



# **CITY OF ATLANTIC BEACH COMMUNITY DEVELOPMENT BOARD REGULAR MEETING AGENDA**

Wednesday / March 20, 2019 / 6:00 PM  
Commission Chambers / 800 Seminole Road

- 1. Call to Order and Roll Call.**
- 2. Approval of Minutes.**
  - A. Minutes of the February 19, 2019 regular meeting of the Community Development Board.
- 3. Old Business.**
- 4. New Business.**
  - A. COMP19-0002 - Ordinance No. 31-19-13 **PUBLIC HEARING**  
**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE 2030 COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF THOSE LANDS DESCRIBED IN ATTACHED EXHIBIT A FROM RESIDENTIAL LOW (RL) TO COMMERCIAL (CM); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
  - B. REZN19-0001 - Ordinance No. 90-19-239 **PUBLIC HEARING**  
**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, REZONING THOSE LANDS DESCRIBED IN ATTACHED EXHIBIT A FROM RESIDENTIAL, GENERAL (RG) TO COMMERCIAL GENERAL (CG); PROVIDING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**
- 5. Reports.**
- 6. Public Comment.**
- 7. Adjournment.**

*All information related to the item(s) included in this agenda is available for review online at [www.coab.us](http://www.coab.us) and at the City of Atlantic Beach Community Development Department, located at 800 Seminole Road, Atlantic Beach, Florida 32233. Interested parties may attend the meeting and make comments regarding agenda items, or comments may be mailed to the address above. Any person wishing to speak to the Community Development Board on any matter at this meeting should submit a Comment Card located at the entrance to Commission Chambers prior to the start of the meeting. Please note that all meetings are live streamed and videotaped. The video is available at [www.coab.us](http://www.coab.us).*

*If any person decides to appeal any decision made by the Community Development Board with respect to any matter considered at any meeting may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which any appeal is to be based.*

*In accordance with the Americans with Disabilities Act and Section 286.26 of the Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City not less than three (3) days prior to the date of this meeting at the address or phone number above.*

**ITEM**

**2.A**



# Minutes of the Regular Meeting of the COMMUNITY DEVELOPMENT BOARD February 19, 2019

## 1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:00 p.m. by Chair Lanier. Ms. Paul, Mr. Major, Mr. Hansen, Mr. Tingen and Mr. Elmore were all present. Ms. Simmons was absent. Also present were Director Shane Corbin, Principal Planner Derek Reeves, Planner Brian Broedell, Board Secretary Valerie Jones and the City Attorney, Brenna Durden representing the firm Lewis, Longman and Walker.

## 2. APPROVAL OF MINUTES

### A. Minutes of the January 15, 2019 Regular Meeting of the Community Development Board.

Mr. Hansen motioned to approve the minutes. Ms. Paul seconded the motion. The motion carried unanimously.

## 3. OLD BUSINESS

There was no old business. Chair Lanier asked to move Item 4C to before 5A. All the Board members agreed.

## 4. NEW BUSINESS

### A. ZVAR19-0002 PUBLIC HEARING (Gregory Carr)

*Request for a variance as permitted by Section 24-64, to increase the maximum structural projection permitted into required rear yards from 4 feet to 7 feet to allow an open porch in the rear yard of 574 North Nautical Boulevard (Lot 4 Block 3 Seaspray).*

#### **Staff Report**

Planner Broedell explained that this is a request for a change in the rear yard setback for an open porch located at 574 North Nautical Boulevard in the RS-2 zoning district. The lot is 75 feet by 100 feet deep lot with an existing single-family home built in 1976. He said the proposed plan is to add an open porch to the back of the existing house over an existing concrete pad. The porch would extend 10 feet from the back of the house placing it 13 feet from the rear lot line. The need for the variance comes from Section 24-83 which allows open porches to project up to 4 feet into the 20 foot rear yard setback which means the open porch has a 16 foot rear yard setback and the applicant is asking for a 13 foot setback, a variance of 3 feet.

#### **Applicant Comment**

Gregory Carr introduced himself as the homeowner of 574 Nautical Boulevard since 1980. He explained that he is asking for the extra 3 feet due to the fact that the home was built further back on the lot than the other homes in the neighborhood.

### **Public Comment**

Chair Lanier opened the floor to public comment.

Don Ford of 338 6th Street introduced himself. He is in favor of this variance and confirmed that the house is set back 6 extra feet and needs the extra space to have a back porch like his neighbors have.

### **Board Discussion**

Ms. Paul said her only concern is that the porch could become enclosed over time. Mr. Hansen said he has voted against this type of request in the past because today is for 3 feet but the next one will be for 4 and then 5 etc. Mr. Major asked Planner Broedell if the slab is in compliance to which he said it is due to the fact that there isn't a setback requirement on ground level slabs. Mr. Elmore agreed with Mr. Hansen and felt like the hardship is self-imposed and doesn't qualify for a variance. Chair Lanier believes that Mr. Carr purchased the house in its existing condition. Mr. Tingen commented that he did not see a problem with approving the variance.

### **Motion**

Mr. Hansen motioned to deny ZVAR19-0002 due to the lack of grounds to approve. Ms. Paul seconded the motion. The motion passed 5-1. Mr. Tingen was the dissenting vote.

### **B. ZVAR19-0001 PUBLIC HEARING (Stephen Starke)**

***Request for a variance as permitted by Section 24-64, to increase the maximum fence height allowed in rear yards from 6 feet to 8 feet and to decrease the required setback for fences over 4 feet tall on corner lots from 10 feet to 0 feet to allow for an 8 foot fence along the rear lot line of 650 Begonia Street (Lots 1-6 Block 138 Section "H").***

### **Staff Report**

Planner Broedell said this is a request for an 8 foot fence along the back yard of 6 lots. The site is 650 Begonia on the corner of West 6th and Begonia near Dagley's Junk Yard. He explained some of the issues the City has had with the junk yard creeping onto other lots and the fact that it is zoned RS-2 and should not be used as a junk yard. Planner Broedell said the proposed plan is to keep the 8 foot fence along the entirety of all six lots (approx. 320 feet) with each lot having a single-family home. The need for a variance come from 2 parts: 1) the maximum height for fences in rear and side yards is 6 feet and 2) corner lots any fence over 4 feet along a side street has to be set back 10 feet or reduced to 4 feet tall. Planner Broedell said that concerns are proximity to the junk yard, nuisance and views for potential homeowners.

Ms. Paul asked who owns the lot to the north of the junk yard and Planner Broedell said the Dagley's own it. She asked what the height of the fence on their property was and Planner Broedell said it was 6 foot. Mr. Elmore asked if Dagley's owned the property at 650 Begonia and Planner Broedell said that he believes it was owned by someone else. Mr. Major wanted to know if the 8 foot fence was already up and Planner Broedell confirmed the 8 foot fence is up on the west property line with no fence on the south. Mr. Major asked if the 8 foot fence would have to be torn down