

**Minutes of Board of Adjustment Meeting  
held Wednesday, December 19, 2017, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairman John Moreland called the meeting to order.

**ROLL CALL**

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

Chairman Moreland thanked Chase Sams for his service on the Board of Adjustment and introduced Mr. Lucas Snyder, who will be filling Mr. Sams seat on the Board beginning in January 2018.

Chairman Moreland explained due to absences of Board members tonight, any applicant choosing to defer to the next meeting, may do so. No one requested to defer their case.

**Ex-parte Communications**

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

**Approval of Minutes**

It was moved by Ms. Osewalt, seconded by Mr. Cummings, and passed unanimously, to approve the following minutes:

- December 5, 2017

**CORRESPONDENCE:** *None*

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

**(A) Case Number: BOA 17-100196**

**Name of Applicant:** Aimee Thranhardt

**Property Address:** 230 St. Augustine Boulevard

**City of Jacksonville Beach Land Development Code Section(s)** 34-336(e)(1)c.1., for a front yard setback of 15.5 feet, in lieu of 25 feet required; 34-336(e)(1)c.2., for an easterly side yard of 5.2 feet, in lieu of 10 feet required; 34-

336(e)(1)c.3., for a rear yard setback of 18.5 feet, in lieu of 30 feet required; 34-336(e)(1)e., for 46.2% lot coverage, in lieu of 35% maximum, to allow construction of a single-family dwelling for property, legally described as Lot 14, Block 22, *Replat Unit No. 1 Atlantic Shores*.

**Applicant:** Aimee Thranhardt, 9 Solana Road, Ponte Vedra Beach, FL 32082, explained her hardship is that her lot is of substandard size, and very narrow. Her request is to make the best use of the land, as it is across the street from a gas station. She would like her garage toward the front of the property for privacy and to block the lights from the gas station. The Board discussed the front yard setback and sight plan for this area. Mr. Cummings reported that the house next door had the same setback, he would have no concerns with approving it. Mr. Moreland expressed that the gas station also causes a hardship for this lot and the variance seems reasonable.

**Public Hearing:**

There was no one from the public present to speak about the application.

**Motion:** It was moved by Mr. Sams and seconded by Mr. Cummings to approve Case Number BOA# 17-100196 as written and stated.

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, Scott Cummings, and Chase Sams.

The motion was approved unanimously.

**(B) Case Number: BOA 17-100205**

**Name of Applicant:** Keith Frazier

**Property Address:** 15 North 16<sup>th</sup> Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-340(e)(3)c.1., for a front yard setback of 1.5 feet in lieu of 20 feet required; 34-340(e)(3)e., for lot coverage of 72% in lieu of 65% maximum to allow improvements to an existing multi-family dwelling for property, legally described as the East 12.0 feet of the South 43.0 feet, 8 inches of Lot 4, Block 171, *Pablo Beach North*.

**Applicant:** Mr. Keith Frazier, 1045 Oakvale Road, St Johns, FL 32259, explained his property has a two-story house with 4-foot of crawl space underneath it. The Fire Marshall has recommended that there be a deck and a walkway through to a staircase on the outside of the building for fire safety purposes. His building project was approved, and he was issued a permit by the City. Once into the project, it was discovered a variance would be needed due to the City's code requirements associated with the lot.

Mr. Moreland asked if his property did not comply with the zoning requirements, Mr. Frazier stated that is correct.

Building Official, George Knight explained that at the time the plans were submitted the deck dimensions were vague, but the City did approve and issued a building permit. At the time of an inspection, it was discovered that the deck did not match the approved drawings and that a variance would be required. Ms. Osewalt asked if they were in the right-of-way now; Mr. Knight said it appears that they are about one and a half feet from the right-of-way.

Mr. Moreland asked how a permit was issued for the project when the deck dimensions were vague. Mr. Knight said he did not have an answer for him as it was approved before his employment with the City. He said, unfortunately, interpretive errors during plan review could happen.

Discussion continued about the number of previous variances granted on the property, building encroachment close to the right-of-way, and stairs/deck plans.

**Public Hearing:**

**Speakers:**

The following spoke to the Board in opposition to the agenda item:

- Dan Thon, 1701 North 1<sup>st</sup> Street #9B, Jacksonville Beach
- Cynthia Catir, 1701 North 1<sup>st</sup> Street, #3A, Jacksonville Beach
- Susan Wieggers, 1701 North 1<sup>st</sup> Street #6B, Jacksonville Beach
- Kirk Wieggers, 1701 North 1<sup>st</sup> Street #6B, Jacksonville Beach

The following are in opposition to the agenda item but did not wish to address the Board:

- Monica Ivan, 1701 North 1<sup>st</sup> Street #8A, Jacksonville Beach
- John Boone, 1701 North 1<sup>st</sup> Street, #B10, Jacksonville Beach
- Sherrill Boone, 1701 North 1<sup>st</sup> Street, #B10, Jacksonville Beach

Mr. Moreland asked Mr. Frazier to step forward and provide his rebuttal. He disagreed with the comments from those who were in opposition to the application concerning blocking the ocean view. Mr. Moreland asked about not installing the roof over the deck. Mr. Frazier explained the roof would make the space more enjoyable in the summer. He answered additional questions about the property, options for the staircase location, and options for an elevator.

**Motion:** It was moved by Ms. Osewalt, and seconded by Mr. Cummings, that Case Number BOA# 17-100205 be denied. The grant of the variance is not the minimum variance that will make it possible for use, because there is established property there now.

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, Scott Cummings, and Chase Sams.

The motion was denied, unanimously.

**(C) Case Number: BOA 17-100206**

**Name of Applicant:** Henry Coleman, Jr.

**Agent:** Ben Broadfoot

**Property Address:** 436 South 4<sup>th</sup> Avenue

**City of Jacksonville Beach Land Development Code Section(s)** 34-338(e)(1)c.2., for a corner side yard setback of 11 feet, in lieu of 20 feet required; to allow a garage addition to an existing legal nonconforming single-family dwelling, per Sec 34-338 RS-3 standards, for property, legally described as Lots 5 and 6, Block 45, *Pablo Beach South*.

**Applicant:** Mr. Coleman, 436 South 4<sup>th</sup> Avenue, Jacksonville Beach, FL 32250 requested Mr. Ben Broadfoot to speak on his behalf.

**Agent:** Ben Broadfoot, 422 South 3<sup>rd</sup> Street, Jacksonville Beach, FL 32250, explained that he is the architect that drew up Mr. Coleman's plans for him. He said the existing carport is non-conforming and dilapidated; Mr. Coleman would like to replace the carport with a garage. Ms. Osewalt asked what was non-conforming about the property. Mr. Broadfoot said the carport is in the side yard setback 4 feet, which makes it non-conforming, and they want to extend it four and half more feet into the setback. Discussion ensued regarding old zoning laws, the carport and the placement of the newly proposed garage.

**Public Hearing:**

There was no one from the public present to speak about the application.

**Motion:** It was moved by Mr. Sams and seconded by Mr. Cummings to approve Case Number BOA# 17-100206 as stated and written.

**Roll Call Vote:** Ayes – John Moreland, Scott Cummings, and Chase Sams.  
Nays – Sylvia Osewalt

The motion was approved with a 3 to 1 vote.

**(D) Case Number: BOA 17-100207**

**Name of Applicant:** Jason and Janet Dyer

**Agent:** Ben Broadfoot

**Property Address:** 522 North 7<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 18.5 feet, in lieu of 20 feet required; 34-337(e)(1)c.2., for an easterly side yard of 7.4 feet in lieu of 7.5 feet required, and for side yards totaling 14.9 feet in lieu of 15 feet required; 34-337(e)(1)c.3., for a rear yard setback of 20.1 feet in lieu of 30 feet required; 34-337(e)(1)e., for 47% lot coverage, in lieu of 35% maximum; 34-373(d), for parking area setback of 2.5 feet in lieu of 5 feet required, to allow improvements to an existing single-family dwelling, for property, legally described as Lot 4, Block 76, *Pablo Beach North Replat*.

**Agent:** Ben Broadfoot, 422 South 3<sup>rd</sup> Street, Jacksonville Beach, FL 32250, spoke on behalf of the applicant, who could not attend the meeting. He explained they would like to add a garage and this will cause them to lose some living space. The proposed home additions will allow them to gain back some of that space as well as add more living space. Discussion continued about side yard setbacks, lot coverage, and pavers. Mr. Moreland pointed out that part of the hardship is the lot size. RS-2 calls for a minimum of 7,500 square feet, but this lot is only 6,250 square feet. Lot coverage was discussed, and it was determined that the current percentage is 41%. Mr. Sams discussed the calculations, and this will not provide room for a driveway. Approval of additional lot coverage would be necessary to include a driveway. Mr. Sams noted 44% lot coverage would be the equivalent of 39% on a conforming lot.

**Public Hearing:**

There was no one from the public present to speak about the application.

**Motion:** It was moved by Ms. Osewalt and seconded by Mr. Cummings, that Case Number BOA# 17-100207 be approved with the exception of lot coverage at 44% versus 47%.

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, Scott Cummings, and Chase Sams.

The motion was approved as modified, unanimously.

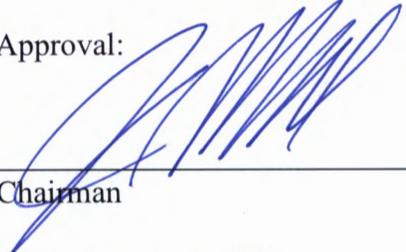
Mr. Moreland reported at this time they would normally vote for the next year's officers, however since the full Board is not in attendance, the vote will take place as the first item on the next meeting agenda in January 2018.

**Adjournment**

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

Submitted by: Catherine Martinich  
Permit Specialist

Approval:



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Chairman

Date: January 2, 2018