

**Minutes of Board of Adjustment Meeting
held Tuesday, September 20, 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

John Moreland

Alternates: Todd Smith (absent)

Jennifer Williams

Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS:

A. Case Number: BOA#22-100092

Applicant/Owner: Matthew Lents

Property Address: 1201 3rd Street North

Parcel ID: 174613-0000

City of Jacksonville Beach Land Development Code Section(s): 34-377 for 6 on-site parking spaces in lieu of 14 required to allow for construction of a second story office space addition and a third story auxiliary dwelling unit to an existing one-story office building.

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

Applicant: Matthew Lents, 1201 3rd Street North, Jacksonville Beach, stated the hardship was the need to add additional square footage.

A discussion ensued about parking and the nature of the business.

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. Truhlar to approve BOA#22-100092 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion continued about parking, a shared parking agreement, and whether to add a condition.

Motion: It was moved by Mr. Moreland, seconded by Mr. Curley, to defer BOA#22-100092 to the November 1, 2022, BOA meeting.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The motion to defer passed unanimously.

NEW BUSINESS:

A. Case Number: BOA#22-100095

Applicant/Owner: Edward Gil

Agent: Steven Ballantyne, Hawkstone Outdoor Design

Property Address: 513 17th Avenue North

Parcel ID: 174864-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 42% in lieu of 35% maximum to allow for construction of a swimming pool deck and patio at an existing single-family dwelling.

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

Agent: Steven Ballantyne, 513 17th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about the lot size, lot coverage, and the proposed pool deck.

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. Truhlar to approve BOA#22-100095 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about the deck size.

Roll Call Vote: Nays – Owen Curley, Jeff Truhlar, John Moreland, Jennifer Williams, Alexi Gonzalez

The motion failed unanimously.

B. Case Number: BOA#22-100098

Applicant: Peter Hill
Owner: AB 114 12th, LLC, Joseph Eckstein
Property Address: 114 12th Avenue South
Parcel ID: 176220-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)(c)1, for a front yard setback of 15 feet in lieu of 20 feet minimum, 34-340(e)(3)(c)2, for a side yard setback of 5 feet in lieu of 10 feet minimum, and 34-340(e)(3)(c)3, for a rear yard setback of 20 feet in lieu of 30 feet minimum to allow for construction of a three-unit multi-family structure.

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

Applicant: Peter Hill, 1409 4th Avenue North, Jacksonville Beach, and Michael Pelkey, 1886 Beach Avenue, Atlantic Beach, stated the hardship was a nonconforming lot in width.

Public Hearing:

The following spoke in support of the variance:

- Greg Paquin, 127 13th Avenue South, Jacksonville Beach
- Pamela Rama De Padua, 1331 1st Street N, Apt. 504, Jacksonville Beach
- Robert Branley, 127 13th Avenue South, Unit C, Jacksonville Beach
- Alex Jenkins, 3180 Pulian Court, Jacksonville Beach
- Tom Hilton, 1016 11th Avenue North, Jacksonville Beach
- Mike Atlee, 1031 1st Avenue South, Jacksonville Beach
- Myron Blankenbaker, 105 Evans Drive, Jacksonville Beach
- Tim Nall, 127 13th Avenue South, Jacksonville Beach
- Henry Nally, 3409 Pine Tree Road, Jacksonville Beach

The following spoke in opposition to the variance:

- Joseph Macaluso, 112 12th Avenue South, Jacksonville Beach
- Bruce Wouters, 126 12th Avenue South, Jacksonville Beach

The following submitted speaker cards in support of the variance but did not wish to speak:

- Clay Wallace, 807 15th Avenue South, Jacksonville Beach
- Ann Hill, 105 Evans Drive, Jacksonville Beach
- Lisa Pelkey, 0 Horn Court, Jacksonville Beach

The following submitted emails in opposition to the variance:

- John and Scotty Rust, 124 12th Avenue South, Jacksonville Beach
- Jeff Wansor, 132 12th Avenue South, Jacksonville Beach
- David Rost, 1224 1st Street South, Jacksonville Beach

A discussion ensued about the structure design and setbacks.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100098 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None.

Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Owen Curley, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

C. **Case Number:** BOA#22-100100
Applicant/Owner: Eric Kofman
Property Address: 529 11th Avenue North
Parcel ID: 175006-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)(c)2, for a side-yard setback of 9 feet on the western side yard in lieu of 10 feet minimum; 34-336(e)(1)d, for no garage in lieu of a required one car garage; 34-336(e)(1)e, for lot coverage of 50% in lieu of 35% maximum; and 35-376(d) for a parking area setback of zero feet in lieu of 5 feet minimum, to rectify existing non-conformities with the primary structure and driveway and to allow for construction of a new swimming pool deck at an existing single-family dwelling.

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

Applicant: Eric Kofman and Namrata Chakrabarti, 529 11th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot and addressed questions from the Board.

A brief discussion ensued about lot coverage and parking.

Public Hearing:

The following spoke in opposition to the variance:

- James Hughes, 526 11th Avenue North, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100100 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the driveway, parking, and short-term rentals.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

D. Case Number: **BOA#22-100101**
Applicant/Owner: Robert Twigg
Property Address: 517 Patricia Lane
Parcel ID: 175036-0020

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)(c)2, for a side-yard setback of 7.5 feet for the western side yard and 9 feet for the eastern side-yard in lieu of 10 feet minimum; and 34- 336 (e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for construction of a new swimming pool deck and to rectify existing nonconformities at an existing single-family dwelling.

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

Applicant: Robert Twigg, 517 Patricia Lane, Jacksonville Beach, states the hardship was a nonconforming lot and the lot's irregular shape.

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

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. Truhlar to approve BOA#22-100101 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the driveway.

Amended Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend to approve BOA#22-100101 for side yard setback for a side-yard setback of 7.5 feet for the western side yard and 9 feet for the eastern side-yard in lieu of 10 feet minimum; and deny the increase in lot coverage.

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

The motion passed unanimously.

Discussion: None

Roll Call Vote on Amended Motion: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez

The amended motion passed unanimously.

E. Case Number: BOA#22-100102
Applicant/Owner: Steven Boyer
Property Address: 1706 Oakwood Lane
Parcel ID: 179997-7095

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-373(d), for a zero-foot driveway setback along the south property line in lieu of 5 feet minimum required, to allow for the enlargement and enclosure of an existing screened porch attached to an existing single-family dwelling and rectify a non-conforming driveway.

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

Applicant: Steven Boyer and Garima Srivastave, 695 A1A N Unit 55, Ponte Vedra Beach, stated the hardship was a uniquely shaped lot and a nonconforming driveway.

A brief discussion ensued about the lot shape.

Public Hearing:

The following spoke in opposition to the variance:

- Joseph Martin, 1778 Oakbreeze Lane, Jacksonville Beach

Mr. Boyer addressed the concerns expressed by Mr. Martin.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar to approve BOA#22-100102 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A discussion ensued about a zero-lot line versus encroachment and the screened porch.

Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, John Moreland, Jennifer Williams, Alexi Gonzalez

The motion passed unanimously.

PLANNING DEPARTMENT REPORT

Mr. Popoli stated the joint meeting with the Board and the Planning Commission regarding the Comp Plan and Land Development Code will be held on October 27, 2023, at 6:00 P.M.

The next scheduled meeting is Tuesday, October 4, 2022, at 6:00 P.M. There are four scheduled cases.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 7:53 P.M.

Submitted by: Lauren Loria
Administrative Assistant

The minutes were reviewed by Planning & Development.

Approval:

Ally Gonzalez
Chairperson

10/4/22
Date