

Minutes of Board of Adjustment Meeting
held Tuesday, December 15, 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
Joseph Loretta
John Moreland
Sylvia Osewalt Chairman *Absent*
Scott Cummings Vice-Chairman

Alternates:

Jeff Truhlar
Francis Reddington

Ex-parte Communications

Mr. Loretta stated that he was the applicant for case 15-100203 and would recuse himself from that case.

Approval of Minutes

There were no minutes to approve.

Correspondence

Mr. Buck recommended reading the correspondence received during the case it involved.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

(A) Case Number: BOA 15-100192

Name of Applicant: James Dugger

Property Address: 1638 Williams St.

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Loretta, to approve a request for a rear yard of 10.9 feet in lieu of 30 feet required; for 64% lot coverage in lieu of 35% maximum; and for an accessory walkway and wood deck 2.5 feet to the northerly property line in lieu of 5 feet minimum to allow for improvements to a two family dwelling.

Applicant: The applicant, James Dugger, 1638 Williams St., stated that the lot sits at 50.7% lot coverage. He would like to build a patio cover. The old patio cover was dilapidated. He would like to replace that dilapidated patio cover. He stated that the neighboring property could see into the backyard. The walkway and wood deck are already on the property. He stated that he has removed a lot of the wood deck that was rotted away. The hardship is that there is not much backyard there and he would like to make the backyard usable.

Mr. Cummings asked about the coverage. Mr. Dugger stated that the 50.7% was the home and driveway. Mr. Buck asked if the deck already existed. Mr. Dugger stated that it did, and he would like to expand it from 8x10 to 10x14.

Mr. Buck asked if the neighbors had any issues with it. Mr. Dugger stated that there was no voiced opposition.

Public Hearing:

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

Discussion:

Mr. Loretta stated that they had a case like this last month where a lot in a RS-3 zoning district didn't meet the lot coverage requirements. He had no objections.

Amended Motion: It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a rear yard of 10.9 feet in lieu of 30 feet required; for 64% lot coverage in lieu of 35% maximum; and for an accessory walkway and wood deck 2.5 feet to the northerly property line in lieu of 5 feet minimum to allow for improvements to a two family dwelling as shown and submitted.

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

Case Number BOA 15-100203 was moved to the end of the meeting.

(B) Case Number: BOA 15-100204

Name of Applicant: Jennifer Jeffreys

Property Address: 1243 North 18th Street

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for side yards totaling 10 feet in lieu of 15 feet required; for a rear yard of 25 feet in lieu of 30 feet required; and 50.4% lot coverage in lieu of 35% maximum to allow for construction of a new single family dwelling.

Applicant: The applicant, Jennifer Jeffreys, 167 Poinsettia Street, Atlantic Beach, stated that she is under contract for the land. She stated that the lot is smaller than average lot in Jacksonville Beach.

Mr. Moreland asked how much she could get by with. Ms. Jeffreys stated that they wanted to go with one of the designs they were offered, but she could get less. She added that it would be in line with everyone else on the street.

Mr. Buck asked if they had discussions with the neighbors. Ms. Jeffreys stated that she had no contact with the neighbors regarding this issue.

Mr. Loretta asked about the size of the building. Ms. Jeffreys stated that it is 1,500 square feet of air conditioned space, and the garage makes it slightly larger than 2,000 square feet.

Mr. Cummings noted that it was unusual for the Board to approve greater than 50% lot coverage. In response, Ms. Jeffreys stated that they could redesign the driveway to decrease the lot coverage.

Public Hearing:

Mr. Frank Perducci, 1265 18th Street North, asked how close the house would be to the north property line. Mr. Loretta noted that the setback is 5 feet and they should meet that requirement.

Discussion:

Mr. Moreland stated that the lot coverage should be less than 50%.

Amended Motion: It was moved by Mr. Moreland, seconded by Mr. Loretta, to approve a request for side yards totaling 10 feet in lieu of 15 feet required, for a rear yard of 25 feet in lieu of 30 feet required, and 49.9% lot coverage in lieu of 35% maximum to allow for construction of a new single family dwelling.

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

(C) Case Number: BOA 15-100205

Name of Applicant: Gregory Tolbert

Property Address: 1311 Pinewood Lane

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for a northerly side yard of 5 feet in lieu of 10 feet required; and for 36% lot coverage in lieu of 35% maximum to allow for an addition to a single family dwelling.

Applicant: The applicant, Gregory Tolbert, 1311 Pinewood Lane, stated that they wanted to build covered parking. He stated that years ago a variance was approved to allow the owner to enclose the carport.

Mr. Cummings asked about the width. Mr. Tolbert stated that it would be 18 feet off the house.

Public Hearing:

Mr. James Sorell, 1410 Pinewood Road, expressed his concern to make certain there was nothing happening on the south side of the property. He expressed concerns about safety issues if something was planned for the south side. There was nothing proposed for this side, so he was in favor.

Discussion:

Mr. Loretta thought the request should be amended to address the concerns expressed in the public hearing.

Amended Motion: It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a northerly side yard of 5 feet in lieu of 10 feet required; and for 36% lot coverage in lieu of 35% maximum to allow for an addition to a single family dwelling as discussed.

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

(D) Case Number: BOA 15-100206

Name of Applicant: Church of Our Savior Anglican, Inc.

Property Address: 2092 Beach Boulevard

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for a rear yard of 10 feet in lieu of 30 feet required to allow for a religious organization building.

Applicant: The agent for the applicant, Ed Goodson, 10175 Fortune Parkway, Suite 408, Jacksonville, stated that the current setbacks are to the southerly property line and not the rear yard. They cannot get the building to fit property on the site based on current setbacks. They can set it up if the building abuts the residential neighbors.

Mr. Loretta asked about the adjacent property. Mr. Goodson stated that it was a vacant lot. Mr. Loretta noted that it was a 7-foot setback from the parking lot to the residential units.

Mr. Moreland asked about the driveway cut. Mr. Goodson stated that it ties in with the access road.

Public Hearing:

Mr. John Sproviero, 121 Hobson Road, stated that this property was not designed for what they intended to do. He expressed concern about drainage issues. He stated that there would be a parking issue from this proposal. He expressed concern about putting parking next to the houses in the area.

Mr. Mark Gorman, 13 Hobson Road, stated that they counted cars with a previous church outing and expressed concern about the parking situation. The neighbors are discontent with the proposed development. He stated that they had devalued the properties in the neighborhood.

Mr. Goodson stated that it was preferable to have parking rather than buildings next to the residents.

Discussion:

Mr. Loretta asked if they could go beyond the landscape code and offer a 6-foot screen fence in addition to planning material. Mr. Goodson replied that they would do that.

Mr. Buck asked how they would address the drainage problem. Mr. Goodson responded that they would retain their drainage on-site as required.

Mr. Cummings stated that additional conversation was necessary with the neighbors. Mr. Loretta stated that, by code, their back property line abuts the drainage ditch, and they could put the church up against the residential units, but they elected not to.

Amended Motion: It was moved by Mr. Loretta seconded by Mr. Moreland, to approve a request for a rear yard of 10 feet in lieu of 30 feet required to allow for a religious organization building and to require an additional 6-foot screen fence in addition to landscaped requirements, along the western and southern property boundaries.

Roll Call Vote: Ayes - Moreland, Truhlar, Loretta, and Buck. Nays – Cummings. Motion approved 4-1.

(E) Case Number: BOA 15-100203

Name of Applicant: Rose and Ken, Inc.

Property Address: 2315 Beach Boulevard

Motion to Approve: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for 348 off-street parking spaces in lieu of 443 required spaces to allow additional commercial construction on the undeveloped portions of the subject property (Beach Marine).

Applicant: The agent for the applicant, Joseph Loretta, 9822 Tapestry Park Circle, Suite 201, Jacksonville, stated that they were renovating the buildings and docks and the parking lot. They were going to develop 40 townhome units and introduce a new hotel on the property. The request is that 95 of the spaces be counted against the requirements for parking there. He stated that Mr. Lindorff with the City corresponded that parking in the ROW is allowed for Beach Marine. He stated that he had met with FDOT to discuss the parking issues that day. He stated that the application met the criteria for a variance pursuant to code.

Mr. Moreland asked about the portion to the southwest. Mr. Loretta stated that area was specific for transient boat slips.

Mr. Buck asked if there were plans for 2nd Avenue North. Mr. Loretta stated that portions that are flooding are being studied. Beach Marine will have to handle the burden of bringing 2nd Avenue North up to code requirements. Mr. Buck stated that the road would need to be improved to accommodate a new hotel and restaurant.

Mr. Reddington asked about the spaces on Beach Blvd. Mr. Loretta stated that they are asking that 95 of the 160 spaces on Beach Blvd. be used for Beach Marine. He added that they were going to be required to improve the safety in this parking area.

Mr. Loretta stated that they were asking for much less intense development than what would be allowed by the Land Development Code.

Mr. Hays asked if the Beach Blvd. parking used by Beach Marine was bequeathed to the applicant, would they be asked to seek a variance. Mr. Loretta stated that they would not need a variance. He stated that they are basically asking for what was approved by the planning director.

Mr. Moreland asked about the parking for the townhomes. Mr. Loretta stated that they were doubling the amount of spaces necessary. Discussion followed on the parking plan for the parcel.

Mr. Cummings asked about large volume boats. Mr. Loretta stated that he had no

idea.

Public Hearing:

Mr. James Sorell, 1410 Pinewood Road, stated that he was totally against the plan. This private company should stand on its own and not ask for public assistance. He stated that the City is losing parking and every development should be responsible for its own parking.

Mr. Buck summarized a letter from Brenda and Darrell Shields, 315 18th Street North, that was submitted expressing concern about 2nd Avenue.

Mr. Loretta responded that 2nd Avenue improvements would be the responsibility of Beach Marine. He added that FDOT owned the parking right-of-way, not the City.

Discussion:

Mr. Reddington stated that he hated to give up parking. In addition, he expressed concerns about the increase in traffic in this area of the City.

Mr. Cummings stated that the variance was needed due to the parking issue, which is basically how it exists today.

Mr. Moreland stated that there was precedence for parking within a public easement; this was not unique to this project. He added that the motion should be modified to make a permanent parking upgrade be required in the public parking easement and they be responsible for maintenance, and be responsible for 2nd Avenue North improvements.

Amended Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve a request for 348 off-street parking spaces in lieu of 443 required spaces to allow additional commercial construction on the undeveloped portions of the subject property (Beach Marine), contingent upon the applicant being required to provide a permanent parking upgrade, paved in asphalt or concrete, for the public easement spaces along Beach Blvd. and be required to maintain that parking area, and the applicant be responsible for improvements to 2nd Avenue North.

Roll Call Vote: Ayes - Moreland, Cummings, Truhlar, and Buck. Nays – Reddington. Motion approved 4-1.

Adjournment

There being no further business coming before the Board, Mr. Buck adjourned the meeting at 8:23 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:



Chairman

Date: 2/2/16