

Agent: Ben Broadfoot, 1083 17th Street North, Jacksonville Beach, stated he was speaking on behalf of the owner, Mr. Castillo [Speaker Card on file]. He advised the hardship was the lot is nonconforming, and the side yard setbacks are existing. The plan is to add a garage with a second-floor addition to the current home as well as an additional two-story dwelling unit to the back of the property. Discussion ensued regarding what type of dwelling classification the property fell under. Mr. Knight clarified the minimum lot size is based on RM-2 zoning, multi-family standards which allows for 65% lot coverage. Mr. Broadfoot noted a conditional use for zoning was previously granted for the property due to the size of the lot. At that time, he was advised a variance was only needed for the existing setbacks, not lot coverage. Mr. Cummings asked about garage size. Mr. Broadfoot stated the new garage would hold two cars but there would also be three additional parking spots and a smaller garage in an effort to minimize on street parking.

Public Hearing:

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

Discussion:

Discussion ensued and the Board agreed the lot was substandard in size. Mr. Truhlar asked Mr. Knight to confirm if the property was ever sold, the conditional use would not transfer with it. Mr. Knight confirmed that is correct.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#19-100201, as written and described.

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

B. Case Number: BOA#20-100019
Applicant/Owner: Nathan Kocher
Property Address: 727 4th Avenue North
Parcel ID: 174145-0000

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.

Owner: Nathan Kocher, 727 4th Avenue North, Jacksonville Beach, advised the hardship was an undersized lot. After some discussion, it was noted the hardship is actually the lot width of 60 feet verses the 75 feet required. Mr. Truhlar asked if the covered lanai and elite roof were part of the total calculations, Mr. Kocher stated there were both included.

Public Hearing:

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

Discussion:

Mr. Cummings stated the lot is narrow but longer than most lots that have previously been granted variances. He further stated the applicant was not encroaching on either the side yard or rear setbacks.

Motion: It was moved by Mr. Cummings, seconded by Mr. Truhlar, to approve BOA# 20-100019, as written and described.

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

C. **Case Number:** BOA#20-100021
Applicant/Owner: Cheryl Kirkland
Property Address: 715 Palm Tree Road
Parcel ID: 177787-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 41.8% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Owner: Cheryl Kirkland, 715 Palm Tree Road, Jacksonville Beach, advised the hardship was the lot is nonconforming and undersized. Ms. Kirkland advised her lot is only 9,377 square feet and should be 10,000 square feet. Mr. Truhlar confirmed with Mr. Knight the pool surface amount was removed from the total calculation of coverage. Mr. Knight advised that appeared to be the case. Mr. Reddington inquired about the deck and Ms. Kirkland stated the entire deck would be removed.

Public Hearing:

Mr. Cummings read into the record an email from the following neighbor who is in support of the application:

- Ryan Blackmon, 705 Palm Tree Road, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

Ms. Osewalt stated there is a hardship as the lot is undersized. Mr. Moreland advised if this were a standard size lot, coverage would only be 39%.

Motion: It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve BOA#20-100021, as written and described.

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

D. Case Number: BOA#20-100023
Applicant/Owner: Ryan Weilersbacher
Property Address: 806 Palm Tree Road
Parcel ID: 177821-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 46% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback (pool deck) of 3 feet in lieu of 5 feet minimum to allow for the addition of a garage and to rectify existing (unpermitted) nonconformities at a single-family dwelling.

Owner: Ryan Weilersbacher, 806 Palm Tree Road, Jacksonville Beach, explained his hardship was the home has no carport or garage. Mr. Moreland noted the lack of a garage or carport does not qualify as a hardship. Mr. Weilersbacher advised if he were to build a new home today, it would be required to have a garage or carport per the Land Development Code; therefore, he believes it is a hardship. Mr. Weilersbacher stated construction of the garage would create a net decrease of 8 square feet. However, the decrease is not enough to change the current lot coverage of 46%. He further advised the pool was constructed in 2017, with the pavers being placed after the pool was inspected. Mr. Weilersbacher agreed he created this portion of the hardship as he did not obtain a permit for the pavers, which were installed too close to the property line. Mr. Weilersbacher noted his neighbors are in support of his request.

Public Hearing:

Mr. Cummings read into the record emails (on file) from the following people in support of the application:

- Diana Harden, 1309 Palm Circle, Jacksonville Beach
- Jim Williams, 738 Palm Circle, Jacksonville Beach
- Isabel Ford, 1229 7th Avenue North, Jacksonville Beach
- Cheryl and Jake Kirkland, 715 Palm Tree Road, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

Ms. Osewalt asked Mr. Knight if there were a previous variance on file allowing the home to be built without a garage or carport. Mr. Knight advised he did not know but assumed the house was built prior to the current Land Development Code. Mr. Weilersbacher stated he was willing to remove some of the pavers.

Further discussion ensued regarding the applicant's part in creating the hardship. Mr. Truhlar was also concerned about future variances being granted for the property. Mr. Cummings advised they had to base their decision on what is currently being presented.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA# 20-100023, for 44% lot coverage in lieu of 35%, and the rest of the motion to stay as written.

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

E. Case Number: BOA#20-100024

Applicant/Owner: Elizabeth Evans
Agent: Jason Reisdorf
Property Address: 3671 America Avenue
Parcel ID: 181403-0122

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for 50.3% lot coverage in lieu of 35% maximum and 34-336(e)(1)g, for an accessory structure setback of 4 feet in lieu of 5 feet minimum to allow for the addition of pool pavers around a new pool at an existing single-family dwelling

Owner: Elizabeth Evans, 3671 America Avenue, Jacksonville Beach, stated the hardship was the sub-standard lot size. It is 7,000 square feet and 50 feet wide instead of the standard 10,000 square feet and 90 feet wide. Mr. Reddington and Ms. Osewalt asked if the applicant could work with less than the requested 50.3% lot coverage and she advised she could. Mr. Moreland noted the lot coverage would only be 35% if this were a standard size lot. Mr. Janson asked if the neighbors were contacted. Ms. Evans stated yes, and they supported her request.

Public Hearing:

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

Discussion:

There was no additional discussion by the Board.

Motion: It was moved by Ms. Osewalt seconded by Mr. Cummings, to approve BOA#20-100024, for 49.8% lot coverage and the rest of the motion to consider remain.

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

F. Case Number: BOA#20-100025 & BOA#20-100026

Applicant: John Atkins
Owner: Atkins Builders, Inc.
Property Address: 201 18th Avenue North
Parcel ID: 175433-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.2, for a corner side yard setback of 7.3 feet in lieu of 10.5 feet minimum and 34-340(e)(1)c.3, for a rear yard setback

of 15 feet in lieu of 30 feet required, and 34-340(e)(1)f, for 45.98% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, advised the hardship was the lot is in RM-2 zoning and is undersized at 5,725 square feet verses the 6,000 square feet minimum. He further stated the lot is only 52.4 feet in width which is less than the 60 feet required. Mr. Atkins clarified the property currently has a duplex on it and not a single family home. The new structure would also be a duplex. Mr. Truhlar wanted clarification the variance was for lot coverage only, Mr. Atkins stated that was correct. Mr. Moreland advised if this were a standard sized lot, the coverage would only be 35%. Mr. Cummings asked if the breezeway needed to be 10 feet. Mr. Atkins said yes, per the fire code.

Public Hearing:

The following sent communication (on file) opposing the application:

- Jennifer Fortune, 1807 3rd Street North

The following spoke in support of the application:

- Will Smith, 1930 1st Street North, Jacksonville Beach
- Scott Glawe, 217 18th Avenue North, Jacksonville Beach
- Peter Hill, 1818 2nd Street North, Jacksonville Beach
- Sandra Gasbarro, 192 18th Avenue North, Jacksonville Beach
- Charlene Shirt, 2112 1st Street, Neptune Beach
- Vivan and Richard Smith, 1924 1st Street North, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion: Mr. Atkins stated he spoke with Ms. Fortune before the meeting. He noted she was unaware he was only seeking an additional 1.7% in lot coverage. Mr. Truhlar asked Mr. Atkins to share his requirements to deal with drainage. Mr. Atkins advised these homes would both be guttered, have underground drainage to the street, and no fill dirt would be brought in that would raise the lot level.

Mr. Truhlar liked that full driveways were being put in verses strips or pavers. Mr. Cummings noted what is being requested is quite common for the neighborhood.

Motion: It was moved by Mr. Moreland seconded by Ms. Osewalt, to approve BOA#20-100025 & BOA#20-100026, as presented and discussed.

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

G. Case Number: BOA#20-100029
Applicant/Owner: Janet L. Austin
Property Address: 1125 14th Avenue North
Parcel ID: 175314-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336 (e)(1)c.2, for a westerly side yard of 8.3 feet and an easterly side yard of 9.5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 29 feet in lieu of 30 feet required; 34-336(e)(1)d, for no garage in lieu of a required one-car garage; and 34-373(a)(1), for off-street parking 7 feet wide in lieu of 9 feet minimum to rectify existing non-conformities and to allow for a substantial improvement to an existing single-family dwelling.

Owner: Janet L. Austin, 1125 14th Avenue North, Jacksonville Beach, stated her hardship was the existing dwelling does not conform to code, which prevents her from doing renovations to the home. Ms. Austin advised she had lived in the home for 25 years with no garage, only a carport. Her plans for the home include converting the carport to add living space, tearing down the back room and rebuilding it with a new roofline. Mr. Knight clarified this is considered a substantial renovation, over 50%, which requires a variance to rectify the existing non-conformities. Ms. Austin also reiterated they are seeking the variance to preclude them from having to build a garage or carport as required by the Land Development Code. Mr. Cummings asked for clarification of the off-street parking. Mr. Knight stated this was part of rectifying existing non-conformities as the driveway is only 7 feet wide and should be 9 feet at a minimum.

Public Hearing:

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

Discussion:

Mr. Cummings noted they were basically authorizing what's already on the property based on the Land Development Code. Mr. Truhlar asked if two cars could fit in the driveway and Ms. Austin said yes.

Motion: It was moved by Mr. Cummings seconded by Mr. Truhlar, to approve BOA#20-1000029, as written and described.

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

H. Case Number: BOA#20-100031
Applicant/Owner: Brad L. & Angela Smith
Property Address: 3516 1st Street South
Parcel ID: 181458-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for side yard setbacks of 7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Owner: Brad Smith, 3516 1st Street South, Jacksonville Beach, stated his hardship was a nonconforming, undersized lot. The Board agreed the lot was substantially undersized. Mr. Smith provided an aerial view of the street and letters from eight different neighbors (on file) who are in

support of his variance request. He further advised his request of an additional 3,388 square feet would still be under the 35% maximum lot coverage if his lot was conforming in size.

Public Hearing:

Mr. Cummings read into record letters (on file) from the following people, who support the application:

- Larue Benson, 128 35th Avenue South, Jacksonville Beach
- Louise Ponder, 50 35th Avenue South, Jacksonville Beach
- Lisa Distefano, 3524 1st Street South, Jacksonville Beach
- Karen Deloach, 3523 1st Street South, Jacksonville Beach
- Brand and Amelia Sterling, 3510 South 1st Street, Jacksonville Beach
- Peter Lasfer, 3507 South 1st Street, Jacksonville Beach
- Jacqueline Hurd, 3502 1st Street South, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

Discussion ensued, and the Board Members agreed this was a reasonable request as the lot is undersized.

Motion: It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#20-100031, as presented and discussed.

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

- I. **Case Number:** BOA#20-100032
Applicant/Owner: Michael & Malloreay Smith
Property Address: 528 10th Avenue South
Parcel ID: 176669-0000

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)c.2, for an easterly side yard of 6.5 feet in lieu of 7.5 feet required and total side yards of 14 feet in lieu of 15 feet required; 34-338(e)(1)c.3, for a rear yard setback of 22 feet in lieu of 30 feet required; and 34-338(e)(1)e, for 46.2% lot coverage in lieu of 35% maximum to allow for a patio expansion and pergola addition to an existing single-family dwelling.

Owner: Michael Smith, 528 10th Avenue South, Jacksonville Beach, stated the hardship is the property was purchased with 45% existing lot coverage and the width of the property is less than the required minimum. He was requesting the additional 1% in order to replace the existing patio slab, extending it slightly to accommodate the new pergola covering. Mr. Smith said he spoke to his neighbors, who are in support of his variance request. Mr. Moreland asked if it were possible to downsize some of the current lot coverage instead of seeking a variance for the additional 1% being requested. Mr. Smith stated it was not.

Public Hearing:

Mr. Cummings read into the record an email from the following in support of the application:

- Vernon Johnson, 1107 6th Street South, Jacksonville Beach

Mr. Reddington closed the public hearing.

Discussion:

There was no additional discussion by the Board.

Motion:

It was moved by Mr. Truhlar seconded by Mr. Moreland, to approve BOA# 20-100032, as written and discussed.

Roll Call Vote:

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

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Tuesday, July 7, 2020**. There are 8 scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 8:45 P.M.

Submitted by: Sheila Boman
Office Assistant

Approval:



Chairperson



Date