

**Minutes of Planning Commission Meeting  
held Monday, January 9, 2012, 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 Greg Sutton.

**Roll Call**

Terry DeLoach (Vice Chairperson) *Absent*  
Lee Dorson  
Greg Sutton (Chairperson)  
Fred Jones  
Bill Callan  
David Dahl  
Tom Baker

Also present were Bill Mann, Senior Planner and Recording Secretary Amber Lehman.

**Approval of Minutes**

It was moved by Mr. Jones, seconded by Mr. Baker, to approve the meeting minutes for both the December 12, 2011 and December 27, 2011 meetings as presented. Motion approved unanimously.

**Correspondence**

There was no correspondence.

**New Business**

**(A) PC #20-11 (11-100181) – Zoning Amendment**

**Zoning Amendment**, to amend the Planned Unit Development: PUD Ordinance No. 97-7704, as amended, governing the *Ocean Cay* subdivision. The applicant, together with the adjacent subdivision's master association, is requesting to modify portions of the common property boundary line between the *Ocean Cay* and *Paradise Key* subdivisions.

**Staff Report:**

Mr. Mann read the following staff report into the record:

The *Ocean Cay* and *Paradise Key* subdivisions lie adjacent to one another in the Southend Redevelopment Area. The main entrance to *Ocean Cay* is on South Beach Parkway, and *Paradise Key*, which lies immediately south of *Ocean Cay*, is accessed off of Jacksonville Drive. The two subdivision homeowner associations would like to slightly modify the common boundary line between the subdivisions. Since each subdivision is controlled by a PUD zoning ordinance, any modification to the boundaries

of the actual PUD zoning districts requires an amendment to the PUD ordinances to provide a revised boundary description for each PUD, reflective of the small land 'swap' between the two subdivisions.

The portion of the boundary line to be modified lies just south of the main *Ocean Cay* entrance on South Beach Parkway. The proposed exchange of land is shown on a drawing and an aerial photograph included with the application materials. On the aerial photograph, the existing boundary line is shown in red, and its replacement is shown in yellow. The proposed legal description for the *Ocean Cay* PUD also removes a small tract of land, Tract C, from the original PUD, reflective of the former conveyance of that tract to the *Paradise Key* developer, after the *Ocean Cay* PUD was approved but before the *Paradise Key* PUD was approved.

Staff has reviewed the requested boundary line modifications, and has determined that they in no way change the number of residential units that are permitted in either PUD district, nor will the proposed changes reduce the provision of open space in either PUD below the minimum 20% requirement.

**Recommendation:** Approval.

**Applicant:**

The applicant, Howard Gardner, 3504 Bay Island Circle, Jacksonville Beach, stated that he concurred with the staff report given by Mr. Mann.

Mr. Dorson asked Mr. Mann if the land was to be evenly swapped. Mr. Mann replied yes, stating that one parcel was roughly 1,500 sq. ft. and the other was roughly 1,700 sq. ft.

Mr. Baker asked Mr. Mann if the amendment would be creating any new development. Mr. Mann replied no.

**Public Hearing**

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

The following person spoke in opposition to the request:

Kenneth Constant, 2444 Isabella Blvd., Jacksonville Beach, inquired how the amendments would affect his property on Isabella Blvd. Mr. Mann replied that it would not affect the part of Ocean Cay behind Mr. Constant's home.

Seeing no one else who wished to address the board, Mr. Sutton closed the public hearing.

**Motion:** It was moved by Mr. Dorson, seconded by Mr. Jones, to approve the zoning amendment as requested.

**Roll call vote:** Ayes – Dorson, Jones, Sutton, Callan, and Dahl  
Motion carried unanimously.

**(B) PC #21-11 (11-100182) – Zoning Amendment**

**Zoning Amendment,** to amend the Planned Unit Development: PUD Ordinance No. 2003-7865, as amended, governing the *Paradise Key* subdivision. The applicant, together with the adjacent subdivision's master association, is requesting to modify and relocate portions of the common property boundary line between the *Paradise Key* and *Ocean Cay* subdivisions, consistent with the request of PC#20-11.

**Staff Report:**

Mr. Mann read the following staff report into the record:

This application is the accompanying application to PC#20-11, above. Please refer to the staff comments for that application. This application requests the revision of the *Paradise Key* PUD legal description, based on the same requested boundary line modifications. However, because the transfer of *Ocean Cay's* Tract C to the *Paradise Key* property owner occurred before the *Paradise Key* PUD was approved, the only changes to the *Paradise Key* PUD legal description are related to the land swap just south of the *Ocean Cay* main entrance.

**Recommendation:** Approval.

**Applicant:**

The applicant, Alonzo Walton, 4000-B St. Johns Avenue, Jacksonville, stated that he concurred with the staff report given by Mr. Mann.

**Public Hearing**

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. Sutton closed the public hearing.

**Motion:** It was moved by Mr. Jones, seconded by Mr. Dorson, to approve the zoning amendment as requested.

**Roll call vote:** Ayes – Dorson, Jones, Sutton, Callan, and Dahl  
Motion carried unanimously.

(C) **PC #22-11 (11-100191) – Conditional Use Application**

Conditional Use Approval for a proposed single-family dwelling located in a *Residential Multiple-Family: RM-1* zoning district, pursuant to Section 34-339(d)(12) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Mr. Mann read the following staff report into the record:

The applicant owns the subject vacant property on the south side of 6<sup>th</sup> Avenue North, between 4<sup>th</sup> and 5<sup>th</sup> Streets North, in an *RM-1* zoning district, and he would like to construct a single-family home on that property. He was instructed that he first needed to obtain conditional use approval for a single-family use, and if approved, he would then be able to construct a home on his property pursuant to our *Residential, single family: RS-3* zoning standards.

The blocks between 4<sup>th</sup> and 5<sup>th</sup> Streets generally serve as a transitional area between the commercial activity on 3<sup>rd</sup> Street and the single-family neighborhoods west of 5<sup>th</sup> Street. Adjacent uses to the subject property include a duplex to the immediate east, a single-family home to the immediate west, a medical office and single-family and multi-family uses across 6<sup>th</sup> Avenue to the north, single-family uses to the west across 5<sup>th</sup> Street, and a single-family home and a daycare center behind the property, to the south.

Approval of a single-family use in this mixed use neighborhood should not alter the character of the existing development, nor should adjacent property values be negatively affected.

**Recommendation:** Approval.

**Applicant:**

The applicant, Steve Cowperthwaite, 133 East Maxwell Street, Lakeland, stated that he concurred with the staff report given by Mr. Mann.

**Public Hearing**

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

The following person spoke neither in favor nor against the application:

Julio Williams, 702 5<sup>th</sup> Street North, Jacksonville Beach

Seeing no one else who wished to address the board, Mr. Sutton closed the public

hearing.

**Motion:** It was moved by Dorson, seconded by Mr. Callan, to approve the conditional use as requested.

**Roll call vote:** Ayes – Dorson, Jones, Sutton, Callan, and Dahl  
Motion carried unanimously.

**Planning & Development Director's Report**

Mr. Mann advised the members that the next meeting is tentatively scheduled for February 13, 2012.

**Adjournment**

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:20 P.M.

Submitted by: Amber Maria Lehman

Approval:

/s/Greg Sutton

Chairman

Date: February 13, 2012