

**Minutes of Board of Adjustment Meeting  
held Tuesday, July 5, 2016, 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 Scott Cummings.

**Roll Call**

Tom Buck  
Joseph Loretta (*absent*)  
John Moreland (Vice-Chairman)  
Sylvia Osewalt  
Scott Cummings (Chairman)

Alternates:

Jeff Truhlar (*absent*)  
Francis Reddington

**Ex-parte Communications**

None

**Approval of Minutes**

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

- Board of Adjustment meeting held on May 17, 2016

**Correspondence**

None

**NEW BUSINESS:**

**(A) Case Number: BOA 16-100093**

**Name of Applicant:** Adrian H. Faulkner

**Property Address:** 3318 South 1<sup>st</sup> Street

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Osewalt to approve a request for a front yard of 15 feet in lieu of 25 feet and for a northerly

side yard of 4.6 feet in lieu of 10 feet required both to allow for a front porch addition/relocation for an existing single-family residence.

**No one appeared before the Board to address the issue. The case was therefore postponed.**

**(B) Case Number: BOA 16-100095**

**Name of Applicant:** MaliVai Washington

**Property Address:** 714 South 4<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a rear yard of 15 feet in lieu of 30 feet required and for 50.6% lot coverage in lieu of 35% maximum to allow for construction of a new single-family residence on a nonconforming lot of record.

**Applicant:** The applicant, MaliVai Washington, 554 Jacksonville Drive, stated that the restrictions on the lot do not allow for a residence to be built.

Mr. Moreland asked if 50.6% lot coverage was the minimum possible. Mr. Washington responded that they did not realize the permeable driveway would be included in the lot coverage. He added that if they did concrete tire strips the coverage would drop below 50% to 46.07%. Mr. Washington stated that the square footage of the home would be approximately 2,000 square feet.

Mr. Buck noted that this is a small lot for the RS-2 zoning district.

**Public Hearing:**

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

**Discussion:**

Mr. Moreland thanked the applicant for being prepared to offer an alternative to reduce the lot coverage percentage.

**Amended Motion to Approve:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a rear yard of 15 feet in lieu of 30 feet required and for 46.5% lot coverage in lieu of 35% maximum to allow for construction of a new single family residence on a nonconforming lot of record.

**Roll Call Vote on Amended Motion:** Ayes – Buck, Cummings, Moreland, Osewalt, and Reddington. The amended motion was approved unanimously.

**(C) Case Number: BOA 16-100097**

**Name of Applicant:** Thaddeus M. Moseley

**Property Address:** 120 and 122 4<sup>th</sup> Avenue North

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Osewalt, to approve a request for accessory structure setbacks of zero feet and two feet, both in lieu of five feet required along the westerly and southerly property lines respectively and for parking area setbacks of zero feet and 0.8 feet, both in lieu of five feet required along the northerly, southerly, and easterly property lines respectively to ratify nonconformities relative to an existing multiple-family residential use property.

**Applicant:** The applicant, Thaddeus Moseley, stated that this is an as-built situation and they were not able to obtain competitive commercial financing if not granted this variance. He stated that parking issues were addressed in a previous variance from 1985. He then explained that the building was built in 1937.

Mr. Buck asked about the accessory structure. Mr. Moseley stated that was a deck and a porch. Mr. Mann noted that he was talking about the wood decks and the motion should have switched the southerly and westerly decks.

**Public Hearing:**

There was no one present to speak in favor of or against this application.

**Discussion:**

Mr. Buck asked Mr. Mann if they should amend the motion to reference his statement about the decks. Mr. Mann agreed that the motion should be amended to switch the reference to the southerly and westerly property lines.

**Amended Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Osewalt, to approve a request for accessory structure setbacks of zero feet and two feet, both in lieu of five feet required along the southerly and westerly property lines respectively and for parking area setbacks of zero feet and 0.8 feet, both in lieu of five feet required along the northerly, southerly, and easterly property lines respectively to ratify nonconformities relative to an existing multiple-family residential use property. This variance pertains to the current building only as discussed at the meeting tonight.

**Roll Call Vote on Amended Motion:** Ayes – Cummings, Moreland, Osewalt, Reddington, and Buck. The amended motion was approved unanimously.

**(D) Case Number: BOA 16-100098**

**Name of Applicant:** Alan Dunavant

**Property Address:** 737 North 4<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Osewalt, to approve a request for lot coverage of 51.8% in lieu of 35% maximum and for accessory structure setbacks of two feet on the northerly and westerly property boundaries in lieu of five feet required to allow for construction of a detached garage for an existing single-family dwelling.

**Applicant:** The applicant, Alan Dunavant, 737 4<sup>th</sup> Avenue North, stated that the garage needed to be closer to the property line for access. Mr. Buck asked about access to the garage and whether they were going to take up the concrete pavers. Mr. Dunavant stated that they were going to put gravel down instead of pavers. He added that the one shed is staying. He stated that the percent coverage was less than 50%.

Mr. Moreland asked what the minimum coverage they could get by with. Mr. Dunavant responded 45%. Mr. Cummings asked how far the gravel would be from the house. Mr. Dunavant referred to the survey. Mr. Cummings stated that they could redesign to not have to take the setback. Discussion followed on how he would get access to the garage.

**Public Hearing:**

There was no one present to speak in favor of or against this application.

**Discussion:**

Mr. Buck stated it was up to the applicant to determine how he would access the garage and did not have issues.

**Amended Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Reddington, to approve a request for lot coverage of 45% in lieu of 35% maximum and for accessory structure setbacks of two feet on the northerly and westerly property boundaries in lieu of five feet required to allow for construction of a detached garage for an existing single-family dwelling.

**Roll Call Vote on Amended Motion:** Ayes – Moreland, Osewalt, Reddington, Buck, and, Cummings. The amended motion was approved unanimously.

**(E) Case Number: BOA 16-100099**

**Name of Applicant:** Christina Diane Leonard Smith

**Property Address:** 1620 North 7<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a northerly side yard of eight feet in lieu of ten feet required; for a rear yard of ten feet in lieu of 30 feet required; and for lot coverage of 38.8% in lieu of 35% maximum to allow for addition to an existing single-family dwelling.

**Applicant:** The applicant, Christina Smith, 1620 7<sup>th</sup> Street North, stated that they would like to increase the size of their house for their family. She stated that they would like a workshop in the back to store things because their garage is small and unable to store items. Mr. Reddington asked if they could fit a car there. Ms. Smith stated that they could.

Mr. Moreland asked what was behind their house. Ms. Smith responded that it was a drainage canal.

Mr. Buck asked if the fence was two feet inside the property line. Ms. Smith stated it was.

**Public Hearing:**

There was no one present to speak in favor of or against this application.

**Discussion:**

Mr. Buck noted that this was a substandard lot size for the zoning district and that the drainage ditch in the back will help buffer the impacts.

**Roll Call Vote** Ayes – Osewalt, Reddington, Buck, Cummings, and Moreland.. The motion was approved unanimously.

**(F) Case Number: BOA 16-100100**

Mr. Mann noted that due to an advertising error this case was rescheduled by staff to the next hearing.

**(G) Case Number: BOA 16-100101**

**Name of Applicant:** Joy N. Esler

**Property Address:** 136 North 19<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Ms. Osewalt to approve a request for three parking spaces in lieu of five spaces required to allow for conversion of 979 square feet of space within an existing residential structure to miscellaneous medical office use.

**Applicant:** The applicant, Joy Esler, 136 19<sup>th</sup> Avenue North, stated that the conditional use has parking requirements. She stated that they will not change the outside of the building so it retains its residential nature. Ms. Esler added that the parking requirements would change the residential nature. She added that she was a one-person operation so parking should not be a problem. She stated that the conditional use was approved by the Planning Commission to allow this conversion. Ms. Esler noted that they would have to resubmit to the Planning Commission within a year to continue the operation. She then described the

existing parking situation on the site and the plans for the spaces to be provided to the clientele.

**Public Hearing:**

Mr. Cummings stated that he had six cards from people who did not wish to speak but were in support of the application and read the names of those in support.

Mr. David Laurie, 568 Marsh Landing Parkway, stated that the requirement for five spaces is excessive for her business. Mr. Reddington asked if he could guarantee the clients would park in the spaces allotted. Mr. Laurie stated that they should.

**Discussion:**

Mr. Buck asked about the request from Mr. Mann. He stated that they had to expand the area downstairs that would result in the need for five spaces. Mr. Mann added that the Planning Commission put the one-year requirement for review and renewal of the applicant's approved Miscellaneous Health Office conditional use, and also that she have no employees

Mr. Cummings stated that he has used the same type of medical service in Jacksonville and recognized the parking issue. Mr. Mann noted that conditional uses were not transferable.

**Amended Motion to Approve:** It was moved by Mr. Moreland, seconded by Ms. Osewalt to approve a request for three parking spaces in lieu of five spaces required to allow for conversion of 979 square feet of space within an existing residential structure to miscellaneous medical office use with approval for one year and that the property to be used as discussed.

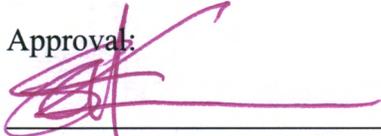
**Roll Call Vote:** Ayes – Buck, Cummings, Moreland, and Osewalt.  
Nays – Reddington.  
The motion approved 4-1.

Mr. Moreland moved to table the first item to August 2. Mr. Mann noted that there were 8 cases scheduled for the next meeting on July 19.

**Adjournment**

There being no further business coming before the Board, Mr. Buck adjourned the meeting at 8:52 P.M.

Submitted by: Amber Maria Lehman  
Senior Secretary

Approval:   
Chairman

Date: 9/7/16