

Minutes of Board of Adjustment Meeting
held Tuesday, November 17, 2015, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida



Call to Order

The meeting was called to order by Chairman Osewalt

Roll Call

Tom Buck *Absent*
Joseph Loretta
John Moreland
Sylvia Osewalt Chairman
Scott Cummings Vice-Chairman

Alternates:

Jeff Truhlar
Francis Reddington

Ex-parte Communications

There were no ex-parte communications.

Approval of Minutes

Mr. Moreland moved approval of the minutes of September 1, September 15, and October 6, seconded by Mr. Cummings. Motion approved unanimously.

Correspondence

There was no correspondence.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

(A) Case Number: BOA 15-100183

Name of Applicant: Marcos and Sue Miranda

Property Address: 733 Seventh Avenue South

Motion to Approve: It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for 42% lot coverage in lieu of 35% maximum to allow for an addition to the west half of a two-family dwelling.

Applicant: The applicant, Marcos and Sue Miranda, 733 7th Avenue South, stated that they needed a three-bedroom house to provide a nursery. Ms. Osewalt explained what constitutes a hardship. She asked if the lot was undersized.

Mr. Loretta noted that the RS-3 criteria results a small home, even though the lot itself is not nonconforming. Mr. Moreland stated that he thought it was substandard. Mr. Loretta stated that this is where the code puts a burden by requiring 35% on 3000 square feet, which results in a small house.

Ms. Miranda stated that they are building on pylons on the second floor. Mr. Moreland stated that it may be less coverage because of the design of the structure.

Public Hearing:

Ms. Osewalt noted that they had a card from 773 7th Avenue south who was in favor but did not wish to address the Board.

Discussion:

Mr. Loretta stated that this is an odd situation that the code puts owners in. Mr. Moreland stated that the lot was substandard and so there is a hardship.

Roll Call Vote: Ayes – Cummings, Moreland, Loretta, Truhlar, and Osewalt. Motion approved unanimously.

(B) Case Number: BOA 15-100184

Name of Applicant: Lori Manis

Property Address: 441 6th Avenue South

Motion to Approve: It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for 44% lot coverage in lieu of 35% maximum to allow for additions to a single family dwelling.

Applicant: The applicant, Lori Manis, 441 6th Avenue South, stated that they had lived there for 12 ½ years and have outgrown the house. Mr. Moreland asked about the improvements to the back. Ms. Manis stated that was the master bedroom.

Mr. Loretta asked if the structure was developed before code. He stated that if they were in RM-1 they would be allowed 65% lot coverage for multifamily. Ms. Manis stated that they were going to do pavers for the driveway. Mr. Loretta asked if they could have

gravel or mulch. Mr. Hays stated that they have already been relieved of that requirement. Mr. Loretta stated that if they put in pavers that would only increase the lot coverage. Mr. Hays stated that if they removed the wood shed they could put pavers in and not increase their lot coverage.

Public Hearing:

There was no one present to speak in favor or in opposition to the request.

Discussion:

Mr. Loretta stated that if they approve they open themselves up to other lots in the neighborhood to request the same variance.

Amended Motion to Approve: It was moved by Mr. Moreland seconded by Mr. Loretta, to approve a request for 44% lot coverage in lieu of 35% maximum as discussed in tonight's meeting to allow for additions to a single family dwelling.

Roll Call Vote: Ayes - Moreland, Cummings, Osewalt, Loretta, and Truhlar. Motion approved unanimously.

(C) Case Number: BOA 15-100185

Name of Applicant: Atkins Construction, Inc.

Property Address: 1728 First Street North and 114 17th Avenue North

Motion to Approve: It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for a westerly side yard of 5 feet in lieu of 10 feet required and for a rear yard of 8 feet in lieu of 30 feet required to allow for a four unit townhouse development.

Applicant: The applicant, John Atkins, 731 Holly Drive, stated that the lot is only 79 feet deep, which would only allow for 29 feet to build. He added that they are doing 4 units here where 9 units are acceptable. The proposal will keep the building in line with others in the neighborhood. He stated this was identical to another variance that they were granted a few months ago.

Ms. Osewalt asked if all units will face First Street. Mr. Atkins stated that they would face 17th Avenue.

Mr. Loretta asked if they considered building 3 floors. Mr. Atkins stated that the neighbors would probably not be in support of 3 floors. Mr. Atkins noted that they are requesting 57% lot coverage when in reality they could get 65% for multifamily. Mr.

Loretta stated that these were townhomes and wouldn't they be seen as single family. Mr. Hays stated that Mr. Atkins has been discussing this with Mr. Mann, and the LDC states that maximum lot coverage for townhomes is 65%. Mr. Atkins noted that because the 4 units are connected they are multifamily.

Public Hearing:

Mr. Randy Osborn, 1309 Forest Ave., stated that their unit adjoins the property directly to the west. He is in favor of the proposal.

Ms. Elizabeth Acheson, 1824 N. First Street, stated her support for the proposal. She stated that it would improve the neighborhood.

Mr. Kenneth Wood, 1717C 2nd Street North, expressed his support, stating that anything to improve the present eyesore is an improvement.

Dr. Robert Grovenstein, 3007 Ocean Drive South, stated that the setback of 8 feet will be more than what exists and he can live with that. He stated that he was surprised they weren't building 3 stories, but 2 stories would be more compatible with the neighborhood.

Mr. Lee Buck, 136 17th Avenue North, stated he was the listing agent for the property. He stated that he has been working with the state trustee and working to sell the properties and taking a lot less commission. The money will go to the surviving teenagers of the owner who passed away. He stated that this represents beautification at the beach. He added that people don't want backyards anymore and the 8 foot setback should not be an issue.

Discussion:

Mr. Loretta noted that the surrounding neighbors are all in support. He added that we could condition the driveway to 1st Street to force them to have 20 feet of pavement on 17th Avenue to allow for 4 parking spaces.

Amended Motion: It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a westerly side yard of 5 feet in lieu of 10 feet required and for a rear yard of 8 feet in lieu of 30 feet required, and to limit all driveways to 17th Avenue North to allow for a four unit townhouse development.

Roll Call Vote: Ayes - Moreland, Loretta, Osewalt, Cummings and Truhlar. Motion approved unanimously.

Adjournment

There being no further business coming before the Board, Mr. Loretta adjourned the meeting at 7:49 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:

Sylvia Osewalt
Chairman

Date: 1/7/2016