

**Minutes of Board of Adjustment Meeting  
held Tuesday, October 21, 2014, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> 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

Sylvia Osewalt

Scott Cummings *Absent*

Alternates:

Jeff Truhlar

Francis Reddington

**Ex parte Communications**

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

**Approval of Minutes**

There were no minutes to approve.

**Correspondence**

There was no correspondence.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**(A) Case Number: BOA 14-100135**

**Name of Applicant:** JWB Construction

**Property Address:** 1015 South 2<sup>nd</sup> Avenue

**Motion to Approve:** It was moved by Ms. Osewalt, seconded by Mr. Moreland, to approve a request for a front yard of 10 feet in lieu of 20 feet required; 34-338(e)(1)c.2,

for a corner side yard of 5 feet in lieu of 10 feet required; 34-338(e)(1)c.3, for a rear yard of 6 feet in lieu of 30 feet required; 34-338(e)(1)e, for 51% lot coverage in lieu of 35% maximum; and 34-373(f), for gravel parking space in lieu of paving to allow for a new single family dwelling.

**Applicant:**

The agent for the applicant, Lisandro Rosales, 7563 Philips Highway, Suite 109, Jacksonville, stated that this was a corner property that was non-conforming. It is 50 ft. X 45 ft. There was an old two-story block building that was a lodge in severe disrepair. They are proposing to go back into the same foot print and build a two-story single family structure. They have re-oriented the building and were able to provide a carport and have all parking on-site. There will be no encroachment on the sidewalk. The variance is because they are trying to stay in the same footprint. If they have to reduce the footprint they will have to go to a 3-story structure.

Mr. Buck asked if they have talked to the residents. Mr. Rosales responded that the re-orientation of the building should address their concerns. Mr. Rosales stated that they had not talked to the residents since the last meeting. Discussion followed on how they were providing two parking spaces.

**Public Hearing:**

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

- Ms. Dumont referred to the speaker cards and stated that Genese Heard, 1100 2<sup>nd</sup> Ave. South, had filled out a card stating opposition to the proposal, but did not wish to speak.
- Michael Coleman, 1001 2<sup>nd</sup> Ave. South, reminded the Board that this was not a dwelling before and he thought it would be too tight a space between houses.
- Samuel Thomas, 2249 South Beach Parkway, discussed issues with parking and provided examples of other houses in the area that contribute to the parking problems.
- John Caine, PO Box 11934, agreed with Mr. Thomas. He stated that this would depreciate his property values. He expressed concerns with gravel from the driveway getting on the street and about creating blind spots with this construction.

Mr. Rosales stated that there would be no increase to the obstructed view that currently exists. He stated that opening the carport up should create a sight line instead of a blind spot. He stated that Geo-web membrane could be used instead of gravel.

Mr. Moreland asked about the carport and the extension into the gravel.

**Discussion:**

Mr. Truhlar expressed concern about the proposal.

Ms. Osewalt asked if they could build a 3-story house, which was confirmed. She thought the lot was not creating a hardship because they can build.

Mr. Moreland thought a 2-story house would be more conforming to the neighborhood than a 3-story. He thought the major concerns with the parking have been addressed with the redesign. He did not think they could stop the owner from building a house on this lot.

Mr. Buck added that this lot is half of what the standards are in this zoning category. He added that they have granted setbacks like this on non-conforming lots. He thought that the owner had addressed the concerns with parking that were addressed at the previous meeting.

**Roll call vote:** Ayes – Buck, Moreland  
Nays – Osewalt, Truhlar, Reddington.  
Motion denied with a vote of 3 to 2.

**(B) Case Number: BOA 14-100139**

**Name of Applicant:** Mark Nugent

**Property Address:** 1919 Penman Road

**Motion to Approve:** It was moved by Ms. Osewalt, seconded by Mr. Moreland, to approve 55% lot coverage in lieu of 35% maximum and 34-373(d), for a parking area setback of 2 feet in lieu of 5 feet minimum to the north property line to allow for improvements to a single family dwelling.

**Applicant:**

The applicant, Mark Nugent, 1919 Penman Road, stated that there is a problem with parking due to a drainage ditch that does not allow for parking on the road. They need to have on-site parking for 2 vehicles. He stated that it is dangerous to turn the vehicle around by backing onto Penman Road.

Mr. Moreland asked if this was a request to allow for something that was already completed. Mr. Nugent responded that it was already completed. He stated that he did not know that a variance was necessary.

Mr. Buck asked if the new parking worked. Mr. Nugent responded that it worked well.

**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. Buck stated that he thought the request would be for more concrete, and it would be hard to require the owner to bust up the concrete. He recognized that there was a hardship in backing out onto Penman Road.

Mr. Moreland recognized the difficulty in getting out onto Penman Road.

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

**(C) Case Number: BOA 14-100141**

**Name of Applicant:** Alfredo Gutterrez

**Property Address:** 705 & 707 6<sup>th</sup> Avenue South

**Motion to Approve:** It was moved by Ms. Osewalt, seconded by Mr. Moreland, to approve a request 34-338(e)(2)c.2, for a westerly side yard of 4.4 feet in lieu of 5 feet minimum, and 34-338(e)(2)e, for 49% lot coverage in lieu of 35% maximum to allow for improvements to a two family dwelling.

**Applicant:**

The agent, Randy Raybon, 4837 Pareja Court, stated that they want a covered porch along the same roof line as the existing house so that the children could be outside. The owner would like to extend his living room as well. The units are small and the family needs more space in the living room.

Mr. Moreland asked about the improvements proposed. Mr. Raybon added that they would like to move the entry door to the new part as well.

Mr. Reddington asked if the owner owned both units. Mr. Raybon stated that he did, and lives in the other residence.

**Public Hearing:**

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

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

**Discussion:**

Mr. Moreland stated that he would like to add the verbiage “as shown and submitted”.

**Amended Motion:** An amended motion was made by Mr. Moreland, seconded by Mr. Reddington, to approve a request 34-338(e)(2)c.2, for a westerly side yard of 4.4 feet in lieu of 5 feet minimum, and 34-338(e)(2)e, for 49% lot coverage in lieu of 35% maximum to allow for improvements to a two family dwelling, as shown and submitted.

**Roll call vote:** Ayes – Truhlar, Reddington, Buck, Moreland and Osewalt  
Amended motion carried unanimously.

**Building Department Report:** The next scheduled meeting is Wednesday, November 5, 2014.  
There are currently three (3) scheduled cases.

**Adjournment**

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

Submitted by: Amber Maria Lehman  
Senior Secretary

Approval:

/s/Thomas Buck \_\_\_\_\_  
Chair

Date: December 2, 2014