

Minutes of Board of Adjustment Meeting
held Tuesday, November 1, 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, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS:

Ms. Gonzalez noted the agenda was missing one item of old business.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to amend the agenda to include BOA# 22-100092.

Voice Vote: In a voice vote, the motion passed unanimously.

A. Case Number: BOA#22-100092

Applicant: Matthew Lents

Owner: Lents & Associates, PLLC

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.

Senior Planner Christian Popoli provided background on the application.

Applicant: Mr. Lents requested a continuance until 2023.

A discussion ensued about whether to continue or withdraw the application. City Attorney Sandra Robinson recommended continuing the application because the public hearing had already occurred.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to continue BOA# 22-100092 until June 2023.

Discussion: None

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Moreland, to continue BOA# 22-100092 until June 6, 2023.

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

The motion to amend passed unanimously.

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

The original motion as amended passed unanimously.

NEW BUSINESS:

A. Case Number: BOA#22-100118

Applicant/Owner: Jon P. Stephan

Agent: Paul Medis - Waterout of Northeast Florida, Inc.

Property Address: 1862 Evans Drive South

Parcel ID: 179997-7040

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 to allow for the addition of a rear covered patio at an existing single-family dwelling.

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

Applicant: Jon P. Stephan, 1862 Evans Drive South, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing:

The following spoke in support of the variance:

- Michael Cowart, 1848 Evans Drive South, Jacksonville Beach
- Paul Medis, 5791 University Club Boulevard North, Jacksonville

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100118 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

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

The motion passed unanimously.

B. Case Number: **BOA#22-100119**
Applicant/Owner: Cindy Ellen Meide
Agent: Richard Gifford - Gifford & Gifford
Property Address: 1203 9th Avenue North
Parcel ID: 179173-0500

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 49% in lieu of 35% maximum; 34- 337(e)(1)g, for an accessory structure setback of 0 (zero) feet in lieu of 5 feet minimum from the western side yard; and 34-373(d), for a driveway setback of 2 feet in lieu of 5 feet minimum from the western side yard, to allow for the addition of an extended driveway, walkway and swimming pool paver deck at a newly constructed single-family dwelling.

Ex-Parte Communication:

Ms. Gonzalez disclosed a friend asked her if this case was coming before the Board. Ms. Gonzalez confirmed it was.

No additional Board members had ex-parte communication on this item.

Applicant: Cindy Ellen Meide, 1203 9th Avenue North, Jacksonville Beach, stated the hardship was their disabled dependent could not navigate the property. Richard Gifford, 301 W. Bay Street, Jacksonville, was sworn in to answer any additional questions.

Public Hearing:

The following spoke in support of the variance:

- Hugh and Michele Verkerk, 1005 13th Street North, Jacksonville Beach

The following spoke in opposition to the variance

- Mark Junk, 1034 13th Street North, Jacksonville Beach

The following submitted an email [on file] in opposition of the variance:

- Rhonda Johnson

Mr. Gifford addressed the drainage and flooding concerns.

A discussion ensued about pavers, lot coverage, and westerly side yard setback.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100119 with an accessory structure setback of 18" in lieu of 5' on the westerly side yard, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:

A brief discussion ensued about the substandard lot, setbacks, and criteria.

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

The motion passed 4-1.

C. Case Number: **BOA#22--100120**
Applicant/Owner: SMV Management, LLC. - Parthesh Vakil
Property Address: 312 1st Avenue North
Parcel ID: 176766-0000

City of Jacksonville Beach Land Development Code Section(s): 34-339(e)(3)(c)2, for a westerly side yard of zero '0' feet and an easterly side yard setback of 5 feet in lieu of 10 feet required for each side yard, to allow for construction of a new two-unit multi-family structure.

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

Applicant: Parthesh Vakil, 10150 Belle Rive Boulevard, Unit 106, Jacksonville, stated the lot was substandard.

A discussion ensued about the Land Development Code, square footage, and lot coverage.

Public Hearing:

The following spoke in opposition to the variance

- Zain Jazrawi, 782 8th Avenue South, Jacksonville Beach
- Willard Michaud III, 380 1st Avenue North, Jacksonville Beach
- Thomas D. Lee III, 7609 Tara Lane, Jacksonville
- Heath Aldridge, owner 316-318 18th Avenue North, Jacksonville Beach

The following submitted an email [on file] in opposition of the variance:

- Lisa Johnson Cook, 1209 Salt Creek Island Drive, Ponte Vedra Beach

The following spoke in support of the variance:

- Ryan Vermey, 261 Ahern Street, Atlantic Beach

Mr. Vakil and Mr. Vermey addressed concerns expressed during the public hearing.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100120 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion:
A discussion continued about the use, setbacks, lot width, and two-unit multi-family structures.

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

The motion passed 4-1.

PLANNING DEPARTMENT REPORT

Mr. Popoli stated the next meeting regarding the Comprehensive Plan and Land Development Code would be held on November 3, 2022.

The next scheduled meeting is Tuesday, November 5, 2022, at 6:00 P.M. There are four scheduled cases.

ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 7:17 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Alexi Gonzalez
Chairperson

12/6/22
Date