

**Minutes of Board of Adjustment Meeting  
held Tuesday, October 18, 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  
Jeff Truhlar  
John Moreland (Vice-Chairman)  
Sylvia Osewalt (*absent*)  
Scott Cummings (Chairman)

**Alternates:**

Francis Reddington  
Chase Sams

Also present were Heather Ireland, Senior Planner, and Amber Lehman, Recording Secretary.

**Ex-parte Communications**

None

**Approval of Minutes**

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

- Board of Adjustment meeting August 2, 2016
- Board of Adjustment meeting August 16, 2016

**Correspondence**

Ms. Ireland stated correspondence was received by e-mail today and left at their seats.

**NEW BUSINESS:**

**(A) Case Number:BOA 16-100159**  
**Name of Applicant:** Alan E. and Carol B. Ditzel

**Property Address:** 42 South 36<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for 7.5-foot side yards in lieu of 10 feet required and for 48.5% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling for property legally described as the east 25 feet of Lot 7 and all of Lot 8, Block 2, Atlantic Shores Ocean Front Section Division "A".

**Applicant:** The applicant, Mr. Alan Ditzel, 42 South 36<sup>th</sup> Avenue, stated that they planned to take down the existing structure and build a new home. They are asking for about two inches on each side from the existing structure, which will allow for a garage and a first floor master bedroom. He added that the lot was substandard. He stated that they also planned to build a pool in the back with pavers around it. Mr. Ditzel stated that they have talked with the neighbors and received no negative feedback.

Mr. Cummings asked about the location of the neighbor's support letters. Ms. Carol Ditzel, same address, explained the location of those residents' houses.

Mr. Truhlar asked about the pool. Ms. Ditzel noted that there were two drawings and the second one was the new structure that showed the pool.

Mr. Sams asked for clarification of the percent lot coverage. Mr. Moreland asked if the pool decking is the least that they can live with. Mr. Ditzel stated that they desired that amount.

**Public Hearing:**

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

**Discussion:**

Mr. Buck noted that they were rectifying an existing condition, and if they approve the lot coverage for a pool now they don't have to approve one later. Mr. Moreland commended the applicant for addressing the issue with the neighbors prior to the meeting.

**Amended Motion to Approve:** It was moved by Mr. Buck, seconded by Mr. Moreland, to approve a request for 7.5-foot side yards in lieu of 10 feet required and for 48.5% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling, as shown and submitted.

**Roll call vote:** Ayes - Moreland, Truhlar, Reddington, Buck, and Cummings.  
The amended motion approved unanimously.

**(B) Case Number: BOA 16-100164**  
**Name of Applicant:** Carlos L. and Babs L. Gil

**Property Address:** 1018 North 14<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a westerly side yard of 8.3 feet in lieu of 10 feet required to allow for an addition to an existing single-family dwelling for property legally described as Lot 6, Block 11, Beach Homesites-Unit Three.

**Applicant:** The applicant, Carlos L. Gil, 13747 Canfield Court, Jacksonville, stated that they intended to move to the City in a home that was built in the 1950s. He stated that

there was a flat-roofed carport that was not built properly. He stated that they wanted to build back to the same lines that the existing carport was on to add a garage and other rooms to the dwelling. He stated that none of the neighbors had concerns about the proposed variance.

Mr. Buck asked about the strip driveway. Mr. Gil responded that was part of the property. Mr. Buck asked about the shed in the back. Mr. Gil stated that he intended to keep that shed. Mr. Gil added that they removed the deck that existed.

Mr. Cummings asked what the hardship was, noting that the size of the lot is substandard.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated that the applicant was simply replacing the footprint that was already there, and it appeared that the lot coverage was actually decreased.

**Roll call vote:** Ayes – Buck, Cummings, Moreland, Truhlar, and Reddington.  
The application was approved unanimously.

(C) **Case Number: BOA 16-100165**  
**Name of Applicant:** New Atlantic Builders, Inc.

**Property Address:** 688 South 12<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for 39.8% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling on Lot 7 for property legally described as Lots 7 to 12, Block 117, Oceanside Park.

**Applicant:** The agent for the applicant, Mr. Steven Williams, 3731 Duval Drive, stated that they were required to have a 60-foot building width and they only have 50 feet. He added that the BOA previously denied a request to put side-by-side townhomes and have changed the proposal to a single-family dwelling in response to the neighbors' concerns.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated that this would help with the traffic issues and parking issues that were noted at the previous meeting.

**Roll call vote:** Ayes – Truhlar, Reddington, Buck, Cummings, and Moreland.  
The motion was approved unanimously.

**(D) Case Number: BOA 16-100166**  
**Name of Applicant:** Jason and Lynn Zollinger

**Property Address:** 882 South 13<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for 50% lot coverage in lieu of 35% maximum to allow for a swimming pool addition to an existing single-family residence for property legally described as Lot 6, Block 139, Oceanside Park.

**Applicant:** The applicant, Mr. Jason Zollinger, 882 South 13<sup>th</sup> Avenue, and Ms. Holly Noel, Renaissance Pools, introduced themselves. Ms. Noel noted that the lot was a non-conforming lot.

Mr. Sams asked about the size of the pool. Ms. Noel noted the size of the pool and the deck.

Mr. Moreland stated that the lot coverage was actually 49.9% instead of 50%. Ms. Noel stated that they needed this much deck. Mr. Zollinger noted that this would be a therapy pool for their daughter.

Mr. Buck asked about the dimensions between the house and pool, asking if there was a percentage they could spare on those distances. Ms. Noel responded that this was the minimum.

Mr. Cummings asked if they could live with less coverage. Ms. Noel responded that it would be difficult, but they could try to make it work.

**Public Hearing:**

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

**Amended Motion to Approve:** It was moved by Mr. Buck, seconded by Mr. Truhlar, to approve a request for 48.9% lot coverage in lieu of 35% maximum to allow for a swimming pool addition to an existing single-family residence.

**Roll call vote on amended motion:** Ayes – Reddington, Buck, Cummings, Moreland, and Truhlar.  
The amended motion was approved unanimously.

**(E) Case Number: BOA 16-100167**  
**Name of Applicant:** Andrew and Ashley Davis

**Property Address:** 411 South 10<sup>th</sup> Place

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for no garage or carport in lieu of a one-car garage or carport and for one parking space in lieu of two required parking spaces to allow for the enclosure of and existing carport. Or alternatively, for a front yard setback of 10 feet in lieu of 20 feet; for 36.8% lot coverage in lieu of 35% lot coverage; for a garage or carport parking space of 15 feet x 10 feet in lieu of 9 feet x 17 feet; and for one parking space in lieu of two required parking spaces to allow for the enclosure of an existing carport and the provision of a new one-car carport or garage addition to an existing single-family dwelling for property legally described as Lot 22, Block 5, Oceanside Park.

**Applicant:** The applicant, Ms. Ashley Davis and Mr. Andrew Davis, 411 10<sup>th</sup> Place South, stated that they wanted to enclose their carport, which will not make it different from other houses in the area. She stated that there is a 60-foot right-of-way easement for the width of the road.

Mr. Truhlar asked what the preference was. Ms. Davis responded that it was to just close in the carport. Mr. Buck asked about the distance from the property line to the house. Ms. Davis stated that the next door neighbors closed their carport. Mr. Cummings stated that was turned down.

Ms. Davis stated that the neighbors were fine with the proposal. She added that they would prefer to not have a carport. Ms. Ireland confirmed that they were required to have a carport. Mr. Buck stated that he leaned toward requiring a carport. Mr. Moreland stated that it would affect the line-of-sight view for the neighbors.

Mr. Cummings asked about lot coverage. Ms. Ireland responded that it would be 35% with the enclosure, or 36.8% with a new carport.

**Public Hearing:**

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

**Discussion:**

Mr. Buck agreed that the new carport could hinder the line-of-sight. Mr. Cummings stated that he felt more comfortable with eliminating the carport altogether.

Mr. Moreland agreed that if there was no carport, it would not hinder the line-of-sight. Mr. Buck asked if they would consider merging the two so that if they ever decide to do the carport they already have the coverage. In response to Mr. Cummings, Mr. Buck agreed to just eliminate the carport.

**Amended Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Reddington, to approve a request for no garage or carport in lieu of a one-car garage or carport and for one parking space in lieu of two required parking spaces to allow for the enclosure of and existing carport.

**Roll call vote on amended motion:** Ayes – Buck, Cummings, Moreland, Truhlar, and Reddington.

The amended motion was approved unanimously.

**(F) Case Number: BOA 16-100168**

**Name of Applicant:** Scott Simmons et al

**Property Address:** 711 South 15<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Moreland, seconded by Mr. Buck, to approve a request for a front yard setback of 12.5 feet in lieu of 20 feet required and for 45% lot coverage in lieu of 35% maximum to allow for a garage addition to an existing single-family dwelling for property legally described as Lot 10, Block 148, Oceanside Park.

**Applicant:** The applicant, Mr. Scott Simmons, 711 15<sup>th</sup> Avenue South, stated that the hardship was that homes in the RS-2 zone require a garage. He stated that this is a small lot – this is one of the two houses on the street without a garage. He stated that this would allow the house to fit in the rest of the street. He stated that he was at the meeting in August and was turned down for a front yard setback by a 3-2 vote. He added that he has gone to his neighbors to review the plans and they have no concerns. He added that his house sits back 10 feet from the other homes in the neighborhood – this will only extend his house seven feet past their houses.

Mr. Cummings confirmed with Mr. Simmons about the neighbors that signed their concurrence with the proposal. Discussion followed on the status of the concrete that currently exists at the house.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated that the applicant has addressed the concerns and appreciated him informing the neighbors.

**Roll call vote:** Ayes – Truhlar, Reddington, Buck, Cummings, and Moreland.  
The motion was approved unanimously.

**Adjournment**

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 7:54 P.M.

Minutes of Board of Adjustment Meeting  
Tuesday, October 18, 2016

Submitted by: Amber Maria Lehman  
Senior Secretary

Approval:



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Chairman

Date:

11/15/16

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