

**Minutes of Planning Commission Meeting
held Monday, September 12, 2005, 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 Vice Chairperson Terry DeLoach

Roll Call

David Dahl
Terry DeLoach
Lee Dorson (*absent*)
Paul Schmidt
Julio Williams

Undine McEvoy
Greg Sutton (*absent*)

Also present was Bill Mann, Senior Planner, and Steve Lindorff, Planning & Development Director.

Approval of Minutes

It was moved by Mr. Schmidt, seconded by Mr. Dahl, and passed, to approve the Minutes of the July 25, 2005, meeting, as presented.

Correspondence

There was no correspondence.

Old Business

PC #12-04 – Chris Hionides

Request for conditional use approval of a proposed multi-family use in a *Commercial limited: C-1* zoning district.

Mr. Mann advised the Board to refer to the attached Court Order and City Attorney letter.

It was moved by Mr. Schmidt, seconded by Ms. McEvoy, to approve the request.

Roll call vote: Ayes – Dahl, DeLoach, Schmidt, Williams and McEvoy. Motion carried unanimously.

New Business

PC #13-05 – Terry Essick

Request for conditional use approval of an existing automotive repair shop in a *Commercial limited* – C-1 zoning district.

Mr. Mann advised the Board that the applicant would like to purchase the existing *All Tune & Lube* business on the northwest corner of 3rd Street and 2nd Avenue North from its current proprietor. *All Tune & Lube* is an approved conditional use business that has changed ownership several times since it was first approved in 1998 (PC #37-98). There are no records of any significant problems associated with the business since that time. Each change in ownership has been approved by conditional use, since the approval is not transferable to different owners. There was a rental truck business associated with the former owner's automotive repair business, but that business has been discontinued.

Adjacent uses include a fraternal lodge facility to the west, an auto parts store across the alley to the north, a retail tile and flooring store across the avenue to the south, and a bank and business offices across 3rd Street to the east. The character of this mixed commercial area should not be affected by the continued operation of the subject business under new ownership. Adjacent property values should not be negatively affected.

Staff recommended approval.

The applicant did not wish to add to Mr. Mann's statement.

Mr. DeLoach opened a public hearing and asked if anyone wished to speak either in favor of or in opposition to the request? Seeing no one, he closed the public hearing.

Motion: It was moved by Mr. Williams, seconded by Mr. Dahl, to approve the request.

Roll call vote: Ayes – DeLoach, Schmidt, Williams, McEvoy and Dahl. Motion carried unanimously.

PC #14-05 – Mary Mutta

Request for conditional use approval of an existing townhouse in a *Commercial Limited: C-1* zoning district.

Mr. Mann advised the Board that the applicant is in the process of purchasing the subject townhouse unit on the south side of 14th Avenue South, between 3rd and 4th Streets South. Her

lender has required her to obtain a “rebuild” letter for the unit from the City, as part of the closing process.

Staff researched the subject property after speaking to the applicant and found no record of conditional use approval in place for the subject property or any of the adjacent units. It is therefore considered nonconforming and, as such, could not be rebuilt if significantly damaged or destroyed. The remedy to this problem is for the applicant to obtain conditional use approval, after which a townhouse, per RM-1 standards, could be redeveloped in the event the existing unit was damaged.

The building containing the subject townhouse was constructed in 1986, and has been used the multifamily use since that time. Adjacent uses include the other six units of the townhouse building to the east, multifamily apartments to the west across 4th Street, office use across 14th Avenue to the north, and a small shopping center to the immediate south.

Adjacent property values should not be negatively affected by the sale of the townhouse if this request is approved. Given that the townhouse has been there for roughly twenty years and appears to be in good structural condition, its continued existence should not affect the character of the surrounding missed use neighborhood.

Staff recommended approval.

The applicant did not wish to add to Mr. Mann’s statement.

Mr. DeLoach opened a public hearing and asked if anyone wished to speak either in favor of or in opposition to the request?

The following people, who own townhouses in the same complex, asked for information concerning the process to obtain a conditional use for their property.

Heide Wolfgang, 340 14th Avenue South
Cindy Haig, 340 14th Avenue South

Seeing no one else who wished to address the Board, Mr. DeLoach closed the public hearing.

Motion: It was moved by Mr. Schmidt, seconded by Mr. Williams, to approve the request.

Roll call vote: Ayes – Schmidt, Williams, McEvoy, Dahl and DeLoach. Motion carried unanimously.

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Planning & Development Director's Report

Mr. Mann advised that there would be three items on the agenda for the September 26, 2005, meeting.

Adjournment

There being no further business coming before the Board, Mr. DeLoach adjourned the meeting at 7:23 P.M.

/lmw

Chairman