

Applicant: Earl Henderson, 175 21st Avenue South, Jacksonville Beach, after being sworn stated he bought the property about 4 or 5 months ago and recognized immediately there was no additional parking or outdoor patio space, aside from a small stoop on the side of the garage. Mr. Henderson said he had been working with the Public Works Department to resolve the parking issues for additional parking in the easement. He is before the Board to request a 13x 13 patio. Mr. Moreland asked if the northside of the patio would be flush with the northside of the home, Mr. Henderson said yes, however the southside would not be flush with the garage.

Public Hearing:

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

Mr. Truhlar closed the public hearing

Discussion:

Ms. Osewalt stated the lot is definitely undersized causing the Applicant to have a hardship. She noted the home was built prior to the Land Development Code and had been before the Board three other times requesting lot variances. Mr. Knight advised the lot is currently at 42.7% coverage as a result of previous variance requests. Mr. Reddington noted the property is undersized and does present a hardship, but he had an issue with the requested 50% lot coverage. Mr. Mooreland suggested an alternative to the original motion of 49% lot coverage with a smaller patio.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100091, for 49% lot coverage in lieu of the 50% requested; and the rest as presented [accessory structure setback of 3 feet in lieu of 5 feet].

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

The motion was approved 4-1.

(B) Case Number: BOA 19-100112

Owner/Applicant: Daniel Colella and Diana McClurg
Property Address: 1155 12th Street North
Legal Description: Lot 3, Block 58, Section 'A' Jacksonville Beach

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e, for 47.1% lot coverage in lieu of 35% maximum (38% previously approved) and 34-337(e)(1)g, for an accessory structure setback of 4.5 feet for a new pool, 2.5 feet for an existing shed, and 0 feet for an existing brick paver walkway, all in lieu of 5 feet required to allow for a pool and paver deck addition to an existing single-family dwelling.

Applicant: Diana McClurg and Daniel Colella, 1155 12th Street North, Jacksonville Beach, advised the hardship is the lot being less than 6100 square foot. Ms. McClurg stated they would like to add a pool and pavers, while staying under the 50% lot coverage by installing the minimal amount of pavers and pool decking. Mr. Truhlar asked if the shed and pavers were already on the property, the applicant advised they were which is why they were included in the request. Ms. Oswalt asked if the shed or pavers were right up against the fence. Mr. Colella noted the shed is close to the fence but not against it and only an 8-foot section of pavers were on the fence line. Mr. Moreland and Ms. Osewalt both noted the property had a zero lot line. Mr. Trular asked if the lot coverage had been verified by the city, Mr. Knight stated the lot was currently at 43.7% lot coverage. The previous owners of the property had been granted a variance for 38% lot coverage. Mr. Colella noted they hired a landscaper to install the pavers and assumed all the permissions were obtained prior the installation. The Applicants advised they have talked to the neighbors concerning their request but had no documentation to support their approval.

Public Hearing:

No one came forward to speak regarding this case.
Mr. Truhlar closed the public hearing.

Discussion:

Mr. Moreland stated if they had a standard size lot of 7500 square feet they would be under the minimal lot coverage with this request. Mr. Cummings advised his issue is with the pavers being on the lot line, however Mr. Reddington noted since the pavers had been down for three years with no complaints from the neighbors it shouldn't be an issue.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100112 as presented and discussed.

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

The motion was approved 4-1.

(C) Case Number: BOA 19-100115

Applicant: Sean Mann, 33 Solana Road, Ponte Vedra Beach
Owner: Ossi Development, Inc.
Property Address: 2452 Horn Street
Legal Description: Lot 12, Block 10, Williams Coastal Boulevard Heights

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.2, for total side yard setbacks of 10 feet in lieu of 15 feet required and 34-337(e)(1)e, for 44% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling with a pool and paver deck.

Applicant: Sean Mann, 33 Solano Road, Ponte Vedra Beach, stated he is the owner of a lot that is 25 feet wide by 140 feet deep purchased as part of a bulk sale. Typically a lot of this size would be added to an adjacent lot to make it 50 foot wide, however, there are no other lots available making this the last isolated property in the neighborhood. Mr. Mann provided the Board a copy of the 1925 plat (on file) for reference. Mr. Mann would like to build a 15 foot wide home, which is the width of a townhome, on the lot. He further advised per the Land Development Code he could build a 10 foot wide house with side yard setbacks of 5 feet on one side and 10 feet on the other without requesting a lot coverage variance, but he would still need a variance to install the pool and pavers. Mr. Truhlar and Mr. Reddington asked if Mr. Mann had engaged the neighbors regarding his request, he said he had not.

Public Hearing:

The following spoke in opposition of the variance application:

- Olga Goldman, 1046 Owen Avenue, Jacksonville Beach
- Shawn Dahbour, 1120 Owen Avenue, Jacksonville Beach (Photos on File)
- Kevin Phillips, 1066 Ruth Avenue, Jacksonville Beach
- Sharon Pickering, 1102 Theodore Avenue, Jacksonville Beach
- Candice Buerger, 115 Theodore Avenue, Jacksonville Beach
- Patsy Gambrell, 1105 Theodore Avenue, Jacksonville Beach
- Ross Gambrell, 1105 Theodore Avenue, Jacksonville Beach
- Rich Tomporowski, 1855 Riley Street, Jacksonville Beach
- Brett Eubank, 1064 Theodore Avenue, Jacksonville Beach

The following were opposed to the variance application, but preferred not to speak:

- Vikki Mesich, 1855 Riley Street, Jacksonville Beach
- Renee McLean, 1102 Theodore Avenue, Jacksonville Beach
- Sara Dahbour, 1120 Owen Avenue, Jacksonville Beach
- Greta Schreuders, 2277 Riley Street, Jacksonville Beach

Mr. Mann responded to some of the public comments.

Mr. Truhlar closed the public hearing.

Discussion:

Ms. Osewalt stated there would be a garage and a driveway to keep cars off of the narrow street. Mr. Janson noted looking at the plat provided by Mr. Mann he could not tell what happened to cause this lot to end up as a single 25 foot lot. Ms. Osewalt advised part of the process of granting variances is the consideration of the neighbors, which she did not think the applicant had done. Mr. Reddington noted they had received 42 emails opposing the request and one in support [on file]. Mr. Cummings stated the lot is substandard. The Board does not have to grant the variance based on the Land Development Code requirements. However, Mr. Mann could build a 10 foot wide

home without seeking a variance from the Board. Mr. Moreland said the land owner has a right to develop the property. The lot is clearly substandard and Mr. Mann is entitled to some type of relief. Mr. Moreland was disappointed the Applicant had not spoken to the neighbors regarding his request. Ms. Osewalt stated another of the standards for granting a variance is the minimum variance that would make possible the reasonable use of the parcel of land. Because Mr. Mann stated he could build a 10 foot wide home on the property, this is not the least amount of variance that would be reasonable use of the property.

Motion: It was moved by Mr. Cummings, seconded by Mr. Reddington, to vote on BOA# 19-100115, as written and discussed.

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

The motion was denied unanimously.

(D) Case Number: BOA 19-100117

Applicant/Owner: Robert Logan

Property Address: 115 33rd Avenue South

Legal Description: Lot 11, Block 7, less and except the West 4 feet of Lot 11, Block 7, Blocks 7 & 8, Atlantic Shores Oceanfront Section – Division “B”

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e, for 39% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling, pool and deck.

Applicant: Robert Logan, 115 33rd Avenue South, Jacksonville Beach, stated his lot is substandard at almost 8,900 square feet. It is below the 10,000 square foot minimum. The current home is one story and it is his intention to keep the same foot print but add an additional story. He would also like to widen the driveway to allow for additional parking as well as a small pool in the backyard. Mr. Logan advised all the setbacks, which are currently within code, would remain the same. Mr. Logan requested a variance of 39% lot coverage and further stated if his property were a conforming size lot he would not need the variance. Mr. Truhlar asked if Applicant had contacted any of his neighbors. Mr. Logan said he spoke to his adjacent neighbors about the request. Mr. Truhlar read into record an email (on file) from an additional neighborhood who supported the request.

Public Hearing:

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

Mr. Truhlar closed the public hearing

Discussion:

Ms. Osewalt felt the request was reasonable as the Applicant was only requesting four additional feet for a bigger home as well as additional parking, Mr. Truhlar agreed.

Motion: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve BOA 19-100117, as written and described.

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

The motion was approved unanimously.

(E) Case Number: BOA 19-100118

Applicant: Jonathan Philips
Owner: Jonathan and Niki Philips
Property Address: 1835 Kings Road
Legal Description: Lot 3, King Oaks Subdivision

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e, for 39% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Applicant: Jonathan Philips, 1835 Kings Road, Jacksonville Beach, stated the hardship of his lot is due to the curve of the cul de sac and the 25 foot set back requirement, which caused the home to be positioned in such a way it created a massive driveway, which took up a large percentage of the lot coverage. Mr. Philips would like to put the deck at the left edge of the home up to the drainage easement. Mr. Philips advised he had spoken to the civil engineer who designed the drainage for the neighborhood in an effort to be conscientious that the drainage easement would not be affected by the addition of the pool or deck. Mr. Cummings asked if he had neighbors to the back of the lot. Mr. Philips said he does have neighbors to the back and on either side of his lot. He has spoken to most of them regarding his request with no negative feedback received. Ms. Osewalt advised Applicant currently has 35% lot coverage, 2600 square feet more than is needed but also recognized the lot is curvy. Mr. Reddington and Mr. Moreland also agreed the lot is the hardship, not because of square footage, but due to the curviture of the lot.

Public Hearing:

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

Mr. Truhlar closed the public hearing

Discussion:

A brief discussion ensued between the Board and it was agreed the lot was the hardship.

Motion: It was moved by Mr. Reddington, seconded by Mr. Moreland, to approve BOA# 19-100118, as written and discussed.

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

The motion was approved unanimously.

PLANNING DEPARTMENT REPORT

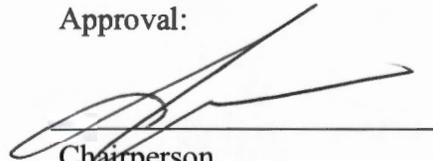
The next scheduled meeting is **Tuesday, August 20, 2019**. There are three (3) scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:33 P.M.

Submitted by: Sheila Boman
Staff Assistant

Approval:



Chairperson

9/17/19

Date