MEMORANDUM TO:

Members of the Board of Adjustment
City of Jacksonville Beach, Florida

Board Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Board of Adjustment.

CALL TO ORDER

ROLL CALL

Francis Reddington (Chairperson), Scott Cummings (Vice-Chairperson), John Moreland, Sylvia Osewalt, Jeff Truhlar
Alternates: Daniel Janson, Alexi Gonzalez

EX-PARTE COMMUNICATION

APPROVAL OF MINUTES

a. Regular Board of Adjustment Meeting held January 22, 2020

CORRESPONDENCE

OLD BUSINESS
NEW BUSINESS

a. **Case Number:** BOA#20-100008  
   Applicant/Owner: Jason Stanley  
   Agent: Chris May  
   Property Address: 2886 Merrill Boulevard  
   Parcel ID: 180868-0000  
   Legal Description: Lot 6 and the south ½ of Lot 5, Block 6, *Jacksonville Beach Heights*  
   Current Zoning: RS-2  
   Motion to Consider: *City of Jacksonville Beach Land Development Code Section(s):* 34-337(e)(1)e, for 49% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to a single-family dwelling  
   Miscellaneous Info: One previously approved variance request (BOA#28-98)

   Notes:

b. **Case Number:** BOA#20-100010  
   Applicant/Owner: Gregory and Lisa Phipps  
   Property Address: 127 10th Avenue South  
   Parcel ID: 176120-0000  
   Legal Description: Lot 8, Block 92, *Pablo Beach South*  
   Current Zoning: RM-2  
   Motion to Consider: *City of Jacksonville Beach Land Development Code Section(s):* 34-340(e)(3)c.1, for a front yard of 14.7 feet in lieu of 20 feet required; 34-340(e)(3)c.2, for a westerly side yard of 4.1 feet in lieu of 10 feet minimum; 34-340(e)(3)d.1, for a one (1) bedroom dwelling unit size of 629 square feet in lieu of 700 square feet minimum, all to rectify existing non-conformities and convert an approved single-family use to a multiple-family use  
   Miscellaneous Info: One previously approved variance request not applicable to this case. One previously approved conditional use request not applicable to this case

   Notes:

**PLANNING DEPARTMENT REPORT**

The next scheduled meeting is Tuesday, March 3, 2020. There are two scheduled cases.
ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk’s Office at (904) 247-6299, extension 10, no later than one business day before the meeting. If you plan on attending or presenting at the hearing then you may use this website www.jacksonvillebeach.org/publichearinginfo for information concerning the hearing process. This information is also available in the City Hall first floor display case.
Minutes of Board of Adjustment Meeting
held Wednesday, January 22, 2020, at 7:00 P.M.,
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida

CALL TO ORDER

Chairperson Francis Reddington called the meeting to order.

ROLL CALL

Chairperson: Francis Reddington
Vice-Chairperson: Scott Cummings (absent)
Board Members: Sylvia Osewalt (absent)  John Moreland  Jeff Truhlar (absent)
Alternates: Dan Janson  Alexi Gonzalez

Mr. Reddington reminded applicants three affirmative votes were required to pass and there were only four board members present so that an applicant could request a deferral.

Building Official George Knight was also present.

EX PARTE COMMUNICATION: None

APPROVAL OF MINUTES:

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

- December 17, 2019

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

A. Case Number: BOA#19-100213
Applicant/Owner: Sandrine Causse/ Sandrine Causse Revocable Living Trust
Agent: Bob Hamil
Property Address: 3804 Tropical Terrace

City of Jacksonville Beach Land Development Code Section(s): 34-336(c)(1)e, for 45% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Agent: Bob Hamil, 725 Republic Circle, Neptune Beach, said the hardship is the substandard lot: it is 5,500 square feet in a 10,000 square foot zoning district.
Public Hearing:
No one came before the Board to speak about this case.
Mr. Reddington closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA#19-100213, as presented and discussed.

Roll Call Vote: Ayes – John Moreland, Dan Janson, Alexi Gonzalez and Francis Reddington
The motion was approved 4-0.

B. Case Number: BOA#19-100214
Applicant/Owner: Elizabeth Sann
Agent: Bob Hamil
Property Address: 914 16th Avenue South

City of Jacksonville Beach Land Development Code Section(s): 34-337(e)(1)e, for 43% lot coverage in lieu of 35% maximum to allow for a pool and paver patio addition to an existing single-family dwelling.

Agent: Bob Hamil, 725 Republic Circle, Neptune Beach, stated the hardship is the substandard lot, which is 6,900 instead of 7,500 square feet. He said the owner had not informed him of any complaints from the neighbors.

Public Hearing:
No one came before the Board to speak about this case.
Mr. Reddington closed the public hearing.

Motion: It was moved by Mr. Moreland, seconded by Mr. Janson, to approve BOA#19-100214, as presented and discussed.

Roll Call Vote: Ayes – John Moreland, Dan Janson, Alexi Gonzalez and Francis Reddington
The motion was approved 4-0.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Tuesday, February 4, 2020. There are three scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Mr. Reddington adjourned the meeting at 7:09 P.M.

Submitted by: Sheila Boman
Staff Assistant
APPLICATION FOR VARIANCE

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions or improvements, including actual dimensions, relevant setbacks from property lines, and lot coverage calculations shall be added to the boundary survey, in scale on 11 x 17 paper or smaller.
2. Proof of ownership (copy of deed or current property tax notifications)
3. If applicant is not owner, notarized written authorization from owner is required.
4. Non-refundable processing fee of $500.00 (due at the time of application submission)
5. Completed application.

APPLICANT INFORMATION

Applicant Name: Jason Stanley
Mailing Address: 2886 Merrill Blvd
Jax Beach 32250

Agent Name: Chris May
Mailing Address: 315 Milwaukee Ave
Orange Park 32073

Landowner Name: Telephone: 303-1144
E-Mail: jasonstanley17@gmail.com

PLANNING & DEVELOPMENT

VARIANCE DATA

Street address of property AND Real Estate Number: 2886 Merrill Blvd/180868-0000
Legal description of property (Attach copy of deed): 11-40 09-35 29E 17 Jax Beach Heights
Description of requested variance (example: front yard setback of 17 ft in lieu of 20 ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary).

Regulatory 49% lot coverage in lieu of 35%.

AFFIDAVIT

I, Jason Stanley, being duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of any request and/or subsequent building permit applications.

Applicant Signature: Jason Stanley
Date: 12-27-19

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 27th day of December, 2019 by Jason Stanley who is personally known to me or has produced Driver’s License as identification.

Notary Public Signature: Deborah L. Collins
Print Notary Name: Deborah L. Collins

DEBORAH L. COLLINS
Notary Public State of Florida
Commission # GE 265422
Bond through National Notary Assn.

PLANNING AND DEVELOPMENT DEPARTMENT
11 NORTH 3rd STREET PHONE (904) 247-6231 FAX (904) 247-6107
**Variance Application Standards and Conditions**

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

**Section 34-281. Purpose.** Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

**Section 34-286. Standards applicable to all variances.** In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

<table>
<thead>
<tr>
<th>Standard</th>
<th>Applies? Yes/No</th>
<th>Circumstances/ Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.</td>
<td>yes</td>
<td>Due to the size of the lot, much of the coverage requirement is consumed by establishing the proper setback.</td>
</tr>
<tr>
<td>Special circumstances and conditions do not result from the actions of the applicant.</td>
<td>yes</td>
<td>The applicant worked with a designer to design a plan that coordinates with the existing dimensions of the lot.</td>
</tr>
<tr>
<td>Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.</td>
<td>yes</td>
<td>This is a unique lot and the requests in this application are consistent with other applicants that have been faced with similar hardship.</td>
</tr>
<tr>
<td>Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.</td>
<td>yes</td>
<td>Due to the size of the lot, the applicant is unable to meet specific coverage requirements.</td>
</tr>
<tr>
<td>Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.</td>
<td>yes</td>
<td>The requested 49% coverage would allow for a standard pool and standard pool surrounds that can be found on many other properties in the area.</td>
</tr>
<tr>
<td>Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.</td>
<td>yes</td>
<td>The owners on the adjacent parcels are aware of the variance request and in support.</td>
</tr>
</tbody>
</table>
April 14, 1998

Bestcon, Inc.
2134 South Beach Parkway
Jacksonville Beach, FL 32250

RE: Case No. BOA# 28-98
2598 Merrill Road

Dear Sir/Madam:

The Board of Adjustment for the City of Jacksonville Beach met and held a public hearing at 7:30 p.m. April 7, 1998 to consider your variance application.

As indicated in the application, the request was for a variance of Section 34-337(e)(1)c.3 for a rear yard of 26’, in lieu of 30’, to allow development of new homes on nine family lots. This request was granted as written.

You are required to apply for a building permit for this project. A copy of the building permit application is attached, please complete and submit the application along with two copies of your plans and two copies of your survey to our office before you begin work on this project.

If you have any questions regarding this variance, please feel free to call me at (904)247-6235.

Sincerely,

William C. Mann, AICP

Attachment
Public Notice

The Board of Adjustment for the City of Jacksonville Beach, Florida, will meet and hold a public hearing on Tuesday, April 7, 1998 at 7:30 p.m. in the Council Chambers at City Hall, 11 North 3rd Street, Jacksonville Beach, to consider the following variance applications:

**BOA#19-98**
Variance to Section 34-336(c)(1)c.2. for an easterly side yard of 3', in lieu of 10', to allow a carport addition to an existing residence. This property is located at 215 34th Avenue South, more specifically Lot 13, Block 19, Replat of Unit Number 1, Atlantic Shores.

**BOA#22-98**
Variance to Section 34-340(c)(1)c.2 for 6.5' side yards, in lieu of 10' required for each, and c.3 for a 20' rear yard, in lieu of 30' required, to construct a duplex. This property is located at 124 11th Avenue South, more specifically Lot 4, Block 112, Pablo Beach South.

**BOA#23-98**
Variance to Section 34-340(c)(3)c.1 for a front yard of 15', in lieu of 20' required, c.2 for a corner side yard of 10', in lieu of 15', and c.3 for a rear yard of 24', in lieu of 30', to construct a third unit on a multifamily structure. This property is located at 1910-1912 North 1st Street, more specifically the south 23' of the east 85' of Lot 4, and the east 85' of Lot 5, Block 192, Ocean Villa.

**BOA#24-98**
Variance to Section 34-337(e)(1)c.2 for a corner side yard of 5', in lieu of 10' required, to construct a single family home. This property is located at 401 South 13th Avenue, more specifically Lot 12, Block 125, Oceanside Park.

**BOA#25-98**
Variance to Section 34-337(e)(1)c.2, for a rear yard of 21'8", in lieu of 30', to allow construction of a single family residence. This property is located at 1180 North 23rd Street, more specifically Lot 3, Block 27, Jacksonville Beach, Section A.

**BOA#26-98**
Variance to Section 34-377, for no additional parking, in lieu of 6 spaces required, to allow an 1,800 sq.ft. addition to an existing daycare center. This property is located at 419 5th Avenue North, more specifically Lots 9 and 10, Block 65, Pablo Beach North.

**BOA#27-98**
Variance to Section 34-340(c)(1)c.2, for side setback of 5' on each side, in lieu of 10' required to construct a duplex. This property is located at 1328 1st Street North, more specifically the south 41' of the east 100' of Lot 4, Block 132, Pablo Beach North.

**BOA#28-98**
Variance to Section 34-337(e)(1)c.3, for a rear yard of 20', in lieu of 30', to allow the development of new homes on nine single family lots. This property is located at 2500 Merrill Boulevard, more specifically Lots 4, 5, 6, 7, Block 5, and Lots 1, 2, 3, 4 & north ½ of 5, 6 & south ½ of 5, 7, 8, Block 6 of Jacksonville Beach Heights.

**BOA#29-98**
Variance to Section 34-373(d) for parking setback of 3', in lieu of 5', along the southerly property line, and Section 34-377 for 5 spaces, in lieu of 9 required for a new commercial building. This property is located at 342 15th Avenue South, more specifically 56' of Lot 3, southerly 58' and easterly 45' of Lot 4, Block 154, Pablo Beach.

A copy of the above referenced application(s) is available for review in the office of the Planning and Development Department, 11 North 3rd Street, during normal business hours.

Board of Adjustment
City of Jacksonville Beach

NOTICE

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans With Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodations to participate in this meeting should contact the Planning & Development Department-Building Division no later than 5:00 p.m. on the day preceding the meeting.
Lot 7,900
Building 1,700 + Improv 699 + proposed 1,112 = 4,499

ORDERED BY:
The Law Offices of Rod Schloth
2187 S Third St
Jacksonville Bch, FL 32250
904-372-9351
beach@rod-law.com

PROPERTY ADDRESS: 2801 MERRILL BLVD JACKSONVILLE BEACH, FLORIDA 32250
SURVEY NUMBER: FL1604-4661

FIELD WORK DATE: 5/20/14
REVISION DATE: 11/15/2020

FL1604 4661
BOUNDARY SURVEY
DUVAL COUNTY

I hereby certify that this Boundary Survey of the herein described property has been made under
my direction, and to the best of my knowledge and belief, is a true and accurate representation
of a survey that meets the Standards of Practice set forth by the Florida Board of Professional
Surveyors & Mappers in Chapter 12-17 of the Florida Administrative Code.

Use of this Survey for purposes other than intended, without labeled (PL) or without the Surveyor's seal and signature, may render Surveyor
liable for damages in accordance with section 484.121, Florida Statutes.

FL1604 4661
BOUNDARY SURVEY
DUVAL COUNTY

30 30
25 25
20 20
15 15
10 10
0 0

GRAPHIC SCALE (In Feet)
1 inch = 30 ft.

FLOOD INFORMATION:
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING
MUNICIPALITY OR WAKulla COUNTY, THIS PROPERTY APPEARS TO BE
LOCATED IN ZONE A. THIS PROPERTY WAS FOUND IN THE CITY OF
JACKSONVILLE BEACH, COMMUNITY NUMBER 12028, DATED
DATED 06/10/13

CLIENT NUMBER: R516-3762
BUYER: JASON STANLEY & BRANDEN STANLEY
SELLER: APRIL JOHNS

CERTIFIED TO: JASON STANLEY & BRANDEN STANLEY, THE LAW OFFICE
OF ROD SCHOLOTH, T.A. OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY, WELLS FARGO BANK

POINTS OF INTEREST
NONE VISIBLE

JOHN O'MALLEY
BROOKE SAMS

EXACTA
Land Surveyors, Inc.

If this is page 1 of 2 and is not valid without all pages.
APPLICATION FOR VARIANCE

This form is intended for submittal, along with the required documents, for all requests for variances from the requirements of the City of Jacksonville Beach Land Development Code, Article 6, Section 6.6 Variance. The Planning and Development Director will evaluate an application for a variance for sufficiency within five (5) days of receipt. If the application is found to be complete, the Jacksonville Beach Board of Adjustment at their earliest meeting following appropriate public notice of the request will schedule it for review, public hearing and a decision.

REQUIRED DOCUMENTATION

1. Accurate, to-scale boundary survey prepared by a registered land surveyor, certified within the past two calendar years. All proposed additions and/or improvements, including actual dimensions, relevant setback and property lines, and lot coverage calculations shall be added to the boundary survey, to scale (on 11"x17" paper or smaller).

2. Proof of ownership (copy of deed or current property tax notification).

3. If applicant is not owner, notarized written authorization from owner is required.

4. Non-refundable processing fee of $500.00 (due at the time of application submittal).

5. Completed application.

APPLICANT INFORMATION

Applicant Name: Gregory L. Phipps
Mailing Address: 7710 N Avenue South

Agent Name: Telephone: (904) 236-0840
Mailing Address: E-Mail: A2p_phipps@ymail.com

Landowner Name: Allen and La Phipps
Mailing Address: 7710 N Avenue South

PLANNING & DEVELOPMENT

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

VARIANCE DATA

Street address of property AND Real Estate Number: 7710 N Avenue South, Jacksonville Beach, FL 32250

Legal description of property (Attach copy of deed): Lot B, Blk 97, PLS 3850

Description of requested variance (example: front yard setback of 17 ft in lieu of 20 ft, lot coverage, reduce required off-street parking spaces, etc.) (Attach a separate sheet if necessary):

- Prevent impinging use in multi-family zone
- Unnecessary storm sewer owning of 4.1 ft in lieu of 8 ft
- First floor setback of 14.7 ft in lieu of 20 ft
- Min dwelling size of 600 sq ft in lieu of 910 for 2 Bedroom

AFFIDAVIT

I, La Phipps, being first duly sworn, attest that I am applying for a variance pursuant to Article 6, Section 6.6 of the Jacksonville Beach Land Development Code for the property described above; that all answers to questions in this application, the submitted boundary survey and other supplementary documents attached to and made part of this application are true and accurate to the best of my knowledge and belief. Furthermore, I understand that failure to submit accurate information as requested above may be grounds for denial of my request and/or subsequent building permit applications.

APPLICANT SIGNATURE:

DATE: 1/9/2020

STATE OF FLORIDA, COUNTY OF DUVAL:

Sworn to and signed before me this 9 day of January, 2020 by La Phipps, who is personally known to me or has produced as identification.

NOTARY PUBLIC SIGNATURE:

PRINT NOTARY NAME:

CURRENT ZONING CLASSIFICATION: RM-2

FLOOD ZONE: X/AE-9FT

PLANNING AND DEVELOPMENT DEPARTMENT  11 NORTH 3RD STREET  PHONE (904) 247-6231  FAX (904) 247-6107
**VARiANCE APPLICATION STANDARDS AND CONDITIONS**

Variances can be requested for the dimensional standards of Article VII, the off-street parking or landscape standards of Article VIII, and the subdivision standards of the LDC, except that a height variance is not permitted in any zoning district.

**Section 34-281. Purpose.** Variances are deviations from the terms of the LDC, which would not be contrary to the public interest when owing to special circumstances or conditions; the literal enforcement of the provisions of the LDC would result in undue and unnecessary hardship.

**Section 34-286. Standards applicable to all variances.** In order to authorize any variance from the terms of this code, the Board of Adjustment must find that the following criteria have been met. To assist the Board in making this finding, please complete the blanks on the form below.

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</tr>
</thead>
<tbody>
<tr>
<td>Special conditions and circumstances exist which are peculiar to the parcel of land building or structure, which are not applicable to other parcels of land, structures or buildings in the same zoning district.</td>
<td>Yes</td>
<td>Narrow lot 50x125 Existing lot &amp; existing building non conforming for multifamily.</td>
</tr>
<tr>
<td>Special circumstances and conditions do not result from the actions of the applicant.</td>
<td>Yes</td>
<td>Existing conditions from 1931 and 2001 non farmland.</td>
</tr>
<tr>
<td>Granting the variance will not confer upon the applicant any special privileges denied by the comprehensive plan and this code to other parcels of land, buildings, or structures, in the same zoning district.</td>
<td>Yes</td>
<td>RECEIVED JAN - 7 2020 Planning &amp; Development</td>
</tr>
<tr>
<td>Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary hardship.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Grant of variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure.</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Grant of variance will be generally consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this Code and will not adversely affect adjacent land.</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

PLANNING AND DEVELOPMENT DEPARTMENT    11 North 3rd Street    PHONE (904) 247-6231    FAX (904) 247-6107
Attention: Jacksonville Beach Board of Adjustments
February 11, 2020

Subject Property: 127 10th Ave South, Jacksonville Beach, FL 32250

PUBLIC HEARING: 2-28-20
BOA # 20-100010

My name is Catherine Sturms. I own the property at 983, 985 and 985B 2nd Street South, Jacksonville Beach, FL 32250. My property is zoned Multi-Family. I have owned my property since 7-95.

My property is located west of the subject property of 127 10th Ave South, Jacksonville Beach, FL 32250. We share the westly property line.

I fully support and agree with all the requests my neighbors, Lisa and Greg Phipps have made to the Jacksonville Beach Board of Adjustment.

Specifically I support:
A front yard set-back of 17 feet in lieu of required 20 ft.
A west side yard of 4.1 in lieu of the required 10 ft set-back
A one bedroom dwelling unit of 629 sq ft in lieu of a required min of 700 sq ft.
And lastly the conversion of single family use back to multi-family use

My neighbors purchased the subject property last year. I have found them to be respectful and civic minded individuals who have greatly improved their property.

Thank You for this opportunity to voice my opinion and for all you do to improve Jacksonville Beach for all.
Sincerely,

Catherine Sturms
904-962-6190