

Minutes of Board of Adjustment Meeting
held Tuesday, March 1, 2016, 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 Cummings.

Roll Call

Tom Buck

Joseph Loretta (*absent*)

John Moreland, *Vice-Chairman*

Sylvia Osewalt

Scott Cummings, *Chairman*

Alternates:

Jeff Truhlar

Francis Reddington

Ex-parte Communications

Mr. Moreland, Mr. Cummings, Mr. Buck and Mr. Truhlar stated that they had conversations with the City's Planning Director concerning Case No 15-100203. Ms. Osewalt stated that she had discussions about that case with the City Attorney.

Approval of Minutes

It was moved by Ms. Osewalt, seconded by Mr. Moreland, and passed unanimously, to approve the following minutes as presented:

- Board of Adjustment meeting held on February 2, 2016.

Correspondence

There was none.

OLD BUSINESS:

(A) Case Number: BOA 15-100203

Name of Applicant: Rose and Ken, Inc.

Property Address: 2315 Beach Boulevard

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for 348 off-street parking spaces in lieu of 443 required spaces to allow additional commercial construction on the undeveloped portions of the subject property (Beach Marine).

Applicant: Mr. Bill Mann, Planning Director for Jacksonville Beach, stated that the initial variance application was brought before the Board in November and they were asking for consideration of the two conditions placed on the variance in November. Mr. Mann stated that he had discussed the conditions placed on the parcel in November with the City Attorney.

Public Hearing:

Mr. Mann noted that any public discussion on this proposal should be addressed during the PUD review by the Planning Commission and City Council.

Discussion:

Mr. Mann pointed out that the request is for on-site parking, and not for the provision of off-site parking. He added that the parking issue on Beach Boulevard public right-of-way is germane to the request, but not actually part of the request.

Mr. Moreland noted that his concern was about the safety of the parking on the public right-of-way, and thought that the spaces should be well-marked and should be taken into account by the City. Mr. Mann stated it was acknowledged and intended but would have to be discussed with FDOT.

Amended Motion: It was moved by Ms. Osewalt, seconded by Mr. Moreland, to approve a request for 348 off-street parking spaces in lieu of 443 required spaces to allow additional commercial construction on the undeveloped portions of the subject property (Beach Marine) contingent upon the approval of the PUD Rezoning request that is in the process.

Roll Call Vote on Amended Motion: Ayes – Buck, Cummings, Moreland, Osewalt, and Truhlar. Amended motion approved unanimously.

NEW BUSINESS:

(A) Case Number: BOA 16-100004

Name of Applicant: Bryan McAlister

Property Address: 621 4th Street North

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for an amended parking plan from previously granted

variance allowing for 8 on-site parking spaces in lieu of 9 parking spaces and for no on-site turning and maneuvering space associated with 6 commercial parking spaces.

Applicant: The applicant, Brian McAlister, 1103 19th Avenue North, stated that they are looking to moving their residence to a commercial spot. They need a variance because of the two residential parking spots required. He noted that the property was in a mixed use land use.

Mr. Moreland asked if there was a parking space in the garage. Mr. McAlister stated that it was. He added that they would be getting rid of the existing carport overhang. Mr. McAlister stated that this parking plan was an improvement over what was already approved.

Mr. McAlister answered a question about the south side of the building, explaining that he improved the alleyway as a result of the last variance.

Ms. Osewalt asked if the commercial spots would be used in the evening. Mr. McAlister stated that the business would be closed in the evening.

Public Hearing:

There was no one present to speak in favor of or opposed to the application.

Discussion:

Mr. Cummings noted that they would have to discuss the parking situation with the City if the land use changed in the future.

Roll Call Vote: Ayes – Cummings, Moreland, Osewalt, Truhlar, and Buck. Motion approved unanimously.

(B) Case Number: BOA 16-100008

Name of Applicant: Michael Dunlap Architect, P.A.

Property Address: 1516 Bentin Drive North

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a rear yard of 25 feet in lieu of 30 feet required to allow for an addition to a single family dwelling.

Applicant: The applicant, Michael Dunlap, 1120 2nd Avenue North, stated that the applicant would like to expand their house. The proposed addition will bring the unit size consistent with the neighborhood.

Public Hearing:

There was no one present to speak in favor of or opposed to the application.

Discussion:

Mr. Moreland noted that the lot was clearly undersized and thought the request was reasonable.

Roll Call Vote: Ayes – Moreland, Osewalt, Truhlar, Buck and Cummings. Motion approved unanimously.

(C) Case Number: BOA 16-10009

Name of Applicant: Phillip Brian Haught

Property Address: 1307 1st Avenue North

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for 51% lot coverage in lieu of 35% maximum to allow for a swimming pool addition to a single family dwelling.

Applicant: The applicant, Phillip Haught, 1307 1st Avenue North, stated that the lot was substandard and they wished to put a deck around the pool. He added that they were asking for a minimum size for the deck, and they were installing French drains at their down spouts.

Mr. Moreland asked about the request for 51% lot coverage. Mr. Haught responded that was at the recommendation of the builder, who thought that they may want to add something at some future point in time. However, their plans for the deck only required about 44% lot coverage. Mr. Haught added that they have begun installing the plumbing for the pool, with the variance only covering the deck.

Mr. Hays stated that he was not certain where the 44% coverage came from, with the existing coverage being 41%. Mr. Hays reviewed the parameters from the variance noting that the request was for 51% lot coverage. Mr. Moreland asked if they could get by with 44%. Mr. Haught stated that they could not.

Public Hearing:

There was no one present to speak in favor of or opposed to the application.

Discussion:

Mr. Buck stated that he thought 49% was sufficient lot coverage for the applicant to build his deck.

Ms. Osewalt questioned whether he could get by with 46%. Mr. Moreland added that he respected the honesty by the applicant in saying he could get by with less.

Amended Motion: It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for 49% lot coverage in lieu of 35% maximum to allow for a swimming pool addition to a single family dwelling.

Roll Call Vote on Amended Motion: Ayes – Buck, Cummings, Moreland, Osewalt, and Truhlar. Motion approved unanimously.

(D) Case Number: BOA 16-100010

Name of Applicant: New Atlantic Builders, LLC

Property Address: 3517 America Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a northerly side yard of 5.5 feet and a southerly side yard of 8.67 feet in lieu of 10 feet required and for 42% lot coverage in lieu of 35% maximum to allow for a single family dwelling.

Applicant: The agent for the applicant, Stephen Williams, 3731 Duval Drive, stated that the lot is non-conforming lot of less than 10,000 square feet. He explained the building plan and how it impacted the side yards.

Mr. Moreland asked about the size of the lots. Mr. Williams responded that they totaled more than 10,000 square feet, but were individually less than the 10,000 square feet requirement. Mr. Hays explained how the changes to the Florida Building Code affected the lots.

Public Hearing:

There was no one present to speak in favor of or opposed to the application.

Discussion:

Mr. Moreland noted that this was clearly a non-conforming lot, and the request was reasonable. Mr. Buck agreed, saying that he was happy that they were not asking for a back yard variance.

Roll Call Vote: Ayes – Osewalt, Truhlar, Buck, Cummings, and Moreland. Motion approved unanimously.

(E) Case Number: BOA 16-100011

Name of Applicant: New Atlantic Builders, LLC

Property Address: 3517 America Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a northerly side yard of 8 feet and a southerly side yard of 5.5 feet in lieu of 10 feet required and for 42% lot coverage in lieu of 35% maximum to allow for a single family dwelling.

Applicant: The agent for the applicant, Stephen Williams, 3731 Duval Drive, stated this was the other lot that was also non-conforming.

Public Hearing:

There was no one present to speak in favor of or opposed to the application.

Discussion:

Mr. Moreland noted that this was as reasonable of a request as the other one.

Roll Call Vote: Ayes – Buck, Cummings, Moreland, Osewalt, and Truhlar. Motion approved unanimously.

(F) Case Number: BOA 16-100012

Name of Applicant: James and Blair Landry

Property Address: 3413 and 3415 1st Street South

Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a southerly side yard of 5 feet and a northerly side yard of 7.5 in lieu of 10 feet required; for a rear yard of 6 feet in lieu of 30 feet required; and for 49% lot coverage in lieu of 35% maximum to allow for improvements to an existing non-conforming use property conversion to a single family dwelling.

Applicant: The applicant, James Landry, and his agent, Tom Mnich, stated that they changed their request from the original variance approval. The owner wants to combine two lots into one and get rid of the rental property in the back. Mr. Mnich added that they would be removing the paving. He stated that the existing lot coverage is 46%. They have redesigned the plan for a total of 49% lot coverage. Mr. Mnich stated that they are not creating the drainage issues that were cited in January, having worked with the City to review the drainage issues.

Ms. Osewalt asked for a review of what was authorized already. Mr. Mnich responded by providing information on the existing layout. Mr. Hays added that the previous variances were granted for one of the parcels; they become irrelevant

once the two parcels are combined. Mr. Landry stated that he discussed this with his neighbors and they were not opposed to the proposed variance. He added that the driveway to the south will become green space.

Public Hearing:

Mr. Terry DeLoach, 405 32nd Avenue South, spoke out in favor of the proposal. He thought this would be an improvement to the neighborhood.

Discussion:

Ms. Osewalt asked about the height of the units. Mr. Landry stated that the addition will be one story.

Mr. Buck noted that the plan was an improvement over what they had seen earlier. Ms. Osewalt stated that there was still a concern with drainage in this part of the City. Mr. Landry stated that this was an improvement. Mr. Cummings reminded him that the public hearing was over.

Roll Call Vote: Ayes –Buck, Cummings, Moreland, Osewalt, and Truhlar. Motion approved unanimously.

Adjournment

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 7:58 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:


Chairman

Date: 4/15/16