



**MINUTES
COMMUNITY DEVELOPMENT BOARD
MARCH 14, 2018 AT 6:00 P.M.
COUNCIL CHAMBERS
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266**

Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held March 14, 2018 at 6:00 p.m. in the Council Chambers.

Attendance

Board members were in attendance:

Christopher Goodin, Chair
Ryan Dill, Vice-chair
Bob Frosio, Member
Tony Mazzola, Member
Diana Kelly, Member
Alan Martin, Member
Aaron Evens, Member

Vice-Mayor Wiley, City Manager Andrew Hyatt, Nia Livingston and Colin Moore, alternate members, were also in attendance.

The following staff members were present:

Amanda Askew, Deputy City Manager and Community Development Director
Piper Turner, Code Compliance Supervisor

Call to Order/Roll Call

Chair Goodin called the meeting to order at 6:00 p.m.

Minutes

Made by Martin, seconded by Evens.

MOTION: TO APPROVE THE JANUARY 24 AND FEBRUARY 14, 2018 MINUTES AS AMENDED.

APPROVED BY CONSENSUS

MOTION CARRIED

CDB V18-06
501 Penman Rd
Craig Speranzi

CDB V18-06 Application for variance as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for Craig Speranzi for the property known as 501 Penman Road (RE# 1728840-0000). The variance request is to section 27-330(a) (1) fence height. The request is to increase the fence height of 8 feet in lieu of the required 6 feet rear and side yards.

Mr. Speranzi, property owner, stated he was in the process of building a pool and would like to increase the size of the fence to block the view of the neighbor's property. The fence would only be 8 feet in the rear and side yards of the back yard.

The reason for the increase to more privacy.

Mrs. Askew, state that the code only allowed 8 foot tall fences when residential property abutted commercial as a buffer.

Chairperson Goodin opened the floor for public comments. There being no comments, the public hearing was closed.

The board discussed the code and the use of plantings or trees to soften the area. Mr. Speranzi stated trees or plants would impend the area of the backyard. The space would be unusable and he would have to put in a stronger fence.

STATEMENT OF FACTS

1. The property has unique and peculiar circumstances, which create an exceptional and unique hardship. For the purpose of this determination, the unique hardship shall be unique to the parcel and not shared by other property owners in the same zoning district.

Martin: When purchased the owner knew of the restriction of fence height.

Frosio: No hardship or peculiar circumstances.

Kelly: Not unique.

Evens: Hard to find hardship.

Dill: Not unique, not a hardship of property/location, lot, etc.

Mazzola: There is no unique hardship to approve this variance.

Goodin: Similar property to neighbors.

2. The proposed variance is the minimum necessary to allow the reasonable use of the parcel of land.

Martin: A 6 foot fence would allow reasonable use of the property.

Frosio: The reasonable use of the land is not impacted whether the fence is 6' or 8'.

Kelly: No.

Evens: Private pool usage.

Dill: It is only a fence in existing place of fence; just taller.

Mazzola: A 6' fence is the minimum necessary.

Goodin: Can build a 6' fence.

3. The proposed variance would not adversely affect adjacent and nearby properties or the public in general.

Martin: No impact on property values.

Frosio: The code allows 6' max height. The general public would be adversely impacted.

Kelly: Other properties have 6' fences.

Evens: Would not.

Dill: Would be a nice fence and likely better sight lines.

Mazzola: there may be potential to adversely impact neighbors.

Goodin: Neighbors ok with this.

4. The proposed variance will not substantially diminish property values in or alter the essential character of the area surrounding the site.

Martin:

Frosio: An 8' fence among 6' fences will alter the character.

Kelly: Will alter character as all other fences are 6'.

Evens: Would not.

Dill: Not diminish property value not alter character.

Mazzola: No impact to property values.

Goodin: Replace with new fence that is nicer.

5. The effect of the proposed variance is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area of the ULDC.

Martin: All other fences in the community of this property have 6 foot fences.

Frosio: It is not.

Kelly: Not in harmony.

Evens: Says 6'.

Dill: just a fence, only taller and likely an improved sturdier fence.

Mazzola: It's not in harmony.

Goodin: code is 6'.

6. The need for the variance has not been created by the actions of the property owner or developer nor is the result of mere disregard for the provisions from which relief is sought.

Martin: The owner requested the 8 foot fence.

Frosio: It has been created by the homeowner.

Kelly: Yes, it has "want, not need" by property owner.

Evens: Disregard for the provisions.

Dill: Code states 6 feet; needs to work with city to change code.

Mazzola: It has been created by the applicant.

Goodin: Fence is old and large adjacent neighboring sheds.

7. Granting the variance will not confer upon the applicant any special privilege that is denied by the ULDC to other lands, buildings, or structures.

Martin: A privilege will occur.

Frosio: Granting a variance for an 8' fence will create a special privilege.

Kelly: yes, it will give special privilege.

Evens: It would and could open flood gates.

Dill: Would be special privilege.

Mazzola: It will confer special privilege.

Goodin: Similar lot, but his neighbors with old structures (sheds) next door.

CONCLUSION ON REQUIRED FINDINGS
PURSUANT TO SEC. 27-147, ORDINANCE CODE

Sec. 27-147(1)	Positive 0-6
Sec. 27-147(2)	Positive 2-5
Sec. 27-147(3)	Positive 5-2
Sec. 27-147(4)	Positive 6-1
Sec. 27-147(5)	Positive 1-6
Sec. 27-147(6)	Positive 2-5
Sec. 27-147(7)	Positive 1-6

Made by Dill, seconded by Evens.

MOTION: TO APPROVE THE FINDING OF FACTS.

APPROVED BY CONSENSUS

MOTION CARRIED

Made by Dill, seconded by Evens.

MOTION: TO APPROVAL VARIANCE REQUEST V18-06.

Roll Call Vote:

Ayes: 0

Noes: 7-Evens, Kelly, Frosio, Martin, Dill, Mazzola, Goodin

MOTION APPROVED, AND VARIANCE REQUEST DENIED.

CDB V18-0
616-618 First St
Margaret Deese

CDB V18-07 Application for variance as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for Margaret A. Deese for the property known as 616-618 First Street (RE# 1722811-0000). The variance request is to vary table 27-229-1 side yard setbacks and section 27-237(4) floor area ratio. The request is to reduce the side yard to 5 feet each in lieu of the required 7 and increase the FAR to 83% in lieu of the maximum of 65%.

Mr. Williams, spouse of property owner, stated they had a triplex that was in very bad shape and would like to demolish the existing house and build a private residence for themselves. Has owned the property since 2002 and there are 3 tenants with 5-6 cars parking there now. Have spoken to an engineer who stated that the repairs to the triplex would be over 70% of the value of the home. The variance request is for 2 feet on the north and south sides. The new house would be moved east leaving a larger back yard. The design will be modern with architectural features. The extra 4 feet would allow for two standard size bedrooms of 10 foot wide each.

Mrs. Askew, state that in the R-4 zoning, the front and rear yard setbacks must total 35 and the applicant is proposing to have a 20 foot rear and 20 feet front yard which is more than the code requires. Will be reducing density from 3 unit to 1.

Chairperson Goodin opened the floor for public comments.

Ken Parker, representing Mary Lou Parker of 614 First St., she owns the house and supports the redevelopment of the property at 618 First. Would like the board to hold the owner to the 7 feet side yard and move the new house back to the 15 foot rear yard. Hold the FAR requirement to 65%.

Shellie Thole, 217 Oleander St, this is going to be above average house on substandard lot.

There being no comments, the public hearing was closed.

Board discussion:

The applicant questioned if a house could built at 20 foot wide. The board asked the applicant if they would like their request to be deferred to the next meeting in order to give them time to consult with a design professional. The applicants agreed and the application would be deferred.

Made by Martin, seconded by Evens.

MOTION: TO TABLE APPLICATION FOR VARIANCE REQUEST V18-07 TO THE APRIL 11, 2018 TO ALLOW THE APPLICANT TIME TO CONFER WITH A DESIGN PROFESSIONAL.

Roll Call Vote:

Ayes: 7-Evens, Kelly, Frosio, Martin, Dill, Mazzola, Goodin

Noes: 0

MOTION APPROVED.

2018 Trail Grant Application	Colin Moore, City of Jacksonville, presented the application to the board and public. A 10 foot wide multi-purpose trail is being proposed to be added on the North side of Florida Blvd. between 5 th Street and Seawood Drive.
Adjournment	There being no further business, the meeting was adjourned at 7:23 p.m.

Chairperson Christopher Goodin

ATTEST:

Piper Turner, Board Secretary Date