

**Minutes of Board of Adjustment Meeting
held Tuesday, March 21, 2017, 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 Chairperson John Moreland.

Roll Call

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

Alternates:

Francis Reddington
Chase Sams

Ex-parte Communications

None

Approval of Minutes

None

Correspondence

Mr. Moreland noted that there was one letter that would be read when that agenda item was addressed.

NEW BUSINESS:

(A) Case Number: BOA 17-100011

Name of Applicant: The Discovery School of Jacksonville, Inc.

Property Address: 102 South 15th Street

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a rear yard of 10 feet in lieu of 30 feet required, to allow for temporary classroom buildings on an existing approved conditional use private school.

Applicant: The agent for the applicant, Brandon Speeg, 102 15th Street South, Jacksonville Beach, stated that they were granted a ten-foot variance in 2015 to allow for traffic stacking, which allows them to stack vehicles to keep them off 15th Street. He stated that they needed three temporary buildings to accommodate growth, and until they could raise funds for the permanent building.

Mr. Mann stated that the Planning Commission had approved the single-building plan, and this was an interim proposal. Mr. Cummings asked if they approved the temporary classrooms would that apply to the building itself. Mr. Mann stated yes. Mr. Mann stated that the ten-foot variance was for the permanent structure.

Mr. Speeg noted that these classrooms would be on the parcels that they just purchased. Mr. Reddington asked about a timeline. Mr. Speeg responded five years was granted by the Planning Commission.

Public Hearing:

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

Discussion:

Mr. Reddington noted that they should make a motion adding the five-year timeline for the variance.

Amended Motion to Approve: It was moved by Mr. Truhlar and seconded by Ms. Osewalt, to approve a request for a rear yard of 10 feet in lieu of 30 feet required, to allow for temporary classroom buildings on an existing approved conditional use private school for a period matching the period adopted by the Planning Commission not to exceed five years.

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

(B) Case Number: BOA 17-100020

Name of Applicant: Kevin Newsome

Property Address: 1125 North 13th Avenue

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for 47% lot coverage in lieu of 35% maximum, and for accessory structure setback of one foot in lieu of five feet minimum along the easterly property line, to allow a swimming pool and deck addition to an existing single-family dwelling.

Applicant: The applicant, Mr. Kevin Newsome, 1125 13th Avenue North, Jacksonville Beach, stated that the previous owner took up 35% lot coverage. He stated that he wanted to add a pool. He added that the one-foot setback is for the pool equipment, not an enclosure or a deck. Mr. Buck asked if they could put it on the west side. Mr. Newsome stated that they would have to cut ceilings to run power to it and that would be too costly.

Mr. Buck stated that the drawing shows the pool equipment on the west side. Mr. Newsome stated that they had changed that plan.

Mr. Cummings noted that this is a nonconforming lot due to size, noting 10,000 square feet was the minimum. Discussion followed on why the pool equipment would be better situated on the east side of the house.

Public Hearing:

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

Discussion:

Ms. Osewalt stated that she had an issue with the one-foot setback. Mr. Cummings stated that he agreed. Mr. Buck stated that his pool equipment makes very little noise.

Mr. Moreland stated that the request is only 35.5% of a conforming sized lot.

Motion to Approve: It was moved by Mr. Truhlar, seconded by Mr. Cummings, to approve a request for 47% lot coverage in lieu of 35% maximum to allow a swimming pool and deck addition to an existing single-family dwelling.

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

Roll Call Vote on Original Motion: Ayes – Buck.
Nays– Cummings, Moreland, Osewalt, and Truhlar.
The original motion was denied 4-1.

(C) Case Number: BOA 17-100021

Name of Applicant: Scott and Gail Lewis

Property Address: 3625 South Ocean Drive

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a front yard setback of 21.5 feet in lieu of 25 feet required to allow an addition to the front of an existing single-family dwelling.

Applicant: The applicant, Scott Lewis, 3625 Ocean Drive South, Jacksonville Beach, stated that the road angles such that the house is positioned so that there is less space on one side of the house. He stated that the intent is to add to the garage. Mr. Mann explained what the request entailed.

Public Hearing:

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

Discussion:

Ms. Osewalt thanked Mr. Mann for the explanation of the request. She stated that the request was for a small portion of the addition and not for the full width of the structure.

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

(D) Case Number: BOA 17-100027

Name of Applicant: Adam Papka

Property Address: 1306 and 1308 South 1st Street

Motion to Approve: It was moved by Ms. Osewalt, seconded by Mr. Truhlar, to approve a request for a front yard setback of nine feet in lieu of 20 feet required; for side yards of five feet each in lieu of ten feet required; for a rear yard setback of ten feet in lieu of 30 feet required; and for 58.7% lot coverage in lieu of 35% maximum to allow construction of a new two-family dwelling.

Applicant: The applicant, Adam Papka, 1306 1st Avenue South, Jacksonville Beach, stated that there were setbacks granted in 2008 and they weren't asking for much more. This request will allow for a more marketable product. He stated that the second floor is held by columns that resulted in the nine-foot request. Mr. Papka explained how this request different from the one approved in 2008.

Mr. Moreland compared this request with the one denied a few months ago, noting the changes from that request.

Ms. Osewalt noted that a reason for the request, the rent amount, is not a hardship. Mr. Cummings noted that in 2008 he was approved for 58% and this request was

for 58.7%. Mr. Moreland noted that the lot coverage was not necessary. Mr. Papka agreed that they could fall within the 58%. Mr. Moreland agreed that this lot did constitute a severe hardship.

Public Hearing:

Ms. Osewalt read a letter from Ms. Lillian Park, 112 13th Avenue South, opposing the request. Ms. Park's letter stated that this would be an invasion of her property.

Ms. Heather Weber, 1306 1st Street South, stated that there was damage to the structure from the hurricane and it could not be retained.

Mr. Steve Calta, 5601 Soaring Eagle Court, stated that they had to realize what existed there now. He stated that there had to be some sort of variance to build anything. He stated that he had requested the variance in 2008 without consulting a contractor, and this request was much more functional. He stated that the current structure coverage is 70% lot coverage. He noted that the first floor entry is still 18 feet setback, but with the columns they needed to request it to nine feet.

Mr. Jim Brennan, 1301 1st Street South, Unit 901, Jacksonville Beach, stated that the five-foot side setback will be the beginning of other changes in this area. He expressed concern that cars would be parked over the sidewalk.

Mr. George Pisacano, 1359 2nd Street South, Jacksonville Beach, stated that his units have ten-foot setbacks and that is even tight. He thought this request was being driven by economics and not hardship.

Mr. Papka stated that the people on either side of the property have less setbacks than what they are asking for, and they are asking for less variance than what exists now on the north side.

Discussion:

Mr. Cummings stated that we are basically addressing changes from what was granted in 2008. He stated that he did not think the additional variance was not good for the community. Ms. Osewalt agreed that there would be issues with flooding.

Mr. Moreland stated that they could construct a duplex with the existing variances, so they had a choice, or they have the option to request a single-family dwelling.

Roll Call Vote: Ayes –Buck.

Nays – Osewalt, Truhlar, Cummings, and Moreland.

The motion was denied 4-1.

Planning Directors Report

Mr. Mann stated that they would like to have a training session at the April 4 meeting.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:57 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:



Chairman

Date: 4/18/17