

**Minutes of Board of Adjustment Meeting
held Tuesday, July 2, 2024, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

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

ROLL CALL:

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

Planner Danevsky Joseph, City Attorney David Migut, and Operations Support Specialist II Lauren Loria were also present.

APPROVAL OF MINUTES:

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

- Regular Board of Adjustment Meeting held on June 4, 2024

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#24-100020
Applicant/Owner: Christopher & Mary Dell
Agent: N/A
Property Address: 813 N 7th Ave
Parcel ID: 174402-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)(c)(2) for a combined side yard setback of 13.8 feet in lieu of 15 feet minimum, 34-337(e)(1)(e), for 44.4% lot coverage in lieu of 35% maximum, and 34-337(e)(1)(c)(3), for a rear yard setback of 18 feet in lieu of 30 feet minimum, for a two-story addition in the rear of property of a single-family dwelling located at property addressed 813 N 7th Ave, RE# 174402-0000, legally described as Lot 8, Block 89, Replat of Part of, Pablo Beach North.

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

Applicants: Mary and Christopher Dell, 813 North 7th Avenue, Jacksonville Beach, stated the hardship was a substandard lot.

Discussion ensued about the lanai, setback, lot coverage, and neighbor support.

Agent: Roger Russell, 3455 Thalia Road, Jacksonville, addressed questions from the Board.

Public Hearing:

The following spoke in opposition to the variance:

- Bama Israel, 818 8th Avenue North, Jacksonville Beach
- The following submitted a letter [on file] in opposition to the variance:
- Matthew Baker, 810 8th Avenue North Jacksonville Beach
 - Bama Israel, 818 8th Avenue North, Jacksonville Beach

Mr. and Mrs. Dell and Mr. Russell addressed the concerns expressed during the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#24-100020 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the hardship and setback.

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Matt Metz, and Owen Curley

The motion passed unanimously.

B. Case Number: **BOA#24-100030**
Applicant/Owner: William F Carey
Agent: N/A
Property Address: 1915 Grove St
Parcel ID: 178157-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)(e), for lot coverage of 50% in lieu of 35% maximum, to remove and replace original concrete driveway with permeable pavers and replace an existing paver sidewalk with permeable pavers, at an existing single-family dwelling and to address existing nonconformities at property addressed 1915 Grove St, RE# 178157- 0000, legally described as Lot 4, Block 5, San Pablo Terrace.

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

Applicant: William Carey, 1915 Grove Street, Jacksonville Beach, stated the hardship was a nonconforming lot.

Discussion ensued about the lot coverage, pavers, outreach to neighbors, driveway, previous work, and the pool.

Public Hearing:

No one came forward to speak. Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#24-100030 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion ensued about the lot coverage.

Roll Call Vote: Ayes – Jeff Truhlar, Todd Smith, John Moreland, Matt Metz, Owen Curley

The motion passed unanimously.

C. Case Number: **BOA#24-100031**
Applicant: Jeff Millaire
Agent: N/A
Owner: Hank & Susan Woodburn
Property Address: 510 Shetter Ave
Parcel ID: 175539-0000

City of Jacksonville Beach Land Development Code Section(s): 34-377, deviation from parking standards, for zero parking spaces in lieu of required parking, 34-425, deviation from landscape standards, for no permit, parking or other landscape buffers and shade trees in lieu of all required landscaping, 34-344(e)(3)(a), for a northerly and southerly front setback of 2 feet in lieu of 10 feet minimum, for construction of a Paddle Tennis facility, located at property addressed 510 Shetter Ave, RE# 175539-0000, legally described as Lot 1,2,3,4, Block 6, Pablo Beach South.

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

Applicant: Jeff Millaire, 425 Oceanwood Drive, Neptune Beach, stated the hardship was an irregularly shaped lot. Mr. Millaire submitted a handout [on file] to the Board.

Discussion ensued about parking, operating hours, bike and golf cart parking, development, and zoning.

Public Hearing:

The following spoke in opposition to the variance:

- Zachary Brown, 50 North Laura Street, Suite 2100, Jacksonville
- Patricia Raines, 507 1st Avenue South, Jacksonville Beach

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

- Katherine Kalema, 507 1st Avenue South, Jacksonville Beach

The following submitted a letter [on file] in opposition to the variance:

- Elias Hionides, 506 Beach Boulevard, Jacksonville Beach
- Angela Rankin, 608 Beach Boulevard, Jacksonville Beach

Mr. Millaire addressed concerns expressed during the public hearing.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Metz, to deny application BOA#24-100031 based on the testimony and evidence provided the request fails to meet the standards.

Discussion: A discussion ensued about the standards criteria, public hearing concerns, parking, and deferral.

Roll Call Vote: Ayes – Jeff Truhlar and Matt Metz
Nays – Todd Smith, John Moreland, and Owen Curley

The motion failed 2-3.

City Attorney David Migut outlined two additional motion options.

Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#24-100031 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: A discussion continued about staff recommendations, parking and conditioning the motion.

Motion to Amend: It was moved by Mr. Moreland, seconded by Mr. Smith, to amend the motion, with the condition that ten public parking spaces will be developed and maintained.

Discussion: A discussion continued about parking.

Motion to Amend Roll Call Vote: Ayes – John Moreland, Todd Smith, Matt Metz, and Owen Curley

Nays – Jeff Truhlar

The motion to amend passed 4-1.

Discussion: A discussion ensued about the amended motion.

Amended Motion: It was moved by Mr. Truhlar, seconded by Mr. Moreland, to approve BOA#24-100031, as amended, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Motion to Amend Roll Call Vote: Ayes – John Moreland, Todd Smith, and Owen Curley

Nays – Jeff Truhlar and Matt Metz

The amended motion passed 3-2.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Tuesday, July 16, 2024, at 6:00 P.M. There are two scheduled cases. A Land Development Code workshop will be held on August 22, 2024.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:27 P.M.

Minutes of the Board of Adjustment Meeting
July 2, 2024

Submitted by: Lauren Loria
Operations Support Specialist II

These minutes were reviewed by Planning & Development.

Approval:



Chairperson

8-6-24

Date