

**Minutes of Board of Adjustment Meeting
held Tuesday, April 3, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Sylvia Osewalt called the meeting to order.

ROLL CALL

Chairperson: Sylvia Osewalt
Vice-Chairman: Jeff Truhlar
Board Members: Thomas Buck, Scott Cummings (*absent*), John Moreland
Alternates: Francis Reddington, Lucas Snyder

Also in attendance was George Knight, Building Official, and Cathy Martinich, Permit Specialist.

Ex-parte Communications

No one had Ex-parte communications

Approval of Minutes

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

- March 20, 2018

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) **Case Number: BOA 18-100024**

Name of Applicant: Frank Marrero, 9 Kips Ridge, Verona, New Jersey 07044

Property Address: 122 North 15th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-340(e)(3)e., for 75% lot coverage, in lieu of 65% maximum; and for 34-340(e)(3)g., for an accessory structure setback of 0 feet in lieu of 5 feet required; to allow for deck additions to an existing non-conforming multi-family dwelling, for property legally described as Lot 17, *Flagler Tract*.

Mr. Marrero explained the purchased property was a non-conforming multi-family dwelling because of the zero lot line and the non-conforming construction of the building. Mr. Marrero stated a deck was installed on the second floor due to the absence of decking outside of the sliding glass doors. He explained the contractor built the decks without a building permit, and

after the fact, it was discovered permits were required. Lot coverage and required parking were discussed.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Buck, and seconded by Mr. Moreland, to approve BOA# 18-100024, as written and discussed, with no southwest deck to be added.

Roll Call Vote: Ayes – Thomas Buck, Jeff Truhlar, Francis Reddington, John Moreland
Nays - Sylvia Osewalt
The motion was approved, with a 4 to 1 vote.

(B) Case Number: BOA 18-100027

Name of Applicant: Trisa Saalfield, 214 South 30th Avenue, Jacksonville Beach, FL 32250

Property Address: 214 South 30th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 45% lot coverage, in lieu of 35% maximum; for 34-336(e)(1)g., for an accessory structure setback of 4.2 feet in lieu of 5 feet required; to allow construction of a new single-family dwelling, for property legally described as Lot 12, Block 21, *Unit No. One, Atlantic Shores*.

Agent: Scott Rae, 345 South Roscoe Boulevard, Ponte Vedra Beach, FL 32082

Mr. Rae stated the existing dwelling is a non-conforming structure, and the lot coverage is currently at 51%. He stated the plans of the new owners would be to demolish the existing house and rebuild a new house, which would result in decreasing the lot coverage to 45%. Mr. Rae stated it is also intended to use the existing swimming pool, have driveway access, and install miscellaneous pavers throughout the property. Mr. Rae stated the lot coverage would be reduced as much as possible to obtain the desired plans for the new home. It was noted the front width of the lot is only 50 feet, which is non-conforming.

Public Hearing:

Eric Geller, 204 South 30th Avenue, Jacksonville Beach, FL 32250 spoke in favor of the application.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Moreland, and seconded by Mr. Truhlar, to approve BOA # 18-100027, as presented and discussed.

Roll Call Vote: Ayes - Thomas Buck, Jeff Truhlar, Francis Reddington, John Moreland, and Sylvia Osewalt.

The motion was approved, unanimously.

(C) Case Number: BOA 18-100028

Name of Applicant: DSM Renovation, LLC, 1433 A1A South, Ponte Vedra Beach, FL 32082

Property Address: 10 San Pablo Circle North, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336 (e)(1)c., for a rear yard setback of 15 feet, in lieu of 30 feet required; to allow construction of a new single-family dwelling, for property legally described as Lot 8, Block 3, *San Pablo Manor*.

Agent: Ben Broadfoot, Designer, 422 South 3rd Street, Jacksonville Beach, FL 32250

Mr. Broadfoot stated his client would like to build a new, one story home with the intent of matching with the rest of the homes in the neighborhood. He stated due to the irregularly shaped lot, a variance was requested for a rear yard setback. The 15 feet rear yard request was discussed as well as by design, repositioning the house. A discussion ensued regarding the location of the driveway.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Truhlar, and seconded by Mr. Reddington, to approve BOA# 18-100028, as submitted and discussed.

Roll Call Vote: Ayes – Jeff Truhlar, Francis Reddington, John Moreland, Sylvia Osewalt, and Thomas Buck.

The motion was approved, unanimously.

(D) Case Number: BOA 18-100029

Name of Applicant: Martin T. Durkin, 31 San Pablo Circle North, Jacksonville Beach, FL 32250

Property Address: 31 San Pablo Circle North, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 43.4% lot coverage, in lieu of 35% maximum; to add a front porch to an existing single-family dwelling, for property legally described as Lot 3, Block 4, *San Pablo Manor*

Applicant: Jessica Durkin, 31 San Pablo Circle North, Jacksonville Beach, FL 32250

Mrs. Durkin stated they would like to increase the length of the front porch, to have a shaded area in the front of the house. Lot coverage and possible placement of concrete were discussed.

It was noted and strongly encouraged to remove portions of the concrete already in place in the backyard area. It was also noted the shape of the lot is non-conforming. Mrs. Durkin stated her husband was not able to attend the hearing because of a death in the family.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Moreland, and seconded by Mr. Buck, that BOA # 18-100029 be approved, along with strong encouragement that they remove the concrete in the backyard.

Roll Call Vote: Ayes – Francis Reddington, John Moreland, Sylvia Osewalt, Thomas Buck, and Jeff Truhlar.
The motion was approved, unanimously.

(E) Case Number: BOA 18-100030

Name of Applicant: Thomas (Mark) and Taryn Hannah, 1213 North 10th Street Jacksonville Beach, FL 32250

Property Address: 1213 North 10th Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2, for 47.5% lot coverage in lieu of 35% maximum, to allow a pool deck and patio addition to an existing single-family dwelling, for property legally described as Lot 11, Block 12, *Beaches Homesites Unit 2*.

Agent: Gary Carlee, 1129 Sabago Avenue South, Atlantic Beach, FL 32233

Mr. Carlee stated the hardship of the lot is that it is a non-conforming lot and is in the RS-1 zone for 10,000 sq. feet and the property is 7,500 sq. feet. Mr. Carlee also explained that the survey submitted with the application was determined by City staff to be outdated. Once an updated survey was submitted, it showed the pavers and driveway accurately. Mr. Carlee stated the owners have removed 450 sq. feet of pavers that were on the property at the time of their purchase.

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Buck, and seconded by Mr. Moreland, that BOA# 18-100030, be approved with the exception of 34-336(e)(1)c.2, for 46% lot coverage in lieu of 35% maximum, to allow a pool deck,

Roll Call Vote: Ayes – John Moreland, Sylvia Osewalt, Thomas Buck, Jeff Truhlar, and Francis Reddington

The motion was approved, unanimously.

(F) Case Number: BOA 18-100038

Name of Applicant: Barbara and Robert Pape, 1203 Salt Creek Island Drive, Ponte Vedra Beach, FL 32082

Property Address: 3809 Duval Drive, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)c.2., for a northerly side yard setback of 7 feet in lieu of 10 feet required; and a southerly side yard setback of 3 feet in lieu of 10 feet required; 34-336(e)(1)e., for 43.2% lot coverage, in lieu of 35% maximum; 34-336(e)(1)g., for an accessory structure setback of 3 feet, in lieu of 5 feet required; to allow construction of a new single-family dwelling with a pool and patio (in the side yard), oceanfront, for property legally described as Lot 4, Block D-5, *Ponte Vedra*.

Applicant: Barbara and Robert Pape, 1203 Salt Creek Island Drive, Ponte Vedra Beach, FL 32082

Mr. Pape stated their hardship is the lot is a 50 feet wide, slightly conforming property, but non-conforming because of the front building line. It is an oceanfront lot, entirely east of the coastal construction line, requiring them to adhere to the City of Jacksonville Beach and DEP (Department of Environmental Protection) requirements. Mr. Pape stated the challenge has been trying to reach the square footage concurrent with the other properties in the neighborhood. He explained the DEP requires them to build the bottom beam of the lowest level be at 17 feet above sea level. They are also building a flat roof, which would allow the house to remain at the 35-foot height requirement. He states the first level would be a garage and would be uninhabitable. Mr. Pape stated he would be willing to remove brick and paver paths to reduce lot coverage.

Mrs. Pape submitted signatures of several neighbors, in favor of their construction plans [on file]

Public Hearing:

No one came forward to speak about the case.

Ms. Osewalt closed the public hearing.

Motion: It was moved by Mr. Buck, and seconded by Mr. Moreland, that BOA# 18-100038 be approved, as shown and discussed.

Roll Call Vote: Ayes – Sylvia Osewalt, Thomas Buck, Jeff Truhlar, Francis Reddington, and John Moreland.

The motion was approved, unanimously.

Mr. Thomas Buck announced at the end of the meeting he would no longer be serving on the Board of Adjustment and would be resigning from his seat effective immediately.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 8:17 P.M.

Submitted by: Cathy Martinich
Permit Specialist

Approval:

Sylvia Osewalt
Chairperson

4/17/2018
Date