

**Minutes of Board of Adjustment Meeting
held Tuesday, March 15, 2022, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

Board Member Jeff Truhlar called the meeting to order at 7:00 P.M.

ROLL CALL

Chairperson: Alexi Gonzalez (absent)

Vice-Chairperson: Owen Curley (absent)

Board Members: Dan Elmaleh (absent)

Jeff Truhlar

John Moreland

Alternates: Todd Smith

Jennifer Williams

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

Motion: It was moved by Mr. Moreland, seconded by Mr. Truhlar, to nominate Mr. Truhlar as acting Chairperson and Mr. Smith as acting Vice-Chairperson for the meeting.

In a voice vote, the motion was unanimously approved.

APPROVAL OF MINUTES:

It was moved by Mr. Moreland, seconded by Mr. Smith, and passed unanimously to approve the following minutes:

- March 1, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#22-100009

Applicant: Loveluci, LLC., Misti Stephens & Nancy Love

Agent: Scott Rae

Owner: Loveluci, LLC

Property Address: 422 9th Avenue North

Parcel ID: 174457-0000

City of Jacksonville Beach Land Development Code Section(s): 34-339(e)(1)f, for lot coverage of 44% in lieu of 35% maximum to allow for construction of a new two-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Agent: Scott Rae, 345 South Roscoe Boulevard, Ponte Vedra Beach, stated the hardship was the lot size. He noted the pavers in the original plan were not available, and they had to revise the design with pea gravel. The agent provided a handout to the clerk, distributed to the Board [on file].

A discussion ensued regarding the driveway material, lot coverage, and clarification of dimensional standards in the RM-1 zoning district.

Public Hearing:

The following spoke in opposition to the variance:

- Mary Phillips, 934 10th Street North, Jacksonville Beach

The following submitted a speaker card in support of the variance but did not wish to speak:

- Emily Stouffer, 204 Laguna Villa Boulevard Unit A21, Jacksonville Beach

Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to deny BOA#22-100009 based on the testimony and evidence provided that the request has not met the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Jeff Truhlar, Todd Smith, Jennifer Williams

The motion to deny was unanimously approved.

B. Case Number: **BOA#22-100010**
Applicant/Owner: Svetoslav Rankov
Property Address: 1105 11th Avenue North
Parcel ID: 178999-0060

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 construction of a paver strip driveway at an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Svetoslav Rankov, 1105 11th Avenue North, Jacksonville Beach, stated his driveway was sand, and they wanted to install paving strips.

A discussion ensued regarding lot coverage and miscalculation of lot coverage.

Mr. Popoli confirmed the applicant's original developer submitted a plan with an incorrect lot coverage calculation. The City accepted the calculation as truthful, issued the permit, and

construction started. However, when the as-built survey was completed, it was determined the project was above lot coverage by approximately two percent. He noted it was a combined mistake by the City and the contractor. He confirmed the side setback for the walkway was 1.4 feet, and they can encroach up to two feet.

Public Hearing:

No one came forth to speak on this item. Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to approve BOA#22-100010, based on the standards for a variance outlined in Section 34-286 of the Land Development Code, subject to the condition of strips and pavers only to complete the driveway.

Discussion: None

Amended Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to add “subject to the condition of the existing site plan as submitted.”

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar

The amended motion was unanimously approved.

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar

The original motion, as amended, was unanimously approved.

C. **Case Number:** BOA#22-100012
Applicant: New Atlantic Builders, Inc
Agent: Stephen B. Williams, EXP Realty
Owner: DaveCar Investments, LLC.
Property Address: '0' 12th Avenue South (113 12th Avenue South)
Parcel ID: 176191-0010

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.2, for a side yard setback of 7.5 feet in lieu of 10 feet minimum; and 34-340(e)(1)f, for lot coverage of 44% in lieu of 35% maximum to allow for construction of a new two-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Stephen Williams, 3731 Duval Drive, Jacksonville Beach, asked for the item to be deferred.

Mr. Popoli noted they noticed 44% and not the requested 49% lot coverage. He said they would re-advertise it at the correct lot coverage.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to defer BOA#22-100012 until the next appropriate meeting.

Roll Call Vote: In a voice vote, the motion to defer was unanimously approved.

Mr. Popoli said he would try to get the item on the April 5, 2022 meeting agenda, but it could be on the April 19, 2022 meeting agenda.

D. Case Number: **BOA#22-100016**
Applicant: Wendi Wheeler Meek
Owner: Wheeler, Wheeler W Revocable Living Trust
Property Address: 1485 2nd Street North
Parcel ID: 173988-0010

City of Jacksonville Beach Land Development Code Section(s): 34-340(e)(1)c.1, for a front yard setback of zero feet in lieu of 20 feet minimum to allow for construction of a new second story attached deck to an existing single-family dwelling.

Ex-Parte Communication: No Board members had ex-parte communication on this item.

Applicant: Wendi Wheeler Meek, 10826 Cross Wicks Road, Jacksonville, stated the hardship was the lot size.

Public Hearing:

No one came forth to speak on this item. Mr. Truhlar closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Smith, to approve BOA#22-100016, based on the standards for a variance outlined in Section 34-286 of the Land Development Code.

Discussion: None

Roll Call Vote: Ayes – John Moreland, Todd Smith, Jennifer Williams, Jeff Truhlar

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, April 5, 2022. There are six scheduled cases.

Mr. Popoli reminded the Board to schedule their individual training with the City Attorney's office.

COURTESY OF THE FLOOR TO VISITORS

None

ADJOURNMENT

There being no further business, Mr. Truhlar adjourned the meeting at 7:51 P.M.

Submitted by: Lauren Loria

Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Ally Gonzalez
Chairperson
4/5/22
Date