

**Minutes of Board of Adjustment Meeting  
held Tuesday, August 2, 2016, 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 Vice-Chairman John Moreland.

**Roll Call**

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

Alternates:

Jeff Truhlar(*absent*)  
Francis Reddington

**Ex-parte Communications**

None

**Approval of Minutes**

It was moved by Ms. Osewalt, seconded by Mr. Buck, and passed unanimously, to approve the following minutes, as presented:

- Board of Adjustment meeting held on July 5, 2016

**Correspondence**

None

**OLD BUSINESS:**

**(A) Case Number: BOA 16-100093**

**Name of Applicant:** Adrian H. Faulkner

**Property Address:** 3318 South 1<sup>st</sup> Street

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for a front yard of 15 feet in lieu of 25 feet required and for a northerly side yard of 4.6 feet in lieu of 10 feet required, both to allow a front porch

addition/relocation for an existing single-family residence for property legally described as Lot 2, Block 6, *Atlantic Shores*.

**Applicant:** The applicant, Adrian H. Faulkner, 3318 1<sup>st</sup> Street South, Jacksonville Beach, stated there is an existing building restriction line that sits off the existing front porch of the home. He wants to renovate the current structure to move and enlarge the front porch and is requesting the variance as stated.

Ms. Osewalt asked what the hardship is. Mr. Faulkner answered the building restriction line that extends in front of the home.

Mr. Moreland asked if the lot is undersized to be cause the hardship. Mr. Faulkner stated they have reached maximum lot coverage for the lot.

Mr. Buck asked if new pavers going to be added or are they already existing. Mr. Faulkner answered the pavers in the rear of the house are existing and the concrete is going to be eliminated and replaced with gravel. There is also a wood deck that is going to also be eliminated but will still be covered.

Ms. Osewalt asked if the only thing being requested is the ten-foot variance in the front and the variance for the side yard. Mr. Faulkner answered that was correct.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated Mr. Faulkner is doing a service to the neighborhood by replacing the concrete with gravel for draining purposes.

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

**(B) Case Number: BGA 16-100100**

**The applicant requested that the case be deferred to the next available date based on case load.**

Bill Mann, Planning and Development Director, stated there is a maximum cap of eight cases per agenda and at this point this case could be added to the August 16, 2016 meeting. He added that any other cases postponed would be moved to the next available meeting.

**NEW BUSINESS**

**(A) Case Number: BOA 16-100117**

**The applicant requested that the case be deferred to the next available date based on case load.**

**(B) Case Number: BOA 16-100114**

**Name of Applicant:** Ivan and Ann Richter

**Property Address:** 1147 Osceola Avenue

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for 44% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling for property legally described as Lots 6 and 7, Block 9, Williams Coastal Boulevard Heights.

**Applicant:** The applicant, Ivan Richter, 2030 Horn Street, Jacksonville Beach, stated he is trying to build a single-family home on two 25-foot nonconforming lots for his parents.

Mr. Moreland asked if the request was for lot coverage only. Mr. Richter confirmed this.

Mr. Mann questioned if the home was one story. Mr. Richter stated it was.

Ms. Osewalt asked if he was combining two lots and building one home. He answered yes.

**Public Hearing:**

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

**Discussion:**

Ms. Osewalt commented this was a reasonable request due to the two 25-foot lots.

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

**(C) Case Number: BOA 16-100115**

**Name of Applicant:** Joe Macaluso

**Property Address:** 112 South 12<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to

approve 43.1% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling for property legally described as the west 45 feet and the east five feet of the south ¼ of Lot 2, Block 122, Pablo Beach South.

**Applicant:** Paul Frase, 124 Crossroad Lakes Drive, Ponte Vedra, representing the applicant, Joe Macaluso, stated the applicant is wanting to build a single-family home. It is a nonconforming lot with a 45-foot width. This would also include a two-car garage with an access door.

Mr. Reddington asked how many stories the building is. Mr. Frase answered it is two stories.

**Public Hearing:**

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

**Discussion:**

Mr. Reddington stated the lot had been vacant for some time

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

**(D) Case Number: BOA 16-100110**

**The applicant requested that the case be deferred to the next available date based on case load.**

**(E) Case Number: BOA 16-100118**

**Name of Applicant:** Atkins Builders, Inc.

**Property Address:** 1017 North Second Street

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for a rear yard of 20 feet in lieu of 30 feet required and for 47% lot coverage in lieu of 35% maximum to allow for construction of a new two-family dwelling for property legally described as the west 100 feet of Lots 73 and 74, Flagler Tract.

**Applicant:** The applicant, John Atkins, 286 1<sup>st</sup> Street, Jacksonville Beach, stated the lot is undersized in depth. He stated the front setback at present is 18 feet per the survey. He is not asking anything for the side setbacks and only building two units instead of the permitted four units. The house with the porch is 58 feet, front to back. For the proposal, the house is increasing in depth by two feet. He wants to build a two-car garage and a two-story home to keep in line with the neighborhood.

**Public Hearing:**

Karen Bagaria, 1030 1<sup>st</sup> Street North, spoke in favor of the application.

**Discussion:**

Mr. Buck stated that since there was a variance granted in 2002 for 44% lot coverage, he does not have an issue with the variance.

Ms. Osewalt stated the neighbors in the back of the property were not present.

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

**(F) Case Number: BOA 16-100119**

**Name of Applicant:** Alicia (Lynn McCarthy) Nevin

**Property Address:** 217 Evans Drive

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for rear yard of six feet in lieu of 19 feet required to allow for a screened room addition in the rear yard of an existing single-family dwelling for property legally described as, Lot 1, Block 2, Oakbreeze Cove.

**Applicant:** The applicant, Alicia Lynn McCarthy, 217 Evans Drive, stated she wants to build a covered outdoor screened in enclosure. She added it is an irregular-shaped lot.

Mr. Buck asked about the existing wood deck. Ms. McCarthy stated it would be torn down once the enclosure is finished.

Mr. Buck stated it looked like there is a concrete patio to be extended out. Ms. McCarthy explained it is 8 feet by 8 feet and she wants to extend it another 8 feet by 8 feet.

Ms. McCarthy stated there was an approval letter from the homeowners association.[on file]

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated the applicant is adding a screened porch. He added that the applicant is tearing down more coverage than the applicant already has.

Mr. Reddington stated if the homeowners association approved it he does not have an issue.

**(G) Case Number: BOA 16-100120**

**Name of Applicant:** New Atlantic Builders

**Property Address:** 817 South 10<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for side yards of 7.5 feet in lieu of 10 feet required and for 44% lot coverage in lieu of 35% maximum to allow for construction of a new two-family dwelling for property legally described as, Lot 10, Block 99, Oceanside Park.

**Applicant:** The applicant, Steve Williams, 3731 Duval Drive, Jacksonville Beach, stated the hardship is that RS-3 zoning requires 60 feet of building width at the building line. The subject line only has 50 feet of building width. He stated many other townhomes have been built on this street. Mr. Williams stated there were previous variances granted for eight other townhomes.

Mr. Williams stated they are building these townhomes five feet deeper and with two-car garages. Mr. Williams submitted a letter with nine signatures in support of the request. [on file]

Ms. Osewalt stated there was a variance denied earlier this year in May. It included an accessory structure. Mr. Williams stated this request does not include the accessory structure.

**Public Hearing:**

Keith Wilson, 823 10<sup>th</sup> Avenue South, stated he is the direct neighbor to the west of the project. He stated his concerns about the parking. He added it is such a large building so close to his. He also had problems getting his mail as cars block the mailbox.

Tavis Shedrick, 811 10<sup>th</sup> Avenue South, stated he is the homeowner's son. He is in favor of the application. He added Mr. Wilson parks his concrete truck on the street creating the parking issue.

Blanche Shedrick, 811 10<sup>th</sup> Avenue South, stated she is next to the vacant lot. She stated there is not a noise issue. She also added there is ample parking.

Stanley Jocelyn, 2830 Eagle Preserve Boulevard, Jacksonville, stated he is in favor of the application.

Mr. Williams added they have revised the site plan to include a fence to help with some of the noise. Mr. Williams submitted a photograph showing Mr. Wilson's concrete truck parked in front of the vacant lot where the dwelling will be built.

Ms. Osewalt asked if Ms. Shedrick is selling the property on which the vacant lot will be built. Mr. Williams answered in the affirmative. Ms. Shedrick owns two parcels. One with a single-family dwelling that she will still live in, and then the adjacent vacant lot where this proposed two-family dwelling will be built.

**Discussion:**

Ms. Osewalt stated that where Mr. Wilson parks his vehicle has no bearing on the variance tonight. This variance is more reasonable than the previous one in May.

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

**(I) Case Number: BOA 16-100113**

**Name of Applicant:** John Denneen

**Property Address:** 139 South 37<sup>th</sup> Avenue

**Motion to Approve:** It was moved by Mr. Buck, seconded by Ms. Osewalt, to approve a request for side yards of 7.5 feet each in lieu of 10 feet required; for a rear yard of 18 feet in lieu of 30 feet required; and for 44.9% lot coverage in lieu of 35% maximum to allow for construction of a new single-family dwelling on Lot 15 for property legally described as Lots 13, 14 and 15, Block 3, Atlantic Shores Ocean Front Section Division A.

**Applicant:** The applicant, John Denneen, 1254 Neck Road, Ponte Vedra Beach, stated that this was a non-conforming lot and is requesting 7.5-foot side setbacks and an 18-foot rear setback for 44.9% lot coverage to build a single-family home.

Mr. Moreland asked if he is building on Lot 15 only. Mr. Denneen answered yes and there was already a variance granted for the other parcels.

Mr. Mann commented that this combination of lots will be subdivided. The prior variance was for the left hand two lots, and this is for the easterly property.

Mr. Buck asked if both houses currently on the property are being demolished, clearing the lot and then building one single-family dwelling. Mr. Denneen answered yes.

**Public Hearing:**

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

**Discussion:**

Mr. Buck stated this single-family dwelling is further away from the back than the previous home.

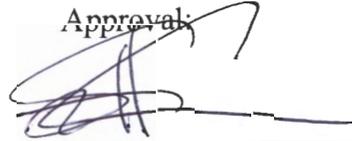
**Roll Call Vote:** Ayes – Buck, Moreland, Osewalt, and Reddington.  
The motion was approved unanimously.

**Adjournment**

There being no further business coming before the Board, Mr. Buck adjourned the meeting at 8:10 P.M.

Submitted by: Catherine Ponson  
Assistant City Clerk

Approval:



Chairman

Date:

10/13/16