

**Minutes of Board of Adjustment Meeting
held Tuesday, November 15, 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
Jeff Truhlar(*absent*)
John Moreland (Vice-Chairman)
Sylvia Osewalt
Scott Cummings (Chairman)

Alternates:

Francis Reddington
Chase Sams

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 held on October 18, 2016.

Correspondence

None

NEW BUSINESS:

(A) Case Number: BOA 16-100179

Name of Applicant: Darsh Woods

Property Address: 21 North 11th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a corner side yard of 2.4 feet in lieu of 10.6 feet required to allow a first and second story deck addition to an existing multifamily dwelling. The existing 2.4 foot for the existing structure was approved via BOA 12-100116, but that approval limited to the then existing improvements for property legally \

described as Lot 10, Block 111, Florida Land Investment Company's Re-Subdivision of Blocks 101.

Applicant: The applicant, Darsh Woods, 21 10th Avenue North, stated that the hardship is that he was limited to as shown, so he cannot do anything than what is on the picture submitted before. He would like to continue the deck across the entire length of the house.

In response to Ms. Osewalt, Mr. Woods stated that this was a nonconforming lot. Mr. Moreland asked Mr. Woods to explain the proposal. Mr. Woods responded that it was an extension to the deck that is elevated. Discussion followed on the proposed deck that Mr. Woods wants to extend from an existing deck.

Public Hearing:

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

Discussion:

Mr. Moreland stated that Mr. Wood has a hardship because the lot is substandard and what is proposed did not interfere with any line of sight for the neighbors.

Roll Call Vote: Ayes – Buck, Cummings, and Moreland.
Nays – Osewalt and Reddington.
The motion was approved 3-2.

(B) Case Number: BOA 16-100180

Name of Applicant: Kimberly Rohner

Property Address: 211 South 35th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a front yard setback of 15 feet in lieu of 25 feet required; for a rear yard setback of 25 feet in lieu of 30 feet required; for 45% lot coverage in lieu of 35% maximum; and for an accessory structure located 3 feet from the property line in lieu of 5 feet required for a new single-family dwelling.

Applicant: The agent for the applicant, Scott Rae, 211 35th Avenue South, stated that the lot was irregularly shaped and the existing house was encroaching on the setbacks. He stated that the new house would increase some setbacks of the structure recently demolished. The house should be the same scale as others in the neighborhood.

Mr. Moreland asked if they had talked to the neighbors. Mr. Rae stated that the only neighbor affected by the proposal had no objections because the setback was

actually greater. Mr. Rae stated that the existing house was 45% lot coverage and he was asking for no greater.

Public Hearing:

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

Discussion:

Mr. Moreland stated he thought it was a severe hardship caused by the shape and size of the lot.

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

(C) Case Number: BOA 16-100182

Mr. Cummings noted that this case was rescheduled for the December 6th meeting.

(D) Case Number: BOA 16-100183

Name of Applicant: Darla Buck

Property Address: 135 North 17th Avenue

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for a foot yard setback of 5 feet in lieu of 20 feet required; for a rear yard setback of 15 feet in lieu of 30 feet required and for 62% lot coverage in lieu of 35% maximum to allow for construction of a single-family dwelling.

Applicant: The agent for the applicant, Bryan Green, 3810 Tropical Terrace, stated that the lot was nonconforming. He stated that the existing setback for the existing house is five feet, and their proposal is the least amount they can ask for to build a dwelling there.

Mr. Moreland noted that rarely does the Board grant more than 50% lot coverage, adding that the proposed house was too much house for the property. Mr. Green stated that the size does not negatively affect the character of the neighborhood. Mr. Moreland asked what the minimum they could work with. Mr. Green noted that they can change the plan to get down closer to 50%.

Public Hearing:

Mr. Rick Knight, 827 8th Avenue North, stated that the setback would bring it in line with the neighborhood. He stated that when he was on the Council they reviewed the Land Development Code which made these lots nonconforming.

Ms. Darla Buck, 136 17th Avenue, stated she was in favor of the application.

Mr. John Atkins, 286 South 1st Street, stated he was in favor with the project. He stated that the Code needs to be addressed, and that they would allow 65% for multifamily. He stated that the front setback sounds large, but it would bring it in line with the other parcels on the street.

Discussion:

Mr. Reddington stated that 62% lot coverage was excessive. Mr. Cummings added that he understood this was a small lot but did not feel comfortable with the amount of lot coverage requested.

Mr. Buck added that it would be nice if the percent lot coverage was lower. He stated that he liked what they were doing with the property but had concerns. Ms. Osewalt added that she thought the lot coverage requested was excessive.

Roll Call Vote: Nays – Osewalt, Reddington, Buck, Cummings, and Moreland.
The motion was denied unanimously.

(E) Case Number: BOA 16-100187

Name of Applicant: Almonaster, LLC

Property Address: 2648 Almonaster Street

Motion to Approve: It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve a request for interior lot widths of 12.08 feet and 12.56 feet each in lieu of 15 feet required, and exterior lot widths of 12 feet and 12.08 feet each in lieu of 25 feet required; for a rear yard setback of 20 feet in lieu of 30 feet required; for parking area setback of 0 feet in lieu of 5 feet along interior property lines, to allow for development of a four-unit townhouse project.

Applicant: The agent for the applicant, David Palaj, 12480 Arrow Leaf Lane, Jacksonville, stated that the hardship is the shape of the lot. He added that they are not trying to maximize the footprint of the building. He added that the building is laid out such that the rear yard setback changes from north to south on the property.

Mr. Reddington asked if this fit into the character of the neighborhood. Mr. Palaj stated it does because there are townhomes backing to the parcel.

Public Hearing:

Mr. Jon McGowan, 5 17th Avenue North, stated that they talked to the community and this was the most important issue facing the City. He stated that putting a town house in this area was part of the problem.

Mr. John Hastie, 2701 Isabella Blvd., stated that any hardships with access were

created by this same developer and encourage them to deny the application.

Ms. Ana Lee, 2653 Isabella Blvd., stated that the applicant built their townhome and they were happy with theirs. She stated that she did not have issues with the proposed request.

Mr. Charles Hutcherson, 359 St. Augustine Blvd., stated that they were here a year ago and the request was denied. He stated that the setbacks were there for a reason and they should abide by the Code. He stated he did not get notice of the request.

Ms. Wendy Lovett, 2653 Isabella Blvd., stated that she lived in the townhouse in the area and expressed her support for the proposal. She stated that her only concern was with Almonaster, which is a very narrow street.

Mr. Michael Garbee, 403 St. Augustine Blvd., stated his backyard was backed in and didn't have a problem with the proposal.

Ms. Karen Hutcherson, 359 St. Augustine Blvd., stated that there would be more neighbors present had they been informed. She stated that her biggest concern was parking, and it would be a safety issue if they were allowed the variance and there would be not enough parking for residents. She also stated that she had concerns with flooding in this area of the City. Mr. Mann clarified how the request would affect parking on this parcel.

Mr. Palaj noted that the previous variance was not what was being requested tonight. He added that the proposal was less than what could be built and impacts were less.

Discussion:

Mr. Moreland stated that they could build more units on the property but that would still require a variance. He thought that this area would be a parking concern, and increase in parking would have an adverse impact on parking.

Mr. Reddington stated that he was concerned with the compatibility with the neighborhood.

Mr. Buck stated that he voted for the previous project, but stated that squeezing four townhomes on this parcel was not a good idea. Mr. Cummings agreed.

Roll Call Vote: Nays – Reddington, Buck, Cummings, Moreland, and Osewalt.
The motion was denied unanimously.

PLANNING DEPARTMENT REPORT

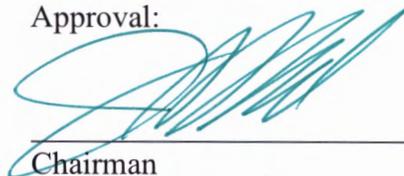
None

Adjournment

There being no further business coming before the Board, Mr. Cummings adjourned the meeting at 8:03 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:



Chairman

Date:

1/18/2017