

**Minutes of Board of Adjustment Meeting
held Tuesday, August 16, 2022, at 6:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 6:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh (absent)

Jeff Truhlar (absent)

John Moreland

Alternates: Todd Smith

Jennifer Williams

Senior Planner Christian Popoli and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

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

- July 19, 2022

CORRESPONDENCE:

Senior Planner Christian Popoli noted an email [on file] was provided on the dais for Case Number: BOA#22-100085.

OLD BUSINESS:

A. Case Number: BOA#22-100044 – Previously Deferred

Applicant: Robert Lynn, Future Financial Holdings, LLC

Agent: Lara Diettrich, Diettrich Planning LLC

Owner: First Coast Women's Services, Inc. - Judy Weber

Property Address: 224 3rd Street North

Parcel ID: 173791-0000

City of Jacksonville Beach Land Development Code Section(s): 34-377 for no additional parking spaces in lieu of (7) seven spaces required to allow for the use of the second floor for support offices for medical use on the first floor of an existing commercial building.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Agent: Lara Diettrich, Diettrich Planning LLC, 1332 Avondale Avenue, stated the hardship was the zoning code and use.

Applicant: Robert Lynn, 1649 Landing Way, Neptune Beach, clarified the number of staff and the limited number of customers.

A discussion ensued about staff parking and building use.

Public Hearing:

No one came forth to speak. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#22-100044 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Amended Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#22-100044 based on the standards for a variance outlined in Section 34-286 of the Land Development Code, in condition for business and professional office use.

Roll Call Vote to Amend Original Motion: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

Discussion: None

Roll Call Vote on Amended Motion: Ayes – Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez
Nays – John Moreland

The motion passed 4-1.

NEW BUSINESS:

A. Case Number: **BOA#22-100080**
Applicant/Owner: Amy L. Frank
Property Address: 1125 Owen Avenue
Parcel ID: 179933-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 57% in lieu of 35% maximum to allow for construction of a rear patio and cabana at an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Mr. Popoli noted the address was incorrect on the agenda and the correct address was 1125 Owen Avenue.

Applicant: Amy Frank, 1125 Owen Avenue, Jacksonville Beach, stated the hardship was a nonconforming lot.

A brief discussion ensued about the wood decking and a previous variance.

Public Hearing:

The following spoke in regards to the variance:

- Kristen Bankert, 1818 Horn Street, Jacksonville Beach
- Rich Tomporowski, 1855 Riley Street, Jacksonville Beach

The following submitted emails in support of the variance:

- Traver Fuska (neighbor, no address provided)
- James Slesinski, 1008 Owen Avenue, Jacksonville Beach
- Anne Wiggins, 1871 Riley Street, Jacksonville Beach
- Beth & Barry Nicol, 1103 Owen Avenue, Jacksonville Beach
- April Mitzel, 1126 Owen Avenue, Jacksonville Beach
- Shawn Dahbour, 1120 Owen Avenue, Jacksonville Beach
- Tammy Bosslet, 2223 Riley Street, Jacksonville Beach
- Casey Reining, 1130 Owen Avenue, Jacksonville Beach
- Bob & Bo Bonenberger, 1047 Owen Avenue, Jacksonville Beach
- Bo Bonenberger, 1047 Owen Avenue, Jacksonville Beach
- Stephen Manz, 1058 Owen Avenue, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Ms. Frank responded to concerns from the neighbors about runoff.

A brief discussion ensued about the cabana, pavers, and lot coverage.

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#22-100080 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about lot size, coverage, and code.

Roll Call Vote: Ayes – Owen Curley, John Moreland, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

B. Case Number: **BOA#22-100081**
Applicant/Owner: Robert G. Bruce
Property Address: 3306 Ocean Drive
Parcel ID: 181752-0005

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 44% in lieu of 35% maximum; and 34- 373(a)5, for no paved driveway in lieu of a paved driveway, to allow for construction of a new single-family dwelling and swimming pool with a patio.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Robert Bruce, 3330 Ocean Drive, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100081 based on the standards for a variance outlined in Section 34-286 of the Land Development Code, subject to the condition in the staff report.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

C. Case Number: BOA#22-100083

Applicant/Owner: Stephanie Crichton
Agent: Bob Hamil - Henderson Pool Service
Property Address: 3300 1st Street South
Parcel ID: 181542-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 47% in lieu of 35% maximum to allow for construction of a new swimming pool and patio attached to an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Agent: Bob Hamil, 725 McCullum Circle, Neptune Beach, stated the hardship was a substandard lot.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100083 based on the standards for a variance outlined in Section 34-286 of the Land Development Code, subject to lot coverage of 45.5%.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

D. Case Number: BOA#22-100084
Applicant: Sandifer Design Build
Owner: Rachel G. Grage
Property Address: 23 30th Avenue South
Parcel ID: 181636-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 58% in lieu of 35% maximum; 34- 336(e)(1)c.1, for a front yard setback of 10 feet in lieu of 25 feet minimum; and 34-336(e)(1)c.2, for a corner side-yard setback of 5 feet in lieu of 10 feet minimum to allow for construction of a new two-story uncovered deck attached to an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Lenny Adams, 4788 Hodges Boulevard, Suite 102, Jacksonville, stated the hardship was a nonconforming lot.

A discussion ensued about the deck and setback.

Rachel Grage, 23 30th Avenue South, Jacksonville Beach, confirmed she spoke to her neighbors, and they were in support of the variance.

Ralph Grage, 23 30th Avenue South, Jacksonville Beach, provided additional background on the case.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100084 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about the lot coverage and whether to condition the setbacks.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

E. Case Number: BOA#22-100085
Applicant/Owner: 0 2nd Street Acquisition, LLC. - Steven Wacaster
Property Address: '0' 2nd Street South
Parcel ID: 176317-0000

City of Jacksonville Beach Land Development Code Section(s): 34-373(a)(1), for three compact parking spaces of 8 feet in width in lieu of 9 feet in width; and 34-377, for 11 parking spaces and one bicycle parking area in lieu of 28 spaces required to allow for construction of a new professional office building.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Steven Wacaster, 229 San Juan Drive, Ponte Vedra, stated the hardship was an undersized lot.

Public Hearing:
No one came forth to speak on this item.

The following submitted an email [on file] in support of the variance, which was read into the record:

- Frantz Bertrand Adelson, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#22-100085 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:
A brief discussion ensued about parking.

Roll Call Vote: Ayes – Owen Curley, John Moreland, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

F. Case Number: BOA#22-100086
Applicant/Owner: Michael Gruber
Property Address: 1175 1st Avenue North
Parcel ID: 177725-0010

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum; and 34- 336(e)(1)g, for an accessory structure setback of one foot in lieu of 5 feet required to allow for construction of a new accessory shed

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Michael Gruber, 1175 1st Avenue North, Jacksonville Beach, stated the hardship was an undersized lot.

Public Hearing:

No one came forth to speak on this item. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100086 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the property line and lot size.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Todd Smith, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Wednesday, September 7, 2022, at 6:00 P.M. There are six scheduled cases.

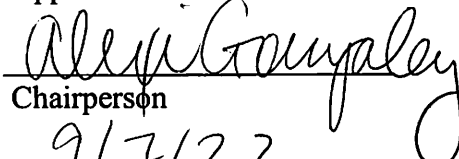
ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 7:24 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These Minutes were reviewed by Planning & Development.

Approval:


Chairperson
9/7/22
Date