

Minutes of Board of Adjustment Meeting
held Tuesday, February 7, 2023, 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 (absent)
Board Members: Jeff Truhlar John Moreland Todd Smith (absent)
Alternates: Jennifer Williams Matt Metz

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

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on January 3, 2023
- Regular Board of Adjustment Meeting held on January 18, 2023

CORRESPONDENCE: None

OLD BUSINESS:

A. **Case Number:** **BOA#22-100122**
Applicant/Owner: David T. Plummer
Agent: Hunter Faulkner, Jimerson Birr, P.A.
Property Address: 120 5th Street North
Parcel ID: 173787-0000

City of Jacksonville Beach Land Development Code Section(s): 34-339(e)(3)d,2, for a minimum unit size of 600 square feet in lieu of 700 square feet required for a one bedroom multi-family unit; 34-343(e)(3)a, for a front yard setback of 1 foot in lieu of 10 feet minimum; 34-373(c), for no turning and maneuvering space and back out parking into alley in lieu of providing turning and maneuvering space without backing into alley; 34-373(d), for no parking setback in lieu of 5 feet minimum; 34-373(f), for gravel parking in lieu of paved parking; 34-377, for 5 parking spaces in lieu of 10 spaces required; and 34-425(b), for no vehicular landscaping in lieu of all required landscaping to rectify existing non-conformities and allow for the addition of two new multi-family units to an existing non-conforming commercial building.

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

Agent: Hunger Faulker, 1 Independent Drive, Jacksonville, stated the request was for each unit to be 600 square feet in lieu of 700 square feet required, which was incorrectly listed on the agenda. He stated the hardships were several nonconformities.

A brief discussion ensued about parking, multi-family units, and square footage.

Public Hearing:

The following spoke in support of the variance:

- Andrew Buser, 1265 Cape Charles Avenue, Jacksonville

The following did not wish to speak but submitted a speaker card in opposition to the variance:

- Wayne Carlisle, 101 Trudee Dee Lane, Jacksonville Beach
- Edward Roth 114 28th Avenue South, Jacksonville Beach
- Donna Roth, 114 28th Avenue South, Jacksonville Beach
- Kara Owen, 2221 Azalea Drive, Jacksonville Beach

The following spoke in opposition of the variance:

- Lester Del Rosario, 5 17th Avenue North, Jacksonville Beach

The following submitted an email in opposition to the variance:

- Tony Komarek, 533 11th Avenue South, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland to approve BOA#22-100122 based on the standards for a variance outlined in Section 34-286 of the Land Development Code, subject to the condition of 8 parking spaces in lieu of 10 spaces required.

Discussion: A discussion ensued about the deck and social gatherings and the hardship.

Roll Call Vote: Ayes – Jennifer Williams, Alexi Gonzalez
Nays – John Moreland, Jeff Truhlar, Matt Metz
The motion failed 3-2.

NEW BUSINESS:

A.	Case Number:	BOA#22-100150
	Applicant/Owner:	Ronald Stephens
	Agent:	N/A
	Property Address:	716 11th Street North
	Parcel ID:	177779-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a corner side-yard setback of 19.7 feet in lieu of 20 feet minimum; and 34-336(e)(1)c.3, for a rear-yard setback of 20 feet in lieu of 30 feet minimum to allow for the construction of a new single-family dwelling.

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

Applicant: Ronald Stephens, 716 11th Street North, Jacksonville Beach, stated the hardship was a nonconforming lot. He submitted an aerial photograph [on file] of the property.

A brief discussion ensued about the proposed site plan 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. Truhlar, seconded by Mr. Moreland to approve BOA#22-100150 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about potential line of sight issues and lot coverage.

Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Jennifer Williams, Matt Metz, Alexi Gonzalez
The motion passed unanimously.

B. Case Number: BOA#22-100151
Applicant/Owner: Jered & Carly DaCosta
Agent: N/A
Property Address: 109 12th Avenue North
Parcel ID: 174644-0000

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(3)c.3, for a rear yard setback of 2.3 feet in lieu of 30 feet minimum; 34-340(e)(3)c.2, for a side-yard setback of zero feet in lieu of 10 feet minimum; and 34-340(e)(3)c.1, for a front yard setback of 12.3 feet in lieu of 20 feet minimum all to allow for the re-orientation of the front and side yards, making the 12th Avenue North property line the front yard and the 1st Street North property line the corner side yard, to add additional paving for parking, install a new swimming pool and pool deck, and rectify existing non-conformities at an existing multi-family dwelling.

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

Applicant Representative: Eric Marus, 1305 14th Avenue North, Jacksonville Beach, stated the hardship was a nonconforming lot.

A discussion ensued about the setbacks, pool, pool deck, and reorientation of the property.

Public Hearing:

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

Motion: It was moved by Mr. Truhlar, seconded by Ms. Williams to approve BOA#22-100151 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about variances, hardship, the neighboring lot, and conditioning the request to the current structure.

Motion to Amend: It was moved by Mr. Truhlar, seconded by Mr. Moreland to amend the motion to apply the variance to the existing structure only and the variance would not run with the land.

Motion to Amend Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Jennifer Williams, Matt Metz, Alexi Gonzalez
The motion to amend passed unanimously.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Jeff Truhlar, John Moreland, Jennifer Williams, Matt Metz
Nays – Alexi Gonzalez
The motion, as amended, passed 4-1.

C. Case Number: BOA#22-100153
Applicant/Owner: William Fullerton
Agent: Andrea Lambert
Property Address: 614 15th Avenue South
Parcel ID: 176935-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c.3, for a rear yard setback of 25 feet in lieu of 30 feet minimum; 34-337(e)(1)e, for lot coverage of 46% in lieu of 35% maximum; 34-337(e)(1)g, for an accessory structure setback of 0.6 feet along the east property line and 1.8 feet along the south property line; and 34-373(d), for a parking area setback of zero feet in lieu of 5 feet minimum to rectify existing non-conformities and allow for the construction of a new addition to an existing single-family dwelling.

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

Agent: Andrea Lambert, 457 Pablo Point Drive, Jacksonville, stated the hardship was a nonconforming lot.

A brief discussion ensued about the proposed addition, shed, pavers, and parking.

Public Hearing:

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland to approve BOA#22-100153 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A brief discussion ensued about outdoor living space and lot coverage.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Jennifer Williams, Alexi Gonzalez
Nays – Matt Metz
The motion passed 4-1.

PLANNING DEPARTMENT REPORT:

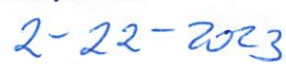
The next scheduled meeting is Wednesday, February 22, 2023, at 6:00 P.M. There are four scheduled cases.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:06 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval: 
Vice Chairperson

Date