

**Minutes of Board of Adjustment Meeting
held Tuesday, February 2, 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 7:02 P.M.

ROLL CALL

Chairperson: John Moreland

Vice-Chairperson: Alexi Gonzalez

Board Members: Scott Cummings (absent) Francis Reddington Jeff Truhlar (absent)

Alternates: Owen Curley Dan Elmaleh

Building Official George Knight and Administrative Assistant Jodilynn Byrd were also present.

EX PARTE COMMUNICATION: No ex parte was reported.

APPROVAL OF MINUTES:

It was moved by Ms. Gonzalez, seconded by Mr. Reddington, and passed unanimously to approve the following minutes:

- January 5, 2021

CORRESPONDENCE: *None*

OLD BUSINESS:

A. Case Number: **BOA#20-100174**
Applicant/Owner: H & H Enterprises, Inc.
Agent: Randall Whitfield
Property Address: 818 Beach Boulevard
Parcel ID: 175457-0000

Reconsideration of Previously Denied Development Order – City of Jacksonville Beach Land Development Code Sections: 34-343(e)(3)a, for a rear yard setback of 0 feet in lieu of 10 feet minimum; 34-343(e)(5), for 86% lot coverage in lieu of 85% maximum; 34-373(d) for a parking area setback of 0 feet in lieu of 5 feet minimum; 34-377 for 86 on-site parking spaces in lieu of 108 spaces required; and 34-425(b)(1), for a landscaped area adjacent to the public right-of-way of 0 feet in lieu of 5 feet minimum to rectify existing non-conformities and allow for a substantial improvement and an addition to an existing commercial building.

Agent: Randall Whitfield, 7880 Gate Parkway, Jacksonville, stated the property's hardship was having to compensate for existing conditions, utilizing the existing building, which was built in 1958, and having streets surround the property on all four sides. Mr. Whitfield referenced a handout [on file].

Public Hearing:

The following spoke in opposition to the variance:

- Tony Komarek, 533 11th Avenue South, Jacksonville Beach

Discussion: A conversation ensued regarding authorization from FDOT (Florida Department of Transportation) regarding the utilization of the FDOT dedicated parking spots on the property. Mr. Whitfield said there was no written authorization.

Mr. Moreland closed the public hearing.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Elmaleh, to approve BOA# 20-100174 because it meets the standards of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Dan Elmaleh, Alexi Gonzalez, and John Moreland
Nayes – Francis Reddington
The motion passed with a 4-1 vote

NEW BUSINESS:

A. **Case Number:** **BOA#20-100206**
Applicant/Agent: Greg Beere, Content Modern
Owner: James R. Burnham
Property Address: 90 27th Avenue South
Parcel ID: 181621-0020

A variance from Land Development Code Sections: 34-336(e)(1)c.1, for a front yard setback of 14 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side-yard setback of 6 feet and a corner side-yard setback of 7 feet, each in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 7 feet in lieu of 30 feet minimum; 34-336(e)(1)e, for 59% lot coverage in lieu of 35% maximum; and 34-373(d) for a parking area setback of 7 feet in lieu of 10 feet minimum from the corner to allow for construction of a new single-family dwelling.

Applicant/Agent: Greg Beere, 4630 Delta Avenue, Jacksonville, stated the property's hardship was the lot was subdivided and is non-buildable due to the current setbacks, narrow building lines, and the square footage of the lot.

Public Hearing:

The following submitted an email and a letter in opposition to the variance:

- Lee Rhodes (no address given)
- Terrence and Catherine Kelly, 25 27th Avenue South, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA# 20-100206 for 49.9% lot coverage because special conditions and circumstances exist that are peculiar to the parcel of land, building, or

structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.

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

The motion was unanimously approved.

B. Case Number: BOA#20-100207
Applicant/Owner: John Atkins, Atkins Builders, Inc.
Property Address: 1225 4th Street North
Parcel ID: 174619-0000

A variance from Land Development Code Sections: 34-339(e)(1)c.2, for side-yard setbacks of 6.25 feet each in lieu of 10 feet minimum; 34-339(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-339(e)(1)f, for 49.7% lot coverage in lieu of 35% maximum to allow for construction of a new two-family dwelling.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was the property was zoned C-1, and because of the small size lot, it is impossible to build and achieve the parking requirements for commercial construction.

Public Hearing: None

Mr. Moreland closed the public hearing.

Discussion: A conversation ensued regarding C-1 and RM-1 zoning standards.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Reddington, to approve BOA#20-100207 because it meets the standard of the Land Development Code.

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

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is **Wednesday, February 17, 2021**. There are two scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 7:56 P.M.

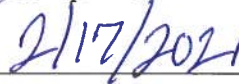
Submitted by: Jodilynn Byrd
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:



Chairperson



Date