

**Minutes of Board of Adjustment Meeting
held Tuesday, February 19, 2019 at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Vice-Chairperson Francis Reddington called the meeting to order.

ROLL CALL

Chairperson: Jeff Truhlar (*absent*)
Vice-Chairperson: Francis Reddington
Board Members: Scott Cummings Sylvia Osewalt 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 Ms. Osewalt, and passed unanimously to approve the following minutes:

- January 15th, 2019

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) Case Number: BOA 19-100001

Applicant/Owner: William Kilgannon
Property Address: 2228 South 1st Street

City of Jacksonville Beach Land Development Code Section(s) 34-338(e)(1)e., for 72% lot coverage, in lieu of 35% maximum; and 34-338(e)(1)g., for an accessory structure setback of 0 feet in lieu of 5 feet required; to allow the replacement of a pool deck at an existing non-conforming single-family dwelling, for property legally described as *Lots 6 and 7, Block W, (Except the Easterly 5 feet of Lot 6 lying in First Street) Permenter's Replat of South Pablo or Atlantic Campgrounds.*

Agent: Matthew Phillips, 11225 St. John's Industrial Parkway North, Suite 4, Jacksonville, stated the property has existed in the current condition since at least the year 2003. A leak was discovered in the pool, and Beaches Energy requested it be repaired. The homeowner wants to fix the leak and replace the surrounding concrete with pervious pavers over the area existing before, and not altering the lot coverage.

Ms. Osewalt questioned the agent whether the property today is for single-family or two-family use, since previous variances for this property were requested for multi-family, yet this variance request is for single-family use. The agent and the property owner, William Kilgannon, 202 25th Avenue South, Jacksonville Beach, stated they are unsure which use it is assigned. The current square footage of the lot is 3,269 square feet, and the total impervious area is 2,354 square feet. The property has been existing as is for at least sixteen years. Ms. Osewalt stated 72% lot coverage is rarely granted by the Board and asked whether there can be any reductions in property size. Mr. Phillips reiterated there would be no additions to lot coverage once the leak is fixed and the concrete is replaced.

Mr. Knight commented the property was originally developed for multi-family use, which allows 65% lot coverage, according to RM-2 zoning. Its use was later changed to single-family, and has created this obstacle. Discussion ensued regarding the history of the property and allowed lot coverage. Mr. Cummings consulted the agent regarding specific changes that can be made to reduce the lot coverage.

Public Hearing:

No one came before the Board to speak about this case.

Mr. Reddington closed the public hearing.

Discussion:

Mr. Moreland commented since the lot coverage issue was not addressed in 2003 when the last variance was granted, this property can be approved for 72% lot coverage.

Motion: It was moved by Mr. Moreland to approve BOA# 19-100001, as presented and discussed, for meeting the criteria for reasonable use of property.

Motion failed due to lack of a second. Mr. Cummings commented he feels uncomfortable granting the homeowner 72% lot coverage and believes it can be lowered to 65%. Mr. Knight commented due to the small lot size and its width, the property can reach 65% lot coverage with simple adjustments.

Motion: It was moved by Mr. Cummings, and seconded by Ms. Osewalt, to approve BOA# 19-100001, as presented and discussed, for 65% lot coverage, in lieu of 35% maximum, and everything else as described, based upon the Land Development Code.

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

The motion was approved unanimously.

(B) Case Number: BOA 19-100002

Applicant/Owner: Lilyan V. Fleming
Agent: Howard Fleming
Property Address: 1602 North 7th Street

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 40.7% lot coverage, in lieu of 35% maximum; to allow existing improvements that exceeds permitted work to remain at an existing single-family dwelling, for property legally described as Lot 1, Block 8, *Surf Park Unit One*.

Owner: Mr. Fleming stated the property exists as is since the time of its construction in 1953, and it exceeds the lot coverage maximum according to the Land Development Code. Ms. Osewalt commented the lot is already substandard. Board members and homeowner discussed the history of changes made to the property. Mr. Knight stated the owner replaced the old concrete with new brick pavers.

Public Hearing:

No one came before the Board to speak about this case.
Mr. Reddington closed the public hearing.

Discussion:

There was no further discussion regarding this case.

Motion: It was moved by Ms. Osewalt, and seconded by Mr. Moreland, to approve BOA# 19-100002, as applied and discussed tonight, because it meets all the requirements of the standards.

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

The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

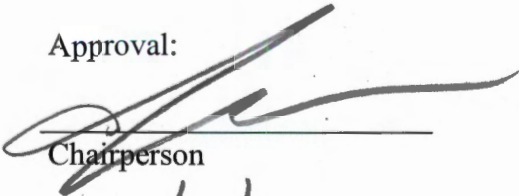
The next scheduled meeting is **Tuesday, March 5, 2019**. There are five (5) scheduled case.

ADJOURNMENT

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

Submitted by: Sama Kaseer
Administrative Assistant

Approval:


Chairperson

3/5/2019
Date