

**Minutes of Board of Adjustment Meeting
Held Tuesday, August 1, 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 Chairman Moreland.

Roll Call

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

Alternates:

Francis Reddington
Chase Sams

Ex-parte Communications

There were none.

Approval of Minutes

There were no minutes to approve.

Correspondence

There was no correspondence.

NEW BUSINESS:

(A) Case Number: BOA 17-100109

Name of Applicant: Patterson Land Company, LLC

Owner: Peter H. Besrutschko

Property Address: 422 South 2nd Street

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)c.3., for a rear yard of 5 feet, in lieu of 30 feet required; 34-340(e)(3)e., for 67.6% lot coverage, in lieu of 65% maximum; to allow a covered porch addition to an existing multi-family dwelling.

Applicant: The owner, Peter Besrutschko, 3969 Thomas Road, Green Cove Springs, FL, stated that the building was built in the 30s and the adjacent building was constructed in 2004. There is an alleyway between the two parcels. He stated that it is already five feet from the structure, adding that this request is equal to what is already there. He added that this would help to stop people from using this alleyway for other activities. He added this will help provide washer and dryer hookups for the units.

Mr. Moreland asked if the additional coverage was essential. Mr. Besrutschko responded yes.

Mr. Buck noted that there was a variance in 2005 for a northerly side yard and parking variance. He asked the applicant to clarify what will be constructed with this variance.

Ms. Osewalt noted the six requirements to consider. She stated that the parcel is usable.

Mr. Cummings asked about the deck in the northwest corner that appears to go past the lot line. Mr. Besrutschko stated that at one time both lots were together. Mr. Cummings asked if the deck was there in 2005 and why it wasn't in the variance application back then.

Mr. Moreland asked if there was concrete on the lot that could be eliminated. Mr. Besrutschko summarized the concrete that could go.

Public Hearing:

There was no one present to speak about the case.

Discussion:

Mr. Buck noted that the applicant was willing to remove concrete and address the property line issue. Mr. Moreland stated that the question was do we want to remove the portion of the deck that crosses the property line.

Motion: It was moved by Ms. Osewalt to deny the variance because the request was not the minimum for the property. Motion died for lack of a second.

Motion: It was moved by Mr. Cummings to approve the request for a rear yard of 5 feet in lieu of 30 feet as stated and described to allow a covered porch addition; as described, seconded by Mr. Reddington.

Roll Call Vote: Ayes – Buck, Cummings, Moreland, and Reddington,
Nays - Osewalt.
Motion approved by 4-1 vote.

(B) Case Number: BOA 17-100111

Name of Applicant: James M. Raymond

Property Address: 213 South 30th Avenue

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e., for 60% lot coverage in lieu of 35% maximum; 34-336(e)(1)g., for accessory structure setbacks of 0 feet on the west side, 1.5 on the north side, and 1.4 feet on the east side, each in lieu of 5 feet required, to ratify existing nonconformities related to an existing single-family dwelling.

Applicant: The applicant, James Raymond, 213 30th Avenue South, stated that lot was a substandard sized lot of 6000 square feet. He stated that they were trying to replace the original wooden deck. Mr. Raymond's intentions is to replace material of different types with one standard material.

Ms. Ireland noted that this was an existing non-compliant lot prior to Mr. Raymond purchasing the property. Mr. Raymond stated that there was no objection from the neighbors. Mr. Moreland stated that he had talked to a neighbor who had no objections.

Mr. Cummings noted that he was concerned that anyone could put up pavers and be non-compliant and then get a variance. Mr. Cummings asked if they would be willing to go with less coverage. Mr. Raymond stated that the driveway takes up about 20% of the lot and this was the minimum.

Mr. Moreland stated that if this was a 10,000 square foot lot there is less than 35% lot coverage. Mr. Raymond stated that there are no drainage issues there today.

Mr. Cummings asked if the vinyl shed could be moved. Mr. Raymond stated that it has been there a long time and would be difficult to move.

Public Hearing:

There was no one present to speak about the case.

Discussion:

Mr. Buck noted that cases of previous non-conformities over the 50% lot coverage make it a difficult decision. He noted that this was not Mr. Raymond's doing.

Motion: It was moved by Mr. Buck to approve the application as was read into the record. The motion was seconded by Mr. Cummings.

Roll Call Vote: Ayes – Moreland and Buck.
Nays – Cummings, Osewalt, and Reddington.
The motion to approve the application was denied 3-2.

(C) Case Number: BOA 17-100115

Name of Applicant: Cody Putnal

Property Address: 1814 North 7th Street

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2., for a northerly side yard of 7 feet, in lieu of 10 feet required; to allow an addition to an existing single-family dwelling.

Applicant: The applicant, Cody Putnal, 1814 7th Street North, stated that the house is 900 square feet with one bathroom.

Mr. Buck noted that the lot is 8800 square feet so it is nonconforming in size. Mr. Putnal stated that they want to add a bedroom and bathroom on the side where it is 7 feet setback already and they can't add it to the other side.

Public Hearing:

There was no one present to speak about the case.

Discussion:

Mr. Cummings noted that it was a pre-existing 7 feet and there was no lot coverage variance request.

Motion: Ms. Osewalt moved to approve the application as read into the record. The motion was seconded by Mr. Reddington.

Roll Call Vote: Ayes – Reddington, Buck, Cummings, Moreland, and Osewalt.
Motion to approve the application was approved unanimously.

(D) Case Number: BOA 17-100116

Name of Applicant: Mal Washington

Owner: DLRE, LLC

Property Address: 424 Lower 8th Avenue South

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.3., for a rear yard setback of 15 feet, in lieu of 30 feet required; 34-337(e)(1)e., for 43.7% lot coverage, in lieu of 35% maximum; to allow construction of a single-family dwelling.

Applicant: The applicant, Mal Washington, 554 Jacksonville Drive, stated that the lot is non-conforming of a 50x100 size. He stated that there is the inability to build a dwelling without this variance. He thought this request was the minimum that they could offer to build a single family dwelling.

Mr. Buck asked if there were any issues with the neighbors. Mr. Washington responded that he had not talked to the neighbors.

Mr. Buck noted that a single family dwelling was preferable to what could be constructed. Ms. Osewalt stated that the request was less than what could have been requested. Mr. Washington stated that they went with a little bit less than other plans for similar lots.

Public Hearing:

There was no one present to speak about the case.

Discussion:

Mr. Buck noted that the lot was under-sized and he was asking for less than he could ask for.

Motion: Ms. Osewalt moved to approve the application as read into the record. The motion was seconded by Mr. Cummings.

Roll Call Vote: Ayes – Buck, Cummings, Moreland, Osewalt, and Reddington. Motion to approve the application was approved unanimously.

(E) Case Number: BOA 17-100121

Name of Applicant: Adam Burnett

Property Address: 926 North 5th Avenue

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)c.1., for a front yard setback of 8.8 feet, in lieu of 20 feet required; 34-337(3)(1)e., for 47% lot coverage, in lieu of 35% maximum; to allow a one-car garage addition to an existing single-family dwelling unit.

Applicant: The applicant, Adam Burnett, 926 5th Avenue North, stated that the zoning requires all units to have a garage. He stated that he would like to build a carport to meet this requirement.

Mr. Moreland asked why he was not in compliance. Mr. Burnett stated that the previous owners asked for a variance to get rid of the carport and build a bedroom, which was denied. However, they removed the carport anyway.

Mr. Moreland asked for clarification if it was a garage or a carport, stating that he would be opposed to a garage. Mr. Burnett stated that it was a carport. Discussion followed on the design of the garage.

Public Hearing:

There was no one present to speak about the case.

Discussion:

Ms. Osewalt noted that the lot was nonconforming. Mr. Buck stated that the proposed carport should not affect the line of sight, as would a garage.

Motion: Mr. Buck moved to approve the application as read into the record, amending the motion to reference a carport and not a garage. The motion was seconded by Mr. Reddington.

Roll Call Vote: Ayes – Cummings, Moreland, Osewalt, Reddington, and Buck.
Motion to approve the application was approved unanimously.

Public Comment

Mr. Richard Withers stated that he represented a case that was denied at the last meeting and request that it be added to the next agenda.

Planning Directors Report

Ms. Ireland introduced Mr. George Knight, the new Building Official.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 7:51 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

April Osewalt
Co-Chairman

Date: 10/17/2017