

Attachment “A”

Application and Supporting Documents



PETITION TO THE BOARD OF ADJUSTMENT
Planning & Development Services Department

OFFICE USE ONLY	
Petition No. <u>BA-17-1</u>	Fee: \$ <u>302.00</u>
Hearing Date: _____	EZ Fee: \$ _____
Account No. 001-660-6680-3401 <input checked="" type="checkbox"/>	
Account No. 001-660-6680-1124 (Enterprise Zone) <input type="checkbox"/>	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) <input type="checkbox"/>	

CHECK ONE:

☒ Variance ☐ Appeal of Administrative Decision ☐ Special Exception ☐ Special Permit

Please note that a pre-application conference is required before submitting this application

Owner(s) of Record (please print)		Agent Authorized to Act on Owner Behalf	
Name:	Ryan Frankel	Name:	Nick Yankopolus, Shore Builders, Inc.
Address:	2900 SW 2nd CT Gainesville, FL 32601	Address:	5900 W. Newberry RD, Ste. D-4 Gainesville, FL 32607
E-mail Address:	ryan.frankel@gmail.com	E-mail Address:	nickyankopolus@gmail.com
Phone:	(352)262-4434	Phone:	(239)850-7168
Fax:		Fax:	(352)331-4230
PROPERTY INFORMATION:			
Street address: 2900 SW 2nd CT, Gainesville, FL 32601			
Tax parcel no(s): 15700-060-000			
Legal description (may be attached): D L CLINCH GRT COLCLOUGH HILL 1 OR 35/ 156 LOT 60 & COM N/LY COR LOT 60 N 9 DEG 43 MIN 25 SEC 595.98 FT S 8 DEG 17 MIN 8 - SEC W 609.07 FT TO N/LY LINE LOT 60 N 40 DEG 8 MIN 40 SEC W 20 FT POB			
Existing Zoning:	RSF1	Lot size:	0.8 Acer
Present use:	Single Family	Proposed use:	Single Family
Historic District or Landmark?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Present structures (type) and improvements upon the land: Single Family House, existing detached deck			
SURROUNDING PROPERTY INFORMATION: (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	Zoning	Land Use	Existing Use
North	RSF1	Common Area	Vacant
South	RSF1	SFR	Single Family Home
East	RSF1	SFR	Single Family Home
West	RSF1	SFR	Single Family Home

Certified Cashier's Receipt:

SIGNATURE PAGE

1. (a) I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area of this petition.
(b) I authorize staff from the Planning and Development Services Department to enter onto the property in question during regular city business hours in order to take photos which will be placed in the permanent file.
2. I/We understand that this petition becomes a part of the permanent records of the Board of Adjustment. I/We hereby certify that the above statements and the statements or showings made in any document or plans submitted herewith are true and correct to the best of my/our knowledge.

Property Owner Signature:



Date: Jan 4, 2017

STATE OF FLORIDA

COUNTY OF ALACHUA

Sworn to and subscribed before me this 4th day of JANUARY 2017
by (Name) RYAN SCOTT FRANKEL

MERRI ELLIS
Signature – Notary Public

Personally Known OR Produced Identification (Type) FDL



VARIANCE

The process for requesting a variance is documented in the Land Development Code Chapter 30-354(d)(3).

Indicate the specific code a variance is requested from and summarize the context:

Code source:	<input checked="" type="checkbox"/> Land Development Code	<input type="checkbox"/> Fire Code	<input type="checkbox"/> Building Code
Section:	30-303. Single Family Lots, (b) (1)		

The following questions must be answered to demonstrate the foundation for the variance request as specifically required by the Land Development Regulations. As the applicant, you bear the burden of proving the variance criteria.

(1) What special conditions and circumstances peculiar or unique to this land, structure or building exist that necessitate the variance?

This lot is adjacent to Colclough Pond. The existing deck on this property was damaged by a falling tree in a storm.
We wish to replace and improve the existing deck, which falls within 75' of the waterline, requiring the variance.

(2) Are these special conditions or circumstances applicable to other lands, structures, or buildings in the same district? ☒ YES ☐ NO

There are a number of lots and structures adjacent to this pond.

(3) Does a literal enforcement of the provisions of the zoning or building code limit the use of the property or building in a manner unlike that of other properties in the same district? If so, please describe the limitation or hardship.

The proximity to the lake restricts the use of a large portion of this lot. The shape of the lot also restricts where a deck can be placed to get a good view of the view of the lake.

(4) Were these special conditions or circumstances described in (1), above, the result of your actions?

No, the home was purchased with the existing deck in place. The damage to the deck was an act of nature.
While we have this opportunity to rebuild the deck, the owner wishes to improve on it's use and view of the lake.

(5) Explain how the requested variance will not confer a special privilege on you that is not enjoyed by other properties in the same district.

The value of this lot is partially related to its view of and proximity to the lake. We believe this deck will not infringe on anyones enjoyment of the lake. The proximity to the lake makes a large portion of this lot fall within the buffer.
We believe the owner should be allowed to rebuild the existing deck in a manner that makes the best use of his lot, while not damaging the delicate environment or infringing on others enjoyment of the lake.

(6) Has an application for a variance been filed within the last 2 years in connection with these premises? Please note that the board will not entertain an application for a variance within two years of the board issuing a denial of the same variance request. ☐ Yes ☒ No

Please continue on additional pages as needed

(Variance, continued)

In addition to the above criteria, the Board of Adjustment will be required to make the following findings to authorize the variance request: *(please acknowledge by initialing each item)*

NKY/ RF (a) That the applicant has met the requirements set forth in section 30-354(d)(3) of the Land Development Code

NKY/ RF (b) That the reasons set forth in the application justify granting the variance

NKY/ RF (c) That the variance is the minimum variance that will make possible the reasonable use of the land, structure, or building

NKY/ RF (d) That granting the variance will be in harmony with the general intent and purpose of the land development code or building chapters

NKY/ RF (e) That granting the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare

Check below that you have included these items with your application:

- ☐ Scaled drawing, site plan, or survey depicting property boundaries, easements, existing and proposed structures shown with their distance to the property line and existing building setback lines. The requested variance should be clearly illustrated with respect to each of these features.
- ☐ Reduced images or digital submission for oversized paper documents (greater than 11x17)
- ☐ Legal description, if not entered on front page
- ☐ Any other supporting materials you wish to provide

Variances are only authorized for height of structures, size of yard setbacks, driveway widths, street line corner clearances, and property line edge clearances as provided in section 30-336(15); and landscape and tree management and flood control provisions as provided in section 30-310.

A variance may not be granted for the following reasons:

- For establishment or expansion of a use otherwise prohibited
- Because of the presence of nonconformities in the zoning district or adjoining districts
- Because of financial loss or business competition
- Because the property was purchased with the intent to develop or improve the property, and the intended development or improvement would violate the restrictions of the land development code or building chapter, whether or not it was known at the time of purchase that such development would be a violation



Existing Deck – east side



Existing Deck – view toward lake



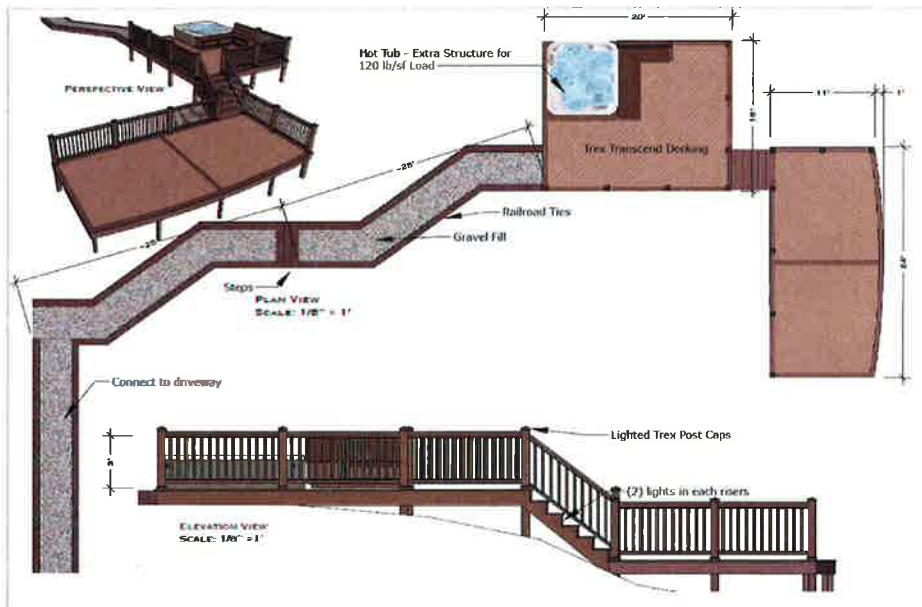
Proposed upper deck between existing deck and orange flags (left).



Proposed lower deck between existing deck (right) and orange flags.



View from lake edge upslope to proposed and existing deck.



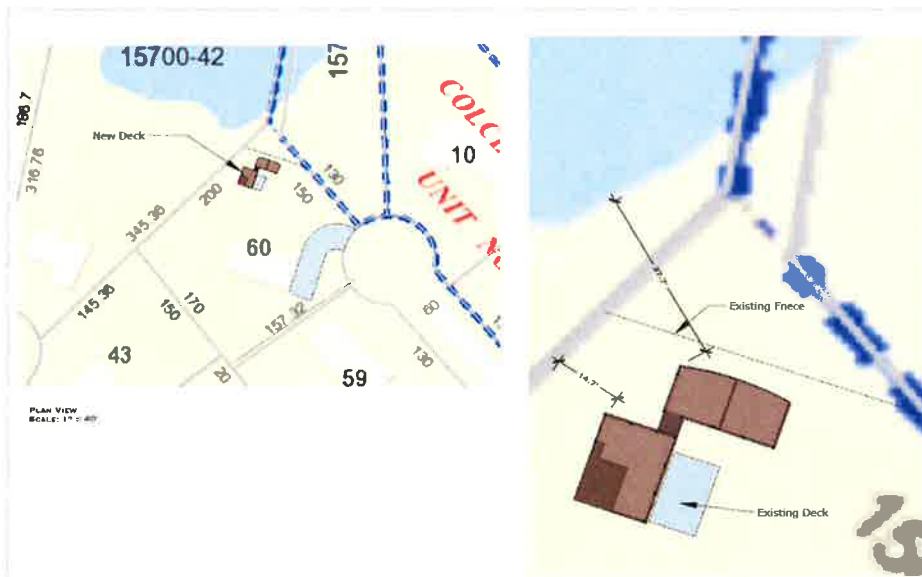
SHORE BUILDERS, INC.
 5890 W. Broadway Rd.
 Suite 10, Box 4
 Gainesville, FL 32601

Frankel Deck
 2900 SW 2nd Court
 Gainesville, FL 32601

Project Contact:
 Mike Henderson
 352-399-0000
 mhenderson@shorebuilders.com

Date: December 19, 2016
 Date Modified:

1



SHORE BUILDERS, INC.
 5890 W. Broadway Rd.
 Suite 10, Box 4
 Gainesville, FL 32601

Frankel Site Plan
 2900 SW 2nd Court
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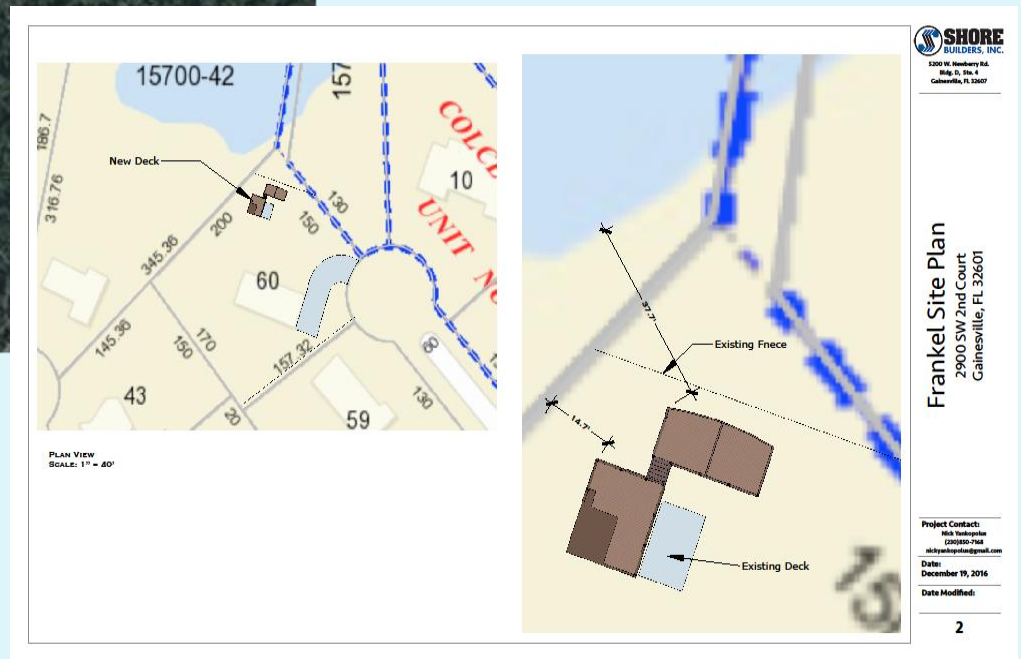


BOARD OF ADJUSTMENT PETITION - FRANKEL DECK

Location – 2900 SW 2nd Court

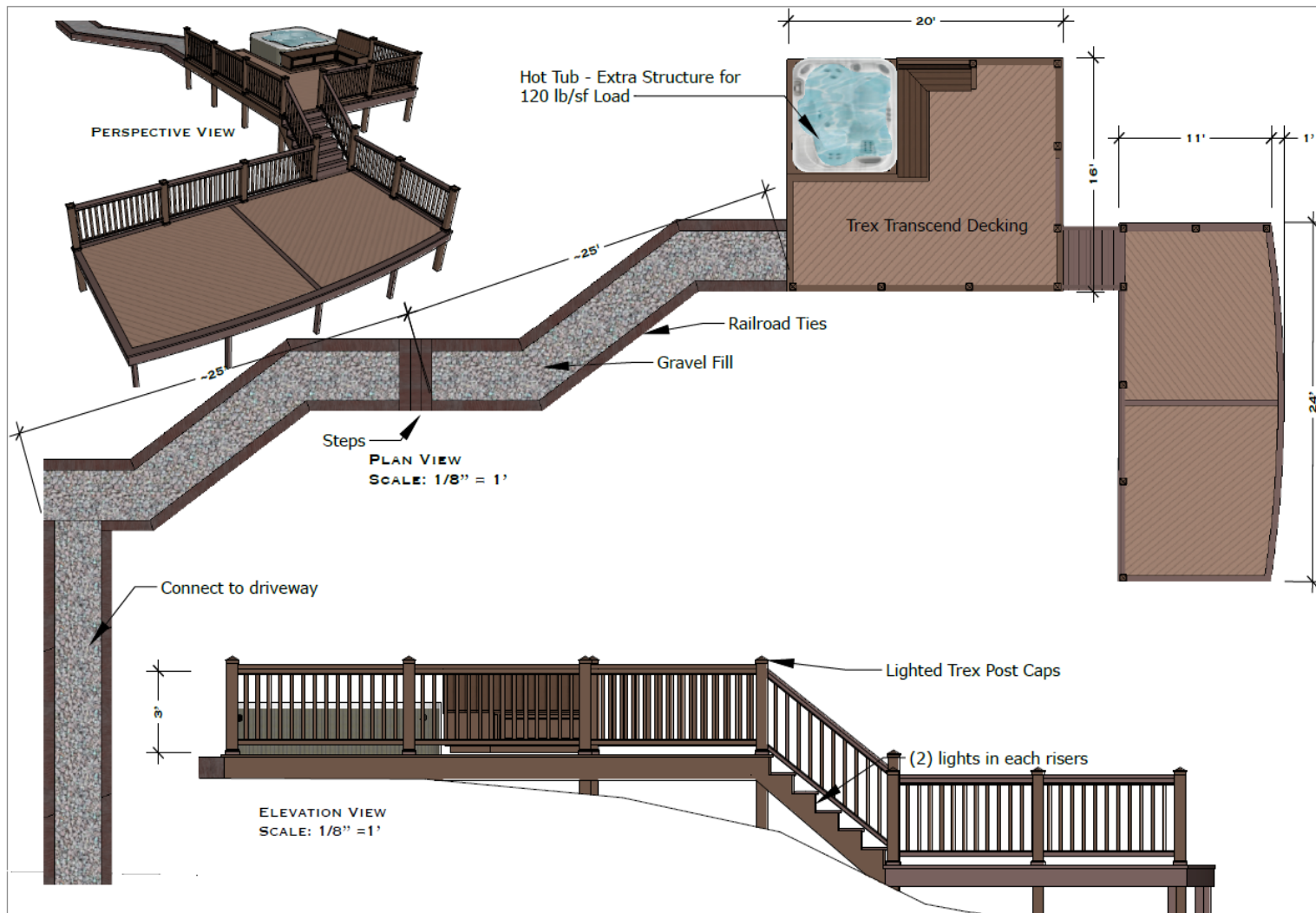


Existing & Proposed Deck Alignment



BOARD OF ADJUSTMENT PETITION - FRANKEL DECK

Proposed Two-Tier Deck Design



SHORE BUILDERS, INC.
5200 W. Newberry Rd.
Bldg. D, Ste. 4
Gainesville, FL 32607

Frankel Deck
2900 SW 2nd Court
Gainesville, FL 32601

Project Contact:
Nick Yankopolus
(230) 850-7168
nickyankopolus@gmail.com

Date:
December 19, 2016

Date Modified:

BOARD OF ADJUSTMENT PETITION - FRANKEL DECK

Existing Deck – East Side



Existing Deck – View North toward Colclough Pond



BOARD OF ADJUSTMENT PETITION - FRANKEL DECK

**Proposed Upper Deck Between
Existing Deck and Orange Flags (left)**



**Proposed Lower Deck Between
Existing Deck (Right) and
Orange Flags**



BOARD OF ADJUSTMENT PETITION - FRANKEL DECK

View from Colclough Pond Upslope to proposed limits of new deck on the opposite side of the fence (orange flags) and existing deck.



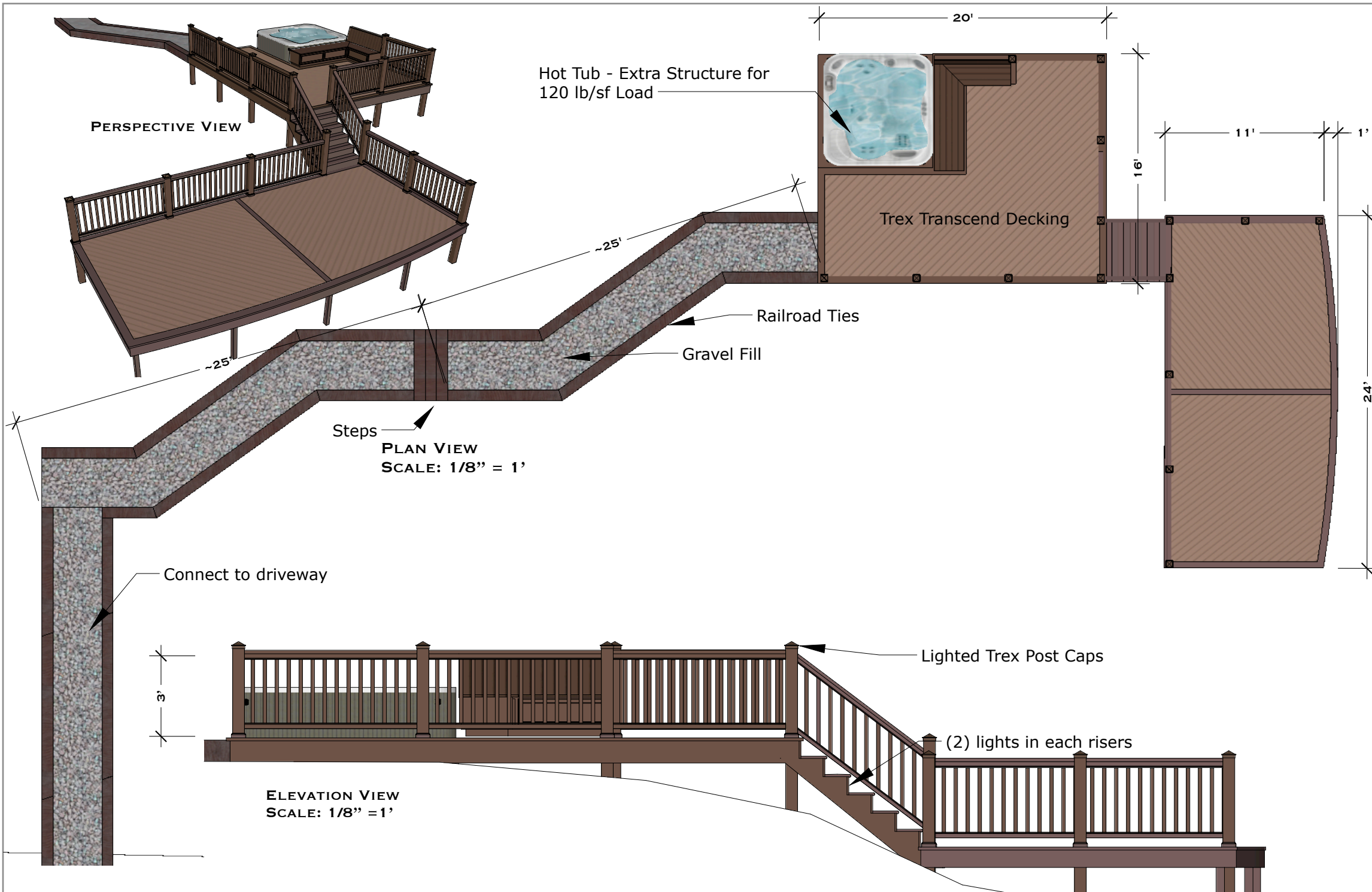
Frankel Deck

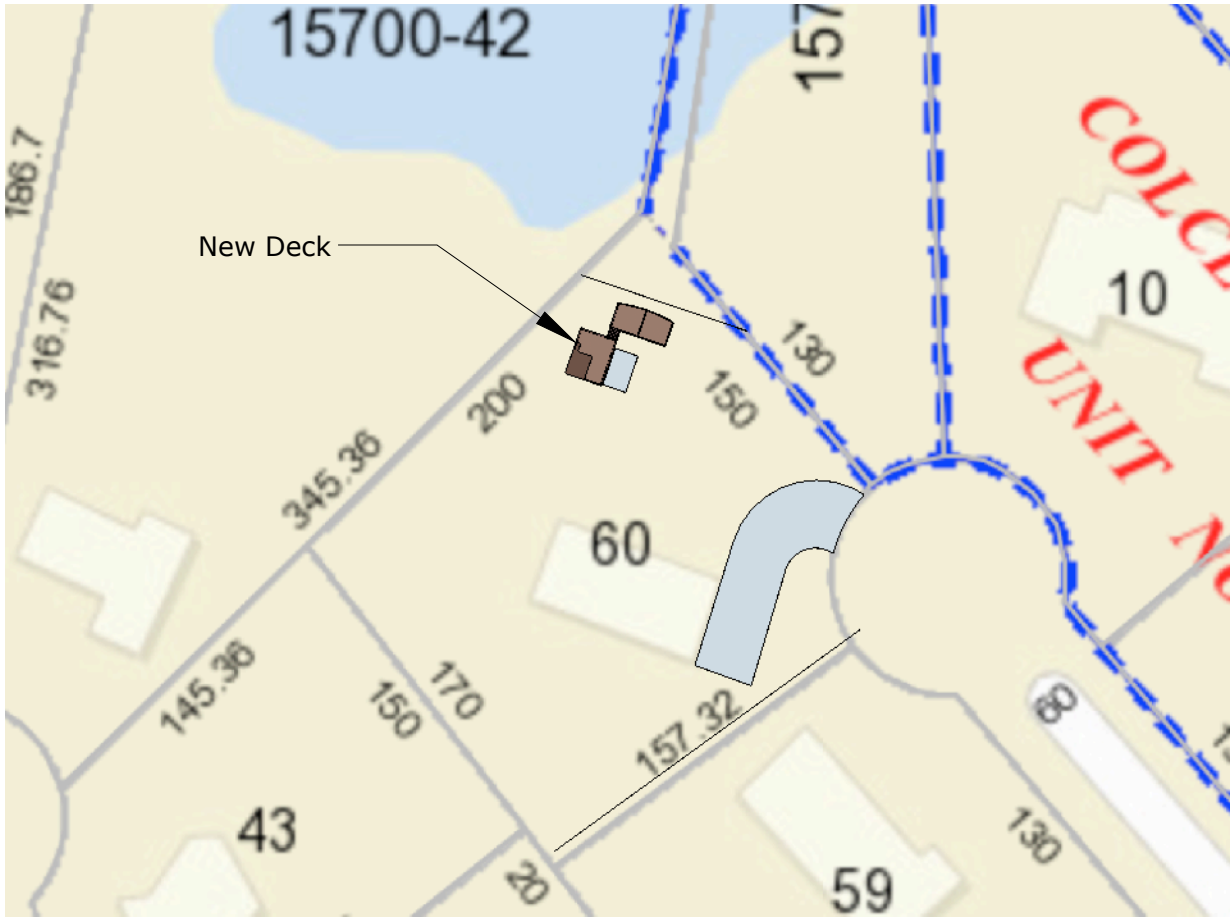
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PLAN VIEW
SCALE: 1" = 40'



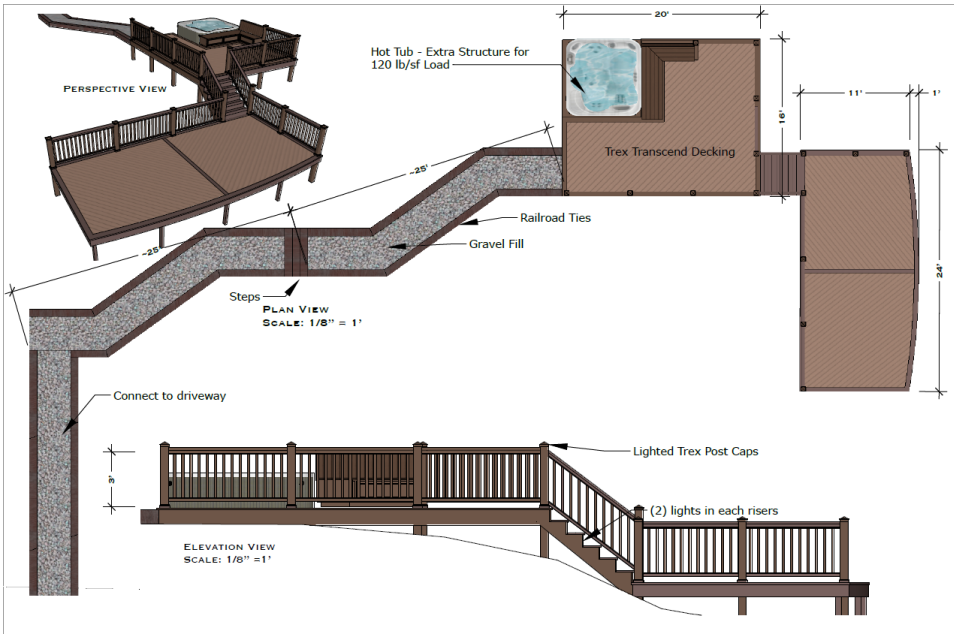
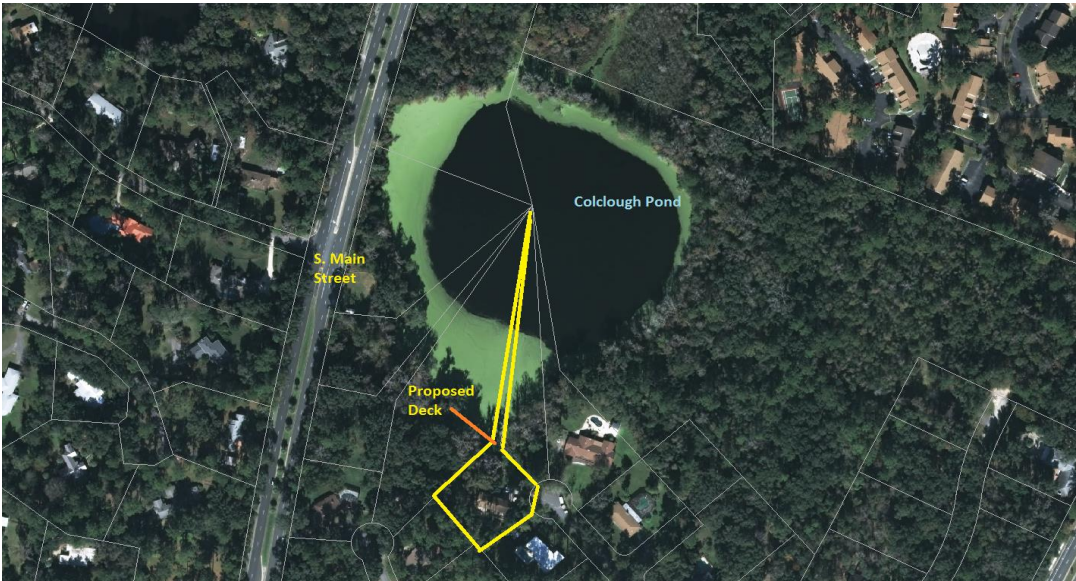
Frankel Site Plan

2900 SW 2nd Court
Gainesville, FL 32601

Project Contact:
Nick Yankopolus
(230)850-7168
nickyankopolus@gmail.com

Date:
December 19, 2016

Date Modified:



SHORE BUILDERS, INC.
3200 W. Newberry Rd.
Rt. 2, Box 4
Gainesville, FL 32607

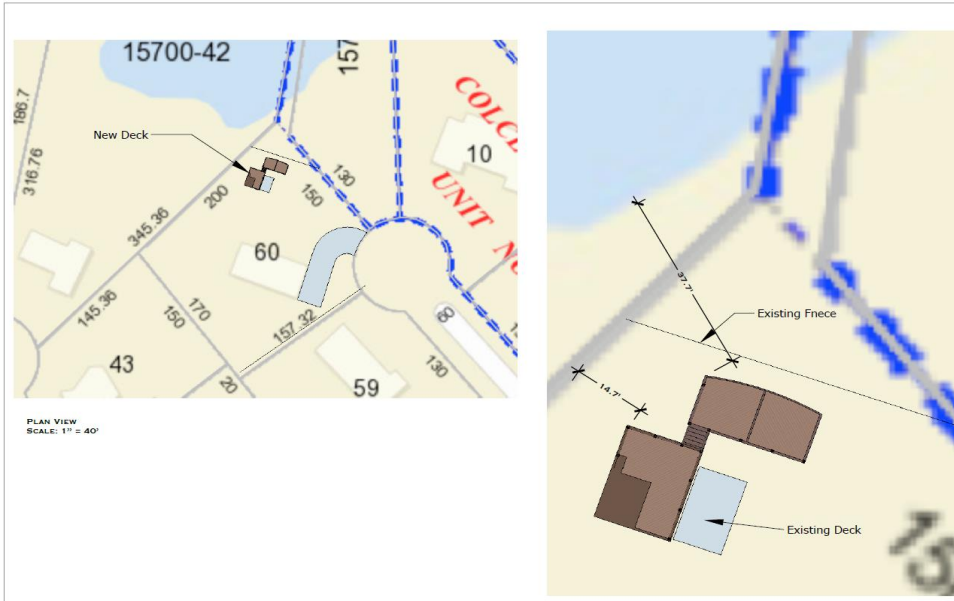
Frankel Deck
2900 SW 2nd Court
Gainesville, FL 32601

Project Contact:
Rick Yeager
(352) 350-7668
rickyeager@shorebuilders.com

Date:
December 19, 2016

Date Modified:

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3200 W. Newberry Rd.
Rt. 2, Box 4
Gainesville, FL 32607

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Existing Deck – east side



Existing Deck – view toward lake



Proposed upper deck between existing deck and orange flags (left).



Proposed lower deck between existing deck (right) and orange flags.



View from lake edge upslope to proposed and existing deck.







