

**Minutes of Board of Adjustment Meeting
Held Wednesday, September 5, 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.

ROLL CALL

Chairwoman: Sylvia Osewalt
Vice-Chairman: Jeff Truhlar
Board Members: Scott Cummings, Francis Reddington
Alternates: Lucas Snyder (*absent*)

Ms. Osewalt explained the attendance presents a quorum, and a vote of at least three Board Members is required for a motion to pass. She added that applicants could postpone their cases until the next Board of Adjustment meeting. No one came forward to have their cases postponed.

Ex-parte Communications

There were no Ex-parte communications received by the Board members.

Approval of Minutes

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

- July 3, 2018
- July 17, 2018
- August 7, 2018

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

- (A) **Case Number: BOA 18-100141**
Name of Applicant: Debra Applegate
Property Address: 904 South 15th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 40.8% lot coverage; in lieu of 35% maximum; 34-337(d) to allow a parking area setback of 4.7 feet, in lieu of 5 feet required; to add a driveway to an existing single-family dwelling, for property legally described as Lot 1, Block 160, Oceanside Park.

Applicant:

Debra Applegate, 904 South 15th Avenue, Jacksonville Beach, stated her hardship is a driveway that goes up only halfway from the road, with pavers that have sunken into the ground. The existing pavers were already on the lot when the property was purchased in June of this year. Mr. Truhlar stated the driveway only has a width of 50 feet, according to the survey, which makes it undersized and non-conforming.

Public Hearing:

No one came forward to speak about the case.
Ms. Osewalt closed the public hearing.

Discussion:

The Board discussed lot size and coverage.

Motion: It was moved by Mr. Reddington, seconded by Mr. Cummings, to approve BOA# 18-100141, as written and read.

Roll Call Vote: Ayes – Sylvia Osewalt, Jeff Truhlar, Francis Reddington, and Scott Cummings.

The motion was approved, unanimously.

(B) Case Number: BOA 18-100147

Name of Applicant: James Michael Vinci

Owner: Jeff Schmidt

Property Address: 2509 St. Johns Boulevard

City of Jacksonville Beach Land Development Code Section(s) 34-347(e)(1), for 41% lot coverage; in lieu of 35% maximum; to allow for a covered patio and pool addition to an existing single-family dwelling, for property **legally described** as Lot 1, Block 3, Jacksonville Beach Heights.

Applicant:

Mr. Schmidt, 2509 St. Johns Boulevard, Jacksonville Beach, stated he has a 50x120 foot (6000 square feet), an undersized lot. He is asking for 41% lot coverage to construct a pool and a patio. He added that he would repave his driveway due to some cracks. Ms. Osewalt stated it is a non-conforming lot, and discussion ensued among the Board later about lot coverage, pool, patio, and driveway.

Public Hearing:

The following individuals spoke in opposition to the agenda item:

- Matthew Laney, 2546 Horn Street, Jacksonville Beach

Ms. Osewalt recommended the neighbors go to the City Council as the neighbors' issue was not something that can be addressed by this Board. Mr. Vinci was offered a chance to address the comments, and he declined.

Ms. Osewalt closed the public hearing.

Discussion:

Ms. Osewalt and Mr. Reddington stated they understand the neighbor's concerns but are unable to assist them with their concerns.

Motion: It was moved by Mr. Cummings, seconded by Mr. Truhlar, to approve BOA# 18-100147, as written and discussed.

Roll Call Vote: Ayes – Sylvia Osewalt, Jeff Truhlar, Francis Reddington, and Scott Cummings.
The motion was approved, unanimously.

(C) Case Number: BOA 18-100149

Name of Applicant: David Mitchell

Agent: Marti McCoy

Property Address: 3 South 21st Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(4)c.1, for a front yard setback of 6.6 feet, in lieu of 20 feet required; to allow improvements (2nd floor balcony extension), to an existing townhome for property **legally described** as Part Lots 2,3, Recorded O/R 14516-2037, Block M, *Permenters R/P Atlantic Camp Grounds*.

Applicant:

Marti McCoy, 2 20th South Avenue, Jacksonville Beach, stated he is asking for an extension of 3 feet of the patio on the second floor, and for the addition of a balcony to the third floor of the property. He explained the hardship is the extremely small balcony that is preventing the owner from utilizing it. Mr. McCoy also stated he is a neighbor and has previously requested the same variance, and it was approved. Ms. Osewalt reiterated the Board treats each case individually.

Discussion proceeded on the extension of the balcony and setback requirements. Ms. Osewalt stated the property setback is currently already below the 20 feet requirement, meaning it is a non-conforming lot. When asked, Mr. McCoy stated he informed the neighbors about his request.

Public Hearing:

No one came forward to speak about the case. Ms. Osewalt closed the public hearing.

Discussion:

Mr. Cummings stated he has no issue granting this variance, as it will maintain the uniformity and attractiveness of the townhome. Ms. Osewalt stated she does, emphasizing the point that there is a suitable place to live in and a variance is not necessary. Mr. Cummings emphasized that the owner still has a hardship.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Cummings, to approve BOA# 18-100149, as stated and discussed.

Roll Call Vote: Ayes – Jeff Truhlar, Francis Reddington, and Scott Cummings.
Nays- Sylvia Osewalt

The motion was approved by a vote of 3-1.

- (D) **Case Number: BOA 18-100150**
Name of Applicant: Carrie Moon
Agent: Marti McCoy
Property Address: 5 South 21st Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(4)c.1, for a front yard setback of 4.2 feet, in lieu of 20 feet required; to allow improvements to an existing townhome (extend 2nd floor balcony), for property **legally described** as Part Lots 2, 3, Recorded O/R 18187-253, Block M, South Pablo or Atlantic Camp Grounds.

Applicant:

Marti McCoy stated he would be completing the same balcony alteration to continue the leveling of the extensions of the building, so they can all be orderly. Ms. Osewalt referenced a 2005 variance that was granted for this case.

Public Hearing:

No one came forward to speak about the case.
Ms. Osewalt closed the public hearing.

Discussion:

There was no further discussion regarding this case.

Motion: It was moved by Mr. Reddington, seconded by Mr. Cummings, to approve BOA# 18-100150, as written and read.

Roll Call Vote: Ayes –Jeff Truhlar, Francis Reddington, and Scott Cummings.
Nays- Sylvia Osewalt.
The motion was approved by a vote of 3-1.

Adjournment

Attendance of the Board members was discussed. Ms. Osewalt stated she will be absent for the next two meetings and hopes John Moreland is reappointed by that time. There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 9:00 P.M.

Submitted by: Melanie Wine
Administrative Assistant

Approval:

Chairperson

Date