

**Minutes of Board of Adjustment Meeting
held Tuesday, September 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:

<i>Chairperson:</i>	Alexi Gonzalez		
<i>Vice-Chairperson:</i>	Owen Curley		
<i>Board Members:</i>	Jeff Truhlar	John Moreland	Todd Smith
<i>Alternates:</i>	Matt Metz	Jennifer Williams	

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

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on August 15, 2023

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A.	<u>Case Number:</u>	<u>BOA#23-100076</u>
	Applicant/Owner:	Scott & Maureen Jakubczak
	Agent:	John Crawford
	Property Address:	3840 Poincianna Boulevard
	Parcel ID:	181372-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)e., for lot coverage of 40% in lieu of 35% maximum, to allow for the addition of a coping only swimming pool to an existing single-family dwelling for property addressed 3840 Poincianna Boulevard, RE# 181372-0000, legally described as Lot 6 and part of Lot 4, Block 12, Ocean Terrace.

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

Applicant: Maureen Jakubczak, 3840 Poincianna Boulevard, Jacksonville Beach, stated the hardship was an undersized lot.

A discussion ensued about coping, a deck, and outreach to neighbors.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to approve BOA#23-100076 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about lot coverage, decking, and criteria.

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

The motion passed unanimously.

B. Case Number: **BOA#23-100077**
Applicant/Owner: Nancy Lawing
Agent: Robert W Gray III
Property Address: 836 N 6th Ave
Parcel ID: 174232-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)c.(1), for a front yard setback of 9 feet in lieu of 20 feet minimum and 34-337(e)(1)c.(2), for a corner side yard of 1 foot in lieu of 12.5 feet minimum to allow for the construction of a new carport and for a corner side yard of 10 feet in lieu of 12.5 feet minimum, to address existing nonconformities and allow for a front porch addition to an existing single-family dwelling for property addressed 836 N 6th Ave, RE# 174232-0000, legally described as Lot 5, Block 69, Pablo Beach.

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

Applicant: Nancy Lawing, 836 North 6th Ave, Jacksonville Beach, stated the hardship was a nonconforming lot.

Agent: Robert Gray, 5211 High Rocklands Avenue, Lithia, provided additional background on the request.

A discussion ensued about the carport, parking, front porch addition, and line of sight.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100077 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about parking requirements, lot coverage, line of sight, options A and B for the carport, and hardship.

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Moreland, to amend the motion to accept option A for the carport to be on 6th Avenue North.

Motion to Amend Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, Todd Smith, John Moreland, and Alexi Gonzalez.

The motion to amend passed unanimously.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Owen Curley, Todd Smith, John Moreland,
and Alexi Gonzalez.

Nays – Jeff Truhlar

The motion, as amended, passed 4-1.

C. Case Number: **BOA#23-100079**
Applicant/Owner: James Smithson
Agent: Straum Contracting & Construction Management LLC
Property Address: 422 6th Ave S
Parcel ID: 176328-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-337(e)(1)c.(1), for front yard setback of 14.6 feet in lieu of 20 feet minimum; and 34-337(e)(1)c.(3), for a rear yard setback of 17 feet in lieu of 30 feet minimum to allow for a covered front patio to an existing single-family dwelling for property addressed 422 South 6th Avenue, RE# 176328-0000, legally described as Lot 3, Block 1 , Oceanside Park.

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

Applicant: James Smithson, 422 6th Ave South, Jacksonville Beach, stated the hardship was a nonconforming and undersized lot.

A discussion ensued about lot coverage, covered structure, existing nonconformities, renderings, and outreach to neighbors.

Public Hearing:

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

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100079 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about lot coverage, nonconformities, deferral, covered patio, driveway, survey, and motion amendment.

Motion to Amend: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend the motion to defer decision on BOA#23-100079 in order to obtain current lot coverage calculations.

Discussion: A discussion ensued about deferring the request.

Motion to Amend the Amendment: It was moved by Mr. Curley, seconded by Mr. Truhlar, to amend the amendment to defer BOA #23-100079 until the October 17, 2023 meeting.

Motion to Amend Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland

Nays – Owen Curley and Alexi Gonzalez.

The motion passed 3-2.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland
Nays – Owen Curley and Alexi Gonzalez.

The motion, as amended, passed 3-2.

D. Case Number: BOA#23-100080
Applicant/Owner: 0 2nd Street Acquisition, LLC
Agent: N/A
Property Address: 0 2nd Street South and 215 16th Avenue South
Parcel ID: 176317-0000 & 176315-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-342(e)(3)a., for front yard setbacks of 6.9 feet in lieu of 10 feet minimum along 2nd Street South and for a front yard setback of 3.3 feet in lieu of 10 feet minimum along 16th Avenue South; and 34-377, for 26 off street (on site) parking spaces in lieu of 58 spaces required to allow for new office buildings for property addressed '0' 2nd Street South and 215 16th Avenue South, RE# 176317-0000 & 176315-0000, legally described as The South half lots of 11 and 12, Block 153, Pablo Beach South & Lot 10, Block 153 Pablo Beach South.

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

Applicant: Steve Wacaster, 229 San Juan Drive, Ponte Vedra Beach, stated the hardship was an undersized lot.

A discussion ensued about parking requirements and construction.

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#23-100080 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about parking.

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

The motion passed unanimously.

E. Case Number: BOA#23-100081
Applicant/Agent: Frank Gamel Jr.
Owner: Felizardo S. Camilon

Property Address: 1908 Ocean Drive
Parcel ID: 179378-0000

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-338(e)(1)e, for lot coverage of 54.60% in lieu of 35% maximum; and 34-340(e)(1)c.(1), for a front yard setback of 14.6 feet in lieu of 20 feet minimum, to allow for 2nd and 3rd floor balcony additions to an existing single-family dwelling for property addressed 1908 Ocean Drive, RE# 179378-0000, legally described as Lot 2, Block K, Permenters Replat of Atlantic Camp Grounds.

Ex-Parte Communication: Mr. Moreland disclosed he spoke with two residents on Ocean Drive, Dan Elmaleh and David Zuckerman, who were requesting information. No additional Board members had ex-parte communication on this item.

Applicant: Alexis Gamel, 1302 18th Avenue North, Jacksonville Beach stated the hardship was a nonconforming lot.

A discussion ensued about the cantilever, lot coverage, and front yard setback.

Public Hearing:

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

- Greg Jacobs, 1330 Pinewood Road, Jacksonville Beach

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

- Matthew Chang (no address provided)

Ms. Gamel addressed the 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#23-100081 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about lot coverage and lot size.

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

The motion passed unanimously.

F. **Case Number:** **BOA#23-100082**
Applicant Mitchell Tidwell
Agent: N/A
Owner: Daniel Ryan
Property Address: 111 North 11th Avenue
Parcel ID: 174600-0005

City of Jacksonville Beach Land Development Code Section(s): Section(s): 34-338(e)(1)e, for lot coverage of 55.67% in lieu of 35% maximum to allow for a new

swimming pool and pool deck at an existing single-family dwelling for property addressed 111 North 11th Avenue, RE# 174600-0005, legally described as Lot 8, Block 122 Pablo Beach North R/P.

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

Applicant: Mitchell Tidwell, 2208 Hunterwood Court, Jacksonville, stated the hardship was a substandard lot.

A discussion ensued about lot division, pavers, lot coverage, design, a previous variance, and the walkway.

Public Hearing:

The following spoke in opposition to the variance:

- Irene Grant, 129 11th Avenue North, Unit D, Jacksonville Beach

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

- Brittany Perez-Grant, 129 11th Avenue North, Jacksonville Beach
- Thaad Perez-Grant, 129 11th Avenue North Unit C, Jacksonville Beach

Mr. Tidwell reiterated the nature of the hardship and addressed the lot coverage.

Ms. Gonzalez closed the public hearing.

Motion: It was moved by Mr. Curley, seconded by Mr. Moreland, to approve BOA#23-100082 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about criteria.

Roll Call Vote: Ayes – Owen Curley
Nays – Jeff Truhlar, Todd Smith, John Moreland, and Alexi Gonzalez.

The motion failed 1-4.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Tuesday, September 19, 2023, at 6:00 P.M.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:40 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Alexi Gonzalez
Chairperson

10/3/23
Date