

**Minutes of Board of Adjustment Meeting
held Tuesday, December 3, 2019, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd 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 John Moreland
Alternates: Dan Janson

Building Official George Knight and Attorney Denise May were also present.

EX PARTE COMMUNICATION: Each of the Board Members advised of communications they had regarding BOA Case 19-100189.

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held November 6, 2019
- Regular Board of Adjustment Meeting held on November 19, 2019

CORRESPONDENCE: *None*

OLD BUSINESS: *None*

NEW BUSINESS: *None*

A. Case Number: BOA#19-100183

Applicant/Owner: Slade Richardson
Agent: Joe Ofalt, Blue Haven Pools and Spas
Property Address: 1141 3rd Avenue North

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 39.5% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Applicant: Slade Richardson, 1141 3rd Avenue North, Jacksonville Beach, said the lot was undersized, creating a hardship.

Public Hearing:

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

Discussion:

Board members agreed the lot was undersized.

Motion: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve BOA# 19-100183, as presented and discussed.

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

B. Case Number: BOA#19-100186

Applicant: Wendy D. Sciolino
Owner: Wendy D. Sciolino Trust
Property Address: 1212 13th Avenue North

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.3, for a rear yard of 16 feet in lieu of 30 feet required to allow for an addition to an existing single-family dwelling.

Agent: John Sciolino, 4139 Cordgrass Inlet, Jacksonville Beach, advised he would like to create a handicapped bathroom and bedroom for his handicapped mother. He said the lot is small, a little over 7,000 square feet. He agreed they were now requesting 16 feet in lieu of 30; their original request had been for 20 feet in lieu of 30. He described the rationale for putting the addition on the rear of the house.

Public Hearing:

The following spoke in support of the application:

- Alicia Edmonds, 20 San Pablo Circle South, Jacksonville Beach, said she wanted to be sure the addition would not be a second story; she did not object to the addition extending into the back yard.

Mr. Sciolino agreed to the condition that the addition would be single-story.

Discussion:

Board members agreed the lot size created a hardship.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100186, with the modification of 18 feet in lieu of 30 feet required to allow for a new addition to an existing single-family dwelling as presented and discussed.

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

C. Case Number: BOA#19-100188

Applicant/Owner: Dave and Suzanne Nixon
Agent: Bob Hamil, Henderson Pool Service
Property Address: 1604 6th Street South

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for a swimming pool, patio and porch addition to an existing single-family dwelling.

Agent: Bob Hamil, 725 Mccollum Circle, Neptune Beach, stated the lot was of substandard size, creating a hardship. He described the dimensions of the patio.

Applicant: Suzanne Nixon, 1604 6th Street South, Jacksonville Beach, said she desired the pool and patio to entertain family. Board members wished the coverage to be reduced and Mr. Knight suggested using curved pavers to reduce the square footage. Ms. Nixon said the neighbors did not object to the request. She agreed to reduce the paver coverage and contour them around the pool.

Public Hearing:

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

Discussion:

The Board discussed ways to reduce the lot coverage. If the Board wished the plans to be altered to reduce the lot coverage, Ms. May suggested deferring the application so staff could see the new plans.

Mr. Truhlar reopened the public hearing.

Mr. Hamil stated they would be willing to work with a set percentage for the lot coverage instead of deferring because a deferral would delay the project too long.

Mr. Truhlar closed the public hearing.

Modified Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA# 19-100188, with a 47% lot coverage in lieu of a 35% maximum to allow for a swimming pool, patio and porch addition.

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

D. Case Number: BOA#19-100189

Applicant: Margaret Cornelius
Owner: 2017 N Third Street, LLC.
Property Address: 2017 3rd Street North

City of Jacksonville Beach Land Development Code Section(s): 34-373(d), for a parking area setback of 0 feet in lieu of 5 feet minimum for interior lot lines to allow for the construction of a four-unit, fee-simple town-house development.

Applicant: Margaret Cornelius, 218 Bay Street, Neptune Beach, stated the hardship was the requirement for a fee simple property in Jacksonville Beach to have a driveway going from the property to a street. She distributed a letter she had received from FDOT (on file) indicating the property could have only one curb cut for one driveway on State Road A1A (3rd Street North).

Ms. May explained at the previous evening's City Council meeting, an Ordinance amendment doing away with the 5-foot minimum interior lot lines had been denied, so this requirement remained.

The Board discussed how the plans could be changed to accommodate the requirement. It was noted there was a hardship because the single driveway would require backing out onto State Road A1A (3rd Street North). There was an additional hardship resulting from FDOT's limiting the property to one driveway.

Ms. May said there was confusion regarding the Ordinance she mentioned earlier and requested a recess to listen to the audio from the City Council meeting.

The Board recessed from 7:45 to 7:50.

Upon returning, Ms. May announced the Ordinance had passed and explained it indicated that "no setbacks are required for driveways relative to interior property lines between townhouse lots or individual two-family dwelling lots, or between a driveway and its connection to the right-of-way." The Ordinance took effect upon adoption the previous evening. She acknowledged the issue with this application was now the single access point and ingress/egress.

Ms. May suggested the applicant withdraw the application since what she had asked for was no longer required.

Ms. Cornelius withdrew her application. She said she had already consulted an attorney and explained how the access issue could be addressed.

Ms. May offered to meet with individual Board members to answer questions.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, December 17, 2019**. There are three scheduled cases. Mr. Truhlar reported he would not be able to attend the next meeting.

ELECTION OF OFFICERS

Motion: Mr. Cummings, seconded by Mr. Moreland, moved it to elect Mr. Reddington Board Chair.

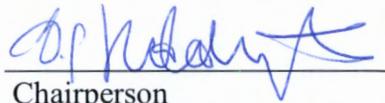
Ms. Osewalt, seconded by Mr. Reddington, moved it to elect Mr. Cummings Board Vice-Chair.

Voice Vote: The motion was approved unanimously.

ADJOURNMENT

There being no further business coming before the Board, Mr. Truhlar adjourned the meeting at 7:59 P.M.

Approval:



Chairperson

01-07-2020

Date