



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Monday, June 26, 2017

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the Planning Commission
City of Jacksonville Beach, Florida

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

1. **Call to Order**

2. **Roll Call:** Greg Sutton (Chair), Terry Deloach (Vice Chair), Bill Callan, Dave Dahl, Georgette Dumont;
Alternates: Britton Sanders, Margo Moehring

3. **Approval of Minutes:** None

1. **Correspondence:** None

2. **Old Business:** None

3. **New Business:**

(A) **PC#28-17 950 Marsh Landing Parkway Suite #370**

Conditional Use Application for outdoor seating at an existing restaurant, located in a *Planned Unit Development: PUD* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. (*Whiskey Jax*)

(B) **PC#29-17**

Land Development Code Text Amendment Application to amend Section 34-344(b) to add "Commercial art, photography and stenographic services" to the list of permitted Business Service Establishment uses in the *Commercial service: CS* zoning district.

(C) **PC#30-17 217 12th Avenue North**

Conditional Use Application for multiple family residential use of property located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. (Transfer of ownership)

(D) PC#31-17

Land Development Code Text Amendment Application to amend Sections 34-340, 34-341, 34-342, 34-343, 34-344, 34-345, and 34-346 and Section 34-407, to revise the regulations for outdoor restaurants and bars.

4. Planning Department Report:

(A) The next meeting is scheduled for July 10, 2017.

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.

MEMORANDUM



TO: Planning Commission Members
FROM: Heather Ireland, Senior Planner
DATE: June 19, 2017
RE: June 26, 2017 - Planning Commission Meeting

The following information is provided for your consideration regarding four agenda items for the upcoming June 26, 2017 Planning Commission meeting.

NEW BUSINESS:

PC#28-17 Conditional Use Application

Owner: Marsh Landing Plaza Land Trust
1 Sleiman Parkway, Suite 270
Jacksonville, FL 32216

Applicant: Eatery Investment Group II, Inc.
12434 Flemington Road
Jacksonville, FL 32223

Agent: Tom Fisher
88 Oakwood Road
Jacksonville Beach, FL 32250

Location: 950 Marsh Landing Parkway Suite #370 (*Whiskey Jax*)

Request: **Conditional Use Approval** for outdoor seating at an existing restaurant, located in a *Planned Unit Development: PUD* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

Comments: The subject property is located at 950 Marsh Landing Parkway Suite #370. The site is located within the South Beach Mixed Use Commercial Phase 2 PUD on the southwest corner of South Beach Parkway and Marsh Landing Parkway.

The subject tenant space is at the western most end of the westerly shopping center building. The applicant received outdoor seating approval via PC#25-16 in July of 2016 with a condition of approval that the applicant must reapply in one year from the date of the original approval. There have been no documented code enforcement complaints or issues related to the existing outdoor seating over the last year.

Adjacent uses include retail and personal services to the east in the balance of the shopping center, Butler Boulevard directly to the north, a hotel and offices to the west, and a stormwater retention pond and condominiums to the south. Adjacent uses should not be negatively impacted by the continuation of the existing approved outdoor seating.

PC#29-17

Land Development Code Text Amendment Application

Applicant: Keith Moody
1182 24th Street North
Jacksonville Beach, FL 32250

Request: **Land Development Code Text Amendment Application** to amend Section 34-344(b) to add “Commercial art, photography and stenographic services” to the list of permitted Business Service Establishment uses in the *Commercial service: CS* zoning district.

Comments: The applicant owns property on 1st Avenue South in the *Commercial service: CS* zoning district. He has historically used the property for storage, including his personal photography equipment. General warehousing and storage is a permitted use in the *CS* zoning district. The applicant now wishes to make the space available to other photographers to use as a photography studio. Since this use is not currently permitted in the *CS* zoning district, the applicant was informed by staff that a Land Development Code Text Amendment would be required.

Currently, “Commercial art, photography, and stenographic services” are a listed permitted use under “Business service establishments” in the City’s *C-1, C-2, CBD* and *I-1* zoning districts. The use would not be out of character with the currently permitted uses under “Business service establishments” in the *CS* zoning district, which include: building services; medical and other equipment rental and leasing; and computer programming, data processing and other computer services. The addition of commercial art, photography, and stenographic services as permitted uses in the *CS* zoning district should not negatively impact adjacent properties.

PC#30-17

Conditional Use Application

Owner: BCEL, 9 LLC
7563 Philips Highway
Jacksonville, FL 32256

Applicant: JWB Real Estate
7563 Philips Highway
Jacksonville, FL 3225

Agent: Steve Jarrett
3741 1st Street South

Location: 217 and 219 12th Avenue North

Request: **Conditional Use Approval** for multiple family residential use of property located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. (*Transfer of ownership*)

Comments: The subject property is located on the north side of 12th Avenue North, between 3rd and 2nd Streets North. The property currently exists in multi-family residential use, with a two-story, two-unit apartment structure on the north end of the property, constructed prior to 1940. Conditional use for multi-family in *C-1* was approved on May 22, 2017 via PC#19-17 for

the previous owner. The new owner would like to maintain the existing duplex on the property, and add a third dwelling unit to the property in front of the existing apartment structure. Since multi-family conditional uses are non-transferable, the agent was advised by staff that the proposed improvements would require conditional use approval for the new owner.

Adjacent uses include multi-family residential and commercial to the west and east, multi-family to the north, and multiple and single-family uses to the south. Based on the historical and current use of the property as multiple family residential, and other adjacent residential properties, the existing and proposed multi-family use of the subject property should not negatively impact adjacent properties.

PC#31-17

Land Development Code Text Amendment Application

Applicant: Planning and Development Department
11 N. 3rd Street
Jacksonville Beach, FL 32250

Request: **Land Development Code Text Amendment** to amend Sections 34-340, 34-341, 34-342, 34-343, 34-344, 34-345, and 34-346 and Section 34-407, to revise the regulations for outdoor restaurants and bars.

Comments: The Land Development Code currently permits restaurants, outdoor restaurants, bars, and outdoor bars, as either permitted or conditional uses in commercial zoning districts and in *Residential multiple family: RM-2*. To implement various approved Vision Plan objectives, staff has proposed to revise certain regulations relative to outdoor restaurants and bars by:

- (1) Making the allowable area calculations simpler and more consistent, and
- (2) By allowing restaurants to have small (under 200 sq. ft.) outdoor areas by right, and without a requirement for additional required parking.

The proposed changes in the attached ordinance would allow restaurants to have up to 200 square feet of outdoor seating areas without having to receive conditional use approval, and without having to provide for additional parking. Any outdoor bars and outdoor restaurants over 200 square feet would continue to require conditional use approval as well as require additional parking to be provided. Changes to the current regulations are provided in the ~~strike-through~~ deletion/underlined addition format. These changes would apply to the following zoning districts: *RM-2, CPO, C-1, C-2, CS, CBD, and I-1*.

The proposed changes also include revisions to Section 34-407, Outdoor Restaurants and Bars. Section 34-407, Paragraph (b). As proposed, the changes would now allow for the maximum area of outdoor customer service areas of restaurants or bars to not exceed 25% of the total enclosed area of the related restaurant or bar. Currently, the Code allows for 20% of the first 3,000 square feet, and 10% of the enclosed space over 3,000 square feet. Parking for outdoor seating would only be required for outdoor restaurant and bar areas over 200 square feet, and then at the same ratio as for the enclosed area of the restaurant or bar.

The final proposed change to the LDC is to update Paragraph 34-407(e) that currently prohibits amplified sound and music within approved outdoor seating areas. This change is necessary to maintain consistency with the new Chapter 18 "Noise" of the City's Code of Ordinances,

adopted by the City Council on June 5, 2017. A copy of the Ordinance No. 2016-8082 is provided for your reference. As a result of the new provisions in that ordinance for the issuance of Low Volume Outdoor Amplified and Acoustic Sound Permits, Paragraph (e) of Section 34-407 has been updated to reference those provisions. Paragraph (e) has been updated to eliminate the prohibition of amplified and other sounds, and to reflect the new outdoor sound permit regulations adopted by the City Council on June 5, 2017, as part of the new Chapter 18.

A new Paragraph (f) to Section 34-407 has also been proposed, moving the regulations concerning animals in outdoor restaurants and bars from Paragraph (e), and adding language referencing the Dogs in Outdoor Dining Area permit process, administered by the City Clerk's office, as a new subsection (f).

The approved changes to Chapter 18 of the City Code of Ordinances allow for "low volume outdoor amplified and acoustic sound" through a valid permit issued by the City Clerk's office. Section 18-7(b)(4) of the new Chapter 18 provides standards applicable to outdoor entertainment sound. The changes proposed to Section 34-407(e) of the Land Development Code in the attached ordinance reflect and reference the proposed changes to Chapter 18 of the City's Code of Ordinances.



CONDITIONAL USE APPLICATION

PC No. 28-17

AS/400# 17-100099

HEARING DATE 6/26/17

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$250.00.

APPLICANT INFORMATION

Land Owner's Name: Marsh Landing Plaza Land Trust
Mailing Address: 1 Sleiman Suite 270
Jacksonville, FL 32216

Telephone: 904. 731. 8806
Fax: _____
E-Mail: _____

Applicant Name: Eatery Investment Group II, Inc
Mailing Address: 12434 Flemington Rd
Jacksonville, FL 32223

Telephone: 904. 422. 6042
Fax: _____
E-Mail: whiskeyjax01@gmail.com

NOTE: Written authorization from the property owner is required if the applicant is not the owner.

Agent Name: Tom Fisher
Mailing Address: 88 Oakwood Rd
Jax Beach, FL 32250

Telephone: 904. 422. 6042
Fax: _____
E-Mail: whiskeyjax01@gmail.com

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.

PROJECT DATA

Street address of property and/or Real Estate Number: 950 Marsh Landing ste 370

RECEIVED

Legal Description of property (attach copy of deed): _____

MAY 25 2017

Current Zoning Classification: PUD

Future Land Use Map Designation: _____

PLANNING & DEVELOPMENT

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: 34-342(d)(20)

Describe the proposed conditional use and the reason for the request: outdoor seating

Applicant Signature: Thomas Fisher

Date: 05/24/17

MARSH LANDING PLAZA LAND TRUST

1 Sleiman Parkway, Suite 270, Jacksonville, FL 32216
Telephone: (904)731-8806 • Fax: (904)731-1109

June 15, 2016

City of Jacksonville Beach
Planning and Development Department
11 North Third Street
Jacksonville Beach, Florida 32250

Re: 950 Marsh Landing Parkway, Unit #370, Jacksonville Beach, FL 32250 (Marsh Landing Plaza)
Real Estate Parcel Number: 181209-0000-2

Ladies and gentlemen:

This letter will authorize the following tenant to obtain a Conditional Use Application for outside dining at the above referenced location:

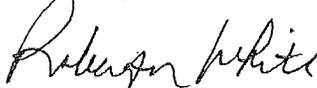
Eatery Investment Group II, Inc.
d/b/a Whiskey Jax
12434 7Flemington Road
Jacksonville, Florida 32223

Owner's interest in property: Leasehold

Fee simple title holder (if other than Owner):
Marsh Landing Plaza Land Trust
1 Sleiman Parkway, Suite 270, Jacksonville, FL 32216

Please contact the undersigned if further information is needed about this authorization.

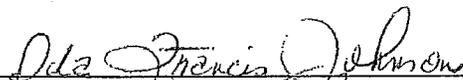
Very truly yours,

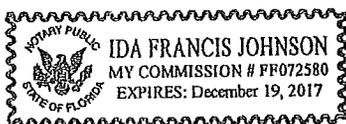


Robert K. White
Chief Operating Officer

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 10th day of May, 2016 by Robert K. White, as the Chief Operating Officer of Marsh Landing Plaza Land Trust, who is personally known to me.


Notary Public, State of Florida

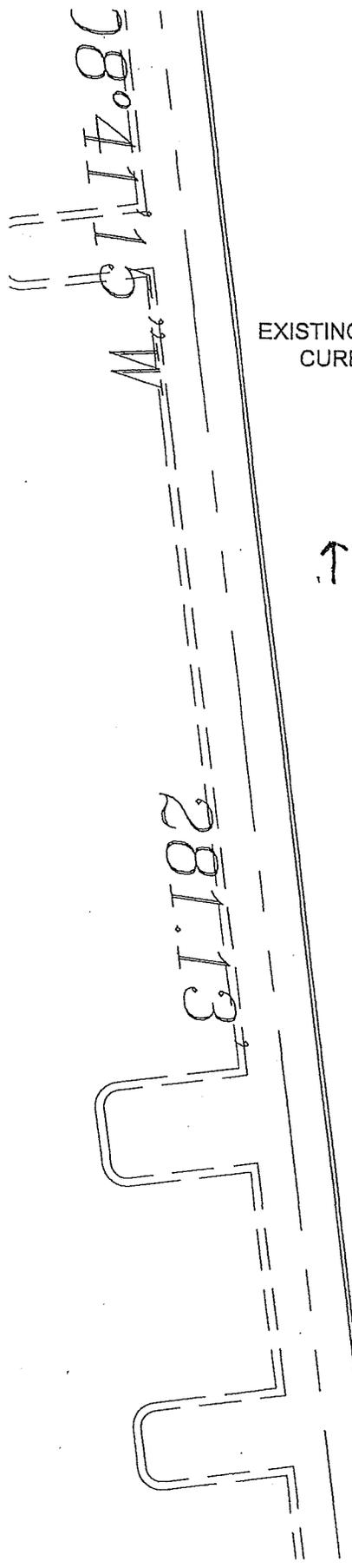


RECEIVED

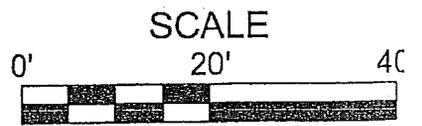
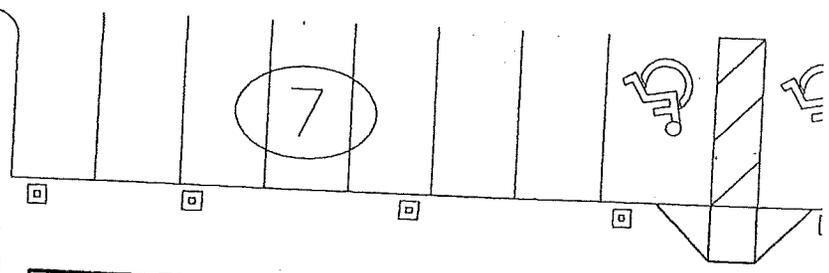
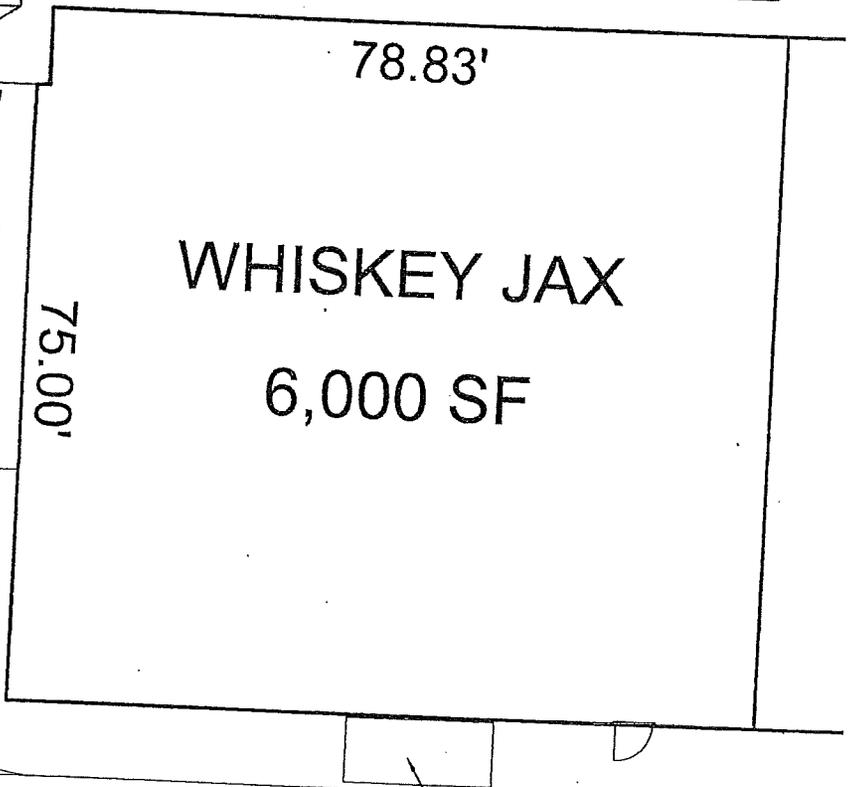
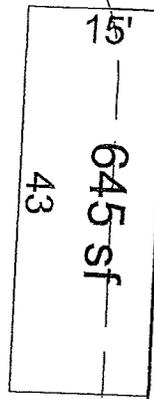
PC#25-16

JUN 16 2016

PLANNING & DEVELOPMENT



EXISTING CURB



SCALE

1"=20' HORIZ.

RI

PROPERTIES
DUVAL MAPS

PC#28-17

4071	4062
4083	4068
4095	

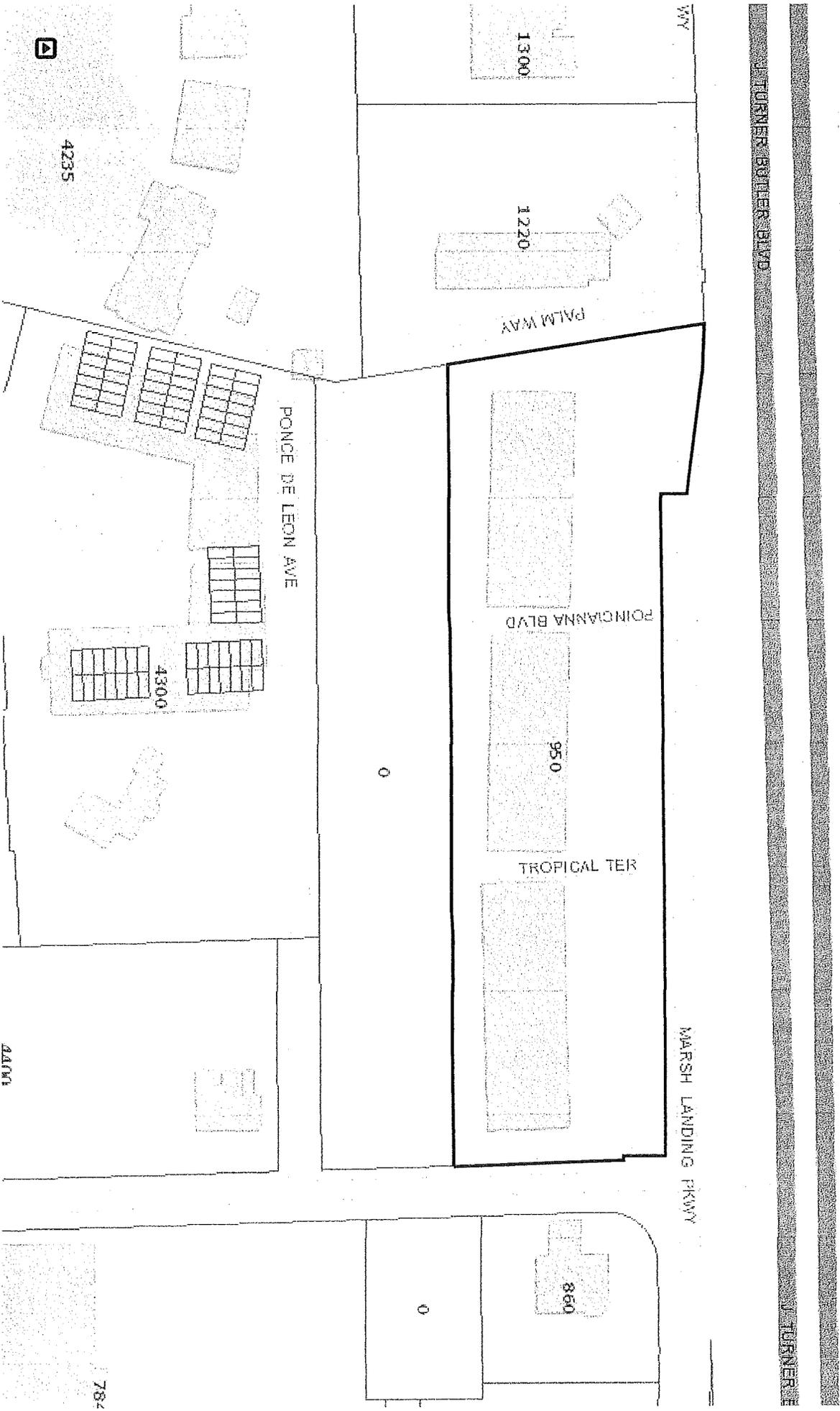
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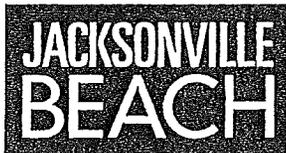
4082	4090
4098	

4087	4088
0	

4089	4086
0	
SANCTUARY PKWY	
4083	

4082	
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REFERENCE

DEPARTMENT OF PLANNING & DEVELOPMENT

CERTIFIED MAIL RECEIPT# 7012 2210 0002 8852

July 12, 2016

Tom Fisher
88 Oakwood Road
Jacksonville Beach, FL 32250

RE: **Planning Commission Case: PC# 25-16**
950 Marsh Landing Parkway #370 (*Whiskey Jax*)

Conditional Use Application for outdoor seating at an existing restaurant, located in a *Planned Unit Development: PUD* zoning district.

Dear Mr. Fisher,

The City of Jacksonville Beach Planning Commission met on Monday, July 11, 2016 in Council Chambers to consider your Conditional Use Application for outdoor seating at an existing restaurant, in a *Planned Unit Development: PUD* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

The request was **Approved** with the following conditions:

1. The applicant shall ensure that the approval will meet the conditions set forth in Section 34-231 (1) through (5) of the LDC, and
2. Conditional Use approval will expire 12 months following date of approval, at which time the applicant must re-apply to continue the Conditional Use for outdoor seating.

You must reapply for Conditional Use approval by June 9, 2017 for consideration at a meeting on July 7, 2017.

Please remove the public notices posted on the property.

Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





REZONING/TEXT AMENDMENT APPLICATION

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: Keith Moody
Mailing Address: 1182 24th st. N. Jax Beach Fl. 32250

Telephone: (904) 246-7970
Fax: _____
E-Mail: kamcanon@gmail.com

Applicant Name: Same
Mailing Address: _____

Telephone: (904) 246-7970
Fax: _____
E-Mail: kamcanon@gmail.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: _____
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: MAY 25 2017

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

RECEIVED
PLANNING & DEVELOPMENT

REZONING DATA

Street address of property and/or Real Estate Number: 583 S. 1st Ave. Jax. Beach 32250

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): _____

Current Zoning Classification: Commercial Service Future Land Use Map Designation: _____

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Section 34-344 (b)

	<u>REQUESTED INFORMATION</u>		<u>Attached?</u>	
	Yes	No	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;	✓			
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;				
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;				
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.				
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	✓			

Applicant Signature: [Signature]

Date: 5-24-17

memo

To: Jacksonville Beach Planning & Zoning Department
From: Keith Moody
CC: Bill Mann
Date: 5/24/2017
Re: Request to amend the land development code

Comments: This request is to amend the Land Development Code to include "Commercial art, Photography and Stenographic services" to the list of permitted uses in the City's Commercial service CS zoning district.

I have been storing my photography lighting equipment, backdrops and props at 583 s. 1st avenue for some time. Periodically I would use the space to do some tabletop photography of products and or Corporate Head Shots as I was doing work for many local magazines. Due to a shoulder injury I am no longer working as a photographer and would like to use the space as a photography studio for other commercial photographers. This use is very low impact on the environment and is much more consistent with the business in the neighborhood. Moving forward the city of Jacksonville Beach would benefit greatly from this addition to the CS district as it would encourage more creative and clean business (Commercial Art Photography & Stenographic Services).

Keith Moody
1182 N. 24th St.
Jacksonville Beach Fl. 32250
904-246-7970
Kamcanon@gmail.com

RECEIVED

PC#29-17

MAY 25 2017

PLANNING & DEVELOPMENT

Request to amend the Land Development Code to add "Commercial art ,
photography and stenographic services" to the list of permitted buses in the City's
Commercial service: CS zoning district.

Sec. 34-344 Commercial service: CS

(b) *Permitted uses*

- (12) Business service establishments as follows: Building services;
medical and other equipment rental and leasing; ~~and~~
computer programming, data processing and other computer
services; and Commercial art , photography and stenographic
services.

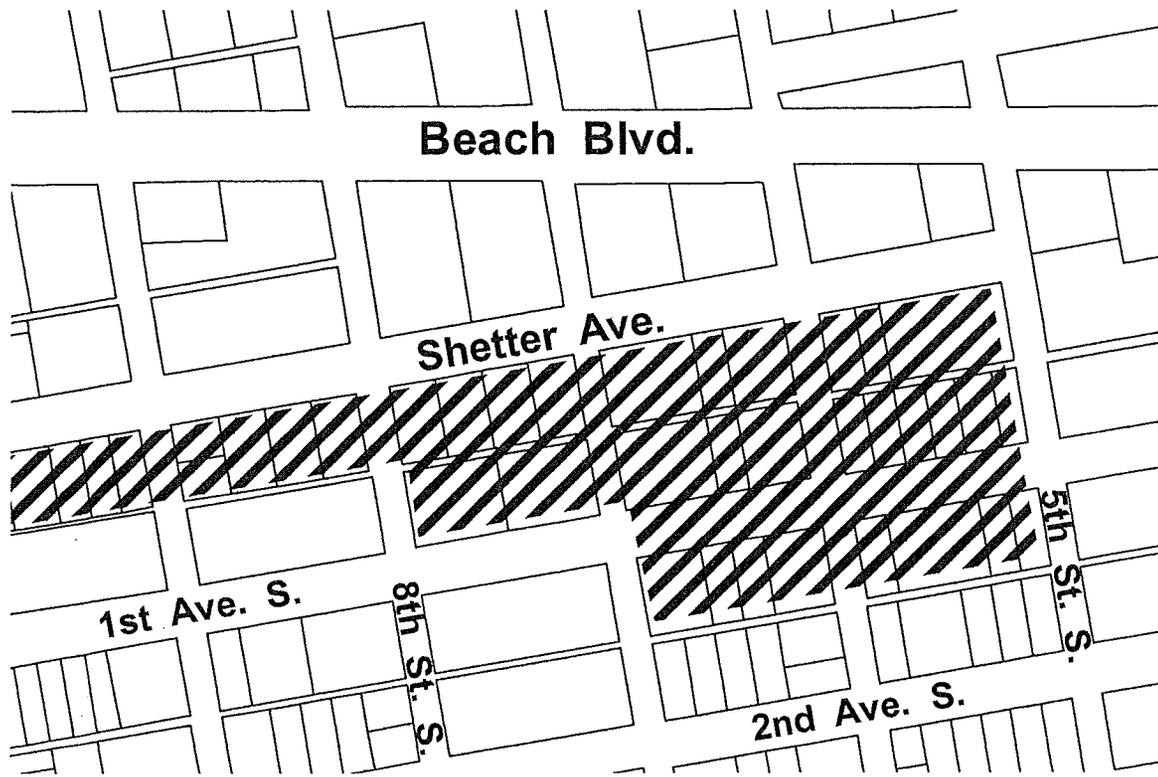
RECEIVED

PC#29-17

MAY 25 2017

PLANNING & DEVELOPMENT

PC#29-17



CS Zoning District



CONDITIONAL USE APPLICATION

PC No. 30-17
AS/400# 17-100101
HEARING DATE 6/26/17

MAY 26 2017

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$250.00.

APPLICANT INFORMATION

Land Owner's Name: BCEL 9, LLC
Mailing Address: 7563 Phillips Hwy
Jacksonville, FL 32256

Telephone: (904) 677-6777
Fax: _____
E-Mail: acq@jwbcompanies.com

Applicant Name: JWB Real Estate
Mailing Address: 7563 Phillips Hwy Suite 109
Jacksonville, FL 32256

Telephone: (904) 677-6777
Fax: _____
E-Mail: acq@jwbcompanies.com

NOTE: Written authorization from the property owner is required if the applicant is not the owner.

Agent Name: Steve Jarrett
Mailing Address: 3741 1st St South
Jacksonville Beach, FL 32250

Telephone: (904) 247-7000
Fax: _____
E-Mail: Steve@OldBeach.com

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.

PROJECT DATA

Street address of property and/or Real Estate Number: 217-219 12th Av N, JB 174660-0000

Legal Description of property (attach copy of deed): Lot 9 Blk 133 Pablo Beach North R/P

Current Zoning Classification: C-1 Future Land Use Map Designation: Commercial

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: 34-342(d)15

Describe the proposed conditional use and the reason for the request: (Transfer)
Improvements to existing multifamily use

Applicant Signature:

Date: 5-25-17

May 24, 2017

Heather Ireland, AICP
Senior Planner
Planning and Development Dept
City of Jacksonville Beach, FL 32250

Re: 2178 12th Ave N, Jax Bch

Heather,

I am an authorized officer of JWB Real Estate the Manager of BCEL 9, LLC. I hereby authorize **Steve Jarrett and or Luke McCann of Old Beach Realty Group** as agents to represent our interests in the above referenced property as it relates to any variance or conditional use applications. Please contact me if further discussion is needed.

Thanks so much,



Alex Sifakis
JWB Real Estate
7563 Phillips Hwy Suite 109
Jacksonville, FL 32256
(904) 566-6400

Existing

MAP SHOWING BOUNDARY SURVEY OF
LOT 9 BLOCK 133 ACCORDING TO THE PLAT OF
PABLO BEACH IMPROVEMENT COMPANY'S PLAT
OF PART OF NORTHERN PORTION OF PABLO BEACH
 AS RECORDED IN PLAT BOOK 5, PAGE(S) 66 OF THE CURRENT
 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 MICHAEL McCANN,
 FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK,
 GIBRALTAR TITLE SERVICES
 AND SUNTRUST MORTGAGE, INC.

3rd STREET NORTH
 (100' R/W)

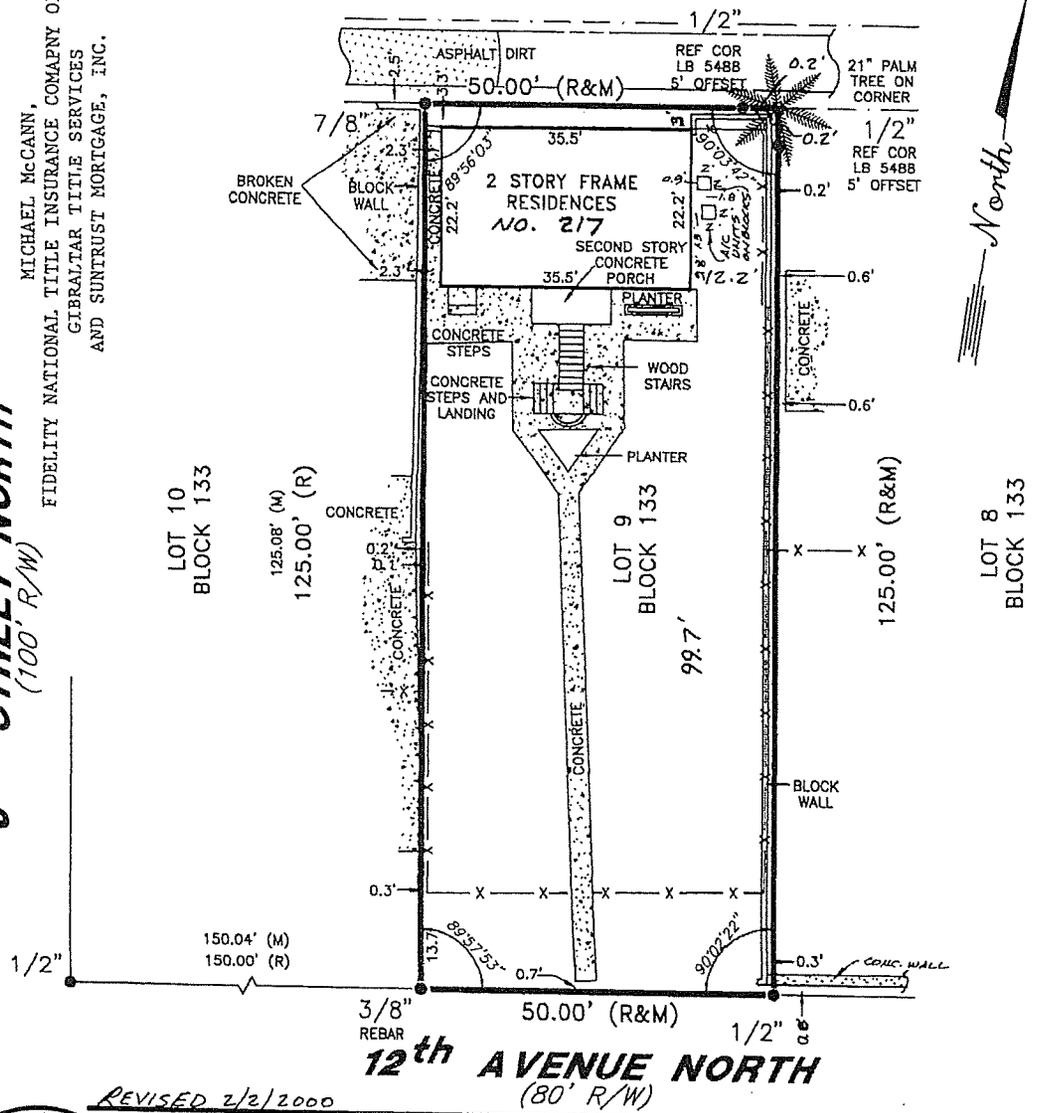
LOT 10
 BLOCK 133

125.08' (M)
 125.00' (R)

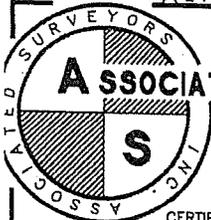
LOT 9
 BLOCK 133

125.00' (R&M)

LOT 8
 BLOCK 133



REVISED 2/2/2000



ASSOCIATED SURVEYORS INC.
 LAND & ENGINEERING SURVEYS
 3840 BLANDING BOULEVARD
 JACKSONVILLE, FLORIDA 32210
 904-771-6488

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATION CODE, CHAPTER 172, F.S.

BY: *Charles B. Hatcher*
 CHARLES B. HATCHER
 FLORIDA CERTIFICATE NO. 3771

JOB NO. 37735
 SCALE: 1" = 20'

DATE 12 Sept, 2003
 DRAFTER J.L. Hill/CLS

GENERAL NOTES:

1. ANGLES ARE SHOWN FOR THIS SURVEY.
2. STRUCTURE NO. 217 SHOWN HEREON LIES WITHIN FLOOD ZONE X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 1 DATED 4-17-1989.
3. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
4. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
5. THIS SURVEY WAS BASED ON LEGAL DESCRIPTIONS FURNISHED AND THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE, COVENANTS OR RESTRICTIONS THAT MAY AFFECT THIS PARCEL.
6. UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.
7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND/ABBREVIATIONS

- SET IRON PIPE OR REBAR
- "ASSOC. SURVEY" OR L.B. 5488
- FOUND IRON PIN OR PIPE (IP)
- FOUND CONCRETE MONUMENT (C.M.)
- X CROSS CUT OR DRILL HOLE
- (R) = RECORD (M) = MEASURED
- (R) = RADIUS L = ARC LENGTH
- O.R.B. = OFFICIAL RECORD BOOK
- O.R.V. = OFFICIAL RECORD VOLUME
- P.R.M. = PERMANENT REFERENCE MONUMENT
- B.R.L. = BUILDING RESTRICTION LINE
- E.T. = ELECTRIC TRANSFORMER & PAD
- J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY
- P.C. = POINT OF CURVE COVD = COVERED
- P.T. = POINT OF TANGENCY CH = CHORD
- P.R.C. = POINT OF REVERSE CURVE
- P.C.C. = POINT OF COMPOUND CURVE
- C/L = CENTER LINE R/W = RIGHT OF WAY
- CONC. = CONCRETE B.T. = BUILDING TIE
- A/C = AIR CONDITIONER (E.T.) = EAVE TIE
- ⊠ = WATER METER
- ⊕ = UTILITY POLE
- P.E.Q. = POOL EQUIPMENT → = GUY ANCHOR
- O.U.- = OVER HEAD UTILITIES
- X-X CHAIN LINK FENCE
- W-W WIRE FENCE E.B. = ELECTRIC BOX
- D-D WOOD FENCE BTN. = BETWEEN

MAP SHOWING BOUNDARY SURVEY OF
LOT 9 BLOCK 133 ACCORDING TO THE PLAT OF
PABLO BEACH IMPROVEMENT COMPANY'S PLAT
OF PART OF NORTHERN PORTION OF PABLO BEACH

AS RECORDED IN PLAT BOOK 5 , PAGE(S) 66 OF THE CURRENT
 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 MICHAEL McCANN,
 FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK,
 GIBRALTAR TITLE SERVICES
 AND SUNTRUST MORTGAGE, INC.

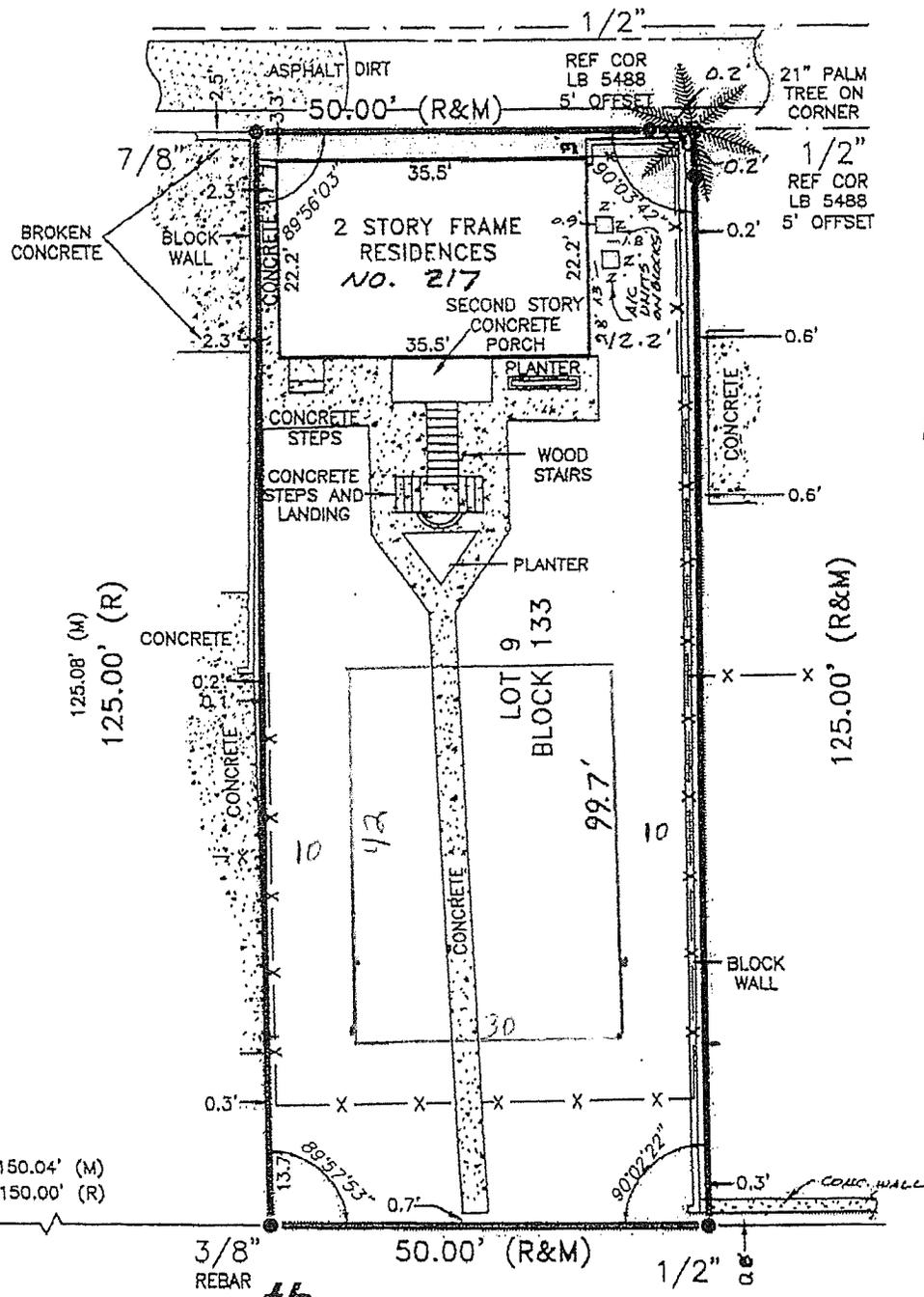
3rd STREET NORTH
 (100' R/W)

LOT 10
 BLOCK 133

125.08' (M)
 125.00' (R)

125.00' (R&M)

LOT 8
 BLOCK 133



12th AVENUE NORTH
 (80' R/W)

REVISED 2/2/2000

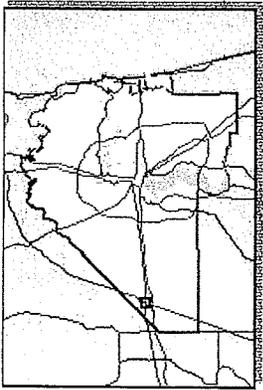


GENERAL NOTES:

1. ANGLES ARE SHOWN FOR THIS SURVEY.



PC#30-17





CERTIFIED MAIL RECEIPT# 7012 2210 0002 4628 7718

May 26, 2017

Michael McCann
2311 Oceanwalk Drive W.
Atlantic Beach, FL 32233

RE: **Planning Commission Case: PC# 19-17**
Conditional Use Application for multiple family residential use of property located in a *Commercial, limited: C-1* zoning district, for property located at 217 12th Avenue North.

Mr. McCann,

The City of Jacksonville Beach Planning Commission met on Monday, May 22, 2017 in Council Chambers to consider your **Conditional Use Application** for multiple family residential use of property located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

The request was **Approved**.

Please remove the public notice posted on your property. Should you have any questions please feel free to contact our office at (904) 247-6231.

Sincerely,

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org





REZONING/TEXT AMENDMENT APPLICATION

PC No. 31-17

AS/400# 17-100102

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: _____

Telephone: _____

Mailing Address: _____

Fax: _____

E-Mail: _____

Applicant Name: Planning and Development Department

Telephone: (904) 247-6231

Mailing Address: 11 N. 3rd Street - City Hall

Fax: (904) 247-6107

Jacksonville Beach, FL 32250

E-Mail: planning@jaxbchfl.net

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: _____

Telephone: _____

Mailing Address: _____

Fax: _____

E-Mail: _____

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

REZONING DATA

Street address of property and/or Real Estate Number: _____

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): _____

Current Zoning Classification: _____ Future Land Use Map Designation: _____

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Sec. 34-340, 341, 342, 343, 344, 345, 346, and 34-407

	<u>REQUESTED INFORMATION</u>	
	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;		✓
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;		✓
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;		✓
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.		✓
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	✓	

Applicant Signature:

Date: 5/31/17

Introduced by: _____
1st Reading: _____
2nd Reading: _____

ORDINANCE NO. 2017-_____

AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING DIVISION 2. ZONING DISTRICTS, PERMITTED USES, ACCESSORY USES, CONDITIONAL USES, DIMENSIONAL STANDARDS, OFF-STREET PARKING AND LOADING STANDARDS, SUPPLEMENTAL STANDARDS, LANDSCAPING STANDARDS, SIGN STANDARDS, AND ENVIRONMENTAL STANDARDS, SECTIONS 34-340, 34-341, 34-342, 34-343, 34-344, 34-345, AND 34-346 OF ARTICLE VII. ZONING DISTRICTS, AND BY AMENDING DIVISION 2. SUPPLEMENTAL STANDARDS, SECTION 34-407 *OUTDOOR RESTAURANTS AND BARS* OF ARTICLE VIII. SITE DEVELOPMENT STANDARDS TO MODIFY THE LIMITATIONS AND CONDITIONS FOR OUTDOOR RESTAURANTS AND BARS; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND FOR OTHER PURPOSES:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That Division 2, Section 34-340, Paragraph (d), Items (21) and (24) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-340. Residential, multiple-family: RM-2.

(d) *Conditional uses.*

- (21) Restaurants and outdoor restaurants less than or equal to 200 square feet in area, excluding drive-ins.
- (24) Outdoor restaurants greater than 200 s.f. in area.

SECTION 2. That Division 2, Section 34-341, Paragraph (d), Items (1) and (18) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-341. Commercial professional office: CPO.

(d) *Conditional uses.*

- (1) Restaurants, except excluding drive-ins, and outdoor restaurants less than or equal to 200 square feet in area.

- (18) Outdoor restaurants greater than 200 s.f. in area.

SECTION 3. That Division 2, Section 34-342, Paragraph (b), Item (7) and Paragraph (d), Items (3) and (20) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-342. Commercial limited: C-1.

(b) *Permitted uses.*

- (7) Restaurants, ~~except~~ excluding drive-ins, and outdoor restaurants less than or equal to 200 square feet in area.

(d) *Conditional uses.*

- (3) Bar, lounge, nightclub, tavern or other drinking place, and outdoor bars less than or equal to 200 square feet in area.
- (20) Outdoor restaurants or bars greater than 200 s.f. in area.

SECTION 4. That Division 2, Section 34-343, Paragraph (b), Item (11) and Paragraph (d), Items (1) and (14) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-343. Commercial general: C-2.

(b) *Permitted uses.*

- (11) Restaurants and outdoor restaurants less than or equal to 200 square feet in area.

(d) *Conditional uses.*

- (1) Bar, lounge, nightclub, tavern or other drinking place, and outdoor bars less than or equal to 200 square feet in area.
- (14) Outdoor restaurants or bars greater than 200 s.f. in area.

SECTION 5. That Division 2, Section 34-344, Paragraph (d), Items (4) and (5) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-344. Commercial service: CS

(d) *Conditional uses.*

- (4) Restaurants and outdoor restaurants less than or equal to 200 square feet in area, except excluding drive-ins.
- (24) Outdoor restaurants greater than 200 s.f. in area.

SECTION 6. That Division 2, Section 34-345, Paragraph (b), Item (4) and Paragraph (d), Items (2) and (7) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-345. Central business district: CBD.

(b) *Permitted uses.*

- (4) Retail trade establishments as follows: Building materials, hardware and garden supplies; general merchandise stores; apparel and accessory stores; home furniture, furnishing and equipment stores; restaurants and outdoor restaurants less than or equal to 200 square feet in area; drug stores; florists; tobacco stands and newsstands; optical goods stores; and miscellaneous retail goods.

(d) *Conditional uses.*

- (2) Bar, lounge, nightclub, tavern or other drinking place, and outdoor bars less than or equal to 200 square feet in area.
- (7) Outdoor restaurants greater than 200 s.f. in area.

SECTION 7. That Division 2, Section 34-346, Paragraph (d), Items (5) and (10) of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida are hereby, is and shall henceforth read as follows:

Section 34-346. Industrial district: I-1.

(d) *Conditional uses.*

- (5) Restaurants and outdoor restaurants less than or equal to 200 square feet in area, except excluding drive-ins.
- (10) Outdoor restaurants greater than 200 s.f. in area.

SECTION 8. That Division 2, Section 34-407 of Article VIII. Site Development Standards of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida, is hereby amended and shall henceforth read as follows:

**DIVISION 2.
SUPPLEMENTAL STANDARDS**

Sec. 34-407. Outdoor Restaurants and Bars

In addition to the standards applicable to all conditional uses, as stated in Sec. 34-231, and in addition to the regulations of the zoning district in which the restaurant or bar is located, outdoor restaurants and bars which are permitted or allowed in any zoning district shall be subject to the following limitations and conditions:

(a) The unenclosed portion of the restaurant or bar shall be accessory to or under the same ownership or control as the restaurant or bar which is operated within a totally and permanently enclosed building located on the same lot.

(b) The area of unenclosed, outdoor customer service area of a restaurant or bar shall not exceed ~~twenty (20%)~~ twenty-five percent (25%) of the ~~first 3,000 square feet of total enclosed area of the restaurant or bar, plus ten (10%) percent of the enclosed area over 3,000 square feet in area.~~

(c) For outdoor restaurants or bars exceeding 200 square feet in area, Required parking spaces shall be provided for the total customer service area outside of the building in excess of 200 square feet at the same ratio as required for the enclosed area of the restaurant or bar.

(e) The outdoor customer service area shall not be used to compute the minimum seating or customer service area required to qualify for a special restaurant (SRX) alcoholic beverage license. For any establishment selling alcoholic beverages for on-site consumption, the outdoor service area shall be enclosed by a minimum 42" high wall or fence. The wall or fence shall be constructed of wood, metal (except chain link), plastic, or other similar material. No rope of any kind shall be permitted.

~~(f) There shall be no use, operation, or playing of any musical instrument, loudspeaker, sound amplifier, or other machine for the production or reproduction of sound within an approved outdoor restaurant or bar seating area. No animals except seeing eye dogs shall be permitted within an approved outdoor restaurant or bar seating area. Pursuant to Chapter 18 of the City of Jacksonville Beach Code of Ordinances, Section 18-7, a Low Volume Outdoor Amplified and Acoustic Sound Permit is required for licensed establishments to provide outdoor amplified and acoustic entertaining to originate from within the property line of a licensed business, to utilize outdoor sound amplification equipment, and to otherwise permit the generation of amplified sound or noise in unenclosed parts of the licensed premises. All establishments with an approved Outdoor Amplified and Acoustic Sound Permit must adhere to Section 18-7(b)4, *Standards applicable to outdoor entertainment sound.*~~

(g) The Planning Commission is authorized to establish hours of operation for outdoor restaurant and bar seating areas as a means to ensure their compatibility with surrounding land uses.

(h) If an approved outdoor restaurant or bar area violates any of the standards set forth in this section, or any other conditions placed on their approval by the Planning Commission, the violation shall be referred to the Special Magistrate for a hearing. Upon finding that such a violation exists, the Special Magistrate may apply penalties as provided by law, including revocation of the conditional use approval for that outdoor seating area. Whenever the approval for a conditional use outdoor bar or restaurant seating area is revoked for a particular establishment, a conditional use application for outdoor bar or restaurant seating shall not be considered for any portion of that establishment for a period of two (2) years after the date of revocation.

SECTION 9. That all ordinances or parts of ordinances in conflict with this ordinance are, to the extent that the same may conflict, hereby repealed.

SECTION 10. That this ordinance shall take effect upon its adoption by the City Council.

AUTHENTICATED THIS ___ DAY OF _____, A.D., 2017.

William C. Latham, Mayor

Laurie Scott, City Clerk