

**Minutes of Board of Adjustment Meeting
held Tuesday, May 20, 2025, 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 6:01 P.M.

ROLL CALL:

Chairperson: Owen Curley

Vice-Chairperson: Matt Metz

Board Members: John Moreland (absent) Jennifer Williams Jeff Truhlar (absent)

Alternates: Laura Tierney (absent) Douglas Dell

Planner Danevsky Joseph and Operations Support Specialist II Lauren Loria were also present.

APPROVAL OF MINUTES:

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

- Minutes for March 18, 2025 Meeting
- Minutes for April 15, 2025 Meeting

CORRESPONDENCE: Ms. Loria confirmed all correspondence was provided to the Board on the dais.

OLD BUSINESS: None

NEW BUSINESS:

A.	<u>Case Number:</u>	<u>BOA#25-100020</u>
	Applicant:	Elevate On Track LLC
	Agent:	Cyndy Trimmer & Mike Sittner
	Owner:	Kathy Jaroll
	Property Address:	2007 S 1st St
	Parcel ID:	179381-0000

City of Jacksonville Beach Land Development Code Section(s): 34-615(e)(1)(c)(1), for a front yard setback of 10 feet in lieu of 20 feet minimum, 34-615(e)(1)(c)(3), for a rear yard setback of 5 feet in lieu of 20 feet minimum, 34-615(e)(1)(e), For lot coverage of 70% in lieu of 45% Maximum, 34- 615(e)(1)(f), for 71% lot coverage in lieu of 60% maximum, all for construction of two new urban single family dwellings, located on two nonconforming lots or record, located at property addressed 2007 S 1st St., RE# 179381-0000, legally described as Lot 5 & 6, Block L, Permenter's R/P Atlantic Camp Grounds.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Agent: Michael Sittner, 1 Independent Drive, Suite 1200, Jacksonville, stated the hardship was two non-conforming lots.

A discussion ensued about splitting the lots, the square footage of the lot, the proposed structure, and hardship.

Public Hearing:

The following did not wish to speak but submitted a speaker card and an online submission form [on file] in opposition to the variance:

- Jeanell Wilson, 2014 South Oceanfront, Jacksonville Beach

Mr. Sittner addressed concerns.

Mr. Curley closed the public hearing.

Discussion continued regarding the lot size, the square footage of the proposed structure, the potential for developing multi-family units, the staff report, and the setbacks.

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100020 based on the standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A discussion ensued regarding square footage, hardship, and the Land Development Code.

Roll Call Vote: Nays – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion failed unanimously.

B.	<u>Case Number:</u>	<u>BOA#25-100021</u>
	Applicant:	Timothy Whalen
	Agent:	Leonardo Ortiz
	Owner:	Tuxedo Park Rental LLC
	Property Address:	130 N 8th Ave
	Parcel ID:	173950-0000

City of Jacksonville Beach Land Development Code Section(s): 34-615(e)(3)(c)(1), for a front yard setback of 1.4 feet in lieu of 20 feet minimum, 34-615(e)(3)(c)(2) for a westerly side yard setback of 4.1 feet and an easterly side yard setback of 4.7 feet in lieu of 5 feet minimum per side, 34-615(e)(3)(c)(3) for a rear yard setback of 12.6 feet in lieu of 20 feet minimum, 34-706.1, for zero (0) parking spaces at a multiple-family dwelling in lieu of two (2) spaces per dwelling unit requirement or four (4) spaces total required, to rectify existing nonconformities and for renovation and conversion of a single family dwelling into a multi-family dwelling, located at property addressed 130 N 8th Ave RE# 173950-0000, legally described as THE WEST TWENTY-FIVE FEET OF THE NORTH SIXTY (60) FEET OF LOT SIXTY 960) AND EAST TEN (10) FEET OF THE NORTH SIXTY (60) FEET OF LOT FIFTY-NINE(59), FLAGLER TRACT.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Agent/Applicant: Leonardo Ortiz, 1401 River Place Boulevard, Jacksonville, and Timothy Whalen, 1217 Bellhaven Lane, Ponte Vedra, stated the hardship was existing nonconformities.

Mr. Ortiz submitted a photo to the board [on file].

A discussion ensued about the setbacks, parking, a survey, and previous ownership of the property.

Public Hearing:

The following spoke neither in support nor in opposition to the variance:

- Steve Roberts, 132 8th Avenue North, Jacksonville Beach

Mr. Ortiz addressed concerns expressed by Mr. Roberts and submitted additional photos to the board [on file].

A discussion continued about parking.

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100021 based on the testimony and substantial competent evidence provided. The request has met all the standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: None

Motion to Amend: It was moved by Mr. Metz, seconded by Ms. Williams, to amend the motion with the contingency they remain in the footprint of the existing structure.

A discussion ensued about the footprint of the proposed structure.

Motion to Amend Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion to amend passed unanimously.

Discussion: A discussion ensued regarding parking, setbacks, and the proposed structure's footprint.

Amended Motion Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion, as amended, passed unanimously.

C.	<u>Case Number:</u>	<u>BOA#25-100022</u>
	Applicant:	James Mizelle
	Agent:	Jason Gabriel
	Owner:	1328 N 3rd St LLC
	Property Address:	1328 N 3rd St
	Parcel ID:	174664-0000

City of Jacksonville Beach Land Development Code Section(s): 34-617(e)(3)(a), for a front yard setback of 4.6 feet in lieu of 10 feet minimum, 34-707, for a reduction of required off-street parking to 0 in lieu of 14.33 spaces required, to rectify existing

nonconformities, located at property addressed 1328 N 3rd St, RE# 174664-0000, legally described as Lot 1, Block 134, Pablo Beach North R/P.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Agent: Jason Gabriel, 50 North Laura Street, Suite 3000, Jacksonville, stated the hardship was existing nonconformities.

A discussion ensued about parking.

Public Hearing:

The following spoke in opposition to the variance:

- Robert Bunkley, 315 13th Avenue North, Jacksonville Beach

Mr. Gabriel addressed Mr. Bunkley's concerns.

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100022 based on the testimony and substantial competent evidence provided. The request has met all standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A discussion ensued about parking and traffic.

Motion to Amend: It was moved by Mr. Metz, seconded by Ms. Williams, to amend the motion with the condition the tenant maintains the parking and the easement next to the property as outlined by the recommendations of City staff.

Discussion: None

Motion to Amend Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion to amend passed unanimously.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion, as amended, passed unanimously.

D.	Case Number:	BOA#25-100023
	Applicant/Agent:	Josh Nussbaum
	Owner:	Donna Berdine, James McKenzie, Harold Dwayne Williams
	Property Address:	520/522 1st S St
	Parcel ID:	175960-0000/175958-0000

City of Jacksonville Beach Land Development Code Section(s): 34-615(3)(c)(1), for a front yard setback of 9.5 feet in lieu of 20 feet minimum, 34-615(3)(c)(3), for a rear yard setback of 2.8 feet in lieu of 20 feet minimum, 34-615(3)(g), for an accessory structure set back from the primary structure of 0 feet in lieu of 5 feet for swimming pool, 34-702(f) for ribbon strip driveways in lieu of required paved drive with or without permeable materials, for the construction of a new three (3) unit multifamily structure located at property addressed 520/522 S 1st St RE# 175960- 0000/175958-0000, legally described as THE NORTH HALF OF THE EAST TWENTY-FIVE FEET OF LOT 7, AND THE NORTH HALF OF LOT 8, Block 52, PABLO BEACH SOUTH.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Mr. Joseph noted an updated survey with paved parking was provided in the agenda packet.

Applicant: Josh Nussbaum, 1355 Ocean Boulevard, Atlantic Beach, stated the hardship was a non-conforming lot.

A discussion ensued regarding existing structures, front-yard setbacks, Land Development Code criteria, lot development, hardship, and parking.

Public Hearing:

The following spoke in opposition to the variance:

- Alex Flores, 119 6th Avenue South, Jacksonville Beach
- M. Louise Lantzy, 590 1st Street South, Jacksonville Beach

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

- John Shewmaker (no address provided)
- Mensur "Mo" Molla (no address provided)

Mr. Nussbaum addressed concerns expressed during the public hearing.

Mr. Curley closed the public hearing.

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100023 based on the testimony and substantial competent evidence provided. The request has met all standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A discussion ensued about the Land Development Code criteria and hardship.

Roll Call Vote: Nays – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion failed unanimously.

E. **Case Number:** **BOA#25-100024**
Applicant/Owner: 651 San Clementi LLC
Agent: Michael Sittner
Property Address: 510 S 3rd St
Parcel ID: 175971-0000

City of Jacksonville Beach Land Development Code Section(s): 34-614(3)(c)(2), for a northerly and southerly side yard setback of 1 foot in lieu of 10 feet per side yard requirement, 34-614(3)(c)(3), for a rear yard setback of 9 feet in lieu of 20 feet minimum, 34-702(c), for reduce parking area setbacks to zero (0) feet in lieu of five (5) feet required, 34-745 (all) to waive landscaping requirements, for construction of a two unit multifamily dwelling, located at property addressed 510 S 3rd St RE# 175971-0000, legally described as The south ½ Lots 1 and 2, Block 54, Pablo Beach South.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Agent: Michael Sittner, 1 Independent Drive, Suite 1200, Jacksonville, stated the hardship was a nonconforming lot.

Public Hearing:

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

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100024 based on the testimony and substantial competent evidence provided. The request has met all standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: Mr. Metz stated the request was reasonable for the existing structure.

Motion to Amend: It was moved by Mr. Metz, seconded by Ms. Williams, to amend the motion to be contingent on the existing structure.

Motion to Amend Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion to amend passed unanimously.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion, as amended, passed unanimously.

F. **Case Number:** **BOA#25-100025**
Applicant/Owner: Jacksonville Houses, LLC
Agent: Hunter Faulkner
Property Address: 1713 S 1st St
Parcel ID: 179352-0000

City of Jacksonville Beach Land Development Code Section(s): 34-615(e)(1)(c)(1), for a front yard setback of 18 feet in lieu of 20 feet minimum, 34-615(e)(1)(c)(3), for a rear yard setback of 11.5 feet in lieu of 20 feet minimum, for construction of new urban single family dwelling, located at property addressed 1731 S 1st Street RE# 179352-0000, legally described as Lot 8 and the South 5 feet of Lot 9, Block E, Permenter's R/P Atlantic Camp Grounds.

Ex-Parte Communication:

No Board members had ex-parte communication on this item.

Agent: Hunter Faulkner, 701 Riverside Park Place, Jacksonville, stated the hardship was a substandard lot.

A discussion ensued about setbacks and lot size.

Public Hearing:

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

Motion: It was moved by Mr. Metz, seconded by Ms. Williams, to approve BOA#25-100025 based on the testimony and substantial competent evidence provided. The request has met all standards for a variance outlined in Section 34-572 of the Land Development Code.

Discussion: A discussion ensued about the lot size.

Roll Call Vote: Ayes – Jennifer Williams, Matt Metz, Douglas Dell, and Owen Curley.

The motion passed unanimously.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting will be held on Tuesday, June 17, 2025, at 6:00 P.M. There is one scheduled case.

COURTESY OF THE FLOOR TO VISITORS: None

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:33 P.M.

Submitted by: Lauren Loria
Operations Support Specialist II

These minutes were reviewed by the Planning and Development Department.

Approval:



Chairperson

6-17-25

Date