

**Minutes of Board of Adjustment Meeting
held Tuesday, September 20, 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 Scott Cummings.

Roll Call

Tom Buck (*absent*)
Jeff Truhlar
John Moreland (Vice-Chairman)
Sylvia Osewalt
Scott Cummings (Chairman)

Alternates:

Francis Reddington
Chase Sams

Ex-parte Communications

None

Approval of Minutes

None

Correspondence

Mr. Mann introduced the Board to Heather Ireland, Senior Planner.

NEW BUSINESS:

(A) Case Number: BOA 16-100152

Name of Applicant: Christopher Danser

Property Address: 613 North 10th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for an easterly side yard of five feet in lieu of 10 feet required allow for construction of a one and two-story addition to a single-family dwelling.

Applicant: Mr. Chris Danser, 1065 16th Street North, stated that the hardship is that they would like to add an apartment to the dwelling that is handicap equipped

for a wheelchair user. He stated that all houses in this neighborhood are small, and there have been many additions to the houses. He stated that three of the four houses to the east received the same variance. He provided a picture of an existing house that would be improved as he would like.

Mr. Truhlar noted that there needed to be an issue with the parcel to be a hardship. Mr. Danser agreed with Mr. Truhlar that the lot was undersized. He went on to explain his plans for the unit. Ms. Osewalt asked about the size of the other lots. Mr. Danser responded that they were all under sized at 7,500 square feet and many have received the same variance. Mr. Danser noted that he was not asking for a variance in lot coverage.

Mr. Danser stated that the had talked to his immediate neighbors and they were fine with the request.

Public Hearing:

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

Discussion:

Mr. Mann noted that the request was actually for the westerly side yard and asked that be reflected in the motion. Mr. Moreland stated that technically they should re-advertise this but given that he had talked to the neighbor he thought it did not need it. Mr. Cummings asked what would happen if the neighbor to the west objected. Mr. Mann stated that it would go to Circuit Court.

Ms. Susan Danser stated that they had spoken to both neighbors and made it clear that it was to the west and that neighbor did not object. She stated that she had a text to that effect, even though he did have concerns with privacy from the second story. Mr. Reddington asked if the existing hedge would stay. Ms. Danser responded that it would.

Ms. Osewalt asked if they could defer this to October. Mr. Mann responded that they could and it would be re-advertised at City expense. Mr. Moreland noted that the e-mail from the western most neighbor stated that this concerns were addressed.

Ms. Osewalt expressed concern about the possibility of a lawsuit if they approved the request at the meeting in light of the advertising error. Mr. Moreland responded that as long as City staff thought that this would not result in a lawsuit he was comfortable in addressing it at this meeting.

Amended Motion to Approve: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve a request for a westerly side yard of five feet in lieu of 10 feet required allow for construction of a one and two-story addition to a single-family dwelling.

Roll Call Vote on Amended Motion: Ayes – Truhlar, Cummings, and Moreland.
Nays – Osewalt and Reddington.
The amended motion was approved 3-2.

(B) Case Number: BOA 16-100153

Name of Applicant: Joe Macaluso

Property Address: 112 South 12th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for 49.5% lot coverage in lieu of 35% maximum to allow for a new single-family dwelling

Applicant: The agent for the applicant, Paul Frase, 124 Marshall Lakes Drive, Ponte Vedra, stated that the hardship is that the lot is non-conforming, and they would like to put a single-family residence on the lot. He stated that having a pool with a sun deck would require this variance. Ms. Osewalt noted that the property was approved for 43% lot coverage in August. Mr. Mann added that at the August hearing it was acknowledged that the applicant would come back to request a variance for the pool deck.

Mr. Moreland asked if this was the minimum that they could request. Mr. Frase responded that he thought it was in order to accommodate the pool and the deck.

Public Hearing:

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

Discussion:

Mr. Moreland stated that given the relatively small size of the lot the request seemed reasonable.

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

(C) Case Number: BOA 16-100154

Name of Applicant: Green Room Brewing

Property Address: 228 North 3rd Street

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a corner side yard of 2.5 feet in lieu of 10 feet required to allow for an addition (silo) to an existing commercial use property.

Applicant: The applicant, Eric Lumen, 1839 Twelve Oaks Lane, stated that due to the size of the lot in order to use the silo the conveyance will have to be on that side. He added this had nothing to do with the outside seating area. He stated that the new silo will result in fewer deliveries to the business.

Mr. Moreland asked if the silo will affect the line of sight. Mr. Lumen responded that it would not affect the line of sight at the driveway.

Public Hearing:

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

Discussion:

Mr. Moreland stated that the request was reasonable.

Amended Motion to Approve: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve a request for a corner side yard of 2.5 feet in lieu of 10 feet required to allow for an addition (silo) to an existing commercial use property as shown and discussed.

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

(D) Case Number: BOA 16-100156

Name of Applicant: Blanche Cassandra Shedrick

Property Address: 811 South 10th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for 36.7% lot coverage in lieu of 35% maximum to allow for an addition of a storage shed.

Applicant: The applicant, Blanche Shedrick, 811 South 10th Avenue, stated that she would like to place a utility unit on the property. Ms. Shedrick stated that the lot was 50x125. Mr. Mann noted that the minimum lot size was 6,000 square feet.

Ms. Shedrick noted that the house was built in 1977, and no garages were required. She noted that there was an alley in back of the house, and the neighbors in back have taken the alley space while she has not.

Mr. Moreland stated that technically the lot size was not deficient, but the request was minimal.

Public Hearing:

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

Discussion:

Ms. Osewalt agreed with Mr. Moreland that the percent coverage asked for was minimal.

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

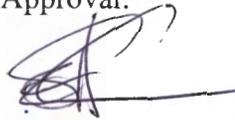
PLANNING DEPARTMENT REPORT

None

The meeting adjourned at 7:38 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:



Chairman

Date:

12/6/16