



**Minutes of Board of Adjustment Meeting  
held Wednesday, November 21, 2017, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**

**CALL TO ORDER**

Vice-Chairwoman Sylvia Osewalt called the meeting to order.

**ROLL CALL**

*Chairman:* John Moreland (*absent*)  
*Vice-Chairwoman:* Sylvia Osewalt  
*Board Members:* Thomas Buck (*absent*) Scott Cummings (*absent*) Jeff Truhlar  
*Alternates:* Francis Reddington Chase Sams

Ms. Osewalt explained to the audience that there was a quorum with the Board Members present, but that an applicant would need three (3) votes in favor, for approval. She asked if anyone wanted to defer his or her case to the next Hearing. Mr. David Palaj, DNA Investments Florida, LLC, BOA #17-100189, said he would like to defer his case to December 5, 2017.

**EX-PARTE COMMUNICATIONS**

No ex-parte communications were received by the Board members.

**APPROVAL OF MINUTES**

It was moved by Mr. Truhlar, seconded by Mr. Reddington, and passed unanimously to approve the following minutes:

- September 6, 2017
- October 17, 2017
- November 7, 2017

**CORRESPONDENCE:** *None*

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

(A) **Case Number: BOA 17-100181**

**Name of Applicant:** William Cowden

**Property Address:** 2919 Merrill Boulevard

**City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e.**, for 47% lot coverage in lieu of 35% maximum; to allow a swimming pool and a screen enclosure addition to an existing single-family dwelling, for property legally described as Lot 7, Block 7, *Jacksonville Beach Heights*.

**Applicant:** Mr. Cowden, 2919 Merrill Boulevard, explained that his hardship would be his lot is too small. Ms. Osewalt and Mr. Truhlar reiterated that his lot is approximately 6000 sq ft. [Usually the lot size is 7500 ft. in RS-2] and 75 ft. wide. His lot is only 50 ft. along the front property line. Ms. Osewalt asked Mr. Cowden to verify that he had a previously approved variance for 44% lot coverage, and that he has built out to that maximum granted. Mr. Cowden confirmed that he has.

Ms. Osewalt and Mr. Truhlar discussed the 30-foot setback. Ms. Ireland clarified that the pool and screen enclosure could be 5 feet off the property line.

Mr. Truhlar asked if Mr. Cowden had spoken to his neighbors. He stated he had and no one expressed any issues or concerns.

**Public Hearing:**

No one wished to speak at this time about the application.

**Motion:** It was moved by Mr. Truhlar, and seconded by Mr. Reddington, to approve Case Number BOA 17-100181 as provided.

**Roll Call Vote:** Ayes – Sylvia Osewalt, Jeff Truhlar, Frances Reddington and Chase Sams.

Motion was approved as provided, unanimously.

**(B) Case Number: BOA 17-100185**

**Name of Applicant:** Jeffery B. Hall

**Property Address:** 605 Upper 8<sup>th</sup> Avenue South

**City of Jacksonville Beach Land Development Code Section(s) 34- 337(e)(1)c.3.**, for a rear yard setback of 20 feet in lieu of 30 feet required; to allow a covered patio addition to an existing single-family dwelling for property legally described as Lot 19, Block 7, *Oceanside Park*.

**Applicant:** Mr. Hall could not attend the hearing and the co-owner of the property Lanne Peters, 605 Upper 8<sup>th</sup> Avenue South, spoke on his behalf.

Ms. Osewalt explained Ms. Peters should have a notarized letter from her grandfather (the other co-owner), to speak on his behalf since no information was on file proving her ownership. Ms. Ireland stated her ownership would be verified, and the Board Members could proceed if they chose to. The Board Members agreed to move forward with the case.

Ms. Peters explained they received approval a few months prior for the concrete slab, but were not aware they needed to include the covered roof in the application. They are requesting the variance to put a roof over the twenty (20) foot patio. She said when they bought the property there was an existing 10 foot patio, and they added an additional 10 foot to the concrete slab. The previous variance was for lot coverage only.

Ms. Ireland stated that the patio, uncovered, can be five (5) feet off of the property line, but that when a roof is added, as attached to the primary structure, it then encroaches into the 30 foot rear yard setback.

Mr. Truhlar asked if she has had any conversations with the neighbors, Ms. Peters stated she has not. She also stated no one has expressed any concerns to them about the variance since the notice was posted in the yard.

**Public Hearing:**

No one wished to speak at this time about the application.

**Motion:** It was moved by Mr. Reddington, and seconded by Mr. Truhlar, to approve Case Number BOA 17-100185 as discussed and read.

**Roll Call Vote:** Ayes –Sylvia Osewalt, Jeff Truhlar, Frances Reddington and Chase Sams.  
Motion was approved, as discussed, unanimously.

**(C) Case Number: BOA 17-100186**

**Name of Applicant:** William and Elizabeth Lassiter

**Property Address:** 737 South 13<sup>th</sup> Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-337(e)(1)c.1., for a front yard setback of 15 feet in lieu of 20 feet required; 34-337(e)(1)c.2., for a westerly side yard of 5 feet, in lieu of 8.1 feet required and for 11.9 feet total side yards, in lieu of 15 feet required; 34-337(e)(1)e., for lot coverage of 48%, in lieu of 35% maximum; to allow additions to an existing single-family dwelling for property legally described as Lot 7, Block 128, *Oceanside Park*.

**Applicant:** William and Elizabeth Lassiter, 737 South 13<sup>th</sup> Avenue, explained to the Board Members that the drawing submitted is a preliminary drawing they want to take to an architect after the variance decision is made for their additions. The house is a very narrow house at 23 feet wide on a fifty-foot front lot. Mr. Lassiter has asked the City in the past if he could purchase a portion of an easement that attaches to his property, but is not able to. Mr. Lassiter said they wanted to add a second garage to the existing garage and carport, 12 feet on the west side and space in the rear yard to add rooms to the current house. Discussion ensued regarding the

garage size and the neighboring properties. The Board Members expressed concern that the garage sight line would be further out toward the road than any of the other houses on the street.

Ms. Osewalt asked about the additions and if they would reduce the current plan. Mr. Lassiter said he is willing to do whatever the board would approve. Mr. Sams said he was still concerned about the front yard setback. Discussion continued about the size of the garage, existing carport and how best to work the two-car garage into the front yard.

Mr. Truhlar asked Mr. Lassiter if he spoke to any of his neighbors regarding any of his requests. He said he spoke with the neighbor on the east side. His neighbor was good with the garage in the front but was concerned about the overall size of the house compared to the rest on the street.

**Public Hearing:**

No one wished to speak at this time about the application.

**Motion:** It was moved by Mr. Truhlar, and seconded by Mr. Sams, to approve Case Number BOA 17-100186 as submitted except for the change of a front yard setback of 19 feet, instead of the 15 feet requested, in lieu of 20 feet required.

**Roll Call Vote:** Ayes – Sylvia Osewalt, Jeff Truhlar, Frances Reddington, and Chase Sams.  
Motion was approved, as amended and discussed, unanimously.

**(D) Case Number: BOA 17-100189**

**Name of Applicant:** DNA Investments Florida, LLC

**Name of Agent:** David Palaj

**Property Address:** 122 South 9<sup>th</sup> Street

**City of Jacksonville Beach Land Development Code Section(s)** 34-339(e)(4)c.2., for side yard setbacks and a corner side yard setback of 7.5 feet in lieu of 10 feet required; 34-339(e)(4)h., for accessory structure setbacks of 2.2 feet, in lieu of 5 feet required; 34-373(d), for parking area setback of 2.2 feet, in lieu of 5 feet required; to allow construction of two three-unit townhouse structures, for property legally described as Lots 7 and 8, Block 20, *Pablo Beach South*.

**Applicant:** Agent, David Palaj for DNA Investments Florida, LLC requested to defer his application to the next hearing, December 5, 2017.

**(E) Case Number: BOA 17-100190**

**Name of Applicant:** Lindsey Koek

**Name of Agent:** Gary Carlee

**Property Address:** 3845 Grande Boulevard

**City of Jacksonville Beach Land Development Code Section(s)** 34-336(e)(1)e., for 49.6% lot coverage in lieu of 35% maximum; to allow a swimming pool and patio addition to a single-family dwelling, for property legally described as Lot 23, Block 14, *Ocean Terrace*.

**Applicant:** Chris and Lindsey Koek presented their case. Their Agent, Mr. Carlee from Surfside Pools was also in attendance, should the Board Members have questions for him. Mr. Koek explained they wanted to install a pool, and their hardship is that the lot is small. Ms. Osewalt asked about the previous variance that was awarded recently. Mr. Koek said the builder they bought the house from was approved for 40% lot coverage because of the drainage that was done at the time of construction. He said they are only asking for decking from the house to the pool and a short distance on the side. Mr. Truhlar asked Mr. Koek if he had spoken to neighbors, he stated he had and no one expressed any concerns. Mr. Truhlar also asked if they experience any drainage problems and the Koek's said they do not, since the builder fixed it.

**Public Hearing:**

No one wished to speak at this time about the application.

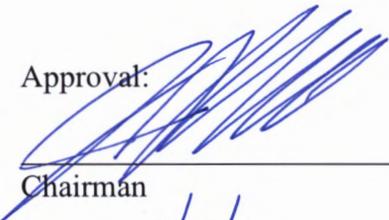
**Motion:** It was moved by Mr. Sams, and seconded by Mr. Reddington, to approve Case Number BOA 17-100190.

**Roll Call Vote:** Ayes – Sylvia Osewalt, Jeff Truhlar, Frances Reddington, and Chase Sams.  
Motion was approved, as written and stated, unanimously.

**ADJOURNMENT**

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:50 P.M.

Submitted by: Catherine Martinich  
Permit Specialist

Approval: 

Chairman

Date: 1/2/18