

Minutes of Board of Adjustment Meeting
held Tuesday, September 16, 2014, 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 Chairman Buck.

Roll Call

Tom Buck, Chairman
Joseph Loretta *Absent*
John Moreland *Absent*
Sylvia Osewalt
Scott Cummings

Alternates:
Jeff Truhlar
Francis Reddington

Ex parte Communications

Mr. Truhlar stated that he talked with the neighbor concerning BOA #14-100119.

Approval of Minutes

It was moved by Ms. Osewalt, seconded by Mr. Cummings, and passed, to approve the August 6, 2014 meeting minutes as presented.

Correspondence

There was no correspondence.

NEW BUSINESS:

(A) Case Number: BOA 14-100113

Name of Applicant: Dr. Tri & Mimi Dinh

Property Address: 3622 1st Street South

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for a southerly side yard of 8 feet in lieu of 10 feet required, and for 43% lot coverage in lieu of 35% maximum, to allow for improvements to a single family dwelling for property legally described as Lot 2 and the west 20 feet of South 1st Street

closed and vacated by Ordinance No. 7530, Block 3, Atlantic Shores Ocean Front Section Division A.

Applicant:

Dr. Tri Dinh, 3622 1st Street South, stated that they wanted to make improvements to the house, which includes increasing closet space and building a new dock that would increase lot coverage. Their lot is smaller than the standard lot.

Mr. Buck asked if the orange notice sign was placed out front and if the neighbors saw it. Mr. Dinh stated that a storm blew it off the property.

Ms. Osewalt noted that they were given a 5 foot setback in 2005. Mr. Dinh stated that they were not the owners and that this is in a different part of the property. The 5 foot setback was for a garage.

Mr. Hays stated that this was a different application and conditions would pertain to what was particularly asked for. The architect noted that they were just replacing gravel and a key part of it was decking material. They are not asking to make everything solid.

Mr. Buck noted that the lot size is 7,000 square feet; in RS-1 the minimum lot size is 10,000 square feet.

Public Hearing:

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

The following person spoke in favor of the application:

Dan Broderick, 3618 1st Street South, stated that he thought it was a reasonable request and he was in favor of the request.

Seeing no one who wished to address the Board, Mr. Buck closed the public hearing.

Discussion:

Mr. Buck stated he had no issues with it.

Roll call vote: Ayes – Osewalt, Reddington, Cummings, Truhlar and Buck
Motion carried unanimously.

(B) Case Number: BOA 14-100114

Name of Applicant: Bottom Line Ventures, Inc.

Owner: Castle Corp of Jacksonville
Property Address: 502 14th Avenue North

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for a front yard of 20 feet in lieu of 25 feet, and for a rear yard of 18.4 feet in lieu of 30 feet required, to allow for construction of a new single family dwelling for property legally described as Lot 14, Block 1, Surf Park Unit 1 Replat.

Applicant:

The applicant, Tim Millard, 230 15th Street South, stated that the lot is 80 ft. x 90 ft. which is substandard in size a lot in RS-1 zoning. The existing house was built in the 50's and they would like to tear it down and build a new one. He stated that the other houses all have 20 foot or less front setbacks.

Mr. Truhlar asked if there was building in the back. Mr. Millard stated there was.

Public Hearing:

Mr. Buck 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. Buck closed the public hearing.

Discussion:

Mr. Cummings stated that the new house would be no closer than the existing house.

Roll call vote: Ayes – Osewalt, Reddington, Cummings, Truhlar and Buck
Motion carried unanimously.

(C) Case Number: BOA 14-100115

Name of Applicant: Harry Thompson

Property Address: 912 19th Street South

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for an existing accessory structure (shed) setback of 0.5 feet in lieu of 5 feet required, on Lot 5, Block 100, to allow the sale of portions of the property legally described as Lots 5 and 6, Block 100, Section A.

Applicant:

The applicant, Harry Thompson, 912 19th Street North, stated that he purchased the property in 1971, and was trying to sell Lots 5 and 6. He stated the utility shed was over the setback line, with the eaves extending over the line. He stated the utility shed was built the same time as the house.

Mr. Truhlar asked if there was a mailbox on the lot. Mr. Thompson stated that the mailbox was across the street on lots that he owned.

Mr. Cummings asked why it was not being replatted. Mr. Hays stated it wouldn't meet the standards. Mr. Thompson stated that if he sells the lot as it is there is no access to the building.

Mr. Buck asked if the outside wall was .5 inches from the property line. Mr. Buck stated that he would probably have to have it replatted anyway. Mr. Buck stated that if they allowed for .5 feet, they would have to inspect it to see if it met the variance.

Mr. Thompson explained how the piping in the building worked.

Ms. Osewalt stated that he could move it and it would be 3 feet instead of .5 feet.

Public Hearing:

Mr. Buck 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. Buck closed the public hearing.

Discussion:

Mr. Thuhlar stated that if they approve it anyone can build within 6 inches of the property line.

Ms. Osewalt expressed concern with the request, stating that she had an issue with a 6 inch setback.

Roll call vote: Nays – Osewalt, Reddington, Cummings, Truhlar and Buck
Motion denied unanimously.

(D) Case Number: BOA 14-100116

Name of Applicant: Lisa Pope

Property Address: 122 36th Avenue South

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for 52% lot coverage in lieu of 35% maximum, to allow for a swimming pool addition to an existing home for property legally described as Lot 6, Block 3, Atlantic Shores Ocean Front Section Division A.

Applicant:

The applicant, Lisa Pope, 122 36th Avenue South, introduced her representative, Liz O'Keefe, 6516 Jenny Springs Road, Jacksonville, FL. Ms. O'Keefe stated that there was a 395 square feet pool deck.

Mr. Buck stated that the house takes up most of the lot. He asked if this was the minimum that could be requested, or could there be a reduction. Ms. O'Keefe stated that she guessed that they could do it with no deck.

Mr. Cummings noted that there was a variance request in 2011 that was denied.

Mr. Buck asked if they talked to the neighbors. Ms. Pope stated that she had.

Public Hearing:

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

The following person spoke in favor of the application:

Mike Keen, 104 36th Avenue South, stated that he was the neighbor and had no problem with it.

Seeing no one else who wished to address the Board, Mr. Buck closed the public hearing.

Discussion:

Mr. Buck stated that it was an RS-1 lot that was substandard. He stated that everyone should have a pool if they wanted one, but it is a matter of how much water would be pushed to other lots.

Mr. Cummings stated that they could reduce the amount of lot coverage.

Roll call vote: Ayes – Buck
Nays – Cummings, Reddington Truhlar, and Osewalt
Motion denied by a vote of 4 to 1.

(E) Case Number: BOA 14-100117

Name of Applicant: John Atkins

Property Address: 201 6th Avenue North and 728 2nd Street North

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for side yards and corner side yards of 7.5 feet and 5 feet respectively, each in lieu of 10 feet required; for rear yards of 20 feet in lieu of 30 feet required, for lot coverage of 53% in lieu of 35% maximum, and for an accessory structure (walkway) setback of 1 foot in lieu of 5 feet to allow construction of four new two-family dwellings for properties legally described as Lots 1, 2, 7 and 8 Block 73, Pablo Beach Improvement Company Plat.

Applicant:

The agent, John Atkins, 731 Holly Drive, stated that they were trying to build four duplexes and are looking for lot coverage variance, noting that single-family attached goes to 35% instead of 65% lot coverage. This property is zoned C-1, and there was a use by exception that was approved unanimously. He noted that they could do 22 units on this property. They will allow for a two car garage rather than 1 car garage. The side setbacks are to bring it in line with what is there or what will be there. There is a plan in place for building on the property east of this property.

Mr. Buck asked if these would be single family units. Mr. Atkins stated yes, they would be attached somehow but would appear as single family. Mr. Buck added that apartments could be built with 65 foot lot coverage.

Ms. Osewalt asked how many units would there be. Mr. Atkins stated that there would be a total of eight units.

Public Hearing:

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

The following people spoke in favor of the application:

Thad Mosely, 3701 Duval Drive, stated that 20 years ago they built the apartments near the units. He stated that it was exciting to see something going on in this area. Residential development in C-1 has been good for Jacksonville Beach. He added that he supports the low density residential use.

Lynn Hilaman, 22 Hopson Road, stated that he was partnering with Mr. Atkins, and they were trying to do something with more character.

Seeing no one else who wished to address the Board, Mr. Buck closed the public hearing.

Discussion:

Mr. Truhlar stated that he was in favor of the lower density.

Mr. Buck added that not only was it higher density that could be constructed, but also lot coverage.

Roll call vote: Ayes – Buck, Truhlar, Cummings, Osewalt, and Reddington
Motion approved unanimously.

(F) Case Number: BOA 14-100119

Name of Applicant: Chris Morelan

Property Address: 849 North 22nd Street

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Cummings, to approve a request for a rear yard setback of 26.5 feet in lieu of 30 feet required, to allow for construction of a new single family dwelling for property legally described as the north 97 feet of Lot 7, Azalea Acres.

Applicant:

The applicant, Chris Morelan, 1207 18th Avenue, stated that he talked with the neighbors and there were no objections. There are no other setbacks requested.

Mr. Buck asked if they were going to tear down the building. Mr. Morelan stated that he would. Mr. Buck stated that should be an improvement.

Public Hearing:

Mr. Buck 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. Buck closed the public hearing.

Roll call vote: Ayes – Buck, Truhlar, Cummings, Osewalt, and Reddington
Motion approved unanimously.

Building Department Report: The next scheduled meeting is Tuesday, October 7, 2014.
There are currently five (5) scheduled cases.

Adjournment

There being no further business coming before the Board, Mr. Buck adjourned the meeting at 7:55 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:

Thomas Buck /s/
Chairman

Date: October 7, 2014