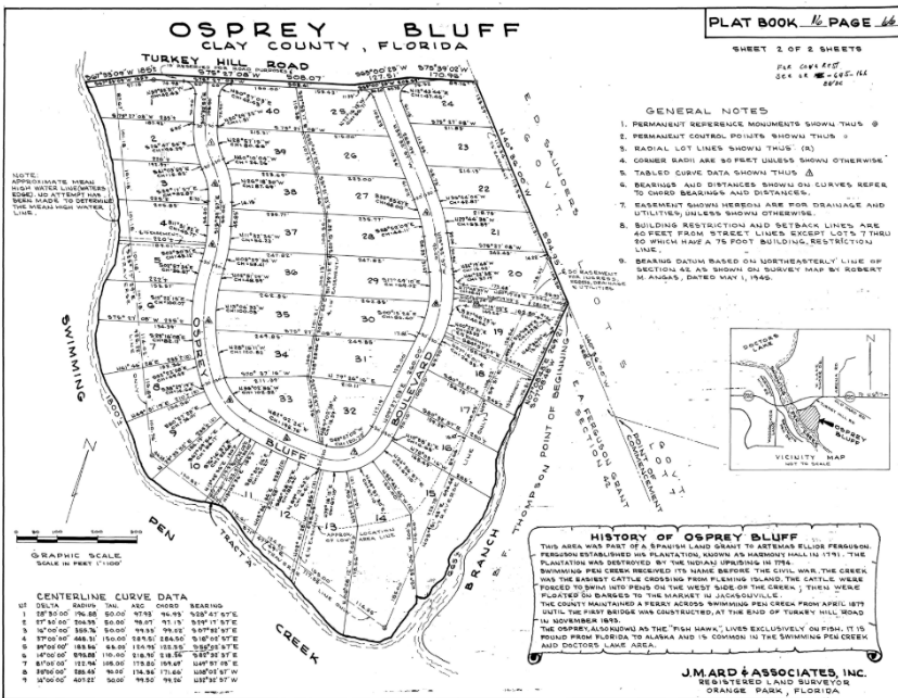
Variance to the Ordinance 93-16 Section 13-16(f)(4), to allow a side setback reduction from 10' to 9'.

Aerial Photo

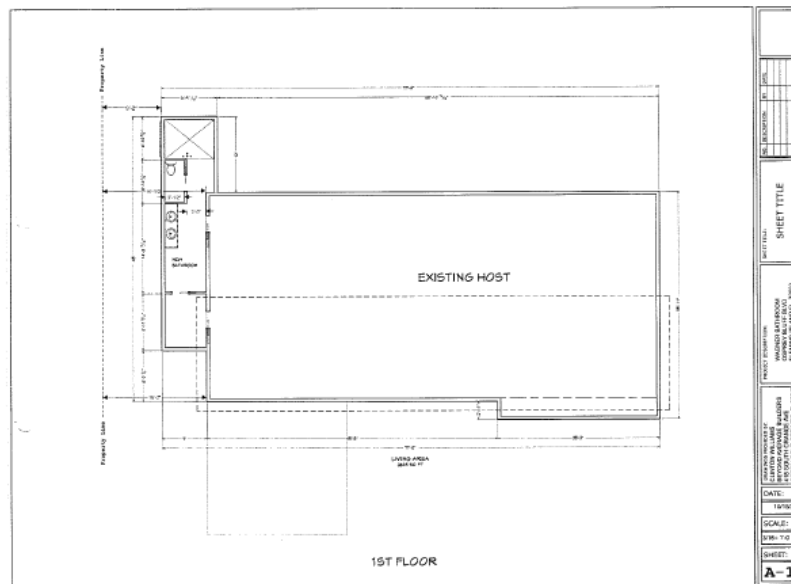
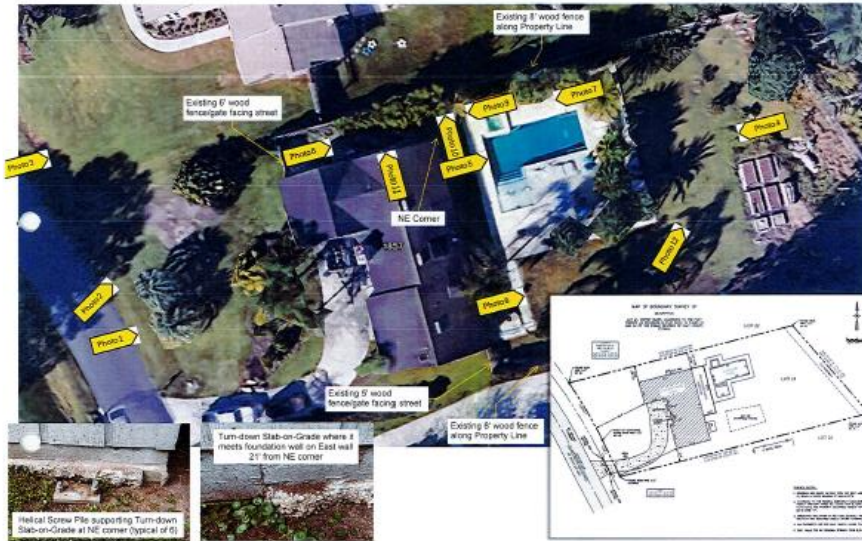


Staff Assessment and Recommendation

The parcel is located in Fleming Island, south of CR 220 and east of Swimming Pen Creek. The neighborhood was developed with 40 single family lots in 1981 as evidenced by the plat. The subject parcel is lot 21, located on the east side of the plat. The applicant is requesting a one foot deviation from the side setbacks to incorporate a full bathroom on the west side of the existing home.



The applicant is saying that because of the construction methods previously established with the home's foundation, it is impossible to build the lavatory inside the home. After consultation with the Building Division, this is not the reality. The home is a 4-bedroom, 3 full bath home. Therefore, Staff does not recognize any hardship uniquely associated with the property and recommends denial.



Staff offers discussion on the six criteria from the Land Development Code that **must be** present in order to approve a variance.

Variance Requirements

Section 12-9 of the LDC sets for the procedures and criteria for consideration of approval for a variance.

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. The Board of Adjustment must first determine whether the need for the variance arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the specific property involved. 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.**

The residence is located within the Osprey Bluff Plat on which essentially all of the lots are approximately 100' wide. The minimum lot width for the RA zoning district is currently 100'. These properties appear to all have been built with a correct setback. There is nothing that is unique in this subdivision that is not shared with other RA zoning districts.

- 2) **That the special conditions and circumstances do not result from the actions of the applicant.**

The existing residential structure was built in 1986 and was built compliant with the development codes. Although the home may have been built with a different foundational method, it does not prohibit the applicant from meeting the current codes.

- 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.**

The granting of the variance will confer on the applicant a privilege denied to other properties in the Residential Single Family zoning district by reducing the side setback from 10' to 9'.

- 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.**

The literal interpretation of the ordinance would not deprive the applicant of rights commonly enjoyed by other property owners within the RA zoning district. The current residential structure has 4 bedrooms and 3 full baths.

- 5) That the variance granted is the minimum variance that will make possible the beneficial use of the land, building or structure.

The requested variance to decrease the side setbacks is the minimum variance to allow for the construction of a new bathroom.

- 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.

The granting of the variance will not be in harmony with the general intent of the land development code. Side setbacks are necessary to provide relief along the street and between homesteads.

MAP OF BOUNDARY SURVEY OF

DESCRIPTION:

LOT 21, OSPREY BLUFF, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 16 PAGES 65 AND 66 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA

VARIANCE REQUEST TO REDUCE MIN. SETBACK FROM 10' to 9'

WORK PACKAGE-3 NEW 7'x35' BATHROOM ADDITION

OUTSIDE EDGE OF POOL COPING ELEV. = 10.03'

Work Package-3 New 12'x30' Lanai Addition

EX. 4" SAN. TO SEPTIC TANK (I.E. = 9.37', 1.38' BELOW FF ELEV.

Work Package-4 Demolish and Reconstruct Garage with Door Facing Street

Work Package-1 6" Reinforced Concrete Driveway

18"x 20'0" HDPE ATSM N12 Dual Wall Culvert Pipe

Work Package-4 New 6'x12' Entry Foyer

Work Package-5 New 14.5'x16' Bedroom Addition

Remove existing concrete driveway/culvert and restore and sod ditch and site to existing grade.

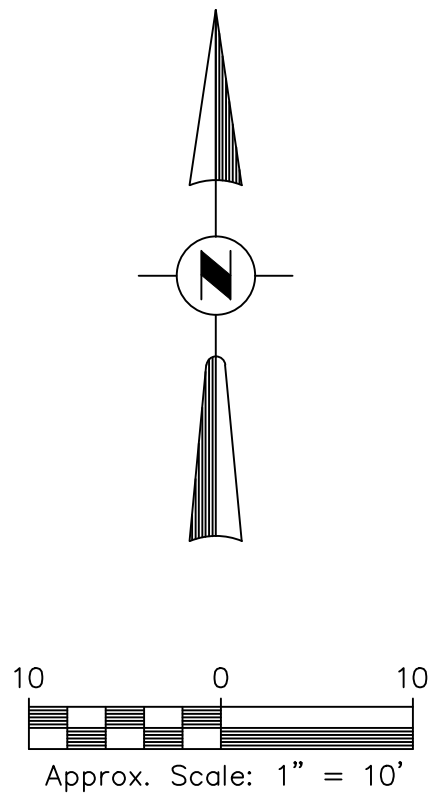
LINE 1
N25°32'57"W 39.06' (P)
N25°16'44"W 39.06' (M)

1857 Osprey Bluff Blvd Lot Coverage Calaculation		
	SF	Acres
Lot 21	22,950.0	0.53
Rear Yard	12,750.0	0.29
Principal Building	3,752.0	
Original Residence	2,638.0	
WP-3 New Lanai Addition (30'x12')	564.0	
WP-3 New Bathroom Addition ((23'x6')+(12'x7'6"))	228.0	
WP-3 New Bathroom Addition 1' Setback Variance	35.0	
WP-4 New Entry Foyer Addition (6'x12')	72.0	
WP-5 New Bedroom #3 Addition (14'6"x16')	215.0	
Accessory Structures	0.0	
Total Lot Coverage	3,752.0	16.3%
Rear Yard Coverage	689.0	4.8%

RA Zoning Max Allowable Building SF (25%)	5,737.5
Remaining Total Building SF	1,985.5
RA Zoning Max Allowable Rear Yard Bldg SF (25%)	3,187.5
Remaining Rear Yard Bldg SF	2,498.5

SURVEY NOTES:

- BEARINGS ARE BASED ON PLAT WITH THE WEST LINE OF LOT 21, BEING A CHORD BEARING OF N29°44'33"W.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM MAP PANEL NO. 12109C 0180 E, EFFECTIVE 03/17/2014, THE PROPERTY DESCRIBED HEREON APPEARS TO LIE IN ZONE "C".
- DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF AND ARE PLAT AND MEASURED UNLESS SHOWN OTHERWISE.
- ALL EASEMENTS ARE PER PLAT UNLESS SHOWN OTHERWISE.
- PLAT CALLS FOR 40' BUILDING SETBACK FROM R/W LINE.



PHASING & SITE PLAN

1857 Osprey Bluff Blvd
Fleming Island, Florida 32003

REVISIONS	
#	DESCRIPTION

SCALE: 1"= 10'
PROJECT: 2011.01
DATE: 10/9/2025

SHEET TITLE
SITE PLAN
LAYOUT

DRAWING NUMBER

1

SHEET 1 OF 4