

**Minutes of Board of Adjustment Meeting
held Tuesday, May 2, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

Vice-Chair Owen Curley called the meeting to order at 5:59 P.M.

ROLL CALL:

Chairperson: Alexi Gonzalez (absent)
Vice-Chairperson: Owen Curley
Board Members: Jeff Truhlar John Moreland Todd Smith
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. Truhlar, seconded by Mr. Moreland, and passed unanimously to approve the following minutes:

- Regular Board of Adjustment Meeting held on April 18, 2023

CORRESPONDENCE:

Senior Planner Christian Popoli stated correspondence was located on the dais.

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: **BOA#23-100028**
Applicant/Owner: Gaylord Candler & Georgette Dumont
Agent: N/A
Property Address: 507 16th Avenue South
Parcel ID: 176933-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)e, for lot coverage of 41.2% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure setback of 4.2 feet along the western property line and 3.7 feet along the northern property line in lieu of 5 feet minimum to allow for the installation of a new pervious paver driveway, rear patio and to rectify existing non-conformities at an existing single-family dwelling.

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

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to move BOA#23-100028 to the end of the agenda.

In a voice vote, the motion passed unanimously.

B. Case Number: **BOA#23-100032**
Applicant/Owner: Kevin O'Malley
Agent: N/A
Property Address: 712 Bonaire Circle
Parcel ID: 180949-1220

City of Jacksonville Beach Land Development Code Section(s): Ordinance 2002-7843: Ocean Cay PUD to allow for 57% lot coverage in lieu of 45% maximum to rectify existing non-conformities and allow for the replacement of the driveway and walkways at an existing single-family dwelling.

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

Applicant: Kevin O'Malley, 712 Bonaire Circle, Jacksonville Beach, stated the hardship was the condition of the property upon purchase.

A discussion ensued about HOA and City approval, the driveway, the site survey, the deck, and the paver patio.

Public Hearing:

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

- Jerome and Mary Gallegos-Bird, 704 Bonaire Circle, Jacksonville Beach
- Ocean Cay Homeowners Association, Inc., 920 3rd Street, Suite B, Neptune Beach

The following spoke on the variance:

- Gary Paetau, 725 Bonaire Circle, Jacksonville Beach

Mr. O'Malley reiterated his position.

A discussion ensued about the conforming lot, the side yard setback, and the Ocean Cay Homeowners Association letter.

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to deny BOA#23-100032 for failure to meet the standards as special circumstances which do not result in the application as the property is conforming in size.

Discussion: A discussion ensued about lot coverage, the [Special] Magistrate case, nonconformities created by the homeowner, and lack of hardship.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Jennifer Williams, Owen Curley
The motion to deny passed unanimously.

C. Case Number: **BOA#23-100033**
Applicant/Owner: Jeffrey & Monica Green
Agent: Charles Hosea, Bee Tree Homes, Inc.
Property Address: 434 9th Avenue North
Parcel ID: 174458-0060

City of Jacksonville Beach Land Development Code Section(s): 34-339(e)(3)c.2, for a side yard setback of 5 feet in lieu of 10 feet minimum along the eastern property line; 34-339(e)(3)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; and 34-

373(d), for a parking area setback of zero feet in lieu of 5 feet minimum for the rear structure parking along the western property line, to rectify existing non-conformities and allow for additions and renovations to existing multi-family structures.

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

Agent: Charles Hosea, 13751 Saxon Lake Drive, Jacksonville, stated the hardship was a nonconforming lot. Mr. Hosea clarified they were requesting the two parking spaces on the west side of the property.

A discussion ensued about parking.

Public Hearing:

No one came forth to speak on this item. Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-100033 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A brief discussion ensued about existing nonconformities and lot coverage.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Jennifer Williams, Owen Curley
The motion passed unanimously.

D. Case Number: **BOA#23-100034**
Applicant/Owner: Russell & Michelle Rendon
Agent: N/A
Property Address: 1379 Plantation Oaks Drive North
Parcel ID: 179997-5060

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 43% in lieu of 35% maximum; and 34- 336(e)(1)g, for an accessory structure setback of 3 feet in lieu of 5 feet minimum along the northern property line and 3 feet along the eastern property line, to allow for the construction of a new swimming pool and pool deck at an existing single-family dwelling.

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

Applicant: Russell Rendon and Michelle Rendon, 1379 Plantation Oaks Drive North, Jacksonville Beach, stated the hardship was pool safety. Mr. Rendon noted he would be willing to move or replace the nonconforming shed.

A discussion ensued about the pool, coping, pavers, lot coverage, safety, and hardship. Mr. Rendon provided a handout [on file].

Public Hearing:

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

- Paul Anello, 1367 Plantation Oaks Drive, Jacksonville Beach
- Greg Barnett, 1280 Plantation Oaks Drive, Jacksonville Beach
- Jason Lee, 1381 Plantation Oaks Drive South, Jacksonville Beach
- Adam Lane, 1532 Ashford Oaks Way, Jacksonville Beach
- Wyatt Cheek, 1281 Plantation Oaks Drive East, Jacksonville Beach
- Tim Boyd, 1372 Plantation Oaks Drive North, Jacksonville Beach
- Greg & Lisa Terrell, Jacksonville Beach

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to approve BOA#23-100034 as it would be within the standards of the Land Development Code and that it be for only 40% [lot coverage].

Discussion: A brief discussion ensued about the HOA support and standards.

Motion to Amend: It was moved by Mr. Metz, seconded by Mr. Truhlar, to amend the motion to approve BOA#23-100034 to reduce from the requested lot coverage of 43% to 40% and not include the accessory structure set back of 3 feet in lieu of 5 feet minimum on the northern property line and to attach the 3 feet eastern property line setback to the existing shed.

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

Discussion: None.

Amended Roll Call Vote: Ayes – Todd Smith, John Moreland, Jeff Truhlar, Jennifer Williams, Owen Curley
The amended motion passed unanimously.

A. Case Number: **BOA#23-100028**
Applicant/Owner: Gaylord Candler & Georgette Dumont
Agent: N/A
Property Address: 507 16th Avenue South
Parcel ID: 176933-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)e, for lot coverage of 41.2% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory structure setback of 4.2 feet along the western property line and 3.7 feet along the northern property line in lieu of 5 feet minimum to allow for the installation of a new pervious paver driveway, rear patio and to rectify existing non-conformities at an existing single-family dwelling.

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

Applicant: Georgette Dumont, 507 16th Avenue South, Jacksonville Beach, stated the hardship was a nonconforming lot.

Public Hearing: No one came forth to speak. Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#23-100028 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A brief discussion ensued about the pavers and lot coverage.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Jennifer Williams, Owen Curley
The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Wednesday, May 17, 2023, at 6:00 P.M. There are three scheduled cases.

Mr. Popoli announced the May 31, 2023, Joint Workshop on the Comprehensive Plan and Land Development Code.

COURTESY OF THE FLOOR TO VISITORS: None

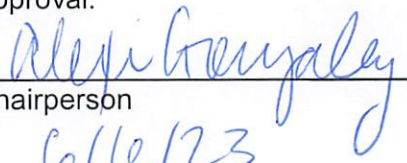
ADJOURNMENT:

There being no further business, the meeting adjourned at 7:14 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:


Chairperson

6/6/23
Date