

**Minutes of Board of Adjustment Meeting  
held Wednesday, November 6, 2019, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairperson Jeff Truhlar called the meeting to order.

**ROLL CALL**

*Chairperson:* Jeff Truhlar  
*Vice-Chairperson:* Francis Reddington  
*Board Members:* Scott Cummings Sylvia Osewalt (*absent*) John Moreland  
*Alternates:* Dan Janson

Director of Planning and Development Bill Mann and City Attorney Chris Ambrosio were also present.

**EX PARTE COMMUNICATION:** Each of the Board Members advised of communications they had regarding BOA Case 19-100144.

**APPROVAL OF MINUTES:**

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

- September 17, 2019
- October 1, 2019

**CORRESPONDENCE:** *None*

**OLD BUSINESS:**

A. **Case Number:** **BOA#19-100119**  
*Applicant/Owner:* Catherine (Adamosky) Sturms  
*Property Address:* 983 2<sup>nd</sup> Street South

**City of Jacksonville Beach Land Development Code Section(s):** 34-340(e)(3)c.2, for a westerly corner side yard of 3 feet to ratify nonconformities of an existing structure and an easterly side yard of 8 feet, each in lieu of 10 feet required to allow for a two-unit addition to an existing multiple-family property.

**Applicant:** Catherine Sturms, 983 2<sup>nd</sup> Street South, Jacksonville Beach, stated the hardship is due to the lot being a non-conforming lot in a multi-family zoning district. This lot is only 50 feet wide, where a multi-family lot is required to have a width of 75 feet. This is currently a multi-family property with three units. She wants to put an addition on the property, but it would still be three total units. The Board discussed possible parking issues with the expansion. Mr. Truhlar noted that there was currently no paved parking on the property and the proposal would include garages, reducing the non-conformity.

Ms. Sturms submitted a list of emails of support she had received from neighbors. She said she needed the west side setback variance for the existing building so she could rebuild if it were damaged. She needed the east side setback variance to keep any addition in line with the existing building, which is at 8 feet instead of 10 feet.

**Public Hearing:**

The following spoke in support of the application:

- Lisa Phipps, 127 10<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Truhlar closed the public hearing.

**Discussion:**

Board members remarked that the request was reasonable. Staff confirmed that unless the variances had conditions, they would apply to future structures built on the lot by this owner and future owners.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#19-100119, with the stipulation it pertain only to the existing building and the two proposed buildings as discussed.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Dan Janson, and Jeff Truhlar  
Nays – Francis Reddington  
The motion was approved 4-1.

**B. Case Number:** BOA#19-100144  
**Applicant/Owner:** Diocese of St. Augustine, Inc.  
**Agent:** Rogers Towers, P.A.  
**Property Address:** 527 Pablo Avenue

**City of Jacksonville Beach Land Development Code Section(s):** 34-377 for 125 on-site paved parking spaces in lieu of 338 spaces required to allow for construction of a new sanctuary building.

**Agent:** William Michaelis, 1301 Riverplace Boulevard, Jacksonville, stated the hardship stemmed from the uniqueness of the property. He said there were no parking issues at the site now and the new sanctuary would not create new parking issues. Mr. Michaelis pointed out that there were over 200 on-street parking spaces on the streets that intersected and bordered the church's property. He stated this was the minimum variance that would address the issue, and it would not adversely affect adjacent land/neighbors. He added this is a historic church, not a new use, which existed prior to the zoning code and parking requirements. This site was unique because of the nearby abundant on-street parking. Mr. Michaelis said some of their parking was subject to a long-term parking sharing agreement with FaverGray. He said the church had considered building a parking garage on a dirt lot on site, but due to height requirements, they would actually lose parking.

Father Michael Houle described the service schedule on Sundays and said there was half an hour between services. He confirmed they had no existing parking problems for services, even on busy holidays. Father Houle said they wanted to reduce the number of morning masses from four to two.

**Public Hearing:**

The following spoke in support of the application:

- Bill Lorson, 1031 3<sup>rd</sup> Street South, Jacksonville Beach
- Joann Lorson, 1031 3<sup>rd</sup> Street South, Jacksonville Beach
- Antoinette Saladino, 6898 5<sup>th</sup> Avenue North, Jacksonville Beach
- Karen Caron, 19 Tallwood Road, Jacksonville Beach
- Wayne R. Carlisle, 101 Trudee Dee Lane, Jacksonville Beach presented photos [on file] of the parking situation during two of their busiest masses and remarked on the parking that was left open.
- William Kelly, 3709 San Pablo Road South, Jacksonville
- John Delaney, 110 Bowles Street, Neptune Beach

The following were in support of the application, but preferred not to speak:

- Ed White, 1601 Ocean Drive South, Unit 804, Jacksonville Beach
- Marlene White, 1601 Ocean Drive South 804, Jacksonville Beach
- Raymond Joseph, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Michael A. Breitfeller, 1324 14<sup>th</sup> Avenue North, Jacksonville Beach
- Sherrie Boger, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Beatriz Bacari, 1046 Magnolia Landing Drive, Jacksonville
- Daniel J. D'Alesio, Jr., 1408 Forest Marsh Drive, Neptune Beach
- Hal Fahner, 435 First Avenue North, Jacksonville Beach
- Christine Czepizak, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Teresa Fennimore, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Carol McNamara, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Paul Walker, 1410 Constitution Place, Jacksonville Beach
- Richard Hegwer, 1411 Constitution Court, Jacksonville Beach
- Marilyn Boll, 435 First Avenue North, Jacksonville Beach
- Bryan and Erin Hutchinson, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Stephen Meyer, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Marlene Lanzetta, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Janet S. De Vos, 1800 The Greens Way #1811, Jacksonville Beach
- Benjamin Bacani, 1046 Magnolia Landing Drive, Jacksonville
- Terri Baltz, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Ed Roth, 114 28<sup>th</sup> Avenue South, Jacksonville Beach
- Fred Cattar, 1301A 4<sup>th</sup> Street North, Jacksonville Beach
- Richard Boger, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Krista Litchfield, 435 1<sup>st</sup> Avenue, Jacksonville Beach
- Pamela and Joseph Imholz, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Susan Hagerty and Quinn, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Margaret Hresko, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Larry Smith, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Doug Barron, 435 1<sup>st</sup> Avenue North, Jacksonville Beach

- Teresa Polistina, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Renee Favo, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Lester Del Rosario, 5 17<sup>th</sup> Avenue North #302, Jacksonville Beach
- Michael Kallivayalie, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Frances Smith, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Walter and Clara Andrew, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Theresa M. Kallivayalie, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Sam Martin, 212 34<sup>th</sup> Avenue South, Jacksonville Beach
- Terry Polistina, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Mike McNamara, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Linda Reed, 151 Jardin de Mer, Jacksonville Beach
- Nancy McDonald, 1025 22<sup>nd</sup> Street North, Jacksonville Beach
- Fred DiBiase, 435 1<sup>st</sup> Street North, Jacksonville Beach
- Michael Kane, 2953 St. Johns Boulevard, Jacksonville Beach
- Mary Dolan, 3429 Silver Palm Road, Jacksonville Beach
- Cynthia Angresano, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Louise N. Peaks, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Harris Cloutier, 922 1<sup>st</sup> Street South #402, Jacksonville Beach
- Stacey Cloutier, 922 1<sup>st</sup> Street South #3402, Jacksonville Beach
- Paul Halter, 435 1<sup>st</sup> Avenue West, Jacksonville Beach
- Michael Murray, 435 1<sup>st</sup> Avenue West, Jacksonville Beach
- Faith Murray, 435 1<sup>st</sup> Avenue West, Jacksonville Beach
- Kathleen Nelson, 531 14<sup>th</sup> Avenue North, Jacksonville Beach
- Gert Beltman, 138 Coral Way, Jacksonville Beach
- Brian Kennedy, 435 1<sup>st</sup> Avenue North, Jacksonville Beach
- Kathy Kerins, 1300 Shetter, Jacksonville Beach
- Paul Kerins, 1300 Shetter, Jacksonville Beach

Mr. Truhlar closed the public hearing.

**Discussion:**

Mr. Cummings did not see a hardship. Mr. Michaelis said the hardship related to special circumstances regarding the parcel of land; he said there were no other properties like this in the city. Mr. Moreland did not see where another 213 parking spaces could be created on the site to meet the requirement and he felt this was a hardship. Mr. Truhlar had conferred with the city attorney and confirmed that his being a parishioner did not create a conflict of interest for him voting on this item. Mr. Moreland remarked that the campus's location did not have room to create the required parking spaces.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100144, as presented and discussed.

**Roll Call Vote:** Ayes – John Moreland, Dan Janson, and Jeff Truhlar  
Nays – Francis Reddington and Scott Cummings  
The motion was approved 3-2.

**NEW BUSINESS:**

- A. **Case Number:** **BOA#19-100168**  
Applicant/Owner: Trent Berkey  
Agent: Sven Jonsson  
Property Address: 609 8<sup>th</sup> Avenue North

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.1, for a front yard of 6 feet in lieu of 20 feet required and 34-337(e)(1)g, for an accessory structure setback (concrete paver patio) of 2.5 feet in lieu of 5 feet minimum to rectify an existing non-conforming carport and to allow for substantial improvements to an existing single-family dwelling.

**Agent:** Robert Dake, 1334 Pinewood Road, Jacksonville Beach, said the structure had been in this position for “quite some time” and there was nowhere else on the site to relocate the carport. The new construction would be within the existing footprint. Staff confirmed that the renovation exceeded 50% of the market value, so all nonconformities must be relieved prior to building the improvement.

**Public Hearing:**

The following spoke in support of the application:

- Michael Lichtenfels, 611 8<sup>th</sup> Avenue North, Jacksonville Beach

Mr. Truhlar closed the public hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100168, as presented and discussed.

**Roll Call Vote:** Ayes – Francis Reddington, Scott Cummings, John Moreland, Dan Janson and Jeff Truhlar  
The motion was approved unanimously.

**B. Case Number: BOA#19-100172**  
Applicant/Owner: Kristie Burton  
Property Address: 843 13<sup>th</sup> Avenue South

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e, for 40% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

**Applicant:** Kristie Burton, 843 13<sup>th</sup> Avenue South, Jacksonville Beach, said they were .5% over the lot coverage requirements. The hardship is due to this being an undersized lot.

**Public Hearing:**  
No one came before the Board to speak about this case.  
Mr. Truhlar closed the public hearing.

**Discussion:**  
There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA# 19-100172, with the hardship being the lot is substandard.

**Roll Call Vote:** Ayes – Francis Reddington, Scott Cummings, John Moreland, Dan Janson and Jeff Truhlar  
The motion was approved unanimously.

**C. Case Number: BOA#19-100173**  
Applicant/Owner: Donald and Cynthia James  
Property Address: 3900 Grande Boulevard

**City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 46.3% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

**Applicant:** Cynthia James, 3900 Grande Boulevard, Jacksonville Beach, stated the lot size is the hardship. This area is zoned for 10,000 square foot lots and hers is 7,000 square feet. She said a previous owner had installed stepping stones and a driveway that exceeded the lot coverage. She removed the stepping stones and the latest survey reflected the lot coverage after the removal. Mr. Moreland pointed out that if this were a standard sized lot, the coverage would be 32.4%, well below 35%.

**Public Hearing:**  
No one came before the Board to speak about this case.  
Mr. Truhlar closed the public hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100173, as presented and discussed.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Francis Reddington, Dan Janson and Jeff Truhlar  
The motion was approved unanimously.

**D. Case Number: BOA#19-100174**

Applicant/Owner: Salt Air Homes, Inc.  
Agent: Oliver and Susan Kraut  
Property Address: 1326 6<sup>th</sup> Street South

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)c.1 for a front yard of 10 feet in lieu of 20 feet required; 34-337(e)(1)c.2, for a 7.5 feet corner side yard setback in lieu of 10 feet minimum; 34-337(e)(1)c.3, for a 15 feet rear yard in lieu of 30 feet required; and 34-337(e)(1)e, for 44.8% lot coverage in lieu of 35% maximum to allow for the construction of a new single-family dwelling.

**Agent:** Oliver Kraut, 226 Tallwood Road, Jacksonville Beach, stated the hardship is that this lot is only 3,050 square feet, where this zoning is 7,500 square feet. The lot is also only 61 feet wide, approximately half the width of other lots in the area. He explained that he would build the new structure to be more conforming than the existing structure and it would also cover less of the lot.

**Public Hearing:**

The following spoke in opposition to the application:

- Joann Mattingly, 670 14<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Reddington read the name of one person who was in favor of the request:

- Bill Cook, 586 14<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Truhlar closed the public hearing.

**Discussion:**

There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA# 19-100174, as presented and discussed.

**Roll Call Vote:** Ayes – John Moreland, Francis Reddington, Scott Cummings, Dan Janson and Jeff Truhlar  
The motion was approved unanimously.

**E. Case Number: BOA#19-100175**  
Applicant/Owner: Patricia and Gary Jerrim  
Agent: Jim Welch-Coastal Luxury Outdoors  
Property Address: 602 13<sup>th</sup> Avenue South

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e, for 40.5% lot coverage in lieu of 35% maximum to allow for a coping only pool addition to an existing single-family dwelling.

**Agent:** Jim Welch, 3500 South Beach Parkway, Jacksonville Beach, stated this is an existing undersized, non-conforming lot. The owners requested the variance to build pool coping only, which would exceed the lot coverage.

**Public Hearing:**  
No one came before the Board to speak about this case.  
Mr. Truhlar closed the public hearing.

**Discussion:**  
There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Reddington, seconded by Mr. Moreland, to approve BOA# 19-100175, as written and read.

**Roll Call Vote:** Ayes – Francis Reddington, Scott Cummings, John Moreland, Dan Janson and Jeff Truhlar  
The motion was approved unanimously.

**F. Case Number: BOA#19-100176**  
Applicant: Wayne McCoy  
Owner: Pendulum Properties, LLC  
Property Address: 1103 15<sup>th</sup> Avenue North

**City of Jacksonville Beach Land Development Code Section(s):** 34-336(e)(1)e, for 43% lot coverage in lieu of 35% maximum and 34-373(d), for a parking area setback of 0.5 feet in lieu of 5 feet minimum to allow an existing driveway expansion to remain at an existing single-family dwelling.

**Applicant:** Wayne McCoy, 2 20<sup>th</sup> Ave. South, Jacksonville Beach, said the hardship was the lack of parking on the property. He said he had worked with Public Works to add off-street parking in front of the property. There was also a hardship related to the undersized lot. He admitted that the concrete driveway had already been poured.

**Public Hearing:**

The following spoke in support of the application:

- Angus Stevens, 1044 15<sup>th</sup> Avenue North, Jacksonville Beach
- Chris Wilke, 1707 Sunset Drive, Jacksonville Beach

Mr. Truhlar closed the public hearing.

**Discussion:**

Mr. Moreland remarked this is not inconsistent with what they had allowed for some duplexes.

**Motion:**

It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA# 19-100176, as presented and discussed.

**Roll Call Vote:**

Ayes – Scott Cummings, John Moreland and Dan Janson  
Nays – Francis Reddington and Jeff Truhlar  
The motion was approved 3-2.

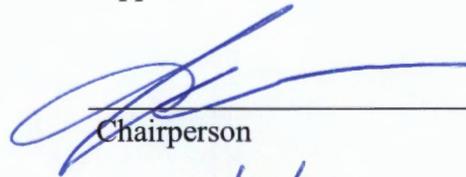
**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, November 19, 2019**. There are three scheduled cases.

**ADJOURNMENT**

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 8:58 P.M.

Approval:



Chairperson

12/3/19

Date