

**Minutes of Board of Adjustment Meeting
held Tuesday, July 6, 2021, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson John Moreland called the meeting to order at 7:00 P.M.

ANNOUNCEMENT: None

ROLL CALL

Chairperson: John Moreland

Vice-Chairperson: Alexi Gonzalez

Board Members Francis Reddington

Jeff Truhlar

Alternates: Owen Curley

Dan Elmaleh

Senior Planner Christian Popoli and Staff Assistant Sheila Boman were also present.

EX PARTE COMMUNICATION: No ex-parte was reported.

APPROVAL OF MINUTES:

It was moved by Ms. Gonzalez, seconded by Mr. Curley, and passed unanimously to approve the minutes for June 15, 2021.

CORRESPONDENCE: None

NEW BUSINESS:

A. **Case Number:** **BOA#21-100079**
Applicant/Owner: Samantha Murphy
Property Address: 605 10th Avenue North
Parcel ID: 174992-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to allow for a screened porch addition to an existing single-family dwelling.

Applicant: Samantha Murphy, 605 10th Avenue North, Jacksonville Beach, stated her hardship was a substandard sized lot.

Public Hearing:

Ms. Gonzalez advised a petition [on file] with 11 names of individuals in support of the variance was received.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100079, based on the standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Francis Reddington, Jeff Truhlar, Owen Curley, and John Moreland

The motion was unanimously approved.

B. Case Number: **BOA#21-100081**
Applicant/Owner: Thomas and Robin Rice
Property Address: 725 12th Avenue South
Parcel ID: 176753-0150

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(2)c.2, for an interior side yard setback of zero feet in lieu of 10 feet minimum; 34-338(e)(2)c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 45% lot coverage in lieu of 35% maximum to rectify existing non-conformities resulting from a paver patio and pergola addition to an existing two-family dwelling.

Applicant: Thomas Frank Rice, 725 12th Avenue South, Jacksonville Beach, advised his hardship was a substandard lot. He further advised the contractor he hired to complete the patio and pergola addition did so without pulling the required permits.

Public Hearing:

The following did not wish to address the Board but was in support of the application:

- Katie Classey, 723 12th Avenue South, Jacksonville Beach

Ms. Gonzales read into the record an email [on file] in support of the application from the following individuals:

- Eric and Amanda Littles, 723 12th Avenue South, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued in regards to the status of the permit. Senior Planner Christian Popoli advised a building permit for the pergola and patio has now been submitted but was pending the Board's decision on the variance.

Motion: It was moved by Mr. Curley, seconded by Mr. Reddington, to approve BOA#21-100081 based on the standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Francis Reddington, Jeff Truhlar, Owen Curley, and John Moreland

The motion was unanimously approved.

C. Case Number: BOA#21-100083
Applicant: Catherine Vieira
Agent: White Ink Design, Dwayne White
Owner: Agnes Jazwinski
Property Address: 85 Oakwood Road
Parcel ID: 177862-0005

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for an easterly side yard setback of 8 feet 3 inches in lieu of 10 feet minimum and 34-336(e)(1)e, for 38% lot coverage in lieu of 35% maximum to allow for a sitting room addition to an existing single-family dwelling.

Applicant: Catherine Vieira, 85 Oakwood Road, Jacksonville Beach, stated her hardship was the lot's odd shape and overbuild of a previously permitted addition. Ms. Vieira advised to keep the requested lot coverage to only 38%, a shed was torn down, and part of the driveway would be removed once construction of the new addition was completed.

Public Hearing:

Ms. Gonzales read into record a letter [on file] from the following person who is in support of the application:

- Conor Cregan, 91 Oakwood Road, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: The Board agreed the lot was oddly shaped. They also agreed removal of the shed and part of the driveway would equal the amount of lot coverage requested for the new addition.

Motion: It was moved by Ms. Gonzales, seconded by Mr. Truhlar, to approve BOA# 21-100083 based on the Standards for a variance as outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Alexi Gonzalez, Owen Curley, and John Moreland

The motion was unanimously approved.

D. Case Number: BOA#21-100085
Applicant/Owner: Patrick E. Mulligan
Agent: Rick Johnston
Property Address: 533 10th Avenue North
Parcel ID: 174990-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)g, for the following accessory structure setbacks: existing paver patio and walkways situated 0 feet from the westerly property line and an existing shed situated 3 feet from the westerly property line and 4 feet from the rear property line all in lieu of 5 feet minimum and 34-336(e)(1)e, for 51% lot coverage in lieu of 35% maximum to rectify an existing non-conforming paver patio, walkway and storage shed and to construct a swimming pool for an existing single-family dwelling.

Agent: Rick Johnston, 3528 Ocean Drive South, Jacksonville Beach, advised the hardship was a substandard RS-1 lot. Mr. Reddington asked Mr. Johnston if he could work with 49% lot coverage as the Board has never granted 51% lot coverage. Mr. Johnston stated yes, he could.

Public Hearing:

Ms. Gonzales read into record a letter [on file] signed by 11 individuals in support of the application.

Mr. Moreland closed the public hearing.

Discussion: Conversation ensued regarding what type of pavers were used and how much they contributed to the current lot coverage. The Board also agreed 49% lot coverage was a reasonable request based on the size of the lot.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzales to approve BOA#21-100085 for 49% lot coverage in lieu of 51% lot coverage, as outlined in Section 34-286 of the Land Development Code as special circumstances and conditions do not result from the actions of the applicant.

Roll Call Vote: Ayes – Jeff Truhlar, Alexi Gonzalez, Francis Reddington, Owen Curley
Nays – John Moreland

The motion was approved 4-1.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, July 20, 2021. There are four scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:40 P.M.

Submitted by: Sheila Boman
Staff Assistant

These minutes were reviewed by Planning & Development.

Approval: 

Chairperson
7/20/2021

Date