

**Minutes of Board of Adjustment Meeting
held Tuesday, October 5, 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 (absent)
Alternate: Dan Elmaleh

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

EX PARTE COMMUNICATION: Mr. Elmaleh advised he spoke to Alan [Chipperfield] regarding BOA Case# 21-100137. No other ex-parte was reported.

APPROVAL OF MINUTES:

The Board unanimously agreed to defer approval of the June 7, 2016, minutes until the October 19, 2021, meeting.

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

- September 21, 2021

CORRESPONDENCE: None

OLD BUSINESS:

A. Request for reconsideration of BOA #21-100092, previously denied.

Planning and Development Senior Planner Christian Popoli explained the re-application process for a previously denied variance.

Applicant's Agent Paul Hardin, 1431 River Place Boulevard, Jacksonville, stated the Land Development Code has two provisions that allow an Applicant to reapply prior to the one year. An application can be prepared with a 25% reduction from the original application, or alternatively, an application can be prepared to show changes that meet the issues raised at the original hearing.

Mr. Hardin reviewed the three issues raised during the first variance hearing and how the new application addresses those concerns:

1. The length of the driveway. The driveway was extended to 18 feet and fanned out from one to two lanes to ensure parked cars would not impede the line of sight for traffic.

2. The length of the cantilevered floor/deck. The length of the cantilevered floor was reduced by 50%.
3. A setback on one side. The house was shifted to the north property line to give more setback adjacent to the 21st Avenue side from 4 feet to 8 feet.

Discussion: Discussion ensued whether the changes made in the new application satisfied the concerns raised in the first variance hearing. Mr. Curley noted there were more than three concerns brought up in the original hearing.

Public Hearing: Ms. Gonzales read into the record an email [on file] from the following in support of the variance:

- Jeanell Wilson, 3090 South 3rd Street, Jacksonville Beach
- Buster Bragg, 2002 Ocean Front South, Jacksonville Beach

The following spoke in opposition of the reconsideration:

- Pete Kamaroski, 2008 Ocean Drive South, Jacksonville Beach

Mr. Moreland closed the public hearing.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Elmaleh, to approve the request for rehearing of BOA#21-100092, as the Applicant has addressed the grievances from the last hearing.

Roll Call Vote: Ayes – Alexi Gonzalez, Dan Elmaleh
Nays – Owen Curley, Francis Reddington, John Moreland
The motion was denied 3-2.

NEW BUSINESS:

A. **Case Number:** **BOA#21-100080**
Applicant: Brandon Stallings
Owner: James B. Stallings & Brandon A. Stallings
Property Address: 116 10th Avenue North
Parcel ID: 174528-0060

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)f, for lot coverage of 57% in lieu of 35% maximum (50% previously approved); and 34-340(e)(1)h, for a side yard setback of zero (0) feet in lieu of 2 feet minimum for construction of a walkway; and 34-373(d) for a parking area setback of 3.16 feet in lieu of 5 feet minimum to allow for an additional parking area for an existing two-family dwelling.

Applicant's Agent: Param Sahani, 1540 Lancaster Terrace, Jacksonville, stated the Applicant was requesting a variance to correct a non-conforming existing walk and driveway. Mr. Sahani said the Applicant applied for a right of way permit as instructed by the Planning and Development

Department, but once the walkway and driveway were finished, he was told he did not apply for the correct permit.

Applicant: Brandon Stallings, 116 10th Avenue North, Jacksonville Beach, stated the lot was undersized and purchased with an existing 50% lot coverage.

Public Hearing: The following spoke in support of the variance:

- J. Mike Boyles, 104 10th Avenue North, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued, and it was agreed the Applicant was out of compliance with the Land Development Code due to the current 57% lot coverage and lack of correct permitting. However, they also noted the lot was severely undersized in both dimension and width, which caused the hardship.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100080, with a reduced lot coverage of 55% in lieu of 35% and for the rest of the variance to be approved as stated in the application based on the standards outlined in Section 34-336 of the Land Development Code.

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

B. Case Number: BOA#21-100137
Applicant: Robert G. Bruce
Owner: Peter F. Gloersen, MD
Property Address: 3306 Ocean Drive
Parcel ID: 181752-0005

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for north and south side yard setbacks of 7 feet each in lieu of 10 feet minimum to allow for construction of a new single-family dwelling.

Applicant: Robert G. Bruce, 3330 Ocean Drive South, Jacksonville Beach, stated his lot was undersized in width, which caused the hardship. He also stated he spoke to his neighbors regarding the variance, and they were in support.

Public Hearing: The following spoke in support of the variance:

- Alan Chipperfield, 22 33rd Avenue South, Jacksonville Beach.

Ms. Gonzalez read into the record an email [on file] from the following in support of the variance:

- Donella Perdue, 3318 Ocean Drive South, Jacksonville Beach

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: The Board agreed the request was minimal considering the lot was so undersized.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Curley, to approve BOA#21-100137, based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

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

C. **Case Number:** **BOA#21-100138**
Applicant: Eric & Amanda Littles
Owner: Eric & Amanda Littles
Property Address: 729 12th Avenue South
Parcel ID: 176753-0100

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(2)c.3, for a rear yard setback of 15 feet in lieu of 30 feet minimum; and 34-338(e)(2)f, for 46% lot coverage in lieu of 35% maximum to allow for the addition of a rear paver patio, pergola and two paver pads to an existing single-family dwelling.

Applicant: Eric Littles, 729 12th Avenue South, Jacksonville Beach, stated he purchased his home with an existing 37% lot coverage. He further stated the lot was very small, at only half the size of the minimum required square footage.

Ms. Gonzalez noted the lot was 25 feet in width and 118 in depth with a total area of 2,950 feet.

Public Hearing: The following spoke in support of the variance:

- Tom Rice, 725 12th Avenue South, Jacksonville Beach
- Katie Classey, 723 12th Avenue South

Mr. Moreland closed the public hearing.

Discussion: None.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100138 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, Dan Elmaleh, John Moreland
The motion was unanimously approved.

D. Case Number: **BOA#21-100140**
Applicant: David & Barbara Venier
Owner: David & Barbara Venier
Property Address: 1674 Lower 4th Avenue North
Parcel ID: 178019-000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for an easterly side yard setback of 7.6 feet and a westerly side yard setback of 1 foot, each in lieu of 10 feet minimum; 34-336(e)(1) c.3, for a rear yard setback of 18 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 50.7% in lieu of 35% maximum all to rectify existing non-conformities, allow for reconfiguration of the driveway, and for construction of a new swimming pool with decking to an existing single-family dwelling.

Applicant: David Venier, 1674 Lower 4th Avenue North, Jacksonville Beach, advised he purchased the property with an existing 52% lot coverage. He would like to re-configure coverage in the front of the property, including removing an existing carport, pavers, and concrete pad to reduce lot coverage to allow for a pool and decking in the backyard.

Public Hearing: Mr. Moreland closed the public hearing.

Discussion: None.

Motion: It was moved by Mr. Reddington, seconded by Ms. Gonzalez, to approve BOA#21-100140 based on the Standards for a variance outlined in Section 34-336 of the Land Development Code.

Modified Motion: It was moved by Mr. Curley, seconded by Mr. Elmaleh, to modify the standing motion to approve 21-100140 to reduce lot coverage to 49.4%.

Roll Call Vote

To Modify the Motion: Ayes – Alexi Gonzalez, Owen Curley, Dan Elmaleh, and John Moreland

Nays – Francis Reddington

The motion was approved 4 to 1.

Roll Call Vote

Modified Motion: Ayes – Owen Curley, Alexi Gonzalez, Dan Elmaleh, and John Moreland
Nays – Francis Reddington

The motion was approved 4-1.

E. Case Number: **BOA#21-100141**
Applicant: Tides Edge Recovery
Owner: GTLA Properties, LLC – John Hanan
Property Address: 597 The Greens Way
Parcel ID: 181779-0900

City of Jacksonville Beach Land Development Code Section(s): 34-337 for 26 parking spaces in lieu of 34 spaces required, to allow for the expansion of the existing hospital facility by three beds in an existing commercial building.

Applicant: Patricia Yost, 163 Jardin De Mer Place, Jacksonville Beach, stated the hardship of the property was not enough area to increase the number of parking spaces required with the addition of three beds to the facility.

Public Hearing:

The following spoke in opposition of the variance:

- Deborah Usselman, 3148 Saint Johns Boulevard, Jacksonville Beach

Discussion: Discussion ensued to add a stipulation to the motion the variance would apply only to this business.

Motion: It was moved by Ms. Gonzalez and seconded by Mr. Curley, to approve BOA#21-100141 with the stipulation that this variance is non-transferable from the current Applicant 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, Dan Elmaleh, John Moreland
The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

Before the Planning Department Report, Mr. Popoli asked the Board if they wished to cancel the December 21, 2021, meeting due to the upcoming holidays. It was the consensus of the Board to cancel the meeting.

The next scheduled meeting is Tuesday, October 19, 2021. There are four scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Moreland adjourned the meeting at 8:50 P.M.

Submitted by: Sheila Boman
Office Assistant

These minutes were reviewed by Planning & Development.

Approval: 

Chairperson

Date

10/19/21