

**Minutes of Board of Adjustment Meeting  
held Tuesday, February 7, 2017, 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 Chairperson John Moreland.

**Roll Call**

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

Alternates:

Francis Reddington (*absent*)  
Chase Sams

**Ex-parte Communications**

None

**Approval of Minutes**

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

- Board of Adjustment meeting held on December 6, 2016

**Correspondence**

None

**OLD BUSINESS:**

**(A) Case Number: BOA 16-100202**

**Name of Applicant:** Ryan Wetherhold

**Property Address:** 1903 Eastern Drive

**Motion to Approve:** It was moved by Mr. Buck, seconded by Mr. Truhlar, to approve a request for a front yard setback of 22.5 feet in lieu of 25 feet maximum

required and for 45% lot coverage in lieu of 35% maximum, to allow a front and rear porch addition existing single-family dwelling unit.

**Applicant:** The applicant, Mr. Ryan Wetherhold, 19 12<sup>th</sup> Street South, Jacksonville Beach, stated that he was trying to modernize the house. He described how they are going to make it friendlier to the neighborhood. He explained that there is a large pool with a small guesthouse. He explained how the roof configuration does not allow for patio furniture or proper flow. He explained the improvements that will make it a usable area. He explained that the front improvements may not be completed right away.

Mr. Buck asked about the garage. Mr. Wetherhold responded that there was one-car garage that they will retain.

Mr. Truhlar asked about the front yard request. Mr. Wetherhold stated that the property is angled so the request is for the most variance.

Mr. Cummings asked about the lot size. Mr. Wetherhold stated that it was RS-1 so the setback is 25 feet and the lot is substandard and this is more of an RS-2 type lot. He added that they are already over the 35% lot coverage and are only adding a bit to it. Mr. Moreland asked what they could live with for lot coverage. Mr. Wetherhold stated that whatever was submitted and that this was the least amount of lot coverage that is possible.

Mr. Buck asked if they could take down the accessory building. Mr. Wetherhold stated that it could be fixed up and there was no intent of tearing it down.

Mr. Mann asked about the width of the driveway and that could be cutback if possible. Mr. Wetherhold noted that there are many cars at the house across the street that use their side of the road to park.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated that the rule of proportionality shows that this would be 34% lot coverage if the lot was of conforming size.

Mr. Cummings stated that this was an improvement.

**Amended Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Buck, to approve a request for a front yard setback of 22.5 feet in lieu of 25 feet

maximum required and for 45% lot coverage in lieu of 35% maximum, to allow a front and rear porch addition existing single-family dwelling unit, as presented and discussed.

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

## **NEW BUSINESS**

### **(A) Case Number: BOA 16-100218**

**Name of Applicant:** Christopher Rood

**Property Address:** 505 North 9<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Buck, seconded by Mr. Truhlar, to approve a request for a rear yard setback of 10.9 feet in lieu of 30 feet required and for 44% lot coverage in lieu of 35% maximum, to allow an addition to an existing single-family dwelling.

**Applicant:** The applicant, Mr. Chris Rood, 505 9<sup>th</sup> Street North, Jacksonville Beach, stated that he is asking to increase the setback by six feet for a two-car garage. He stated that he is the owner and not Teen Age Homes as shown.

Mr. Mann explained where the side yards and rear yard were on the property. He explained the variance, as being requested to provide a two-car garage. Mr. Moreland stated that it appears that they are going into the side yard and not the rear yard. Mr. Mann noted that when built the house respected 5<sup>th</sup> Street as the front yard, and he conceded that it was confusing.

Mr. Cummings asked about the alley. Mr. Rood responded that it was blocked off by a shed.

Mr. Buck asked if the neighbors had been contacted. Mr. Rood stated that the neighbor to the east agreed with it, and the other neighbor was present tonight.

### **Public Hearing:**

Mr. James Maguire, 837 4<sup>th</sup> Avenue North, Jacksonville Beach, stated that he owned the property to the south and provided a handout to the Board. He stated that he had several concerns with the proposed variance. He stated that reducing this setback by 19 feet places the structure too close to his property. He stated that this proposal would devalue his home.

Mr. Buck asked about the alley between the two properties and whether it has been incorporated into his property. Mr. Maguire responded that the fence was built for privacy and rebuilt after Hurricane Matthew. Mr. Moreland asked if his deck goes to the property line. Mr. Maguire responded yes.

Mr. Rood noted that the current variance is already 19 feet and he is only asking for six more feet. Mr. Mann asked if his one-car garage could be remodeled with the existing variance. Mr. Rood stated no because they intent to do a second story and the existing garage would be a family room, with a kid's room over the new garage.

**Discussion:**

Mr. Buck stated that he was struggling with the amount of the request. Mr. Cummings stated that he needed some space but the amount requested was not a hardship.

Mr. Mann stated that a denial of this variance application would not affect the existing variance in place.

**Roll Call Vote:** Nays – Cummings, Moreland, Truhlar, Sams, and Buck.  
The motion was denied unanimously.

**(B) Case Number: BOA 16-100223**

**Name of Applicant:** South Jax Beach, LLC

**Property Address:** 53 South 37<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Buck, seconded by Mr. Truhlar, to approve a request for a westerly sideyard of 7.1 feet and an easterly side yard of 9.6 feet, each in lieu of 10 feet required; for a rear yard of 19.6 feet in lieu of 30 feet required; and for 38.7% lot coverage in lieu of 35% maximum to allow substantial improvement to an existing single-family dwelling.

**Applicant:** The applicant, Rick Johnston, 3528 Ocean Drive South, Jacksonville Beach, stated that this was a nonconforming lot and the intent was to remodel the existing structure and incorporate some perimeter improvements. Mr. Mann noted that the proposed remodel exceeded 50% of the value of the structure which makes the variance necessary, to ratify the existing nonconformities relative to the structure.

**Public Hearing:**

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

**Discussion:**

Mr. Truhlar noted that the air conditioning pads were adding to the space.

Mr. Moreland stated that this was a minimal request. Mr. Buck agreed stating that they were basically approving the footprint already there.

**Roll Call Vote:** Ayes -- Truhlar, Sams, Buck, Cummings, and Moreland.  
The motion was approved unanimously.

**Planning Directors Report**

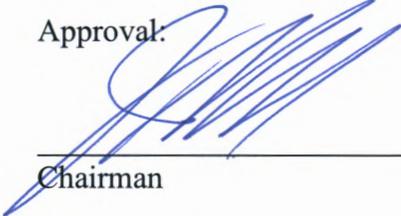
Mr. Mann noted that there were two items on the agenda for the February 21, 2017 meeting.

**Adjournment**

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:55 P.M.

Submitted by: Amber Maria Lehman  
Senior Secretary

Approval:

  
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Chairman

Date: 4/4/17