

**Minutes of Board of Adjustment Meeting
Held Tuesday, July 17, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairwoman Sylvia Osewalt called the meeting to order at 7:00 p.m.

ROLL CALL

Chairperson: Sylvia Osewalt

Vice-Chairman: Jeff Truhlar (Absent)

Board Members: John Moreland, Scott Cummings

Alternates: Francis Reddington and Lucas Snyder

Also, in attendance were George Knight, Building Official.

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

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

- May 1, 2018
- May 15, 2018

CORRESPONDENCE None

OLD BUSINESS None

NEW BUSINESS

(A) Case Number: BOA 18-100101

Name of Applicant: Double D Construction, LLC

Agent: John Denneen

Owner: Mark Darr

Property Address: 450 Lower 8th Avenue South, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(e)(1)c.3, for a rear yard setback of 15 feet, in lieu of 30 feet required; and for 34-337(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family home, for property legally described as Lot 10, Block 4, *Oceanside Park*.

Applicant: John Denneen, 1254 Neck Road, Ponte Vedra Beach, FL 32082 explained the hardship of a 5,000 square foot lot size when a conforming lot size is 7,500 square feet; Mr. Denneen originally thought a conforming lot size is 10,000 square feet, but that number was corrected by Ms. Osewalt. Mr. Denneen explained for a 2,400 square foot home to comply, it needs this variance, and he stated the

next agenda item BOA# 18-100102 is a replicated case, but with a different lot. He referenced to BOA# 15-100150 and BOA# 15-100149 as previously-approved cases he has worked on for the same type of construction. The neighbors were informed of the setback by the BOA. Mr. Deneen stated no pool would be installed when asked.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated lot coverage seems reasonable. Mr. Cummings agreed with Mr. Moreland's comments and voiced his concern about driveway strips and blocks being covered by homeowners due to a lack of understanding of Land Development Code. Mr. Knight agreed with Mr. Cummings.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings to approve BOA# 18-100101, as presented and discussed.

Roll Call Vote: Ayes – Sylvia Osewalt, Scott Cummings, John Moreland, Francis Reddington, and Lucas Snyder
The motion was approved unanimously.

(B) Case Number: BOA 18-100102

Name of Applicant: Double D Construction, LLC

Agent: John Denneen

Owner: Mark Darr

Property Address: 450 Lower 8th Avenue South, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(e)(1)c.3, for a rear yard setback of 15 feet, in lieu of 30 feet required; and for 34-337(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family home, for property legally described as Lot 9, Block 4, *Oceanside Park*.

Applicant: Agent John Denneen, 1254 Neck Road, Ponte Vedra Beach, FL 32082 explained the hardship of a 5,000 square foot lot size, when a conforming lot size is 7,500 square feet. Mr. Denneen added for a 2,400 square foot home to comply with code, it needs this variance.

Public Hearing: No one came forward to speak about the case.

Discussion: There was no further discussion on this item.

Motion: It was moved by Mr. Moreland and seconded by Mr. Cummings to approve BOA# 18-100102, as discussed and presented.

Roll Call Vote: Ayes – Sylvia Osewalt, John Moreland, Francis Reddington, Scott Cummings, and Lucas Snyder
The motion was approved unanimously.

(C) Case Number: BOA 18-100115

Applicant/Owner: Rick K. Harrison, DMD, and Michelle S. Harrison
Property Address: 223 South 11th Avenue, Jacksonville Beach, FL 32250
Agent: Henry Forbes

City of Jacksonville Beach Land Development Code Section(s) 34339(e)(4)h., for a 0 foot sidewalk setback for the interior units and 1.5 feet sidewalk setbacks for the exterior units, each in lieu of 5 feet required; and 34-373 for a 2 foot parking area setback for the interior units, in lieu of 5 feet required; to allow construction of a new four-unit townhome development, for property legally described as Lots 9, 10, Block 103, *Pablo Beach South*.

Applicant: Rick K. Harrison, DMD, 35 North Roscoe Boulevard, Ponte Vedra Beach, FL, with the help of Mr. Forbes, 5711 Richard Street, Jacksonville, FL 32216, explained the hardship of a non-conforming rear setback once the four-unit townhome is built. Ms. Osewalt stated there is no hardship demonstrated for variance approval, because his lot size is more than double the minimum requirement for an RM-1 Lot.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated there is no hardship demonstrated. Ms. Osewalt agreed.

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington to deny BOA# 18-100115, on the basis of it not being the minimum variance to make reasonable use of the land.

Roll Call Vote: Ayes – Francis Reddington, Sylvia Osewalt, Scott Cummings, John Moreland, and Lucas Snyder.
The motion was denied unanimously.

(D) Case Number: BOA 18-100117

Applicant: John Morrissey and Brian Morrissey
Owner: Robert Schoenborn
Property Address: 815 North 2nd Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34337(e)(1)c., for a rear yard setback of 22 feet, in lieu of 30 feet required for a covered pool deck; and for 34-
BOA 180717mins

337(e)(1)e., for 46% lot coverage, in lieu of 35% maximum; to allow for construction of a new single-family dwelling, on a current vacant lot, for property **legally described** as the East 50 feet of Lot 6, Block 39, *Pablo Beach North*.

Applicant: Brian Morrissey and John Morrissey, 4913 Suarez Bluff Road, Fernandina Beach, FL stated their hardship is a non-conforming lot for a covered porch. Mr. Brian Morrissey added this is their second time requesting for a variance before the board, with the previous requests being BOA# 18-100047 and BOA# 18-100067. The property will be located 22 feet from an alley. Mr. Brian Morrissey also stated he is planning to construct a 10x20 square foot pool that will extend behind the patio at a later date. Concerns were addressed by Mr. Reddington regarding the applicants using the variance to expand the size of the dwelling and not necessarily build a pool. Mr. Brian Morrissey clarified the lot coverage request in the variance is for a deck that will not surround the pool. After further questioning by Ms. Osewalt, the variance request was changed to encompass a covered porch deck, rather than the stated, "covered pool deck," for simplification.

Public Hearing: No one came forward to speak about the case.

Discussion: Mr. Moreland stated he doesn't have a problem with the request, considering there is an alleyway behind the property. Ms. Osewalt agreed.

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington to approve BOA# 18-100117, with modification to 34337(e)(1)c., for rear yard setback of 22 feet for a covered deck, and the rest will remain as written.

Roll Call Vote: Ayes – Scott Cummings, John Moreland, Francis Reddington, Sylvia Osewalt, and Lucas Snyder
The motion was approved unanimously.

Planning & Development Director's Report

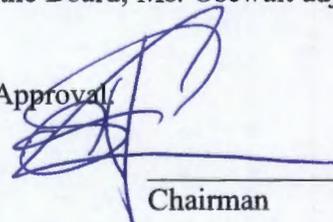
Ms. Ireland noted the next meeting is scheduled for Tuesday, August 7, 2018.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:30 P.M.

Submitted by: Selena Hodge
Staff Assistant

Approval:


Chairman

10/2/18
Date