

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



CALL TO ORDER:

Chairperson Gonzalez called the meeting to order at 6:00 P.M.

ROLL CALL:

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

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 May 2, 2023
- Regular Board of Adjustment Meeting held on May 17, 2023

CORRESPONDENCE:

Senior Planner Christian Popoli noted correspondence provided on the dais.

OLD BUSINESS:

A.	Case Number:	BOA#22-100092
	Applicant/Owner:	Matthew Lents
	Agent:	N/A
	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, 2380 Companion Circle West, Jacksonville, provided updates since the September 7, 2022, deferral. Mr. Lentz presented a PowerPoint [on file].

A discussion ensued about the number of employees on-site, parking, additional stories, original request, future employee growth, ADA parking compliance, and conditional use.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100092 conditioned on the use of the building as a tax preparation office and/or CPA office, 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. Metz, seconded by Mr. Truhlar, to amend the motion to reduce the parking spaces from 14 to 12.

Discussion: None.

Motion to Amend Roll Call Vote: Ayes – John Moreland, Matt Metz,
Nays – Owen Curley, Jeff Truhlar, and Alexi Gonzalez.
The motion to amend failed 3-2.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Matt Metz, and Alexi Gonzalez.
Nays – Jeff Truhlar
The original motion passed 4-1.

NEW BUSINESS:

A. **Case Number:** **BOA#23-100039**
Applicant Michael Cowart
Agent: Judy Cowart
Owner: Michael & Judy Cowart
Property Address: 1848 Evans Drive South
Parcel ID: 179997-7045

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.3, for a rear yard setback of 16 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for lot coverage of 42.58% in lieu of 35% maximum, to allow for a new side addition to an existing single-family dwelling.

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

Applicant: Michael Cowart, 1848 Evans Drive South, Jacksonville Beach, stated the hardship was the existing structure and irregularly shaped lot.

Public Hearing:

The following spoke in support of the variance:

- Earl Parker, 1214 Blue Heron Lane North, Jacksonville Beach
- Belva Parker, 1214 Blue Heron Lane North, Jacksonville Beach
- Jacob Roberts, 1834 Evans Drive South, Jacksonville Beach

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

- Barbara Kopec, 1841 Evans Drive South, Jacksonville Beach

Mr. Cowart addressed public comments. A brief discussion ensued about flooding and drainage.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100039 with 38% lot coverage based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about reduced lot coverage and drainage.

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

B. Case Number: **BOA#23-100040**
Applicant: Alison Ballentine
Agent: N/A
Owner: Michael Ballentine
Property Address: 1612 Tanglewood Road
Parcel ID: 178514-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for side yard setbacks of 8.2 feet on the south property line and 7 feet on the north property line in lieu of 10 feet minimum; and 34- 336(e)(1)c.3, for a rear yard setback of 5 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum, to allow for a new rear addition and attached breezeway 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: Alison Ballentine, 1612 Tanglewood Road, Jacksonville Beach, stated the hardship was an undersized lot.

A discussion ensued about the attached structure and setbacks.

Public Hearing:
No one came forth to speak. Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100040 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the undersized lot, attached structure, and setbacks.

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

C. Case Number: **BOA#23-10042**
Applicant/Agent: Brad Wester
Owner: Peter Gibson
Property Address: 3527 Ocean Drive
Parcel ID: 181423-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum, to allow for construction of a new single-family dwelling.

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

Agent: Brad Wester, 1 Independent Drive, Suite 1200, Jacksonville, stated the hardship was two irregularly shaped lots. Mr. Wester presented a PowerPoint [on file].

A discussion ensued about lot coverage, hardship, lot shape, elevation, and driveway.

Joe Cronk, Cronk Duch Architecture, 1936 San Marco Boulevard, Jacksonville, spoke about the driveway material.

Discussion continued about the hardship and lot coverage.

Public Hearing:

The following spoke in support of the variance:

- Steve Williams, 3731 Duval Drive, Jacksonville Beach

A petition [on file] with 25 resident signatures was submitted in support of the variance.

Mr. Wester addressed the submitted petition signatures.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100042 for 38% lot coverage based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the hardship, driveway, and lot coverage.

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

D. Case Number: **BOA#23-10045**
Applicant/Owner: Vanessa White Weaver
Agent: N/A
Property Address: 3839 Poinciana Boulevard
Parcel ID: 181323-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 51% in lieu of 35% maximum; and 34:373(d), for a parking area setback

of zero feet in lieu of 5 feet minimum, to allow for expansion of an existing driveway at an existing single-family dwelling.

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

Applicant: Vanessa White Weaver, 3839 Poinciana Boulevard, Jacksonville Beach, stated the hardship was a non-conforming lot.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#22-100045 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the undersized non-conforming lot, drainage issues, and setbacks.

Roll Call Vote: Ayes – John Moreland, Owen Curley, Jeff Truhlar, Matt Metz, and Alexi Gonzalez.

The motion passed unanimously.

E.	Case Number:	BOA#23-10047
	Applicant/Owner:	Jeffrey & Natalie Brewster
	Agent:	Paul Zebouni
	Property Address:	2519 Independence Drive
	Parcel ID:	181076-1426

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)c.3, for a rear yard setback of 10 feet in lieu of 30 feet minimum to allow for 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: Paul Zebouni, 9765 Heckscher Drive, Jacksonville, stated the hardships were the 1,196 square foot home was built before the current Land Development Code, the angled orientation of the home, and setback limits.

A discussion ensued about the square footage of the home.

Applicant: Natalie Brewster, 2519 Independence Drive, Jacksonville Beach, spoke about neighbor support.

Public Hearing:

The following spoke in support of the variance:

- Matt Dahlberg, 2604 America Avenue, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100047 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about home square footage, lot coverage, existing nonconformities, and a drainage issue.

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

F. Case Number: **BOA#23-10048**
Applicant: Casey Lee
Agent: N/A
Owner: Ellen Peterson
Property Address: 725 3rd Street North
Parcel ID: 174266-0000

City of Jacksonville Beach Land Development Code Section(s): 34-342(e)(3)a, for a front yard setback of 8 feet in lieu of 10 feet minimum; 34-342(e)(5), for 100% lot coverage in lieu of 85% maximum; 34-373(b) for a two way parking isle width of 8 feet 10 inches in lieu of 23 feet minimum; 34-373(c), for no turning and maneuvering space in lieu of required space for commercial parking; 34-373(d), for a parking setback of zero feet in lieu of 5 feet required; 34-377, for one parking space in lieu of 8 spaces required for a new beauty shop (skin care) use located in the C-1 zoning district; 34-425(a)(3) for zero trees in lieu of one required tree; 34-425(b)(1), for no landscape buffer adjacent to the public right-of-way in lieu of 5 feet required; and 34-425(c)(1), for no interior landscape islands in lieu of one required island, to allow for the renovation and re-use of an existing non-conforming commercial mixed use structure.

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

Applicant: Casey Lee, 840 Holly Drive, Jacksonville Beach, stated the hardships were an old, outdated building and limited parking.

A discussion ensued about the number of employees, shared parking, residential units, and lot coverage.

Public Hearing:

The following spoke in support of the variance:

- Harry Schnabel, 3395 Zephyr Drive North, Jacksonville Beach
- Neal Hutchinson, 725 North 3rd Street, Apt. C, Jacksonville Beach
- Suzanne Judas, 2310 Oceanforest Drive West, Atlantic Beach
- Ellen Peterson, 109 2nd Street South, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100048 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about parking and conditioning the use of the property.

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend the approval conditioned upon the use of the property as a spa or salon.

Discussion: A brief discussion ensued about the condition.

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

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

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Wednesday, June 21, 2023, at 6:00 P.M. There are five scheduled cases. Mr. Curley would not be in attendance.

Mr. Popoli explained the timeline for the final adoption of the Comprehensive Plan and Land Development Code.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:08 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:


Chairperson


Date