

**Minutes of Board of Adjustment Meeting
held Wednesday, November 7th, 2018 at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Sylvia Osewalt called the meeting to order.

ROLL CALL

Chairperson: Sylvia Osewalt
Vice-Chairperson: Jeff Truhlar
Board Members: Scott Cummings Francis Reddington John Moreland
Alternates: Lucas Snyder (*absent*) Gary Cater

Building Official George Knight was also present.

EX-PARTE COMMUNICATION: *None*

APPROVAL OF MINUTES:

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

- October 2nd, 2018
- October 16th, 2018

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS:

(A) Case Number: BOA 18-100168

Applicant/Owner: Lynn Wood
Agent: Gary Carlee, Surfside Pools, Inc.
Property Address: 696 Bonaire Circle

City of Jacksonville Beach Land Development Code Section(s) PUD Ordinance No. 2002-7843 for 50% lot coverage, in lieu of 45% maximum, to allow for a pool and deck addition to an existing single-family dwelling, located in the Ocean Cay Planned Unit Development (PUD) for property legally described as Lot 39 Block 24, *Ocean Cay Unit One*.

Agent: Mr. Gary Carlee, 1129 Sebago Avenue South, Atlantic Beach, stated his hardship is the lot's nonconformance. Ms. Osewalt and Mr. Moreland questioned the agent about the status of the nonconformity in accordance with PUD zoning laws. Mr. Carlee responded the lot should be 7,500 square feet, but is currently 7,000 square feet. Mr. Knight asked Mr. Carlee if he has proof that

shows these measurements; Mr. Carlee did not. Ms. Osewalt pointed to a note that states the lot is at 43% lot coverage now, and Mr. Carlee stated the addition of the pool would result in a 47.3% lot coverage, but due to conflicting measurements, he requested 50% lot coverage.

Mr. Knight expanded on PUD zoning laws, stating lots are normally pre-approved and allowed to be the size they currently are. Discussion ensued between Board members and the agent in regards to what a conforming lot coverage in that specific PUD zone is, who is responsible for obtaining this information, and the agent's inability to define his hardship. Mr. Cummings stated that lot was previously zoned as an RS-1 before changing to PUD; and PUD zoning law, according to Ordinance No. 2002-7842, allows for variance requests for the construction of pools, patios, and unenclosed deck accessory structures. Ms. Osewalt disagreed with Mr. Cummings regarding ordinance interpretation. The Board agreed this lot does not require a hardship to be granted this variance.

Public Hearing:

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

Discussion:

Mr. Reddington considered reducing the requested lot coverage.

Motion: It was moved by Mr. Reddington, and seconded by Mr. Truhlar, to approve BOA# 18-100168, with a change in the lot coverage request from 50% to 49.5%.

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

The motion was approved by a vote of 4-1.

(B) Case Number: BOA 18-100170

Applicant/Owner: Eric Cannon
Agent: Joe Ofalt, Blue Haven Pools and Spas
Property Address: 3857 Poincianna Boulevard

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 47.4% lot coverage, in lieu of 35% maximum; to allow a pool and patio addition to an existing single-family dwelling for property legally described as Lot 20, Block 8, *Ocean Terrace*.

Agent: Joe Ofalt, 2375 South St. Johns Bluff Road, Jacksonville, stated the lot is undersized and nonconforming for the construction of a paver deck around the pool. Mr. Moreland asked Mr. Ofalt if this is the minimum coverage needed for the construction, and Mr. Ofalt agreed in response.

Public Hearing:

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

Discussion:

Ms. Osewalt stated the lot is 6,650 square feet and considered substandard.

Motion: It was moved by Mr. Moreland, and seconded by Mr. Reddington, to approve BOA# 18-100170, as written and read.

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

The motion was approved unanimously.

(C) Case Number: BOA 18-100172

Applicant/owner: Christopher Rij
Property Address: 1822 North 2nd Street

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)c.1, for a front yard setback of 15.1 feet, in lieu of 20 feet minimum; and 34-338(e)(1)(e), for 43% lot coverage, in lieu of 35% maximum; to allow for improvements to an existing single-family dwelling for property legally described as Lot 13, Block 183, *Elton Realty Company's Replat.*

Agent: Christopher Rij, 1822 North 2nd Street, Jacksonville Beach, stated his lot is substandard and nonconforming. He stated the lot is currently 5,760 square feet and should be 6,000 square feet. He is making renovations for this already-nonconforming lot and is asking to bring it into conformance. Ms. Osewalt stated the property is currently zoned as an RS-3 and requires a 6,000 square foot coverage.

Public Hearing:
No one came forward to speak about this case.
Ms. Osewalt closed the public hearing.

Discussion:
Board members agreed the lot is nonconforming.

Motion: It was moved by Mr. Moreland, and seconded by Mr. Truhlar, to approve BOA# 18-100172, as presented and discussed.

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

The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, November 20, 2018**. There is six (6) scheduled case.

ADJOURNMENT

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

Submitted by: Sama Kaseer
Administrative Assistant

Approval:

Sylvia Stewart
Chairperson

11/20/2018
Date