

**Minutes of Board of Adjustment Meeting
held Tuesday, September 21, 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.

ROLL CALL

Chairperson: John Moreland
Vice-Chairperson: Alexi Gonzalez
Board Members: Owen Curley Francis Reddington Jeff Truhlar
Alternates: Dan Elmaleh

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

EX PARTE COMMUNICATION: Mr. Moreland advised he spoke to the Applicant for BOA Case# 21-100130. No other ex-parte was reported.

APPROVAL OF MINUTES:

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

- September 8, 2021

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. **Case Number:** **BOA#21-100126**
Applicant/Owner: Adam Gregory Kirk & Jennifer A. Heese
Property Address: 516 6th Avenue North
Parcel ID: 174205-0020

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify an existing non-conforming paver patio and to allow for the construction of a new screened enclosure to an existing single-family dwelling.

Applicant: Adam Gregory Kirk & Jennifer A. Heese, 516 6th Avenue North, Jacksonville Beach, advised they were unaware when they purchased their home, the patio was constructed without a permit. They want to correct that oversight and build a screened enclosure using the footprint of the patio.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board noted the lot was substandard in size.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100126, as it meets the standards of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

B. Case Number: BOA#21-100127

Applicant/Owner: Edward Carlton
Agent: Scott James, James & Son Builders
Property Address: 4030 Duval Drive
Parcel ID: 181714-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a southern side yard setback of 7.7 feet in lieu of 10 feet minimum and 34-336(e)(1)e, for 48% lot coverage in lieu of 35% maximum to allow for construction of a new single-family home and detached accessory structure.

Applicant: Edward Carlton, 4030 Duval Drive, Jacksonville Beach, advised the hardship was due to the substandard lot size and width. Mr. Carlton stated he also wanted to memorialize setbacks previously granted for the property. He advised the new construction would drop lot coverage from 51% to the requested 48% and provided a survey [on file] to show the current lot coverage.

Public Hearing:

The following spoke in opposition to the variance and provided photos [on file] showing flooding of the street:

- Tom Alter, 3915 Ponte Vedra Boulevard, Jacksonville Beach.

Ms. Gonzales read into the record emails [on file] from the following who are in opposition to the variance:

- Alison Stratford, 4103 Duval Drive, Jacksonville Beach
- Hugh and Meta Magevney, 4029 Duval Drive, Jacksonville Beach

Ms. Gonzales read into the record correspondence [on file] from the following who are in support of the variance:

- Hobie & Georgenna Walker, 3938 Duval Drive, Jacksonville Beach
- Steve Lear, 3922 Duval Drive, Jacksonville Beach
- James Howard, 4035 Duval Drive, Jacksonville Beach
- Beth Tresca, 4021 Ponte Vedra Drive, Jacksonville Beach
- Natalie Healy, 3705 Duval Drive, Jacksonville Beach
- Andrus Healy, 3705 Duval Drive, Jacksonville Beach

- Danny Miles, 3705 Duval Drive, Jacksonville Beach
- Suzanne Miles, 3705 Duval Drive, Jacksonville Beach
- MG Orender, 3909 Duval Drive, Jacksonville Beach

The Applicant addressed the concerns brought up by those who opposed the variance request.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: A discussion ensued regarding memorialization of previous approvals, plans for adequate parking, and that the lot is indeed undersized.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100127, as written with the condition that the memorialization of existing characteristics applies only to previously approved variances as conditioned upon approval.

Roll Call Vote: Ayes – Alexi Gonzalez, Owen Curley, and John Moreland
Nays – Francis Reddington and Jeff Truhlar
The motion was approved 3-2.

C. **Case Number:** **BOA#21-100128**
Applicant: Michael Didelot, Call the Screen Guys
Owner: Eusebio Eduardo Perez
Property Address: 2540 St. Johns Boulevard
Parcel ID: 180864-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 62% lot coverage in lieu of 35% maximum and 34- 337(e)(1)g, for a side yard setback of 1 foot in lieu of 5 feet minimum to rectify an existing non-conforming pool deck and add footers for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, stated the hardship is an undersized lot at 6,000 square feet versus the 7500 square foot minimum. Mr. Carter also advised the existing pool was built too close to the fenceline. A conversation ensued regarding a previously granted variance for 45% lot coverage and the fact the final construction of the pool and decking exceeded that amount.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: Discussion ensued in regards to avoiding setting precedence for lot coverage over 60%.

Motion: It was moved by Mr. Curley, seconded by Ms. Gonzalez, to deny BOA#21-100128 based on its failure to meet the standards for special circumstances, conditions that do not result from the actions of the Applicant and specifically that the design and current construction of the lot are a direct result of the Applicant.

Roll Call Vote: Ayes – Francis Reddington, Jeff Truhlar, Owen Curley, Alexi Gonzalez, and John Moreland
The motion to deny was unanimously approved.

D. Case Number: **BOA#21-100129**
Applicant: Michael Didelot, Call the Screen Guys
Owner: Patricia S. & Gary A. Jerrim
Property Address: 602 13th Avenue South
Parcel ID: 176825-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for footer installation for a new screened enclosure to an existing single-family dwelling.

Applicant: Authorized Agent Cliff Carter, 13334 Tropic Egret Drive, Jacksonville, advised they were seeking an additional 4x4 foot perimeter to install a screened enclosure.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board agreed the request was reasonable.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100129 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Owen Curley, Alexi Gonzalez, Francis Reddington, and John Moreland
The motion was unanimously approved.

E. Case Number: **BOA#21-100130**
Applicant/Owner: Michael Evan & Brittany Long Powers
Property Address: 1160 20th Street North
Parcel ID: 179109-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 44% lot coverage in lieu of 35% maximum to allow for the construction of a new swimming pool and patio deck to an existing single-family dwelling.

Applicant: Michael Evan & Brittany Long Powers, 1160 20th Street North, Jacksonville Beach, stated the property was an RS-2 lot size hardship (lot is 5,100 sq ft vs. 7,500 required minimum).

Public Hearing:
The following spoke in was in favor of the variance but did not wish to address the Board:

- Gary Carlee, 1160 20th Street North, Jacksonville Beach

Discussion: The Board agreed the request was not out of the ordinary.

Motion: It was moved by Ms. Gonzalez and seconded by Mr. Truhlar, to approve BOA#21-100130 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Roll Call Vote: Ayes – Owen Curley, Alexi Gonzalez, Francis Reddington, Jeff Truhlar, John Moreland
The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, October 5, 2021. There are five scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:04 P.M.

Submitted by: Sheila Boman
Office Assistant

These minutes were reviewed by Planning & Development.

Approval:



Chairperson

10/5/2021

Date