

Minutes of Board of Adjustment Meeting  
held Tuesday, July 21, 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

Alternates:

Jeff Truhlar *Absent*  
Francis Reddington *Absent*

**Ex parte Communications**

There were no ex parte communications.

**Approval of Minutes**

There were no minutes to approve.

**Correspondence**

There was no correspondence.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**(A) Case Number: BOA 15-100115**

**Name of Applicant:** David & Nazare Hayes

**Property Address:** 914 7<sup>th</sup> Avenue North

**Motion to Approve:** It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for lot coverage of 39% in lieu of 35% maximum to allow for a new swimming pool at an existing structure.

**Applicant:** The applicant, Mike Quintal, Blue Haven Pools, stated that the Hayes bought a house that they thought had plenty of room for a pool. He added that there is no sidewalk out front and the yard slopes.

**Public Hearing:**

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

**Discussion:**

Mr. Moreland stated that he thought that this was a minimal request.

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

**(B) Case Number: BOA 15-100108**

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

**Property Address:** 414 Lower 8<sup>th</sup> Avenue South

**Motion to Approve:** It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for total (both) side yards of 10 feet in lieu of 15 feet required, for a rear yard of 20 feet in lieu of 30 feet required; and for 50% lot coverage in lieu of 35% maximum to allow for a new single family dwelling.

**Applicant:** The applicant, Alex Sifakis, 440 7<sup>th</sup> Avenue South, stated that this was a non-conforming 50 ft. X 100 ft. lot. This was a pretty standard variance. The reason they were asking for 5 ft. each side yards is because they were doing a one-story home like other houses in this area.

Mr. Buck asked if he had checked with neighbors about tearing this house down and rebuilding. Mr. Sifakis stated he had not.

Ms. Osewalt noted that they were doubling the footprint of the existing house.

**Public Hearing:**

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

Deborah Jones, 424 Lower 8<sup>th</sup> Avenue South, stated that her concerns were drainage and parking. She noted that a big pool formed in their back yard after a heavy rain. She

added that she was in favor of a single-family home however.

Mrs. Jones husband, same address, stated that they had a special needs son and they would like to put a pool in their backyard. If the 50% lot coverage is approved it will prevent them from putting in a pool due to backyard flooding concerns. He also expressed a concern with parking. Ms. Osewalt pointed out they could build a two-story house without the variance.

William Rogers, 409 Lower 8<sup>th</sup> Avenue South, stated his concerns were with drainage issues. He added that this would set a precedence for 50% lot coverage in this neighborhood.

Wendell Finner, 420 Lower 8<sup>th</sup> Avenue South, noted that the applicant has already conceded that the variance request is not consistent with the Code. He stated that putting any more impervious surface will result in drainage impacts. He also noted that the property owner had illegally removed vegetation and was not maintaining their property.

Mr. Loretta asked about his lot coverage that appeared to be more than the applicant was asking for.

Ms. Osewalt noted that Kristine Finner submitted a card opposing the proposal, but did not wish to speak.

**Discussion:**

Mr. Sifakis noted that the standard lot coverage was more than what they were asking for. He noted that the current property is actually 1072 square feet, not 800.

Mr. Buck asked how they were going to address drainage. Mr. Sifakis noted that every infill lot had to have a drainage plan approved by the City.

Mr. Moreland asked what the current lot coverage was. Mr. Sifakis estimated that it would be about 42%.

Mr. Cummings asked if they considered a two-story home. Ms. Osewalt added that the neighbors would prefer that due to drainage issues.

Mr. Moreland stated that they could go to two stories and that they had reasonable use of their property.

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

**(C) Case Number: BOA 15-100117**

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

**Property Address:** 276 South 8<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for a front yard of 18 feet for the first floor and 16.33 feet for the second and third floors in lieu of 20 feet required, for a rear yard of 10 feet in lieu of 30 feet required, for 57% lot coverage in lieu of 35% maximum, and for parking space of 7 feet wide in lieu of 9 feet wide minimum, to allow for a new to a two-family dwelling.

**Applicant:** The applicant, Alex Sifakis, 440 7<sup>th</sup> Avenue South, stated this property was a non-conforming lot of 50 ft. X 60 ft. It was in the same area as two other lots for which they were granted the same variance.

Mr. Moreland asked about the 7 foot wide parking space and how a pickup truck would fit there. Mr. Sifakis stated that they would put rocks on the side to make it 8 feet wide.

Mr. Osewalt noted that they received a variance in 2006 for 49% lot coverage and 10 feet sideyards. Mr. Loretta stated it is one more foot on the sides and 8% more lot coverage.

Mr. Cummings asked if it was a single garage proposed. Mr Sifakis stated it was.

**Public Hearing:**

Ms. Osewalt asked if anyone was present to speak in favor or in opposition to the proposal.

Sam Thomas, 2249 South Beach Parkway, stated that he represented the Baptist Church and he had a problem with the proposal to squeeze this building on this parcel. He added that this developer was building on small lots that people in the past were told could not be built on. He thought the community should be informed on the types of buildings being built here.

Mr. Sifakis stated that he had reached out to the church and wanted to continue this dialogue. He stated that this type of development is happening all over Jacksonville Beach.

**Discussion:**

Mr. Loretta asked why there is an issue with lot coverage because a town house would be allowed 65%. Mr. Hays responded that if they are stacked they are multi-family, and if side by side they are considered townhomes.

Mr. Loretta stated that he would like to see 8 feet parking spaces, not 9 feet.

Mr. Cummings asked what the required parking is if they built townhomes. Mr. Loretta responded two spaces per unit. Mr. Loretta added that the problem is this neighborhood is zoned multi-family in an area of single family lots.

Mr. Moreland stated that instead of arguing this case by case the City should look at changing to single family lots. Mr. Loretta noted that typically you are not allowed to downgrade zoning.

**Amended Motion:** An amended motion was made by Mr. Loretta, seconded by Mr. Moreland, to approve a request for a front yard of 18 feet for the first floor and 16.33 feet for the second and third floors in lieu of 20 feet required, for a rear yard of 10 feet in lieu of 30 feet required, for 57% lot coverage in lieu of 35% maximum, and for parking space of 8 feet wide in lieu of 9 feet wide minimum, to allow for a new to a two-family dwelling.

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

**Roll Call Vote on Original Motion:** Ayes – Buck  
Nays - Loretta, Osewalt, Cummings, Moreland  
Motion denied by a 4-1 vote.

**(D) Case Number: BOA 15-100118**

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

**Property Address:** 124 & 132 South 10<sup>th</sup> Street

**Motion to Approve:** It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for exterior side yards of 7.5 feet in lieu of 10 feet required, and for a rear yard of 19 feet in lieu of 30 feet required, for a new three unit townhouse dwelling.

**Applicant:** The applicant, Alex Sifakis, 440 7<sup>th</sup> Avenue South, stated that these are two non-conforming multi-family lots. They went to the Board two months ago for a variance that was denied with the recommendation that the lots be combined and a triplex be built, which is what is being proposed.

Mr. Buck noted that there are houses in other parts of this area where cars were sticking out into the street. Mr. Loretta noted that here they have room for one car in the driveway and one in the garage.

Mr. Moreland asked about the driveway widths. Mr. Sifakis responded that one driveway is 11.5 feet wide and the others are 9 feet wide. Mr. Moreland stated that he thought the applicant did a good job of addressing the Board's previous comments.

**Public Hearing:**

Ms. Osewalt asked if anyone was present to speak in favor or in opposition to the proposal.

Sam Thomas, 2249 South Beach Parkway, wondered why two-story units couldn't be built here instead of three stories.

Mr. Sifakis responded that this would be non-functional due to the size of the lots.

**Discussion:**

Mr. Loretta noted that this was a reduction in number of units, but there will be 3-story units per lot instead of 2-story buildings.

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

**(E) Case Number: BOA 15-100119 and 15-100120**

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

**Property Address:** 636 South 10<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Cummings, seconded by Mr. Moreland, to approve a request for a side yard and corner side yard of 7.5 feet in lieu of 10 feet required, and for 47% lot coverage in lieu of 35% maximum to allow for a new two family dwelling on Lot 6, and for 7.5 foot side yards in lieu of 10 feet required, and for 47% lot coverage in lieu of 35% maximum, to allow for a new two family dwelling on Lot 5.

**Applicant:** The applicant, Alex Sifakis, 440 7<sup>th</sup> Avenue South, stated that these were two non-conforming lots zoned RS-3. He stated that many lots in the neighborhood were given 5 foot side yards and 49% lot coverage – they were asking for less.

Mr. Buck asked if they were getting rid of the sheds. Mr. Sifakis stated that they were.

**Public Hearing:**

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

Josh Sacks, 575 10<sup>th</sup> Avenue South, stated that for the last three years there have been units approved and nothing has been done to address traffic issues. He thought that to put 4 houses on this site is overdeveloping the property.

Mr. Sifakis noted that there are two parking spaces that should alleviate parking issues. He added that you should be able to park 3 cars at each unit.

**Discussion:**

Mr. Moreland thought that the ability to put all these units in this area was a shortcoming

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of our code, but not our concern.

Mr. Loretta stated that this is RS-3 so you should be guaranteed to get a single-family unit but not multi-family, but that would be the only basis for denial. Across the street there are smaller lots with greater requests.

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

**Adjournment**

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:09 P.M.

Submitted by: Amber Maria Lehman  
Staff Assistant

Approval:

Sylvia W. Osewalt  
Chairman

Date: Oct. 20, 2015