

**Minutes of Board of Adjustment Meeting
held Tuesday, July 3, 2018, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Sylvia Osewalt called the meeting to order.

ROLL CALL

Chairperson: Sylvia Osewalt
Vice-Chairman: Jeff Truhlar (*absent*)
Board Members: John Moreland, Scott Cummings (*absent*), Francis Reddington
Alternates: Lucas Snyder

Also in attendance was George Knight, Building Official, and Mandy Murnane, Staff Assistant.

Ex-parte Communications: None

Approval of Minutes:

It was moved by Mr. Reddington, seconded by Mr. Snyder, and passed unanimously to approve the minutes of the June 19, 2018 meeting.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

Option to Delay: The agents for Board of Adjustment Case Number 18-100101 (A) and Case Number 18-100102 (B) accepted the option to delay their hearing until the Board of Adjustment meeting on July 17, 2018.

(C) Case Number: BOA 18-100103

Name of Applicant: Falon and Brendan Sexton

Property Address: 204 South 9th Street, Jacksonville Beach, FL 32250

Agent: Jonathan Smith, 66 West 14th Street, Atlantic Beach, FL 32233

City of Jacksonville Beach Land Development Code Section(s) 34-339(e)(3)c.1., for a front yard setback of 1.9 feet, in lieu of 20 feet required; 34-339(e)(3)c.2., for a corner side yard setback of 9.3 feet, in lieu of 12.5 feet required; for 34-339(e)(3)c.3., for a rear yard setback of 7.8 feet in lieu of 30 feet required; and 34-339(e)(3)d.1., for a one-bedroom unit size of 600 feet, in lieu of 700 feet; and for 34-377 for 2 parking spaces, in lieu of 4 required; to add a one-bedroom apartment and relieve existing non-conformities for property, legally described as the north 62.5 feet of Lot 1, and the north 62.5 feet of the east 25 feet of Lot 2, all of Block 30, *Pablo Beach South*.

Mr. and Mrs. Sexton, along with their agent, Mr. Smith, explained the existing structure and the parking spots are non-compliant, and the variance would allow the existing structure to be up-to-code. The discussion included the elimination of parking spots, the eventual backyard size, and the history of the apartment building that was originally built as a garage.

Public Hearing:

Mr. Reddington read correspondence received by Amy Juall, 18 Sandra Drive, Jacksonville Beach, FL, where she stated her opposition to the application [*on file*].

Ms. Osewalt closed the public hearing.

Discussion: *Mr. Moreland expressed concerns regarding the kitchen that was built in the apartment in violation of code and later removed, and how it will be put back. Ms. Osewalt reiterated that the apartment was originally a garage, which led to clarification between board members on the size of the unit and the effects the variance will have.*

Motion: It was moved by Mr. Moreland, seconded by Mr. Reddington, to approve BOA# 18-1000103, as presented with the exception to remove 34-377 for two parking spaces, in lieu of the required four.

Roll Call Vote: Ayes – John Moreland, Francis Reddington, Lucas Snyder
Nays – Sylvia Osewalt
The motion passed by a vote of 3-1.

(D) Case Number: BOA 18-100104

Name of Applicant: Coastal Oaks Beach Homes, LLC

Owner: Ernest Russell

Agent: Greg Barnett

Property Address: 1645 South 7th Street, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-337(e)(1)e., for 43.6% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family dwelling, for property legally described as Lot 15, Block 4, *Sea Side Park*.

Mr. Barnett and his business partner, Mr. Ryan Paulo (157 Bear Pen Rd., Ponte Vedra Beach, FL), requested a variance for a non-conforming lot size, presented in the blueprints [*on file*], in the case the owner decides to build a pool in addition to the family dwelling. This request was considered unusual because it was undecided whether the pool will be built or not. There was concern regarding whether, in the case the pool is not built, the owner will take advantage of the variance and expand the size of the dwelling to the area designated for the pool.

Public Hearing:

Mr. Reddington read correspondence received by Amy Juall, 18 Sandra Drive, Jacksonville Beach, FL, where she stated her opposition to the application. [*on file*]

The following individuals were opposed to the request but did not wish to address the board:

- Maira Miller, 19 Millie Drive, Jacksonville Beach, FL

Mr. Barnett responded to statements regarding drainage and tree removal.

Ms. Osewalt closed the public hearing.

Discussion: *There was no discussion on this application.*

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington, to approve BOA# 18-1000104, with modifications to 34-337(e)(1)e., for 43.6% in lieu of 35% maximum, where 575 square feet must be dedicated to a pool deck option.

Roll Call Vote: Ayes – John Moreland, Francis Reddington, Lucas Snyder
Nays –Sylvia Osewalt
The motion passed by a vote of 3-1.

(E) **Case Number:** BOA 18-100105

Name of Applicant: Coastal Oaks Beach Homes, LLC

Agent: Greg Barnett

Property Address: 1021 North 6th Avenue, Jacksonville Beach, FL 32250

City of Jacksonville Beach Land Development Code Section(s) 34-336(e)(1)e., for 40% lot coverage, in lieu of 35% maximum; to allow construction of a new single-family home, for property legally described as Lot 1, Block 2, *Palm Courts*.

Mr. Barnett and his business partner, Mr. Ryan Paulo requested a variance to bring their non-continuous driveway up-to-code. Prior to the building of the driveway, there was an over-lot coverage. After the driveway was built and properly inspected, it became apparent that it surpassed the lot coverage maximum, and is now in violation of code. The request for this variance was sent after the lot was constructed, meaning that it was not approved by the BOA.

Public Hearing:

Because there were no requests to speak in favor or in opposition to the application, Ms. Osewalt closed the public hearing.

Discussion: *There was no discussion on this application.*

Motion: It was moved by Mr. Moreland and seconded by Mr. Reddington, to reject the application for BOA# 18-1000105.

Roll Call Vote: Ayes – John Moreland, Sylvia Osewalt, Francis Reddington, Lucas Snyder
The motion to deny the application was approved unanimously.

PLANNING DEPARTMENT REPORT The next scheduled meeting is **Tuesday, July 17, 2018.**

There are two (2) scheduled cases.

Adjournment

There being no further business coming before the Board, Ms. Osewalt adjourned the meeting at 8:25 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:

Sylvia W. Osewalt 9/5/18
Chairperson Date