

**Minutes of Board of Adjustment Meeting  
held Tuesday, April 18, 2023, at 6:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER:**

Chairperson Alexi Gonzalez called the meeting to order at 6:05 P.M.

**ROLL CALL:**

*Chairperson:* Alexi Gonzalez  
*Vice-Chairperson:* Owen Curley  
*Board Members:* Jeff Truhlar John Moreland Todd Smith (absent)  
*Alternates:* Jennifer Williams Matt Metz (late)

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

**APPROVAL OF MINUTES:**

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

- Regular Board of Adjustment Meeting held on April 4, 2023

**CORRESPONDENCE:**

Mr. Senior Planner Christian Popoli noted an email [on file] from the applicant on the dais.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A. Case Number:** **BOA#23-100026**  
**Applicant/Owner:** Walker Capital Holdings, LLC - Scott McAlister  
**Agent:** Driver, McAfee, Hawthorne & Diebenow - Steve Diebenow  
**Property Address:** 201 5th Avenue North  
**Parcel ID:** 174181-0010

**City of Jacksonville Beach Land Development Code Section(s):** 34-345(e)3, for a rear yard setback of zero (0) feet in lieu of 10 feet minimum; 34-345(e)(7)h.1, for a side entrance in lieu of a corner entrance; 34-373(c), for back out parking in lieu of required turning and maneuvering lanes for a commercial use; 34-373(d), for no setback for parking in lieu of 5 feet required and 10 feet at intersections; and 34-425(b)1, for no (zero) landscape buffers adjacent to parking areas in lieu of required landscaping, to rectify existing non-conformities and allow for renovation of an existing commercial structure.

Mr. Popoli clarified an additional request for six gravel parking spaces as opposed to paved parking spaces.

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

**Applicant:** Scott McAlister, 1941 Beach Avenue, Atlantic Beach, explained the challenges of the building permit expiring, meeting the 500-foot distance requirement, and unforeseen health issues.

**Agent:** Steve Diebenow, 1 Independent Drive, Suite 1200, Jacksonville, stated the hardships were the current conditions and non-conformities.

A brief discussion ensued about mixed-use, parking, gravel vs. paved, dumpster corral, and the deck.

**Public Hearing:**

The following spoke in support of the variance:

- Anthony Morgan, 13045 Sawpit Road, Jacksonville

The following spoke in opposition to the variance:

- Frank Fraser, 525 3<sup>rd</sup> Street, Jacksonville Beach

Mr. Diebenow and Mr. McAlister responded to concerns expressed by Mr. Fraser.

Ms. Gonzalez closed the public hearing.

**Motion:** It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100026 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

**Motion to Amend:** It was moved by Mr. Curley, seconded by Mr. Moreland, to amend the motion to make approval of BOA#23-100026 conditioned upon the existing building.

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

**Discussion:** A brief discussion ensued about parking, payment in lieu of process, and criteria.

**Amended Motion Roll Call Vote:** Ayes – John Moreland, Owen Curley, Jeff Truhlar, Jennifer Williams, and Alexi Gonzalez  
The amended motion passed unanimously.

**PLANNING DEPARTMENT REPORT:**

Mr. Popoli stated the joint meeting between the Board of Adjustment, Planning Commission, and CRA regarding the Land Development Code would be held on May 31, 2023.

The next scheduled meeting is Tuesday, May 2, 2023, at 6:00 P.M. There are six scheduled cases.

**COURTESY OF THE FLOOR TO VISITORS:**

No one came forward to speak.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 6:41 P.M.

Submitted by: Lauren Loria  
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:



vice

Chairperson

5-2-2023

Date