

**Minutes of Board of Adjustment Meeting
held Wednesday, December 8, 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.

Mr. Moreland announced there were only three board members in attendance and offered the applicants an opportunity to delay their cases until the January 4 or 19, 2022 meeting.

ROLL CALL

Chairperson: John Moreland
Vice-Chairperson: Alexi Gonzalez
Board Members: Owen Curley (absent) Francis Reddington (absent) Jeff Truhlar
Alternate: Dan Elmaleh (absent)

City Attorney Sandra Robinson and Administrative Assistant Sheila Boman were also present.

EX PARTE COMMUNICATION: Mr. Moreland and Ms. Gonzalez reported no ex-parte communication. Mr. Truhlar stated he spoke with an audience member before the meeting about the application process.

APPROVAL OF MINUTES:

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

- November 16, 2021

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: **BOA#21-100164**
Applicant/Owner: Justin & Marian Lee
Property Address: 61 Evans Drive
Parcel ID: 179997-1034

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.1, 2 & 3 to designate the corner side yard as the southern portion of the property facing Oaks Drive, the front yard as the portion facing Evans Drive and the rear yard as the eastern portion of the property; 34-336(e)(1)c.1, for a front yard setback of 20 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 4.7 feet in lieu of 5 feet minimum; and 34-336(e)(1)c.3, for a rear yard setback of 23 feet in lieu of 30 feet minimum all to allow for the construction of a new coping only swimming

pool, connect a detached garage to the primary structure, change yard designations and rectify non-conformities at an existing single-family dwelling.

Applicant: Justin and Marian Lee, 61 Evans Drive, Jacksonville Beach, noted the lot was irregularly sized as a trapezoid lot, which caused the hardship.

Public Hearing: Ms. Gonzalez read a letter (on file) into the record submitted by the Applicant.

Ms. Gonzales read a letter (on file) into the record, signed by the following in support of the variance:

- Clinton Garnard, 66 Evans Drive, Jacksonville Beach
- Paul Phifer, 65 Evans Drive, Jacksonville Beach
- Lynn Medis, 64 Evans Drive, Jacksonville Beach
- Richard Melnick, 62 Evans Drive, Jacksonville Beach
- Donna Drive, 60 Evans Drive, Jacksonville Beach
- John Haynes, 58 Evans Drive, Jacksonville Beach
- Mark Casey Conner, 56 Evans Drive, Jacksonville Beach
- David Pratt, 60 Quail Lane, Jacksonville Beach
- Larry Whitacre, 33 Oaks Drive, Jacksonville Beach
- Matthew Robinson, 34 Oaks Drive, Jacksonville Beach
- Teodoro Ibay, 38 Oaks Drive, Jacksonville Beach

The following submitted an email (on file) in support of the variance:

- Clinton and Diane Garnard, 66 Evans Drive, Jacksonville Beach

The following submitted a letter (on file) in support of the variance:

- Thomas Mnich, Architect, 3816 1st Street South, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar to approve BOA#21-10064 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Jeff Truhlar, John Moreland

The motion was unanimously approved.

B. Case Number: **BOA#21-100165**
Applicant: John Atkins, Atkins Builders
Owner: Carol Blasingame
Property Address: 1701 2nd Avenue North, Lot 26
Parcel ID: 178062-0010

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a western side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 36% in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Ms. Gonzalez stated she was a resident of this street and received a notice regarding the variance application. Initially, she did not think she knew the owner but later realized the owner listed on the application sold her a house. She did not believe there was a conflict of interest and confirmed she had no pending financial transactions with Ms. Blasingame.

Mr. Atkins clarified he owned the property now. Ms. Blasingame was the owner listed on the original application, but he closed on the property in the interim and was the current owner.

City Attorney Robinson stated there was no conflict for Ms. Gonzalez based on the information provided.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the lot was undersized for the RS-1 zoning in width and square footage, which caused the hardship.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: Discussion ensued regarding the western side-yard setback. Mr. Atkins advised he could work with 6 feet instead of the 5 feet requested.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100165 with the amendment the western side-yard setback be 6 feet instead of the 5 feet requested in lieu of the 10 feet minimum based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Jeff Truhlar, John Moreland

The motion was unanimously approved.

C. **Case Number:** BOA#21-100166
Applicant: John Atkins, Atkins Builders
Owner: Carol Blasingame
Property Address: 1701 2nd Avenue North, Lot 27
Parcel ID: 178062-0010

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for an eastern side-yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 20 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 38% in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Ms. Gonzalez reiterated her prior connection to the previous property was the same for this property.

Applicant: John Atkins, 1888 Foss Lane, Jacksonville Beach, stated the hardship was also due to an undersized lot for RS-1 zoning. He stated there was no issue with a 6 feet side-yard setback in lieu of the 5 feet initially requested.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: The Board agreed to modify the side-yard request to 6 feet instead of the 5 feet requested.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100166 with the amendment the eastern side-yard setback be 6 feet instead of the 5 feet in lieu of the 10 listed in the application based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Alexi Gonzalez, John Moreland

The motion was unanimously approved.

D. Case Number: **BOA#21-100167**
Applicant/Owner: Trent & Paulette Waterman
Property Address: 4067 America Avenue
Parcel ID: 181185-0135

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.1, for a front yard setback of 15 feet in lieu of 25 feet minimum; 34-336(e)(1)c.2, for a side yard setback of 5 feet in lieu of 10 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 15 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 45% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new rear covered porch to an existing single-family dwelling.

Applicant: Trent & Paulette Waterman, 4067 America Avenue, Jacksonville Beach, stated there were two hardships for the property. The lot was undersized for RS-1 zoning and was also an irregular shape.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar, to approve BOA#21-100167 based on the standards of a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Jeff Truhlar, Alexi Gonzalez, John Moreland

The motion was unanimously approved.

E. Case Number: **BOA#21-100168**
Applicant/Owner: Daniel Brown
Property Address: 702 7th Avenue South
Parcel ID: 176574-0000

City of Jacksonville Beach Land Development Code Section(s): 34-338(e)(1)e, for lot coverage of 50% in lieu of 35% maximum to rectify existing non-conformities and allow for construction of a new swimming pool and pool deck to an existing single-family dwelling.

Applicant: Daniel Brown, 702 7th Avenue South, Jacksonville Beach, stated the hardship was caused by the lot's odd shape and work done by the previous owners without a permit.

Public Hearing: No one came before the Board to speak about this case.

Mr. Moreland closed the public hearing.

Discussion: A discussion ensued regarding the lot's odd shape and the work done without a permit by the previous owners. Ms. Gonzalez noted the lot was not undersized in square footage. The Board agreed they would prefer lot coverage of 48.3% versus the 50% requested.

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar to approve BOA#21-100168, based on the standards of a variance outlined in Section 34-286 of the Land Development Code, amending the lot coverage to 48.3% instead of 50% in lieu of 35%.

Roll Call Vote: Ayes – Alexi Gonzalez, Jeff Truhlar, John Moreland,

The motion was unanimously approved.

F. Case Number: **BOA#21-100170**
Applicant/Owner: John & Karla Marshall
Property Address: 1509 3rd Avenue North
Parcel ID: 178039-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.2, for a corner side yard setback of 11 feet in lieu of 20 feet required, to allow for construction of a new addition to an existing single-family dwelling.

Applicant: Project Architect Julianne Overby 2452 Pullian Street, Jacksonville Beach, stated the irregular shape of the lot and its location on the corner with two corner setbacks caused the hardship.

Public Hearing: The following submitted letters (on file) in support of the variance:

- Felicia Baer, 315 15th Street South, Jacksonville Beach
- G.W. Reynold, 321 15th Street North, Jacksonville Beach
- Shaun & Lisa James, 341 15th Street North, Jacksonville Beach
- Michael Flynn, 1701 3rd Avenue North, Jacksonville Beach
- Doug Mordecai, 1630 Lower 4th Avenue North, Jacksonville Beach
- Ken Heiman, 1505 4th Avenue North, Jacksonville Beach
- Kevin & Wendy Evers, 515 15th Street North, Jacksonville Beach
- William Morgan, 1614 3rd Avenue North, Jacksonville Beach
- Kent B. Naniga, 1619 3rd Avenue North, Jacksonville Beach
- Karen Ansell, 1624 3rd Avenue North, Jacksonville Beach
- Ed Christ, 1629 3rd Avenue, Jacksonville Beach,
- Merritt Bono, 1634 3rd Avenue North, Jacksonville Beach
- Ana Margadonna, 1625 3rd Avenue North, Jacksonville Beach
- April & Mark Juliano, 1647 3rd Avenue North, Jacksonville Beach
- William Lancaster, 1618 3rd Avenue North, Jacksonville Beach

Mr. Moreland closed the public hearing.

Discussion: None

Motion: It was moved by Ms. Gonzalez, seconded by Mr. Truhlar to approve BOA#21-100170, based on the standards of a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes – Alexi Gonzalez, Jeff Truhlar, John Moreland

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

Mr. Moreland advised the first item of business on the next agenda should be the election of a new Chair and Vice-Chair.

The next scheduled meeting is Tuesday, January 4, 2022. There are six scheduled cases.

ADJOURNMENT

There being no further business, Mr. Moreland adjourned the meeting at 8:03 P.M.

Submitted by: Sheila Boman
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval

Chairperson

Date