

**Minutes of Board of Adjustment Meeting
Held Tuesday, September 1, 2009 at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairperson Loretta.

Roll Call

Josh Corey
Keith Hall *Absent*
Bobby Jolley
Joseph Loretta (*Chairperson*)
John Moreland (*Vice Chairperson*)
Tom Buck *Absent*
Scott Chestnut

Mr. Loretta asked members of the board to report any ex parte communications.

There were no ex parte communications disclosed by any of the board members.

Approval of Minutes

It was moved by Mr. Corey, seconded by Mr. Jolley, to approve the minutes of August 4, 2009 as presented.

Motion carried unanimously.

Correspondence

There was no correspondence

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Case Number: BOA 09-100129

Name of Applicant: Dr. Gary Cater

Property Address: 3500 Ocean Drive South

Motion: It was moved by Mr. Corey, seconded by Mr. Jolley, to approve a request for a front yard of 15 feet in lieu of 25 feet required, for side yards of 7.5 feet in lieu of 10 feet required, and for 43% lot coverage in lieu of 35% maximum to allow for a new single family dwelling.

Applicant:

The agent for the applicant, Terry Simmons, 1510 South 2nd Street, stated that the applicants have a 50 foot beach front lot and would like to construct a single family home. The house will be approximately 3500 square feet. The architecture will fit in with the current surroundings.

Public Hearing:

Mr. Loretta opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. Loretta closed the public hearing.

Discussion:

A brief discussion ensued about the lot being substandard, therefore, creating a hardship for the applicant. However, Mr. Moreland stated that he would like to offer an amended motion.

Amended Motion:

An amended motion was made by Mr. Moreland, seconded by Mr. Corey, to approve a request for a front yard of 18 feet in lieu of 25 feet required, for side yards of 7.5 feet in lieu of 10 feet required, and for 43% lot coverage in lieu of 35% maximum to allow for a new single family dwelling.

Roll call vote: Ayes –Moreland, Corey, Jolley, Loretta and Chestnut.
Amended motion carried unanimously.

Case Number: BOA 09-100135

Name of Applicant: Aaron Thacker

Property Address: 2702 Liberty Lane

Motion: It was moved by Mr. Corey, seconded by Mr. Jolley, to approve a request for 40% lot coverage in lieu of 35% maximum to allow for a swimming pool addition.

Applicant:

The applicant, Aaron Thacker, 2702 Liberty Lane, stated that he purchased his mother's home in 2002 and would like to install a swimming pool in the back yard to accommodate his family. With the current plan in place there is approximately a 2 foot wide concrete path around the pool. He would like to increase lot coverage to allow for a wider path.

Mr. Loretta asked the applicant if the patio that currently exists is covered. Mr. Thacker replied that it was covered.

Mr. Moreland stated that the lot size is more than the minimal lot size required by the LDC.

Public Hearing:

Mr. Loretta opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. Loretta closed the public hearing.

Discussion:

Mr. Moreland stated that clearly there is not a hardship for this lot seeing that it is above the standard requirement and offered an amended motion.

Amended Motion:

An amended motion was made by Mr. Moreland, seconded by Mr. Jolley, to approve a request for 37% lot coverage in lieu of 35% maximum to allow for a swimming pool addition.

Roll call vote: Ayes –Moreland, Corey, Jolley, Loretta and Chestnut.
Amended motion carried unanimously.

Case Number: BOA 09-100136
Name of Applicant: Workplace Village I, LLC

Property Address: 1160 Shetter Avenue

Motion: It was moved by Mr. Corey, seconded by Mr. Jolley, to approve a request for a westerly side yard of 3 feet in lieu of 5 feet required, for parking area setbacks of 2 feet along the north and south property lines in lieu of 5 feet minimum, and for a 3 foot landscape buffer along the northern property line in lieu of 5 feet minimum to allow for a new development.

Applicant:

The applicant, Art Kirschman, 629 Palmero Drive, Ponte Vedra, stated that he is co-owner in a project that will offer small single story/flex units in Jacksonville Beach. They are much needed as rent space is dwindling and rent is increasing.

Mr. Loretta asked Mr. Kirschman how the retention ponds would be added to the site plan. Mr. Kirschman informed Mr. Loretta that retention has already been handled through 10 acres offsite.

Mr. Moreland asked if there had been more parking spaces provided than the LDC requires. Mr. Kirschman replied yes.

Public Hearing:

Mr. Loretta opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. Loretta closed the public hearing.

Discussion:

A discussion took place about the close proximity of the side yard setbacks to the other building that is adjacent to this property. The consensus of the board was that they were not in favor of the application and felt that the applicant could revise the plan to be more acceptable and in line with the surroundings.

Roll call vote: Nays –Moreland, Corey, Jolley, Loretta and Chestnut.
Motion denied unanimously.

Adjournment

There being no further business coming before the Board, Mr. Loretta adjourned the meeting at 7:45 P.M.

Submitted by: Amber Maria Lehman

Approval:

/s/Joseph Loretta
Chairman

Date: October 7, 2009