



**MINUTES**  
**COMMUNITY DEVELOPMENT BOARD**  
**July 19, 2017 AT 6:00 P.M.**  
**COUNCIL CHAMBERS 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA 32266**

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Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held July 19, 2017 at 6:00 p.m. in the Council Chambers.

Attendance

Board members were in attendance:  
William Hilton, Chair  
Tony Mazzola, Member  
Ryan Dill, Member  
Alan Martin, Member  
Aaron Evens Member  
Bob Frosio, Member

ABSENT:  
Christopher Goodin, Vice Chair

Diana Kelly and Nia Livingston were also in attendance.

The following staff members were present:

Amanda Askew, Community Development Director  
Piper Turner, Administrative Assistant to the Building Official

Call to Order/Roll Call

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

Minutes

Made by Martin, seconded by Dill.

**MOTION: TO APPROVE THE JUNE 14, 2017 MINUTES AS SUBMITTED.**

**APPROVED BY CONSENSUS**

**MOTION CARRIED**

V17-04 208 Myrtle  
Kearney/Culhane

V17-04 Variance request for Edward B. Kearney and Michelle Culhane for the property known as 208 Myrtle Street, Lot 65, except the north 7 feet of Neptune Beach Terrace (RE# 172628-0005). The request is to vary table 27-229-1 for the maximum lot coverage. The request is to allow a screen porch with travertine patio.

Mr. Kevin Newsome of Tropical Enclosures was the authorized agent for Mr. Kearney. Mr. Newsome stated that the property owners would like to add a screen room and extend their patio. The addition would be 12 foot by 35 foot. This would bring the lot coverage to 54%. The owners could use a pervious paver to decrease the request or they enclosure size could be reduce. The owners would like to use the same travertine that was used for the existing lanai.

Mrs. Askew stated the house was built for the current owners in 2008. Both the builder and property owner was told at the time of permitting that the property would be at the 50% maximum lot coverage.

The board asked Mr. Newsome if the owners would be willing to change from the travertine to pavers. Mr. Newsome stated that if they needed to, they would.

Chairperson Hilton opened the floor for public comments.

Diana Kelly, 207 Walnut Street, addressed the board as a private citizen and adjacent neighbor. She stated that she sold the property to the Kearney's. When the property was sold, she had keep 7 feet of the lot 65 to add to her property. This agreement was done in order to save the 5 trees and create privacy. The house at 207 Walnut was built in the 1930' and was only 3 feet from the rear property line. The next 7 feet allows for a mower to get through.

There being no further comments, the public hearing was closed.

#### **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.

Dill: The property is similar in size & shape to properties near & along the street.

Martin: Property was built to 50% coverage by the owner.

Frosio: I cannot find any hardship.

Mazzola: There is no unique hardship with this request.

Evens: Not that unique.

Hilton: No unique or peculiar circumstances were presented.

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

Dill: Already have a home & patio.

Martin: The use of the property is already in use.

Frosio: Reasonable use of the land is being enjoyed now without variance.

Mazzola: Other options potentially could provide less lot coverage.

Evens: To enjoy mosquito free backyard.

Hilton: No there are other possible alternatives with permeable pavers.

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

Dill: Likely not intruding, as it still w/in allowed setbacks, etc.

Martin: Rear property owner would be affected by their enclosure.

Frosio: Testimony from neighbor in the rear explained privacy is one.

Mazzola: There is potential to adversely impact adjacent neighbors.

Evens: Would not.

Hilton: There would be a possible adverse effect on nearby property.

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

Dill: Will not create a negative effect on the surrounding neighborhood.

Martin: Other property owner may be affected by the enclosure in size of the lot.

Frosio: A screen enclosure would not diminish property values.

Mazzola: No impact to property values.

Evens: Would not.

Hilton: It will not.

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.

Dill: Will exceed the maximum allowed lot coverage per sec. 27.

Martin: All other properties are within code requirements as per the ULDC.

Frosio: Variance is not necessary.

Mazzola: It is in harmony.

Evens: With permeable pavers still over 50%.

Hilton: It is not in harmony with the intent of the ULDC.

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.

Dill: Home is newer and was designed by owners. This is 100% over made action.

Martin: 50% coverage already has been achieved.

Frosio: Variance for lot coverage increase is created by the applicants.

Mazzola: The need has been created by the applicant.

Evens: New construction. Yes created by owner.

Hilton: The property owner constructed the home and was aware of the lot coverage at the time.

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.

Dill: Will confer applicant special privileges as nothing unique or hardship to this lot.

Martin: Other property owners may request ↑ coverage if theirs is granted.

Frosio: Does not meet lot coverage requirements.

Mazzola: No special privilege.

Evens: Could open the flood gates.

Hilton: It will confer a special privilege.

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

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

Made by Dill, seconded by Evens.

**MOTION: TO APPROVE THE FINDING OF FACTS.**

**APPROVED BY CONSENSUS**

**MOTION CARRIED**

Made by Mazzola, seconded by Evens.

**MOTION: TO APPROVAL VARIANCE REQUEST V17-04 AS SUBMITTED.**

Roll Call Vote:

Ayes: 0

Noes: 6-Evens, Dill, Frosio, Martin, Mazzola, Hilton

**MOTION APPROVED AND VARIANCE REQUEST DENIED.**

Open Discussion Mrs. Askew informed the board that the publix is being invited to discuss the Jarboe Park Master Plan on July 26, 2017 at 6:00 p.m. at the library.

The next board meeting September 13, 2017 at 6:00 p.m.

Adjournment There being no further business, the meeting was adjourned at 6:27 p.m.

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Chairperson Hilton

ATTEST:

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Piper Turner, Board Secretary

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Date