

Minutes of Board of Adjustment Meeting
held Wednesday, May 20, 2015, 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 Vice -Chairman Cummings.

Roll Call

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

Alternates:
Jeff Truhlar
Francis Reddington

Ex parte Communications

There were no ex parte communications.

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 15-100062

Name of Applicant: Hoose Homes & Investments, L.L.C.

Property Address: 422 South 10th Street

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for side yards of 5 feet in lieu of 10 feet required; for a rear yard of 22 feet in lieu of 30 feet required and for 51% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

Applicant: The applicant, Alex Sifakis, 440 7th Avenue South, stated that this was a non-conforming lot that was 50 x 100. They are asking for 51% lot coverage and 22 foot rear yard setback because of the size of the lot. It will have the same foot print but with a front porch.

Mr. Cummings asked why they needed over 50% lot coverage.

Mr. Sifakis responded that the lot was shorter than the other lots.

Mr. Moreland asked if the house could be functional at 51% and not at 49%. Mr. Sifakis responded yes. Mr. Sifakis displayed other houses in the area with these dimensions. Mr. Cummings asked about the previous variance that was requested. Mr. Sifakis stated that was the previous property owner and was not certain what was requested.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in favor or in opposition to the proposal.

Discussion:

Mr. Cummings expressed concerns about the 5-yard setbacks.

Mr. Moreland stated that his concerns were with the 51% lot coverage, and offered an amended motion.

Amended Motion: An amended motion was made by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for side yards of 5 feet in lieu of 10 feet required; for a rear yard of 22 feet in lieu of 30 feet required, and for 49% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

Roll Call Vote: Ayes – Moreland and Truhlar
Nays – Cummings and Reddington
Amended motion failed with a 2 to 2 vote.

Original Motion

Roll Call Vote: Nays – Moreland, Cummings, Truhlar, and Reddington; motion denied unanimously.

(B) Case Number: BOA 15-100067

Name of Applicant: Frank Subjinski
Property Address: 229 33rd Avenue South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for 49% lot coverage in lieu of 45% maximum to allow for improvements to a single family dwelling.

Applicant: The applicant, Frank Subjinski, 229 33rd Avenue South, stated the lot had an

irregular shape and was smaller than other lots in the area. The lot was 7600 square feet in R-1 zoning that requires 10,000 square feet. He added that the improvements are in line with other houses in the area. Mr. Subjinski described the improvements, stating that the bricked area would come off the shed.

Mr. Subjinski added that he has previously addressed drainage issues and this improvement should not impact neighboring houses.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in favor or in opposition to the proposal.

Discussion:

No discussion

Amended motion: An amended motion was made by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for 49% lot coverage in lieu of 45% maximum to allow for improvements to a single family dwelling, limited to the application as shown and submitted.

Roll Call Vote: Ayes – Cummings, Moreland, Reddington and Truhlar; amended motion approved unanimously.

(C) Case Number: BOA 15-100068

Name of Applicant: Tommy Stone

Property Address: 585 10th Ave. South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a southerly front yard of 15.4 feet in lieu of 20 feet required, and for 41% lot coverage in lieu of 35% required to allow for an addition to a two-family dwelling.

Applicant: The applicant, Tommy Stone, 585 10th Ave. South, stated he needed to add on to the house for his family.

Mr. Moreland confirmed he was expanding an existing unit and not adding a 3rd unit.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in favor or in opposition to the proposal.

Discussion:

Mr. Moreland noted that this was an odd-shaped lot and this was a reasonable request.

Roll Call Vote: Ayes – Cummings, Moreland, Reddington and Truhlar; motion approved unanimously.

(D) Case Number: BOA 15-100069

Name of Applicant: Salt Air Homes, Inc.

Property Address: 416 5th Avenue South

Motion to Approve: It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for side yards of 7.6 feet in lieu of 10 feet required and for 48% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

Applicant: The applicant, Oliver Kraut, 226 Tallwood Road, provided diagrams.

Mr. Cummings read into the record a petition from immediate neighbors in favor of the proposal.

Mr. Kraut provided information on other properties in the same area that had the same variance. Mr. Kraut stated that the lot size was 50 ft. x 125 ft.

Mr. Moreland explained the specific criteria that had to be met to approve the request.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in favor or in opposition to the proposal.

Discussion:

Mr. Moreland stated that he thought this was an improvement to the neighborhood and agreed that it was in keeping with the character of other properties in the area.

Roll Call Vote: Ayes – Cummings, Moreland, Reddington and Truhlar; motion approved unanimously.

(E) Case Number: BOA 15-100070

Name of Applicant: James Simmons

Property Address: 244 32nd Avenue South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a front yard of 7.2 feet in lieu of 25 feet required, and for an easterly side yard of 5.3 feet in lieu of 10 feet required to ratify the existing non-conformities on a single family dwelling.

Applicant: The applicant, James Simmons, 244 32nd Avenue South, stated that the house was old and over the last 80 years has settled considerably. He will need to lift the house and repair the foundation, then set it down again. The house will be the same footprint as now. He needs a variance to get the building permit to fix the foundation.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in

favor or in opposition to the proposal.

Discussion:

Mr. Moreland thought this was a reasonable request.

Roll Call Vote: Ayes – Cummings, Moreland, Reddington and Truhlar; motion approved unanimously.

(F) Case Number: BOA 15-100071

Name of Applicant: JWB Real Estate Capital

Property Address: 260 40th Avenue South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a front yard of 13.69 feet in lieu of 25 feet required; for an easterly side yard of 5.98 feet and a westerly side yard of 5 feet in lieu of 10 feet required; and for a rear yard of 15 feet in lieu of 30 feet required to allow for a new single family dwelling.

Mr. Hays stated that the applicant requested a continuance to the June 2, 2015 meeting on this case and Case Number BOA 15-100074 at 131 North 13th Avenue.

(G) Case Number: BOA 15-100073

Name of Applicant: Tyler Brown

Property Address: 2904 1st Street South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a front yard of 14 feet in lieu of 25 feet required, and for 37% lot coverage in lieu of 35% maximum to allow for improvements to a new single family dwelling.

Applicant: The agent for the applicant, Dean Russell, 364 Osceola Ave., and the owner, Tyler Brown, 345 Ponte Vedra Blvd, Ponte Vedra Beach, both spoke. Mr. Russell stated this was a non-conforming lot and the new owner, Mr. Brown, wanted to put a trellis/ pergola on the house.

Mr. Cummings asked if the deck would be enclosed. Mr. Russell stated no.

Mr. Moreland asked if plants would be growing on the trellises. Mr. Moreland stated that a structure would block the line of sight and if the trellis had plants it would also block the sight line. The applicant stated it would be an open trellis.

Public Hearing:

Vice-Chair Cummings opened the Public Hearing; there was no one present to speak in favor or in opposition to the proposal.

Discussion:

Mr. Moreland asked to add on to the original motion 'as shown and discussed'.

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a front yard of 14 feet in lieu of 25 feet required, and for 37% lot coverage in lieu of 35% maximum to allow for improvements to a new single family dwelling with an open pergola, as shown and discussed.

Roll Call Vote: Ayes – Cummings, Moreland, Reddington and Truhlar; motion approved unanimously.

Adjournment

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:42 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

/s/ Sylvia Osewalt

Chairman

Date: July 7, 2015