

**Minutes of Board of Adjustment Meeting  
held Wednesday, January 21, 2015, 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 Vice-Chairman Cummings.

**Roll Call**

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

Alternates:

Jeff Truhlar  
Francis Reddington

**Ex parte Communications**

There were no ex parte communications reported by the Board members.

**Approval of Minutes**

It was moved Mr. Loretta, seconded by Mr. Moreland, and passed, to approve meeting minutes for both the December 2, 2014 and the December 16, 2014 meetings as presented.

**Correspondence**

There was correspondence to be reviewed during the case in which it pertained.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**(A) Case Number: BOA 14-100191**

**Name of Applicant:** Susan Rindal

**Property Address:** 4330 Ponte Vedra Blvd.

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for 41% lot coverage in lieu of 35% maximum to allow for improvements to a single family dwelling.

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**Applicant:**

The applicant, Susan Rindal, 123 Mills Lane, and the architect Terry Simmons, 1510 2<sup>nd</sup> Avenue S., stated that this lot was one of two subdivided from a lot. Mr. Simmons stated that most of the coverage is the pool deck and driveway. He stated that they are requesting 40.9% to provide on-site parking.

Mr. Loretta asked about the hardship. Mr. Simmons responded that the lot was smaller than average for this area because it had been subdivided, and that parking was not allowed on Ponte Vedra Blvd. All guest parking will be on Ms. Rindals' property.

Mr. Moreland asked if this was a different property from 121 Mills Lane. Mr. Simmons stated that it was.

Mr. Loretta added that this was greater lot coverage on a large lot.

Mr. Moreland asked if all the pavers have been put in already. Mr. Simmons responded that they have not been installed.

Mr. Loretta asked if all the drainage was going toward the public ditch on Ponte Vedra Blvd. Mr. Simmons stated it was and it drains well with little runoff.

Mr. Loretta asked how close the house to the south was to the property line. Mr. Simmons responded that it is approximately 10 to 15 feet.

Mr. Cummings stated that there were no speaker cards from the audience.

**Discussion:**

Mr. Loretta noted that the buildings themselves are not taking up the lot coverage, so the vertical construction will not be as great.

Mr. Moreland added that he was reluctant with voting yes given the lot size, but agreed that most of the construction would not be visible.

**Amended Motion:** An amended motion was made by Mr. Loretta, seconded by Mr. Moreland, to approve a request for 41% lot coverage in lieu of 35% maximum to allow for improvements to a single family dwelling, as shown and submitted on the site plan.

**Roll call vote:** Ayes – Loretta, Truhlar, Reddington, Cummings, and Moreland  
Amended motion passed unanimously.

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**(B) Case Number: BOA 14-100194**

**Name of Applicant:** William Huff

**Property Address:** 1250 North 13<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for 42% lot coverage in lieu of 35% maximum to allow for a new single family dwelling.

**Applicant:** The applicant, William Huff, 1205 North 13<sup>th</sup> Street, stated that this was a 50 ft. x 102 ft. undersized lot. He planned to maintain all the setbacks.

Mr. Loretta asked if this coverage was indicative of the site plan. Mr. Huff stated that it was.

**Discussion:**

Mr. Cummings stated that he didn't have a problem with the request.

**Roll call vote:** Ayes – Loretta, Truhlar, Reddington, Cummings, and Moreland.  
Motion passed unanimously.

**(C) Case Number: BOA 14-100195**

**Name of Applicant:** Scott Rae

**Property Address:** 208 35<sup>th</sup> Avenue South

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a front yard of 20 feet in lieu of 25 feet required to allow for substantial improvements to a single family dwelling.

**Applicant:**

The applicant, Scott Rae, 208 35<sup>th</sup> Avenue South, stated that the original footprint of the building has a garage facing the street and encroached greater than the required setbacks. He was remodeling the house and hoped to keep the existing garage in the new design.

Mr. Loretta noted that this is an odd shaped lot and thought that it would be an asset to the neighborhood if constructed, as shown.

**Amended Motion:** An amended motion was made by Mr. Loretta, seconded by Mr. Moreland, to approve a front yard of 20 feet in lieu of 25 feet required to allow for substantial improvements to a single family dwelling, as shown and discussed.

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

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**(D) Case Number: BOA 14-100196**

**Name of Applicant:** David Shearer

**Property Address:** 27 Norberta Way

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a 10 foot front yard limited to open porches, 15 feet for enclosed portions of habitable space and 18 feet for garage walls in lieu of 25 feet required; for 15 feet in total for both side yards provided that no yard is less than 5 feet in lieu of 10 feet required; for a 25 foot rear yard in lieu of 30 feet required; and for 47% lot coverage in lieu of 25% maximum to allow for a new single family dwelling.

**Applicant:**

The applicant, David Shearer, 14137 Twin Falls Drive West, stated that this was an undersized lot. There are 44 lots in this neighborhood that have been approved for variances. He has plans to close (on the property) if the variance is approved.

Mr. Moreland asked if this request is consistent with what has already been approved. Mr. Shearer responded yes, this is only one of two lots on the street without this variance approval. Mr. Loretta asked if 47% lot coverage was consistent. Mr. Shearer responded that it was and provided examples of lot coverage percentages in this neighborhood.

Mr. Cummings stated there was one card from Jeanell Wilson, stating she is in support of the agenda item.

**Discussion:**

Mr. Loretta stated that this is consistent with what was approved elsewhere.

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

**(E) Case Number: BOA 14-100197**

**Name of Applicant:** Terry Lee Peterson Trust c/o Michael Kirton

**Property Address:** 137 South 14<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve side yards of 5 feet in lieu of 10 feet required; and for 41% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

**Applicant:**

The applicant, Ken Atlee, 1031 1<sup>st</sup> Street South, stated the hardship is facing the units to the south. They withdrew the variance for Lot 8 because they were going to 2 units, and not 3 units. He spoke to the owner of the lot to the east about a 10 foot setback, so now they are

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seeking a 5 foot setback to the west and a 45 ft. rear yard, with a 59 foot building. The only variance is the 5 foot to the west side and for 41% lot coverage.

Mr. Moreland stated that he appreciated the applicant working with the neighbors.

Mr. Mike Brewer, 131 14<sup>th</sup> Ave. South, stated that he and his wife were here to support the variance.

**Discussion:**

Mr. Loretta noted that there would have to be an amendment to the motion to take into account the agreement worked out with the neighbors.

**Amended Motion:** An amended motion was made by Mr. Loretta, seconded by Mr. Moreland, to approve a westerly side yard of 5 feet in lieu of 10 feet required, and for 41% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling, as shown and submitted.

**Roll call vote:** Ayes – Loretta, Truhlar, Moreland, and Cummings  
Nay - Reddington  
Motion carried with a 4 to 1 vote.

**(F) Case Number: BOA 14-100198**

**Name of Applicant:** William C. Miller II

**Property Address:** 275 Coral Way

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a request for 42% lot coverage in lieu of 35% maximum to allow for a swimming pool addition.

**Applicant:**

The applicant, William C. Miller II, 275 Coral Way, stated that they wished to put in a pool. They are not increasing the size of the dwelling. The additional lot coverage will be mainly paving and deck area. This should not have an effect on drainage and the lot is fenced, so there should be no visibility.

Mr. Moreland asked if this was a substandard lot. After some discussion, Mr. Miller determined that it was.

**Discussion:**

Mr. Moreland stated that this seemed reasonable.

**Roll call vote:** Ayes – Loretta, Truhlar, Reddington, Moreland, and Cummings  
Motion carried unanimously

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**(G) Case Number: BOA 15-100001**

**Name of Applicant:** Beaches Museum and History Park

**Property Address:** 503 Beach Boulevard

**Motion to Approve:** It was moved by Mr. Loretta, seconded by Mr. Moreland, to approve a front yard of 8 feet in lieu of 10 feet required to allow for the placement of a relocated structure to this site.

**Applicant:**

The agent for the applicant, Darby Brower, 227 Sandalwood Drive, Ponte Vedra, stated that they were moving a house to this site. There is an existing heritage garden that will be encroached by this house. This will be the support building for the chapel with the same setback approved three years ago.

Linda Lanier, 1768 Park Terrace West, Atlantic Beach, current Board chair, stated she was here to represent the Board and that Mr. Brower covered it well.

**Discussion:**

Mr. Moreland expressed his support for what they have done here.

**Roll call vote:** Ayes – Loretta, Truhlar, Reddington, Moreland, and Cummings  
Motion carried unanimously

**Adjournment:**

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 7:41 P.M.

Submitted by: Amber Maria Lehman  
Staff Assistant

Approval:

/s/ Scott Cummings  
Vice Chair

Date: March 3, 2015