

**Minutes of Planning Commission Meeting  
held Monday, May 10, 2021, 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 at 7:00 P.M. by Chairman Greg Sutton.

**Roll Call**

*Chairman:* Greg Sutton  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders  
*Alternates:* Colleen Murphy White Justin Lerman

Also present were Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, and Administrative Assistant Jodilynn Byrd.

**Approval of Minutes**

The following minutes were passed unanimously by a voice vote:

- August 27, 2018
- April 26, 2021

**Correspondence**

Director of Planning and Development, Heather Ireland, stated she received an email [on file] in opposition to PC#04-21, and copies were given to the Board.

Board Members disclosed emails and one voicemail they received regarding PC#04-21

**New Business**

(A) **PC#04-21** Conditional Use Application

**Owner:** Maki Kato Trust  
903 3<sup>rd</sup> Avenue North  
Jacksonville Beach, FL 32250

**Applicant:** SMV Management, LLC  
10150 Bell Rive Blvd. #106  
Jacksonville, FL 32208

**Agent:** Peter J. King, AICP  
404 West 70<sup>th</sup> Street  
Jacksonville, FL 32208

**Location:** 312 North 1<sup>st</sup> Avenue

**Conditional Use Application** for the proposed two unit multiple-family dwelling located in a Commercial, general: C-2 zoning district, pursuant to Section 34-343(d)(11) of Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following report into the record:

The subject property is located on the south side of 1<sup>st</sup> Avenue North, just west of A1A, and contains a vacant non-conforming single-family dwelling constructed in 1931. The building sustained fire damage in the summer of 2020. In June of 2020, the electric meter was removed from the building, rendering the structure abandoned. Pursuant to Section 34-622 of the Land Development Code, if a non-conforming use is discontinued or abandoned for a period of more than six consecutive months, then such use may not be re-established or resumed, and any subsequent use shall conform to the provisions specified in the LDC.

Single-family uses are not a permitted use in commercial zoning districts and are considered non-conforming. The previous use was grandfathered in to exist as long as it remained active. The owner's representatives, through their agent, were advised that the existing non-conforming use could not be re-established, and in order to have a residential use on the property, conditional use approval would be required, and the use would have to be multiple-family. Based on the small lot size, a two unit multiple-family project could be permitted.

Adjacent uses include commercial to the east, commercial and multiple-family residential to the north, a mix of residential and commercial uses to the west, and a bank to the south. Considering the mix of uses in the immediate vicinity and the fact that the non-conforming single-family use cannot be re-established, the proposed use of a two-unit multiple-family dwelling is not inconsistent with the surrounding uses and should not negatively impact adjacent uses.

**Public Hearing:**

Agent Peter King, 404 West 70<sup>th</sup> Street, Jacksonville, stated the lot was a sub-standard lot. Mr. King further noted the lot would be best used as residential property because of the lot size. Mr. King said his client would be interested in building a single-family dwelling, but the current zoning does not allow it.

The following did not wish to address the Board but are in opposition to the application (PC#04-21):

- Gail Long, 316 1<sup>st</sup> Avenue North, Jacksonville Beach

The following spoke in opposition to the application (PC# 04-21):

- Willard Michaud, 380 1<sup>st</sup> Avenue North, Jacksonville Beach

A conversation ensued regarding available parking and additional options for parking layouts. Mr. King stated he and his client would request a parking variance and other variances regarding set back issues through the Board of Adjustment. Ms. Ireland explained the difference in requirements for residential and commercial parking for the location.

**Discussion:**

A conversation ensued regarding other options for the lot and the requirements for allowing a single-family dwelling there.

**Motion:** It was moved by Ms. White and seconded by Mr. Dahl to deny the Conditional Use Application.

**Roll call vote:** Ayes – Britton Sanders, Colleen Murphy White, and David Dahl  
Nays – Margo Moehring and Greg Sutton

The motion to deny the application passed with a 3-2 vote.

**Planning & Development Director's Report**

Ms. Ireland introduced new Senior Planner Christian Popoli. Also, Ms. Ireland announced the next meeting was scheduled for Monday, June 14, 2021.

**Adjournment**

There being no further business coming before the Board, Mr. Sutton adjourned the meeting at 7:50 P.M.

Submitted by: Jodilynn Byrd  
Administrative Assistant

Approval:

  
Chairman

6-14-2021  
Date