

**Minutes of Board of Adjustment Meeting  
held Tuesday, July 21, at 7:00 P.M.,  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER**

Chairperson Francis Reddington called the meeting to order.

**ROLL CALL**

*Chairperson:* Francis Reddington  
*Vice-Chairperson:* Scott Cummings  
*Board Members:* Sylvia Osewalt                      Jeff Truhlar                      John Moreland  
*Alternates:* Dan Janson                              Alexi Gonzalez

Building Official George Knight was also present.

**EX PARTE COMMUNICATION:** No ex-parte was reported.

**APPROVAL OF MINUTES:**

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

- June 16, 2020

**CORRESPONDENCE:** *None*

**OLD BUSINESS:**

*None*

**NEW BUSINESS:**

A. **Case Number:** **BOA#20-100039 & BOA#20-100095**  
Applicant                      John Atkins  
Owner:                              Ernest G. Lott Revocable Family Trust  
Property Address:              118 13<sup>th</sup> Avenue South  
Parcel ID:                              176254-0000

**City of Jacksonville Beach Land Development Code Section(s):** 34-340(e)(1)c.1, for a front yard setback of 10 feet in lieu of 20 feet minimum; 34-340(e)(1)c.2, for side yard setbacks of 5 feet each in lieu of 10 feet minimum; 34-340(e)(1)f, for 47.4% lot coverage in lieu of 35% maximum; and 34-340(e)(1)h, for an accessory structure (walkway) setback of 1 foot in lieu of 2 feet minimum to allow for construction of a new two-family dwelling.

**Applicant:** John Atkins, 1888 Foss Lane, Jacksonville Beach, advised his hardship was the lot is 50 feet wide verses 60 feet required for RM 2 zoning standards. He further stated although this lot would support three units, he only planned to build two, and with the decrease in units, the

Jacksonville Beach Code states the maximum lot coverage is 35%. Mr. Truhlar asked if the homes could be pushed back 5 feet and a rear yard setback requested. Mr. Atkins stated the new homes would be pushed back 10 feet (granted in a previous variance) from the property line, but he would still need 40 feet in width to build two, two-car garages. The garages, along with 40-foot driveways, would negate the need for on-street parking. Ms. Osewalt noted the lot is 6,250 feet, 250 feet more than the required minimum, which was not a hardship. Mr. Atkins reiterated the number of units being built (2) dropped the allowable lot coverage from 65% to 35%, which was the hardship and the reason he was requesting a variance for the additional 12% coverage he needs. Mr. Truhlar asked if the neighbors had been contacted, Mr. Atkins advised he did speak to some of the neighbors.

Mr. Cummings read into record correspondence (on file) from the following individuals who are opposed to the application:

- Carol Standiford, 121 13<sup>th</sup> Avenue South, Jacksonville Beach
- Raymond and Naveen Walker, 126-132 13<sup>th</sup> Avenue South, Jacksonville Beach
- Stephen Reedberry and Bethany Adams, 1301 1<sup>st</sup> Street South, #1207, Jacksonville Beach
- Lillian Park, 112 13<sup>th</sup> Avenue South, Jacksonville Beach

The following spoke in support of the application:

- Greg Paquin, 127 13<sup>th</sup> Avenue South, Unit B, Jacksonville Beach

Mr. Atkins stated the existing structure is 2.2 feet from the current property lot line; the new home would not be built any closer. He also advised the new structures would be built to fire code, which required 5 feet of distance between the home and property line.

Mr. Reddington closed the public hearing.

**Discussion:**

Ms. Osewalt stated there was no hardship as the lot was not substandard in size at 6,250 square feet. Mr. Cummings was concerned about the side yard setbacks versus moving the home to the back with a rear yard setback. Mr. Knight clarified, although there were two previous variances for this property, they are not applicable to the current case. Those variances were approved for a multi-family dwelling. However, the current application was for a two-family dwelling, which was why the side yard setbacks were included in the new request.

**Motion:** It was moved by Ms. Osewalt, seconded by Mr. Cummings, to deny BOA#20-100039 & BOA#20-100095, as written and discussed.

**Roll Call Vote:** Ayes – Scott Cummings, Sylvia Osewalt, and Francis Reddington  
Nays – John Moreland and Jeff Truhlar  
The motion to deny was approved 3-2.

**B. Case Number:** BOA#20-100061, BOA#20-100096, BOA#20-100097 & BOA#20-100098  
Applicant/Owner: BCEL 8A, LLC.  
Property Address: 432 10th Street South  
Parcel ID: 177344-0000

**City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a four-unit townhouse development.

**Owner:** Alex Sifakis, 340 8<sup>th</sup> Street, Atlantic Beach, advised the hardship was the lot is nonconforming at only 50 by 100 feet. Mr. Sifakis noted in the past to make the homes functional, they had built three stories with a garage. However, after speaking with several neighbors who opposed this concept, they opted to request a rear yard setback to build two-story townhomes. Gravel would be added between the driveways instead of grass to facilitate parking, as well as an additional 8 spaces on the side of the property. Mr. Sifakis further advised drainage on the street would be replaced by him with the construction of the new homes. Mr. Janson asked what was located behind this property. Mr. Sifakis stated there was a single-family home as well as other townhomes owned by his company.

**Public Hearing:**

No one came before the Board to speak about this case.

The following submitted a Speaker Card (on file) in support of the application but did not speak:

- Sam Thomas, 2249 South Beach Parkway, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued regarding additional parking.

**Motion:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve BOA#20-100061, BOA#20-100096, BOA#20-100097 & BOA#20-100098

**Roll Call Vote:** Ayes – John Moreland, Sylvia Osewalt, and Jeff Truhlar  
Nays – Scott Cummings and Francis Reddington  
The motion was approved 3-2.

**C. Case Number:** BOA#20-100064  
Applicant/Owner: Stephen Carroll  
Property Address: 1013 24<sup>th</sup> Street North  
Parcel ID: 179209-9900

**City of Jacksonville Beach Land Development Code Section(s):** 34-337(e)(1)e, for lot coverage of 48.2% in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

**Owner:** Chelsea Carroll, 1013 24<sup>th</sup> Street North, Jacksonville Beach, stated the hardship was the lot is nonconforming at only 5,095 square feet versus the 7,500 square feet minimum required.

**Public Hearing:**

No one came before the Board to speak about this case.

Mr. Reddington closed the public hearing.

**Discussion:**

There was no further discussion.

**Motion:** It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#20-100064, as written and discussed.

**Roll Call Vote:** Ayes – Sylvia Osewalt, Jeff Truhlar, Scott Cummings, John Moreland, and Francis Reddington  
The motion was approved unanimously.

**D. Case Number: BOA#20-100066 & BOA#20-100067**

Applicant/Agent: Robert E. Barnes, Sr.  
Owner: MCBB 51614S, LLC  
Property Address: 723 and 725 12th Avenue South  
Parcel ID: 176753-0200 and 176753-0150 (formerly identified as 176753-0000)

**City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)c.1, for a front yard setback of 16 feet in lieu of 20 feet minimum for second-floor balconies and 34-338(e)(1)e, for 37% lot coverage in lieu of 35% maximum to rectify existing non-conformities resulting from the construction of a two-family dwelling.

**Applicant/Agent:** Robert Barnes, 3317 Royal Palm Drive, Jacksonville Beach, advised the hardship was he inadvertently built two sets of townhomes with balconies over the 35% lot coverage maximum. Mr. Barnes noted the City approved the plans, but it wasn't until the final inspection the error was discovered. Mr. Knight explained the Planning & Development Department has a two steps process for reviewing plans. The first is a site plan review, which is done by Zoning, and then a structural review of plans done by him. Mr. Barnes submitted a site plan without balconies, which was approved by the Zoning Department. When Mr. Knight reviewed the structural plans, which included balconies, he assumed they had also been listed on the approved site plan. The error was found once the final survey, which did not match the original site plan, was submitted. Mr. Knight advised his department has put different policies in place to prevent this from happening again. Mr. Moreland wanted clarification that only the balconies are over the 35% lot coverage, not the entire townhomes. Mr. Barnes stated that was correct.

**Public Hearing:**

The following spoke in support of the application:

- Katie Classey, 723 12<sup>th</sup> Avenue South, Jacksonville Beach
- William Goodling, 516 11<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

There was no further discussion from the Board.

**Motion:** It was moved by Mr. Moreland, seconded by Ms. Osewalt, to approve BOA#20-100066 & BOA#20-100067.

**Roll Call Vote:** Ayes – Jeff Truhlar, Scott Cummings, John Moreland, Sylvia Osewalt and Francis Reddington  
The motion was approved unanimously.

**E. Case Number: BOA#20-100068 & BOA#20-100069**

**Applicant/Agent:** Robert E. Barnes, Sr.  
**Owner:** MCBB 51614S, LLC  
**Property Address:** 729 and 731 12th Avenue South  
**Parcel ID:** 176753-0100 and 176753-0050 (formerly identified as 176753-0000)

**City of Jacksonville Beach Land Development Code Section(s):** 34-338(e)(1)c.1, for a front yard setback of 16 feet in lieu of 20 feet minimum for second-floor balconies and 34-338(e)(1)e, for 37% lot coverage in lieu of 35% maximum to rectify existing non-conformities resulting from the construction of a two-family dwelling.

**Applicant/Agent:** Robert E. Barnes, Sr., 3317 Royal Pine Drive, Jacksonville, stated his hardship with this property was also due to oversight of the balconies [a reference to previous Case BOA #20-100066 & BOA#20-100067 on this Agenda]. Mr. Knight advised both of Mr. Barnes' variance applications were reviewed the same way.

No one came before the Board to speak about this case.  
Mr. Reddington closed the public hearing.

**Discussion:**  
There was no additional discussion by the Board.

**Motion:** It was moved by Mr. Moreland seconded by Ms. Osewalt, to approve BOA#20-100068 & BOA#20-100069.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Sylvia Osewalt, Jeff Truhlar and Francis Reddington  
The motion was unanimously approved.

**F. Case Number: BOA#20-100070**

**Applicant:** Marc Angelo, Manager  
**Agent:** Doug Skiles  
**Owner:** 127 1st Avenue North, LLC.  
**Property Address:** 127 and 131 1st Avenue North  
**Parcel ID:** 174018-0000 and 174017-0010

**City of Jacksonville Beach Land Development Code Section(s):** 34-345(e) Table 1.0, for a rear yard setback of 1 foot in lieu of 10 feet minimum to allow for construction of a new mixed-use building.

**Agent:** Doug Skiles, 4416-1A Hendricks Avenue, Jacksonville, advised he is requesting a 1 foot rear yard setback in lieu of 10-foot minimum to create more pedestrian dining space in front of a new two-story, mixed-use building. Mr. Truhlar asked where services (i.e., trash, grease traps) would be located. Mr. Skiles stated those services are located in the parking lot area of the existing buildings. He further stated currently, the two buildings on the property share a courtyard type space that would go away once the new building is built. Mr. Reddington asked about parking. Mr. Skiles said there was a letter on file with the City advising each lot, combined, had 134 parking spaces grandfathered in by Right for the property, and they are required to have 108 spaces. Mr. Knight confirmed there are grandfathered parking spaces, noting some of the spaces are on 1st Avenue North.

**Public Hearing:**

The following spoke in support of the application:

- Alex Sifakis, 340 8<sup>th</sup> Street, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued, and the Board agreed the project would have a positive impact on the area. Mr. Cummings inquired why, if the Applicant was tearing down the existing structure, the new building could not be built with the required 10-foot setback. Mr. Truhlar noted the Applicant is giving up the space between the two buildings.

**Motion:** It was moved by Mr. Truhlar seconded by Mr. Moreland, to approve BOA#20-100070, as discussed and shown, to include removing the open space between the two buildings.

**Roll Call Vote:** Ayes – John Moreland, Jeff Truhlar, and Francis Reddington  
Nays – Sylvia Osewalt and Scott Cummings  
The motion was approved 3-2.

**G. Case Number:** BOA#20-100071, BOA#20-100099, BOA#20-100100, BOA#20-100101 & BOA #20-100102

Applicant: Alex Sifakis  
Owner: Sparkle Homes, LLC.  
Property Address: 850 5th Avenue South  
Parcel ID: 176011-0060 (formerly part of 176011-0010 and also identified as 176011-0020)

**City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)c.1, for a front yard setback of 10 feet in lieu of 20 feet minimum and 34-339(e)(4)h, for accessory structure (detached garage) setbacks of 4 feet on the easterly side of Lot 1, 1 foot on the westerly side and 3 feet on the easterly side of Lot 2, 2 feet on both sides of Lot 3, 3 feet on the westerly side and 1 foot on the easterly side of Lot 4 and 4 feet on the westerly side of Lot 5, all in lieu of 5 feet minimum to allow for construction of a five-unit townhouse development with rear detached garages.

**Applicant:** Alexis Sifakis, 340 8<sup>th</sup> Street, Atlantic Beach, advised the hardship was a large electrical pole and guide wires stretch in front of the whole property, making it impossible to build townhomes with front-facing garages. Mr. Sifakis stated Beaches Energy was contacted about removing the pole and wires, but they declined to do so. Instead, the plan is to build townhomes with porches on the front, garages in the back, and the alley would be paved to accommodate the entry to the garages. Mr. Sifakis noted all the garage variances being requested are on the interior lot lines, and the side setbacks remain at 10 feet as required. The other variances requested are in between each of the townhome lots he owns.

**Public Hearing:**

No one came before the Board to speak about this case.  
Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued, and the Board agreed they liked the front living concept presented by Mr. Sifakis.

**Motion:** It was moved by Mr. Moreland seconded by Mr. Cummings, to approve BOA#20-100071, BOA#20-100099, BOA#20-100100, BOA#20-100101 & BOA #20-100102, as written and discussed.

**Roll Call Vote:** Ayes – Jeff Truhlar, Scott Cummings, John Moreland, and Francis Reddington  
Nays – Sylvia Osewalt  
The motion was approved 4-1.

**H. Case Number: BOA#20-100072, BOA#20-100103, BOA#20-100104 & BOA#20-100105**

Applicant/Owner: BCEL 10A LLC.  
Property Address: 201 11<sup>th</sup> Street South  
Parcel ID: 177333-0000 and 177334-0000

**City of Jacksonville Beach Land Development Code Section(s):** 34-339(e)(4)c.3, for a rear yard setback of 19.5 feet in lieu of 30 feet minimum to allow for construction of a new four-unit townhouse development.

**Applicant:** Alex Sifakis, 340 8<sup>th</sup> Street, Atlantic Beach, stated the hardship for this case was two non-conforming lots that are 50x100 verses the 50x125 required. Mr. Sifakis advised these homes would be built the same manner as stated in the previous case – two-story townhomes instead of three stories. Again, the neighbors were consulted and supported the variance being requested. Additional parking would be created along the side of the building, and there would be gravel in between each driveway to facilitate more parking. Mr. Moreland was concerned about loose gravel making its way into the street. Mr. Sifakis stated there would be a concrete apron constructed between the gravel and the street to keep that from happening.

**Public Hearing:**

The following spoke in support of the application:

- Mahle McQueen, 637 4<sup>th</sup> Avenue South, Jacksonville Beach
- Shelia Heard, 1100 2<sup>nd</sup> Avenue South, Jacksonville Beach
- Sam Thomas, 2249 South Beach Parkway, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued, and the Board Members agreed they were pleased Mr. Sifakis taken the concerns of the neighbors into consideration.

**Motion:**

It was moved by Mr. Moreland, seconded by Mr. Cummings, to approve BOA#20-100072, BOA#20-100103, BOA#20-100104 & BOA#20-100105, as presented and discussed with particular emphasis on maintaining parking changes.

**Roll Call Vote:**

Ayes – Jeff Truhlar, Scott Cummings, John Moreland, and Sylvia Osewalt  
Nays – Francis Reddington  
The motion was approved 4-1.

**I. Case Number: BOA#20-100086**

Applicant: Craig J. Ansell, Everything is Pawsible, Inc.  
Owner: Greg Wagner, Wagner Realty Services, Inc.  
Property Address: 925 8<sup>th</sup> Avenue South  
Parcel ID: 176596-0000

**City of Jacksonville Beach Land Development Code Section(s):** 34-373(d), for a parking area setback of zero feet in lieu of 5 feet minimum; 34-377, for 10 parking spaces in lieu of 26 required; and 34-425(b)(1), for no right-of-way adjacent landscape buffer in lieu of 5 feet required, all to allow for a change of use for a new dog boarding (kennel) business.

**Applicant:** Craig J. Ansell, 133 Lagoon Forest Drive, Ponte Vedra, advised after speaking with Heather Ireland in the Planning Department, his building plans were revised, and he no longer needed to request a variance for either of the 5-foot requirements, only for the parking spaces. Mr. Ansell explained the plan was to remove all the concrete currently located on the property and replace it with grass and trees to create a large dog run in addition to a kennel for housing dogs overnight. He provided photos (on file) of another local dog run, as an example of what he would like to build. He further advised if he were to put in all the required parking, that would take away space from the dog run. Discussion ensued among the Board members regarding the number of parking spaces needed versus what is required according to the code. Mr. Truhlar asked if they approved the parking variance would it carry over if the building were sold in the future. Mr. Knight stated the Board could approve the variance with the stipulation the parking applies only to the current business.

**Public Hearing:**

The following spoke in opposition to the variance request:

- William Goodling, 516 11th Avenue South, Jacksonville Beach

An email (on file) was received from the following in opposition of the variance:

- William Goodling, 516 11<sup>th</sup> Avenue South, Jacksonville Beach

Mr. Reddington closed the public hearing.

**Discussion:**

Discussion ensued regarding deferring the case until Mr. Ansell could meet with his architect and builder to discuss the Board's concerns about parking. Mr. Ansell stated he would like to postpone his case.

**Motion:** It was moved by Ms. Osewalt seconded by Mr. Cummings, to defer BOA# 20-100086.

**Roll Call Vote:** Ayes – Scott Cummings, John Moreland, Sylvia Osewalt, Jeff Truhlar, and Francis Reddington

The motion to defer the case was unanimously approved.

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is **Tuesday, August 4, 2020**. There are 8 scheduled cases.

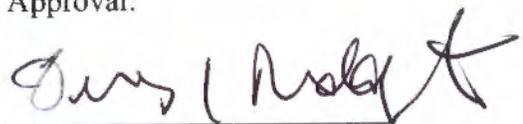
**ADJOURNMENT**

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 9:13 P.M.

Submitted by: Sheila Boman  
Office Assistant

Reviewed by Planning & Development.

Approval:



Chairperson

09-01-2020

Date