

Minutes of Board of Adjustment Meeting  
held Tuesday, May 5, 2015, 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 Chairman Osewalt.

**Roll Call**

Tom Buck  
Joseph Loretta  
John Moreland  
Sylvia Osewalt, Chairman  
Scott Cummings, Vice-Chairman *Absent*

Alternates:  
Jeff Truhlar  
Francis Reddington

**Ex parte Communications**

There were no ex parte communications.

**Approval of Minutes**

It was moved by Mr. Loretta, seconded by Mr. Moreland, and passed, to approve the minutes for April 21, 2015 meeting minutes as presented.

**Correspondence**

There was no correspondence.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**(A) Case Number: BOA 15-100048**

**Name of Applicant:** Michael and Valoree McLean

**Property Address:** 8235 Gonzales Avenue

**Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Loretta, to approve a request for a front yard of 12 feet in lieu of 20 feet required; for an easterly side yard of 1 foot in lieu of 5 feet required, and for 37% lot coverage in lieu of 35% maximum to allow for improvements to a non-conforming two-family dwelling.

**Applicant:** The applicant, Michael McLean, 15431 SW 176 Lane, Miami, stated that the request was so they could make improvements to the property which would make it a more aesthetically pleasing home and improve property values of homes in Jacksonville Beach.

Ms. Osewalt asked what the hardship was in this case.

Mr. McLean responded that they were unable to make the improvements that they wanted within the constraints of the required setbacks and lot coverage and felt that the requests were necessary to allow for needed improvements.

**Public Hearing:**

Ms. Osewalt asked if there was anyone present to speak in favor of or in opposition to the request.

Mr. Louis Constantine, 700 South 8<sup>th</sup> Ave., expressed his opinion on the proposed change.

**Discussion:**

Mr. Moreland expressed concerns about reducing the five foot setback requirement to one foot.

Mr. Loretta agreed, stating that he thought the improvements could be made within the required five feet setback.

**Amended Motion:** An amended motion was made by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a front yard of 12 feet in lieu of 20 feet required, establish side yard of 1 foot in lieu of 5 feet required, and for 37% lot coverage in lieu of 35% maximum to allow for improvements to a non-conforming two-family dwelling, to be guttered and outfall to Lower 8<sup>th</sup> Avenue South.

**Roll Call Vote on Amended Motion:** Ayes – Loretta and Buck  
Nays – Moreland, Osewalt, Truhlar  
Amended motion denied with a 3-2 vote.

**Roll Call Vote on Original Motion:** Nays – Moreland, Buck, Truhlar, Osewalt, Loretta  
Motion denied unanimously.

**(B) Case Number: BOA 15-100050**

**Name of Applicant:** JWB Construction Group, LLC

**Property Address:** 813 2<sup>nd</sup> Avenue South

**Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve a request for side yards of 7.5 feet in lieu of 10 feet required, and for 46% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling.

**Applicant:** The applicant, Alex Sifakis, 440 7<sup>th</sup> Avenue South, stated this was a pretty standard non-conforming lot that was 50 ft. X 125 ft., where 60 feet was the standard. This request was less than others that have been approved in this neighborhood, and they were given the same variance for other property that they built in the area.

Ms. Osewalt pointed out that on Page 2 the lot size is in error, and clarified that the lot was 50 ft. X 125 ft.

Mr. Moreland asked if it was going to be 2 stories. Mr. Sifakis responded yes.

**Public Hearing:**

Ms. Osewalt asked if there was anyone present to speak in favor of or in opposition to the request.

Lauren Trexler, 411 3<sup>rd</sup> Ave. South, Unit A, submitted a card in favor of the change but did not wish to address the Board.

Ian McKillop, 411 3<sup>rd</sup> Ave. South, Unit B, stated that he was in favor of the change. He thought that it would help revitalize the neighborhood.

**Discussion:**

Mr. Loretta noted that this was less than others that were requested and approved with this applicant and thought this would be an asset.

**Amended Motion:** It was moved by Mr. Buck, seconded by Mr. Loretta, to approve a request for side yards of 7.5 feet in lieu of 10 feet required, and for 46% lot coverage in lieu of 35% maximum to allow for a new two-family dwelling as shown and discussed.

**Roll Call Vote:** Ayes – Moreland, Truhlar, Buck, Osewalt, Loretta  
Amended motion approved unanimously.

**(C) Case Number: BOA 15-100054**

**Name of Applicant:** Michael Stanton

**Property Address:** 1047 Osceola Avenue

**Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Loretta, to approve a request for 49% lot coverage in lieu of 35% required to allow for a swimming pool addition to a single family dwelling.

**Applicant:** The applicant, Michael Stanton, 1047 Osceola Avenue, stated that the property was undersized compared to other lots, and they would like add a pool. He stated that less than 50% lot coverage request was reasonable.

Mr. Loretta asked Mr. Hays why the application states that the pool deck takes them to 45% lot coverage, so why was 49% the request.

Mr. Hays stated that he calculated it and corrected it from what was in the application.

Mr. Stanton added that they were building stairs off their lanai and asked if they would need a variance. Mr. Loretta responded that the stairs were part of this and no variance was necessary beyond this request.

**Public Hearing:**

There was no one present to speak in favor or in opposition to the proposal.

**Discussion:**

Mr. Loretta stated that the deck was adding to what was already lot coverage over the requirement.

Mr. Buck stated that the extra area around the deck didn't seem excessive.

Mr. Loretta thought that they could move the stair well and this would reduce the request, but thought this request was acceptable.

**Roll Call Vote:** Ayes – Moreland, Truhlar, Buck, Osewalt, Loretta  
Motion approved unanimously.

**(D) Case Number: BOA 15-100056**

**Name of Applicant:** Christopher Martin

**Property Address:** 1122 14<sup>th</sup> Avenue North

**Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Loretta, to approve a request for a rear yard of 27.26 feet in lieu of 30 feet required to allow for an addition to a single family dwelling.

**Applicant:** The applicant, Cliff Fealum, 2915 Hodges Blvd., stated that they are requesting to add an enclosure to the house and they had a lot of backyard remaining.

**Public Hearing:**

There was no one present to speak in favor or in opposition to the proposal.

**Roll Call Vote:** Ayes – Moreland, Truhlar, Buck, Osewalt, Loretta  
Motion approved unanimously.

**(E) Case Number: BOA 15-100059**

**Name of Applicant:** John Atkins

**Property Address:** 107 3<sup>rd</sup> Avenue South

**Motion to Approve:** It was moved by Mr. Truhlar, seconded by Mr. Loretta, to approve a request for a front yard of 10 feet in lieu of 20 feet required for the two easterly units, for 4 foot side yards in lieu of 10 feet required, for 8 foot rear yards for the two westerly units and 4 foot rear yard for the two easterly units, in lieu of 30 feet required, and for 58% for the westerly units and 59% for the easterly units in lieu of 35% maximum lot coverage to allow for two, two-family dwellings.

**Applicant:** The applicant, John Atkins, 731 Holly Lane, stated that they had 4 units facing 3<sup>rd</sup> Ave. South and that there was a previous variance. They were changing the orientation of the building and the setbacks will need to be changed because of that. The actual dimensions of the building will not be changed.

Mr. Loretta asked about the proposal, stating that the request was different. Mr. Atkins stated that the request was the same but change in orientation changed the setbacks. Mr. Moreland stated that the driveway is 10 feet long before it got to the sidewalk. Mr. Atkins responded that for this unit they had a two-car garage.

Mr. Loretta stated that he had concerns about that unit that had 10 feet. Mr. Atkins stated that the project would not be viable if they had to tuck it back 20 feet and that there were several projects that had 10 feet along 1<sup>st</sup> Street. Mr. Atkins stated that there were others and that this was not a usual case.

Mr. Buck noted that they had turned down several projects that were 18 feet because there is no way you could park a car without interfering with the sidewalk. Mr. Atkins stated that he thought 20 feet was necessary and would give 10 feet on the second floor.

**Public Hearing:**

There was no one present to speak in favor or in opposition to the proposal.

**Discussion:**

