

**Minutes of Board of Adjustment Meeting
held Tuesday, February 1, 2022, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Chairperson Alexi Gonzalez called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez

Vice-Chairperson: Owen Curley

Board Members: Dan Elmaleh (absent)

Jeff Truhlar

John Moreland

Alternates: Todd Smith

Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

A motion was made to approve minutes. There were no minutes to approve, and the motion was withdrawn.

CORRESPONDENCE:

Mr. Popoli noted there were three documents [on file] for the Board on the dais. Two were for BOA#21-100194, and one was for BOA#21-196. All other correspondence was included in the packet.

OLD BUSINESS: None

EX-PARTE COMMUNICATION:

No ex-parte was reported.

NEW BUSINESS:

Items A and B were deferred.

A. Case Number: BOA#21-100191 - DEFERRED

Applicant/Owner: David Merritt

Property Address: 1339 Pinewood Lane

Parcel ID: 178286-0000

Legal Description: Lot 14, Block 2, Ocean Forest Unit One

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 to allow for construction of a new single-family dwelling.

B. Case Number: BOA#21-100192 – DEFERRED

Applicant: Ryan Gault, Call the Screen Guys

Owner: 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 lot coverage of 45% in lieu of 35% maximum; and 34-337(e)(1)g, for an accessory side-yard setback of 2 feet in lieu of 5 feet minimum along the southern property line to allow for construction of a new screen enclosure and structural footer over an existing swimming pool at an existing single-family dwelling.

C. Case Number: BOA#21-100194

Applicant/Owner: RE904, LLC - Julia Sanders
Property Address: 941 17th Avenue North
Parcel ID: 175219-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)e, for lot coverage of 43% in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Applicant: Julia Sanders, 941 17th Avenue North, Jacksonville Beach, stated the hardship was the undersized and nonconforming lot.

Public Hearing:

The following spoke in opposition to the variance:

- Brian Foley, 921 17th Avenue North, Jacksonville Beach. He submitted a document from the neighbors to the Clerk to be entered into the record [on file].

The following submitted emails [on file] in opposition of the variance:

- Brett Myers, 940 17th Avenue North, Jacksonville Beach
- Sabina & Frederick Litchword, 937 17th Avenue North, Jacksonville Beach

Ms. Sanders clarified the square footage discrepancy may have been due to the garage, but everything else in the report was correct.

Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Curley, seconded by Mr. Truhlar, to approve BOA#21-100194 based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

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

D. Case Number: BOA#21-100195

Applicant: Chad Atallah
Owner: Bassam, Dina & Chad Atallah
Property Address: 708 7th Avenue North
Parcel ID: 174304-0000

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for lot coverage of 41% in lieu of 35% maximum; and 34-337(e)(1)c.2, for a side-yard setback of 0 feet in lieu of 5 feet minimum, for an existing carport, and 7 feet total in lieu of 15 feet minimum, to rectify nonconformities and allow for construction of a new rear addition at an existing single-family dwelling.

Applicant: Dina & Chad Atallah, 708 7th Avenue North, Jacksonville Beach, stated the hardship was the nonconforming and substandard lot. Ms. Atallah stated the carport existed when they purchased the house, and they plan to remove the shed.

A discussion ensued about the setbacks and renovation.

Public Hearing:

Ms. Gonzales closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#21-100195, with the condition that the current structure and carport remain in existence.

Roll Call Vote: Ayes – Owen Curley, Jeff Truhlar, John Moreland, Todd Smith, Alexi Gonzalez

The motion was unanimously approved.

E. Case Number: **BOA#21-100196**
Applicant: Brad C. Wester, Driver, McAfee, Hawthorne & Diebenow
Agent: Brad C. Wester
Owner: William & Jill McGriff, IV
Property Address: 3830 Duval Drive
Parcel ID: 181706-0000

City of Jacksonville Beach Land Development Code Section(s): 34-336(e)(1)c.1 for a front yard setback of 23 feet in lieu of 25 feet minimum; 34-336(e)(1)c.3, for a rear yard setback of 28 feet in lieu of 30 feet minimum; and 34-336(e)(1)e, for lot coverage of 40% in lieu of 35% maximum to allow for construction of a new single-family dwelling.

Agent: Bradley Wester, 1 Independent Drive, Suite 100, Jacksonville, stated the hardship was an undersized and irregularly shaped lot. He noted their application asked for 38.5% lot coverage, but they increased it to 40% for ease of measurement. He stated the front and rear yard setbacks are for the requested porches. He stated there were 13 inches of usable space in the rear and 24 inches in the front.

Public Hearing:

The following submitted a letter [on file] which was read into the record:

- Aiko S. Cone, 3818 Duval Drive, Jacksonville Beach

Mr. Curley summarized letters in support of the variance from the following:

- Ken and Barb Sweder, 3829 Duval Drive, Jacksonville Beach
- MG Orender, 3909 Duval Drive, Jacksonville Beach
- F. Scott Saltmarsh, 3848 Duval Drive, Jacksonville Beach
- Ed and Billie Jo Burr, 3903 Duval Drive, Jacksonville Beach
- Steve and Paula Lear, 3922 Duval Drive, Jacksonville Beach

Ms. Gonzalez closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Curley, seconded by Mr. Smith, to approve BOA#21-100196, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Roll Call Vote: Ayes –Jeff Truhlar, John Moreland, Owen Curley, Todd Smith, Alexi Gonzalez

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

Mr. Popoli stated a Board training workshop would be held on February 15th, 2022.

The next scheduled meeting was Tuesday, February 15, 2022. There were four scheduled cases.

COURTESY OF THE FLOOR TO VISITORS

None.

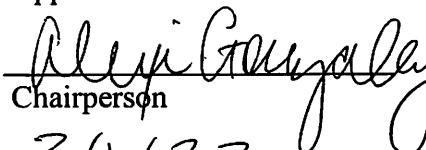
ADJOURNMENT

There being no further business, Ms. Gonzalez adjourned the meeting at 7:36 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:


Chairperson

3/1/22
Date