



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Planning Commission

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Monday, September 23, 2019

7:00 PM

Council Chambers

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#### 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), Dave Dahl (Vice-Chair), Britton Sanders, Margo Moehring, Jon Scott Walker  
Alternates: Colleen White, Bill Spann

3. **Approval of Minutes:** August 12, 2019 and August 26, 2019

4. **Correspondence:** None

5. **Old Business:**

- (A) **PC#13-19** *Deferred from June 24, 2019 meeting*

**Land Development Code Text Amendment Application** to amend the definition of "Pets, household" under Article IV. Definitions to permit female chickens and poultry and female dehorned goats, and to provide standards and regulations for coops and enclosures, where permitted. (Applicant – private sponsor)

6. **New Business:**

- (A) **PC#27-19** **432 North 4<sup>th</sup> Avenue**

**Concept Plan for Plat Application** for a proposed four lot fee-simple townhouse subdivision located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

- (B) **PC#28-19** **1401 South 1st Street (Waterfall Condominiums)**

**Conditional Use Application** for the extension of approval for a temporary real estate sales office for a condominium project located in a *Residential, multiple-family: RM-2* zoning district.

7. Planning Department Report:

(A) The next meeting is tentatively scheduled for Monday, October 14, 2019.

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**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: September 16, 2019  
RE: September 23, 2019 - Planning Commission Staff Report

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The following information is provided for your consideration regarding the following agenda item for the upcoming **Monday, September 23, 2019** Planning Commission meeting.

**OLD BUSINESS:**

**PC#13-19 Land Development Code Text Amendment Application**

Owner/  
Applicant: Marcello Bergo & Katrina Lane  
603 16<sup>th</sup> Street North  
Jacksonville Beach, FL 32250

Agent: Lindsay Haga, AICP  
England-Thims & Miller, Inc.

Request: **Land Development Code Text Amendment Approval** to amend the definition of “Pets, household” under Article IV. Definitions to permit female chickens and poultry and female dehorned goats, and to provide standards and regulations for coops and enclosures, where permitted. (Applicant – private sponsor)

Comments: The proposed Land Development Code (LDC) Text Amendment was originally presented to the Planning Commission at the May 28, 2019 meeting. The details of the proposed amendment were discussed and the City’s attorney noted that she desired additional time to review the proposed amendments and discuss them with the applicant and staff. Following a meeting between the applicant, staff and the City’s attorney, staff then requested that the application be deferred until the September 23, 2019 Planning Commission meeting to allow additional time for detailed discussions.

After additional review and discussion with the applicant, it was determined that while, at minimum, the definition of household pets in the LDC would still need to be amended to permit chickens, the bulk of the changes proposed would be more appropriately placed under Code of Ordinances, Chapter 5 – Animals and Fowl. Since this Chapter is not part of the Land Development Code, it cannot be changed through the Planning Commission.

**NEW BUSINESS:**

**PC# 27-19      Concept Plan for Plat Application**

Owner/  
Applicant:      Atkins Builders, Inc.  
                         PO Box 51262  
                         Jacksonville Beach, FL 32240

Agent:            John Atkins  
                         PO Box 51262  
                         Jacksonville Beach, FL 32240

Location:        432 North 4<sup>th</sup> Avenue

Request:         **Concept Plan for Plat Approval** for a proposed four lot fee-simple townhouse subdivision located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

Comments:      The subject property is located in the southeast corner of 4<sup>th</sup> Avenue North and 5<sup>th</sup> Street North and has existed as a nonconforming single-family dwelling since the home was constructed in 1954. The new owner/applicant is building a four unit townhouse project on the property and is requesting approval for concept plan for plat in order to subdivide the property.

Adjacent uses include a surface parking lot for a church to the south, vacant residentially zoned property to the north, multiple-family to the west, and a single-family directly to the east. The proposed four unit townhouse project is consistent with the mixed use character of the area and should not negatively impact adjacent properties.

**PC#50-17**

**Conditional Use Application**

Owner/  
Applicant:

Beach House of Jacksonville Beach, LLC  
645 Mayport Road, Suite 5  
Atlantic Beach, FL 32233

Location:

1401 South 1<sup>st</sup> Street (*Waterfall* Condominiums).

Request:

**Conditional Use Approval** for the extension of approval for a temporary real estate sales office for a proposed condominium project located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340(d)(15) of the Jacksonville Beach Land Development Code.

Comments:

The subject property is located oceanfront of 1<sup>st</sup> Street South between 14<sup>th</sup> and 15<sup>th</sup> Avenues South. The property currently has an approved Site Plan (SP#17-3) for the construction of a nine story, 42 unit oceanfront residential condominium project (*Waterfall* Condominiums). The subject property has vested rights for a building height of 109 feet.

The property owners received approval under PC#50-17 to place a temporary real estate sales office on the subject property while the design and construction plans for the oceanfront condominium project are finalized. The Planning Commission approved the request with the condition that the approval would expire 18 months after the certificate of occupancy for the sales office was issued. Approval expires on October 4, 2019. The applicant was informed by staff that they would need approval to continue operations at the real estate office beyond the expiration date.

Adjacent uses include residential to the north, south and west, and the Atlantic Ocean to the east. Continued use of the subject property as a temporary real estate office should not negatively impact adjacent properties as adequate parking, access and landscaping have been provided, and the temporary office will ultimately be removed from the subject property. The City has received no complaints about the temporary office.

**Minutes of Planning Commission Meeting  
Held Monday, August 12, 2019, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:01 P.M. by Chairman Greg Sutton

**Roll Call**

*Chairman:* Greg Sutton  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders Jon Scott Walker  
*Alternates:* Colleen Murphy White Bill Spann

Also present were Senior Planner Heather Ireland and Acting City Attorney Denise May.

**Approval of Minutes**

The following minutes were approved unanimously:

- June 24, 2019
- July 8, 2019

**Correspondence** None

**Old Business**

(A) **PC#23-19** 1198 Beach Boulevard, Suite 9

**Owner:** Hasteh, LLC  
3982 Alhambra Drive West  
Jacksonville, FL 33207

**Applicant:** Bento Jax Beach, LLC  
P.O. Box 3831  
Orlando, FL 32802

**Agent:** George Fong  
2555 Temple Trail, Suite 102  
Winter Park, FL 33789

**Conditional Use Approval** for proposed outdoor restaurant seating at a new restaurant located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland stated the applicant had requested the application be withdrawn from consideration.

Mr. Sutton stated the applicant had requested the application be deferred to this meeting at the July 22, 2019, meeting. Ms. Ireland confirmed the application deferral, however the application has been withdrawn and they may reapply at a later time.

(B) **PC#25-19** 2115 12<sup>th</sup> Avenue North  
**Owner:** Ocean Forest, LLC  
1912 Nightfall Drive  
Neptune Beach, FL 32266

**Applicant:** Ossi Development  
1112 3<sup>rd</sup> Street, Suite 4  
Neptune Beach, FL 32266

**Agent:** Chuck Kennedy, P.E.  
Connelly and Wicker, Inc.  
10060 Skinner Lake Drive, Suite 500  
Jacksonville, FL 32246

**Concept Plan for Plat Approval** for a proposed 10 lot single-family residential subdivision for property located in a *Residential, single-family: RS-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into record:

“The subject property is located at the north side of 12<sup>th</sup> Avenue North, west of Pinewood Lane in the Ocean Forest neighborhood. The property contains over two and a half acres and has been used as a private school child daycare center by the Lighthouse Christian Preschool since 1999. The owners are proposing to redevelop the subject property into a ten-lot single-family subdivision under the *Residential, single-family: RS-2* zoning standards.

All ten of the proposed lots meet or exceed the RS-2 lot size and dimensional standards. On-site privately maintained stormwater retention is proposed for the southeast corner of the property. Adjacent uses include single-family properties and a city-maintained drainage ditch to the north and east. The proposed ten-lot subdivision is consistent with the existing single-family uses surrounding the property and as shown meets the RS-2 zoning standards.”

Ms. Ireland stated this application was deferred at the July 22, 2019, meeting in order to allow time for the current tenants to have conversations with the current owner.

**Agent:**

Chuck Kennedy, 12375 Shore Acres Drive, Jacksonville, approached the Commission to discuss the application. Daryl Grubbs, 1912 Nightfall Drive, Neptune Beach, approached the Commission and stated there had been ongoing discussions with the daycare regarding the timeline and looking for additional space for the daycare.

Mr. Sanders inquired about the proposed home designs. Jack Ossi, 1112 3<sup>rd</sup> Street, Neptune Beach, stated the homes would be approximately 2,500-3,000 square feet with two-car garages. Mr. Sanders asked Ms. Ireland about the drainage. Ms. Ireland responded the proposed development

does not affect the City's drainage. There is an on-site retention pond. Mr. Kennedy stated Public Works is aware of the project and they will work with them to get what is needed.

**Public Hearing:**

No one came before the Commission to speak regarding this application. Mr. Sutton closed the public meeting.

**Discussion:**

Ms. May approached the Commission to answer questions. Ms. May stated what is before the Commission is an applicant who has made an application under Section 34-503, and the criteria must be applied for the property only.

**Ex-parte:**

Ms. Moehring stated she had a conversation with Mike Koerner similar to what Mr. Grubbs discussed.

Mr. Sutton stated he had a conversation with Mr. Grubbs.

**Motion:** It was moved by Mr. Sanders, seconded by Mr. Dahl, to approve the Concept Plan for Plat Application.

**Roll call vote:** Ayes – David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker, and Greg Sutton

The application was approved by a unanimous vote.

**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, August 26, 2019.

**Adjournment**

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:16 P.M.

Submitted by: Sheri Gosselin  
Assistant City Clerk

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**Minutes of Planning Commission Meeting  
Held Monday, August 26, 2019, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:00 P.M. by Chairman Greg Sutton.

**Roll Call**

*Chairman:* Greg Sutton  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders Jon Scott Walker  
*Alternates:* Colleen Murphy White Bill Spann

Also present was Senior Planner Heather Ireland.

**Approval of Minutes**

It was moved by David Dahl, seconded by Bill Spann, and passed unanimously to approve the following minutes:

- July 22, 2019

**Correspondence**

Ms. Ireland reported the Planning Division received an email [on file] from Mr. John Locke, 214 6<sup>th</sup> Avenue South #A, Jacksonville Beach, regarding case PC#26-19. A copy was distributed to Board members before the start of the meeting.

**New Business**

(A) **PC#26-19** 514 South 2<sup>nd</sup> Street  
**Owner:** Florida Land Trust  
PO Box 817058  
Hollywood, FL 33081  
**Applicant:** Atkins Builders, Inc.  
PO Box 51262  
Jacksonville Beach, FL 32240  
**Agent:** John Atkins  
PO Box 5262  
Jacksonville Beach, FL 32240

**Conditional Use Approval** for a proposed two-family dwelling located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following report into the record:

The subject property is located on the west side of South 2<sup>nd</sup> Street between 5<sup>th</sup> and 6<sup>th</sup> Avenue South, and exists as a nonconforming single-family dwelling, that was constructed in 1934. Single-family residential dwellings are not permitted in C-1 zoning districts. The applicant would like to redevelop the property with multi-family residential and was informed by staff that conditional use approval would be required since the property is located in commercial zoning.

Adjacent uses are single-family to the north and multiple-family to the south and east, and west. Given the residential nature of the area, the proposed multi-family residential project should not negatively impact the adjacent uses.

**Agent:**

No one was present representing the applicant in this case.

**Public Hearing:**

No one came before the Commission to speak about this case.

**Discussion:**

A discussion ensued by the Board members regarding lot size and coverage, parking, and status of the alleyways.

**Motion:** It was moved by Britton Sanders, seconded by Margo Moehring, to approve the Conditional Use application.

**Roll call vote:** Ayes - David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker and Greg Sutton.

The application was approved unanimously.

**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, September 23, 2019.

**Adjournment**

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

Submitted by: Laurie Scott  
City Clerk

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date



# REZONING/TEXT AMENDMENT

## APPLICATION

6/24/19  
Tuesday 5/28/19

PC No. 13-19

AS/400# 19-100060

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: Marcello Bergo & Katrina Lane  
Mailing Address: 603 16th Street North, Jacksonville Beach, 32250

Telephone: (839) 955-9725  
Fax: \_\_\_\_\_  
E-Mail: katrinamarie2012.kl@gmail.com

Applicant Name: same as above  
Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

Agent Name: Lindsay Haga, AICP, Senior Planner  
Mailing Address: England-Thims & Miller, Inc.

Telephone: (904) 642-8990  
Fax: \_\_\_\_\_  
E-Mail: hagal@etminc.com

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: n/a APR 26 2019

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

PLANNING & DEVELOPMENT

Current Zoning Classification: n/a Future Land Use Map Designation: n/a

### TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Article IV Definitions, Section 34-41 General and Article VIII, Section 34-392(2)

	REQUESTED INFORMATION		Attached?	
	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: Lindsay Haga AGENT

Date: 4/24/19



www.etminc.com  
tel 904-642-8990 • fax 904-646-9485  
14775 Old St. Augustine Road • Jacksonville, Florida 32258

September 16, 2019

Via E-mail and US Standard Mail

Mrs. Heather Ireland  
City of Jacksonville Beach  
11 North Third Street  
Jacksonville Beach, Florida 32250

Re: PC #13-19 Backyard Chickens Land Development Code Text Amendment Application – Hearing Deferral Request

Dear Mrs. Ireland:

Please let this letter serve to update our proposed Land Development Code Text Amendment Application, PC #13-19. As discussed during the June 24, 2019 Planning Commission meeting, because a portion of the municipal code not found in the Land Development Code, will need to be amended in conjunction with the proposed text changes, we needed to secure a City Council Sponsor.

On July 1, 2019 we met with the District representative for Katrina Lane, Councilwoman Golding. We presented the text amendment as filed and agreed to remove any proposal for goats and also agreed to bring forward the suggested edits from the City Attorney. Councilwoman Golding agreed to sponsor the bill to provide an opportunity for us to continue with a limited proposal for a backyard chicken program in the City of Jacksonville Beach.

To accommodate this adjustment and to allow for hearings to be scheduled with the City Council, we respectfully ask the Planning Commission for a deferral to Monday October 28, 2019. This would permit hearings with the City Council November 25, 2019 and December 23, 2019.

If you have any questions, please do not hesitate to call. Thank you for your continued assistance in processing this request.

Sincerely,

Lindsay Haga, AICP  
Senior Planner  
England-Thims & Miller, Inc.

RECEIVED

SEP 16 2019

cc: Katrina Lane

PLANNING & DEVELOPMENT

England-Thims & Miller, Inc.

ENGINEERS • PLANNERS • SURVEYORS • GIS • LANDSCAPE ARCHITECTS  
Jacksonville • Lake Mary • Palm Coast  
CA 00002584 LC-0000316



# CONCEPT PLAN FOR PLAT APPLICATION

AUG 22 2019

PC No. 27-19

AS/400# 19-100157

HEARING DATE 9/23/19

A concept plan for plat is required to be submitted for the division and/or transfer of three (3) or more parcels of land. This form is intended for submittal, along with the required attachments, with all requests for approval of a concept plan for plat. Pursuant to Section 34-503 of the Jacksonville Beach Land Development Code, if a proposed development is subject to the terms of Article IX, Subdivision Standards and has not received a development order for a preliminary development plan for PUD or RD zoning district classification, it shall be required to receive approval of a concept plan for plat. All applications shall be accompanied by a nonrefundable fee of \$250.00, payable by check only. An application for concept plan approval shall include the information and attachments listed below.

### DEVELOPMENT INFORMATION

Land Owner's Name: Atkins Builders, Inc.  
Mailing Address: PO Box 51262  
Jacksonville Beach, Fl. 33240

Telephone: (904) 465-3749  
Fax: \_\_\_\_\_  
E-Mail: atkinsbuilders@hotmail.com

Developer Name: Atkins Builders, Inc.  
Mailing Address: PO Box 51262  
Jacksonville Beach, Fl. 32240

Telephone: (904) 465-3749  
Fax: \_\_\_\_\_  
E-Mail: atkinsbuilders@hotmail.com

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

Agent Name: John Atkins  
Mailing Address: PO Box 51262  
Jacksonville Beach Fl. 32240

Telephone: (904) 465-3749  
Fax: \_\_\_\_\_  
E-Mail: atkinsbuilders@hotmail.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.

### PROPERTY AND PROJECT DATA

Project Name: 5th St. Villas NE

Property Address(es): 461, 473, 485 N. 5th St. and 432 4th Ave. N.

List All Real Estate/Parcel Number(s): 173870-0000

Legal Description of Property: Lots 5 & 6, Block 45, Atlantic Park Replat

Current Use of Property: Residential Proposed Use of Property: Residential

Current Zoning Classification: RM-1 Future Land Use Map Designation: MF Res.

	REQUIRED DOCUMENTATION		
	Attached?		
	Yes	No	N/A
1. Attach copies of all applicable deeds, plats, easements, boundary survey etc.	*		
2. Concept plan of the proposed plat, which includes the square footage and dimensions of each lot and block layout and the proposed traffic circulation system on ledger-sized paper (11"x17")	X		
3. Signed and sealed boundary survey prepared by a registered land surveyor showing all existing improvements	X		

Applicant Signature: \_\_\_\_\_

Date: 8/22/19

Prepared under the direction of and returned to:

Tom McKillop  
McKillop Law Firm, PL  
7563 Philips Highway  
Building 500  
Jacksonville, FL 32256  
File Number: 19-0203  
Consideration: \$575,000.00

### WARRANTY DEED

This Warranty Deed made this 9th day of August, 2019 between **BCEL 5A, LLC**, a Florida Limited Liability Company, whose post office address is 7563 Philips Highway, Suite 208, Jacksonville, FL 32256 (whether singular or plural, "Grantor"), and **Atkins Builders, Inc**, a Florida Corporation, whose post office address is PO Box 51262, Jacksonville Beach, FL 32240 (whether singular or plural, "Grantee"):

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts, and trustees)

WITNESSETH, that said Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval, FL, (the "Property"):

**Lots 5 and 6, Block 45, Atlantic Park, according to the map or plat thereof as recorded in Plat Book 9, Page 15, Public Records of Duval County, Florida.**

RE#: 173870-0000

Address: 432 North 4th Avenue, Jacksonville Beach, FL 32250

Together with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever. And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, that the Grantor has good right and lawful authority to sell and convey said land, that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances except taxes for 2019 and subsequent years and covenants, restrictions, easement and reservations of record, if any, without the intention of creating or reimposing same.

This Property is not the constitutional homestead of the Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: [Signature]  
Witness Name: Victoria L Pasan

Witness Signature: [Signature]  
Witness Name: Davine Moore

**BCEL 5A, LLC, a Florida Limited Liability Company**  
**By: JWB Real Estate Companies, LLC, a Florida limited liability company, its Manager**

By: [Signature]  
Adam Rigel, Manager

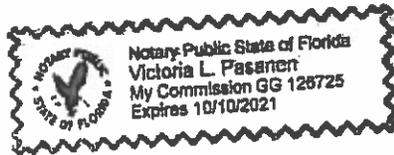
STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 9th day of August, 2019, by Adam Rigel, as Manger of JWB Real Estate Companies, LLC, as Manager of BCEL 5A, LLC, who is personally known to me or who produced the identification set forth below.

[Signature]  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known: X  
OR Produced Identification: \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_



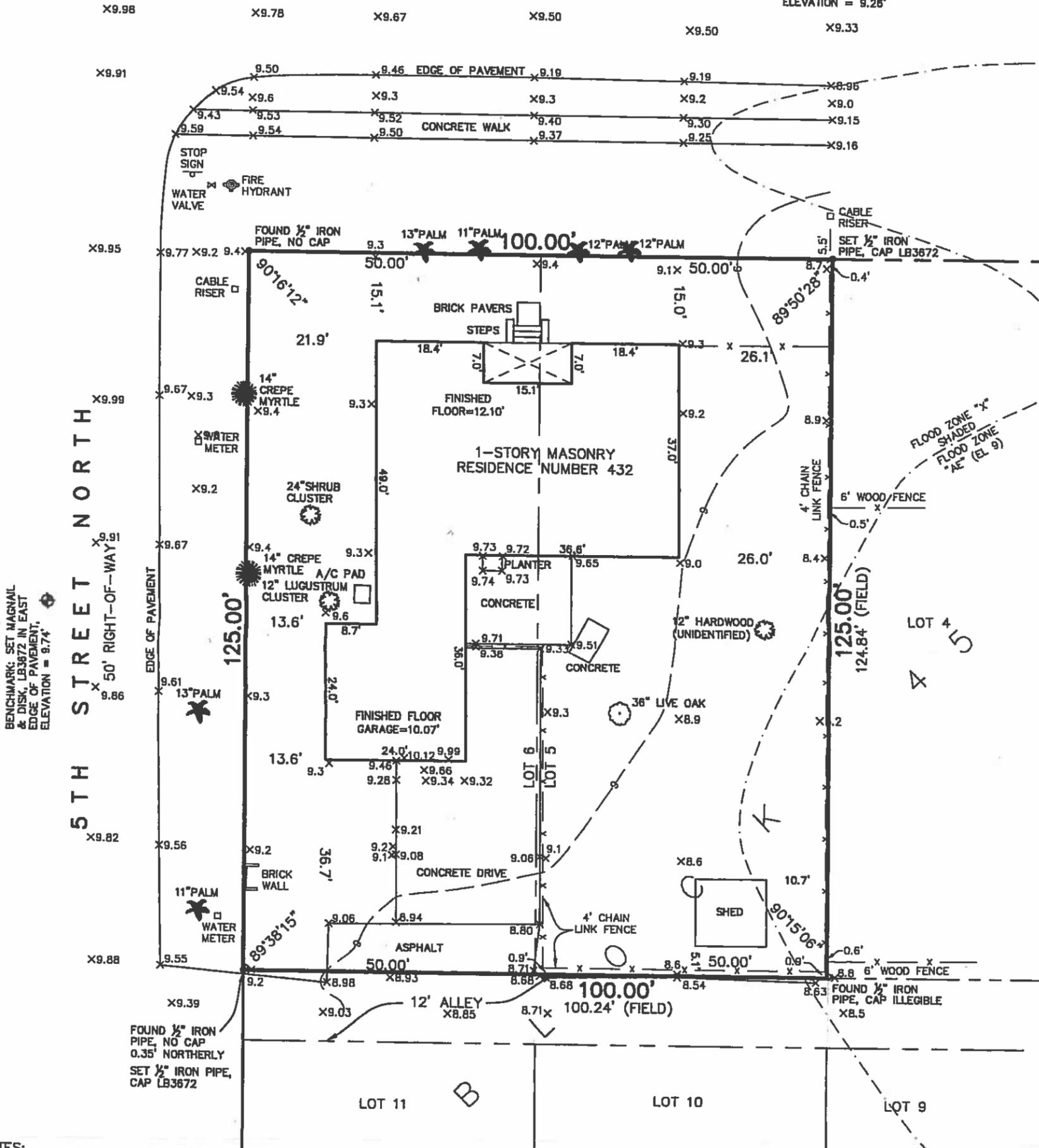
Existing

# MAP SHOWING SURVEY OF

LOTS 5 AND 6, BLOCK 45, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9, PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

## 4TH AVENUE NORTH (FORMERLY WM WILKERSON AVE) 80' RIGHT-OF-WAY

BENCHMARK: SET MAGNAIL & DISK, LB3672 IN NORTH EDGE OF PAVEMENT, ELEVATION = 9.26'



BENCHMARK: SET MAGNAIL & DISK, LB3672 IN EAST EDGE OF PAVEMENT, ELEVATION = 9.74'

- NOTES:
1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY.
  2. INTERIOR ANGLES AS PER FIELD SURVEY.
  3. NO BUILDING RESTRICTION LINES PER PLAT.
  4. NORTH PROTRACTED FROM PLAT.
  5. BENCHMARKS AS SHOWN HEREON ESTABLISHED BY GPS OBSERVATION, USING SPECTRA PRECISION EPOCH 50 L1/L2, RUNNING TRIMBLE VRS SOFTWARE AND REFER TO NAVD 1988 DATUM.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" SHADED (0.2% ANNUAL CHANCE FLOOD HAZARD IN COASTAL ZONE) AND FLOOD ZONE "AE" (EL 9 FEET) AS DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

RECEIVED

THIS SURVEY WAS MADE FOR THE BENEFIT OF ATKINS BUILDERS, INC.

PLANNING & DEVELOPMENT

**DONN W. BOATWRIGHT, P.S.M.**  
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672



"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

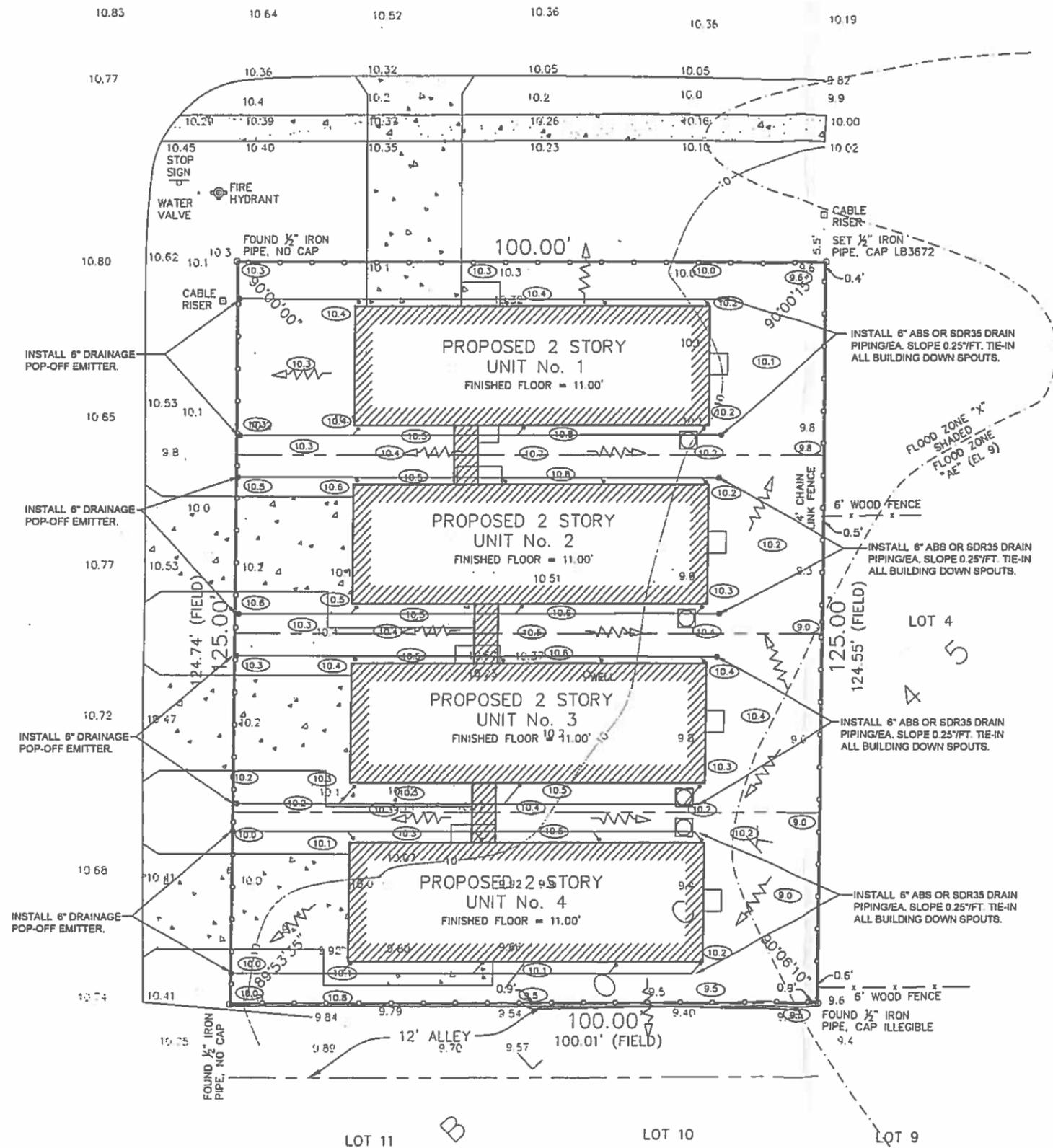
CHECKED BY: \_\_\_\_\_  
 DRAWN BY: JDB  
 FILE: 2019-1067

**BOATWRIGHT LAND SURVEYORS, INC.**  
 1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

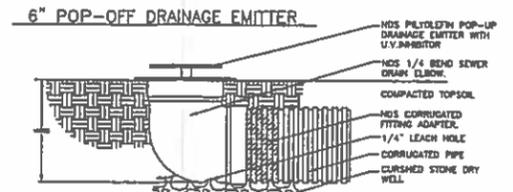
DATE: JULY 16, 2019  
 SHEET 1 OF 1

4TH AVENUE NORTH  
(FORMERLY WM WILKERSON AVE)  
80' RIGHT-OF-WAY

BENCHMARK: SET MAGNAIL & DISK, LB3672 IN NORTH EDGE OF PAVEMENT, ELEVATION = 10.12'



- NOTES:
1. LOTS SHALL BE GRADED TO DIRECT RUN-OFF TOWARD THE FRONTAGE ROADWAY OR OTHER APPROVED DESIGNED DRAINAGE PATHS.
  2. IN NO CASE SHALL FILL BE PLACED SO AS TO INTERRUPT EXISTING DRAINAGE WITHIN 5- FEET OF ANY ADJACENT PROPERTY, AND/OR WITHIN AN EASEMENTS.
  3. THE PROPOSED GRADING PLAN SHALL ENSURE THAT THE PROPOSED DEVELOPMENT WILL NOT CAUSE AN INCREASE IN RUN-OFF TO ADJACENT PROPERTY.
  4. GRADING OF PROPERTY WITHIN 5- FEET OF ADJACENT PROPERTY LINES SHALL NOT EXCEED A 5- PERCENT (%) SLOPE.
  5. ALL PROPOSED STRUCTURES SHALL BE FULLY GUTTERED AND DOWN SPOUTS TIED INTO FLEX PIPING THAT RUNS TO THE STREET FRONT PROPERTY LINE TIED INTO POP-UPS THAT DISCHARGE INTO THE STREET RIGHT-OF-WAY. QUESTIONS/ALTERNATIVE DESIGN PRIOR TO SUBMITTAL SHOULD BE DIRECTED TO PUBLIC WORKS STREET DIVISION, (904)247-8211, ATTENTION: MR. McDONALD.



6" POP-OFF DRAINAGE EMITTER

NOTES:

1. PRODUCT MANUFACTURED BY NCS, INC. OR APPROVED EQUAL.
2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
3. DRAWING NOT TO SCALE.

SPECIFICATIONS

PART#: 620

MATERIAL: HIGH DENSITY POLYPROPYLENE (HDPE)

COLOR: GREEN

FITS: 6" SEWER AND DRAIN FITTINGS AND NDS 6" SPEC-O BASKET SPRING, STAINLESS STEEL GRADE 302

OPEN PRESSURE: 1 PSI

OPEN SURFACE AREA: 28.8 SQ. INCHES

FLOW RATE:

1" HEAD: 124.80 GPM

0.5" HEAD: 88.10 GPM

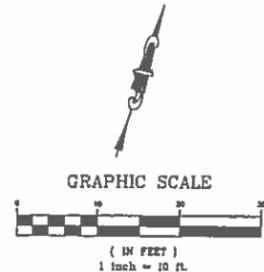
WEIGHT PER EACH: 0.54 LBS

1/4" INHIBITOR

DATA SUMMARY

POST-DEVELOPMENT COVERAGE DATA:

UNIT	BUILDING	CONCRETE PAVEMENT	TOTAL	LOT AREA	PERCENT LOT COVERAGE
UNIT 1	1,200 SF	198 SF	1,398 SF	±3250 SF	43 %
	1,200 SF	494.7 SF	1,694.7 SF	±3000.0 SF	56.5%
	1,200 SF	494.7 SF	1,694.7 SF	±3,000.0 SF	56.5%
	1,200 SF	490.8 SF	1,442 SF	±3,250.0 SF	52%
	1,200 SF	490.8 SF	1,442 SF	±3,250.0 SF	52%



**Robert K. Phillips, PE**  
1550 Selva Marina Drive  
Atlantic Beach, Florida 32233  
(904) 903-8715 · rkphillipspe@gmail.com  
FL PE 48896



5TH STREET NORTH TOWNHOMES  
LOTS 5 & 6, BLOCK 45  
JACKSONVILLE BEACH, FLORIDA

GRADING AND DRAINAGE PLAN

DRAWN/DESIGNER/CHECKED:  
D.E. M.P. R.K.P.

DATE:  
**AUG 2019**

SCALE:  
**1" = 10'**

PROJECT No.  
**100-19**

DRAWING NUMBER  
**6**



# CONDITIONAL USE APPLICATION

RECEIVED

PC No. 28-19

AS/400# 19-100163

HEARING DATE 9-23-19

SEP -6 2019

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 \$500.00.

### APPLICANT INFORMATION

Land Owner's Name: Beach House of Jacksonville Beach, LLC Telephone: 904-247-5334  
Mailing Address: N/A Waterfall of Jacksonville Beach LLC Fax: 904-853-6926  
645 Mayport Rd, SUE 5, Atlantic Beach FL 32233 E-Mail: J.Klotz@TheKlotzCompanies.com

Applicant Name: SAME Telephone: SAME  
Mailing Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**NOTE: Written authorization from the property 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 professionals assisting in the application on a separate sheet of paper.

### PROJECT DATA

Street address of property and/or Real Estate Number: 1401 South 1<sup>ST</sup> Street

Legal Description of property (attach copy of deed): See attached Deed with legal description

Current Zoning Classification: RM-2 Future Land Use Map Designation: Residential High Density

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: Sec. 34-221 to 34-236.

Describe the proposed conditional use and the reason for the request: This application is to extend the current conditional use approval that will expire on 10/4/2019. This is to permit the continued use of the sales office on the site.

WATERFALL OF JACKSONVILLE BEACH, LLC  
Applicant Signature: Jeff Klotz Date: 9/3/2019  
JEFF KLOTZ, Managing Member

Waterfall Condominium of Jacksonville Beach, LLC

645 Mayport Road, Suite 5

Atlantic Beach, FL 32233

Tel. 904-247-5334

WCorley@TheKlotzCompanies.com

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PC#28-19

SEP - 6 2019

September 5, 2019

Via Hand Delivery

PLANNING & DEVELOPMENT

Heather Ireland, AICP

Senior Planner

Planning and Development Department

City of Jacksonville Beach City Hall

11 North 3<sup>rd</sup> Street

Jacksonville Beach, FL 32250

Re: Conditional Use Application for continued use of Sales Trailer at the Waterfall Condominium

Dear Ms. Ireland:

Enclosed please find the original signed Conditional Use Application by Waterfall of Jacksonville Beach, LLC for the continuation of the existing permitted conditional use of operating a sales trailer on the project site.

Also enclosed please find a check for \$500 in full payment of the application fee.

I believe the application is complete, and includes all required attachments and supplemental information. However, if there is anything further you need in order to process this application. Please let me know.

Thank you very much for your attention to this matter.

Very truly yours,

Waterfall Condominium of Jacksonville Beach, LLC



William E. Corley, III

Chief Legal Officer

Encs. As noted

## Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES

When considering an application for development permit for a conditional use, the planning commission shall consider whether and the extent to which:

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- (a) The conditional use is consistent with the goals, objectives and policies of the comprehensive plan, including standards for building and structural intensities and densities, and intensities of use;
- (b) The conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed;
- (c) The design of the proposed conditional use minimizes adverse effects, including visual impact, of the proposed use on adjacent properties, and provides adequate screening and buffering;
- (d) The proposed conditional use will have an adverse effect on the permitted uses of the zoning district where it is located;
- (e) The proposed conditional use will have an adverse effect on the value of adjacent property;
- (f) There are adequate public facilities and services pursuant to Article X, Adequate Public Facility Standards;
- (g) The proposed conditional use will require signs or exterior lighting, which will cause glare or adversely impact area traffic safety;
- (h) There is adequate ingress and egress to the proposed conditional use, and it is designed so as to minimize traffic congestion on the city's roads;
- (i) The proposed conditional use is consistent with the requirements of the LDC;
- (j) The applicant has the financial and technical capacity to complete the conditional use as proposed, and has made adequate legal provision to guarantee the provision of open space and other improvements associated with the proposed conditional use;
- (k) The proposed conditional use complies with all additional standards imposed on it by the particular provision of the comprehensive plan authorizing such use and all other applicable requirement of the LDC.

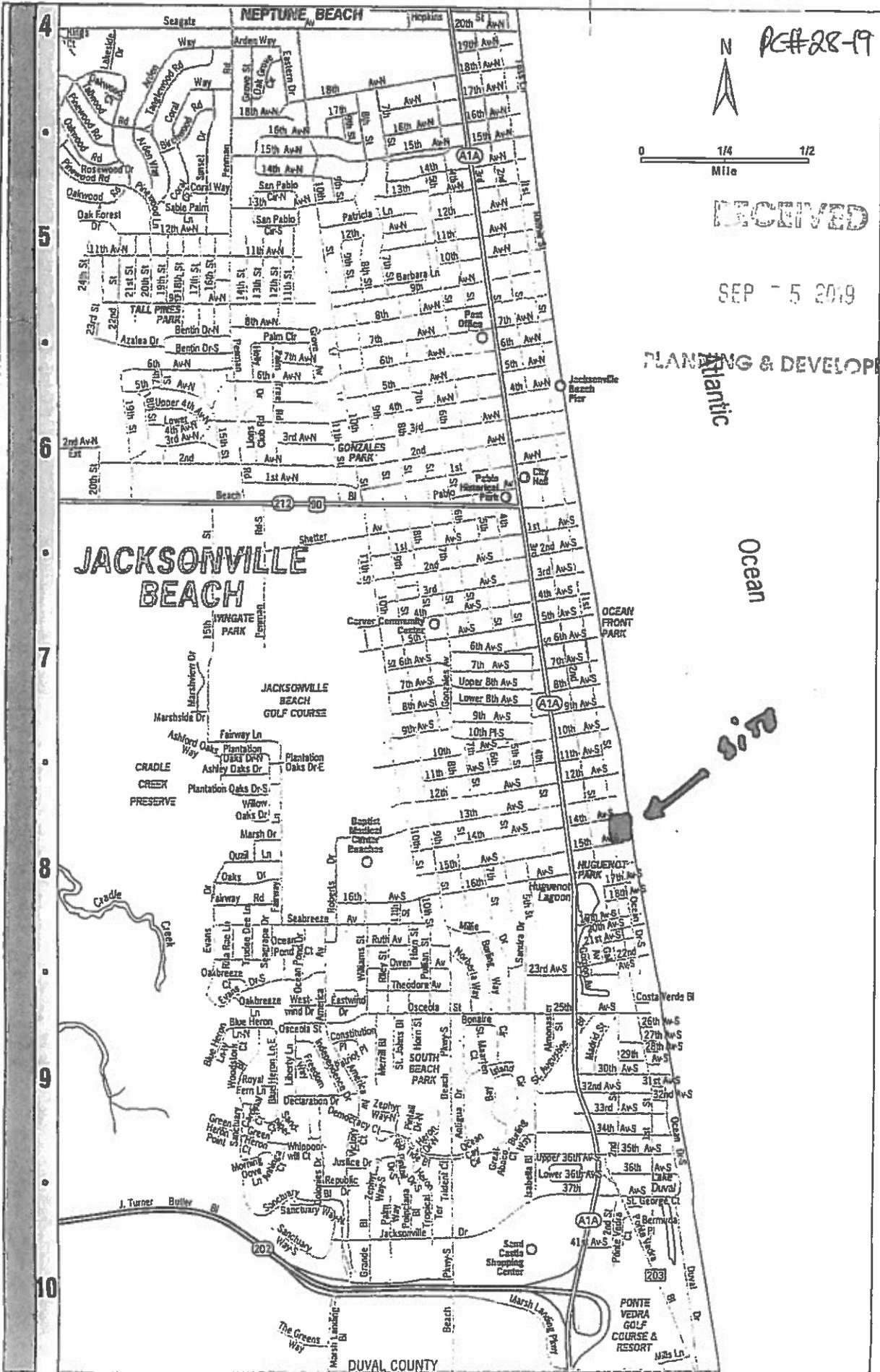


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PC# 28-19



0 1/4 1/2  
Mile

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Atlantic

Ocean

R/S

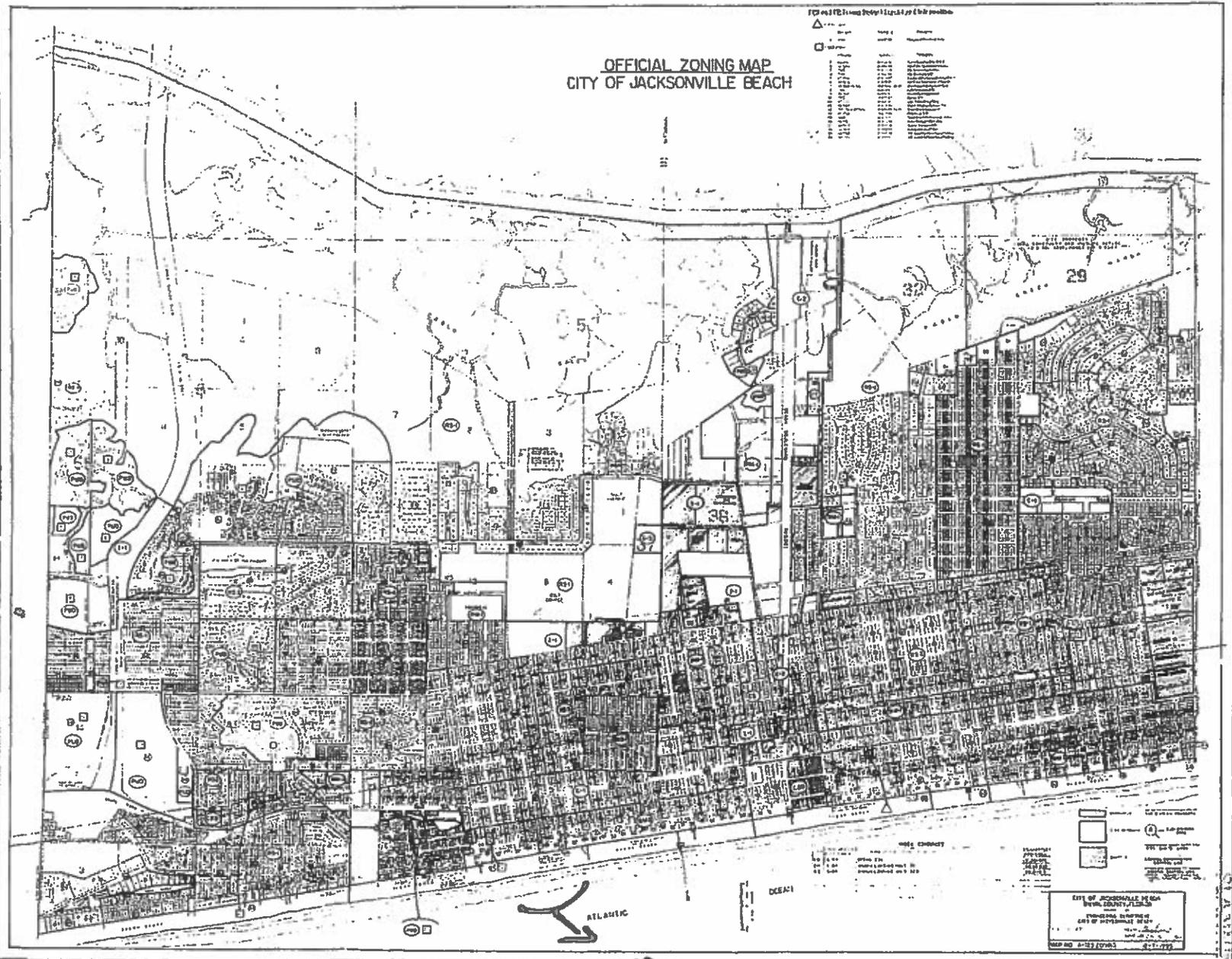


DUVAL COUNTY

OFFICIAL ZONING MAP  
CITY OF JACKSONVILLE BEACH

LEGEND

△	City of Jacksonville Beach
□	City of Jacksonville
○	City of Palm Bay
○	City of Palm Bay Gardens
○	City of Palm Bay Lakes
○	City of Palm Bay Shores
○	City of Palm Bay Woods
○	City of Palm Bay Woods II
○	City of Palm Bay Woods III
○	City of Palm Bay Woods IV
○	City of Palm Bay Woods V
○	City of Palm Bay Woods VI
○	City of Palm Bay Woods VII
○	City of Palm Bay Woods VIII
○	City of Palm Bay Woods IX
○	City of Palm Bay Woods X
○	City of Palm Bay Woods XI
○	City of Palm Bay Woods XII
○	City of Palm Bay Woods XIII
○	City of Palm Bay Woods XIV
○	City of Palm Bay Woods XV
○	City of Palm Bay Woods XVI
○	City of Palm Bay Woods XVII
○	City of Palm Bay Woods XVIII
○	City of Palm Bay Woods XIX
○	City of Palm Bay Woods XX
○	City of Palm Bay Woods XXI
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○	City of Palm Bay Woods XXVI
○	City of Palm Bay Woods XXVII
○	City of Palm Bay Woods XXVIII
○	City of Palm Bay Woods XXIX
○	City of Palm Bay Woods XXX



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ZONING KEY

RM-1	RESIDENTIAL, SINGLE FAMILY
RM-2	RESIDENTIAL, SINGLE FAMILY
RM-3	RESIDENTIAL, SINGLE FAMILY
RM-4	RESIDENTIAL, SINGLE FAMILY
RM-5	RESIDENTIAL, SINGLE FAMILY
RM-6	RESIDENTIAL, SINGLE FAMILY
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RM-47	RESIDENTIAL, SINGLE FAMILY
RM-48	RESIDENTIAL, SINGLE FAMILY
RM-49	RESIDENTIAL, SINGLE FAMILY
RM-50	RESIDENTIAL, SINGLE FAMILY

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RM-2

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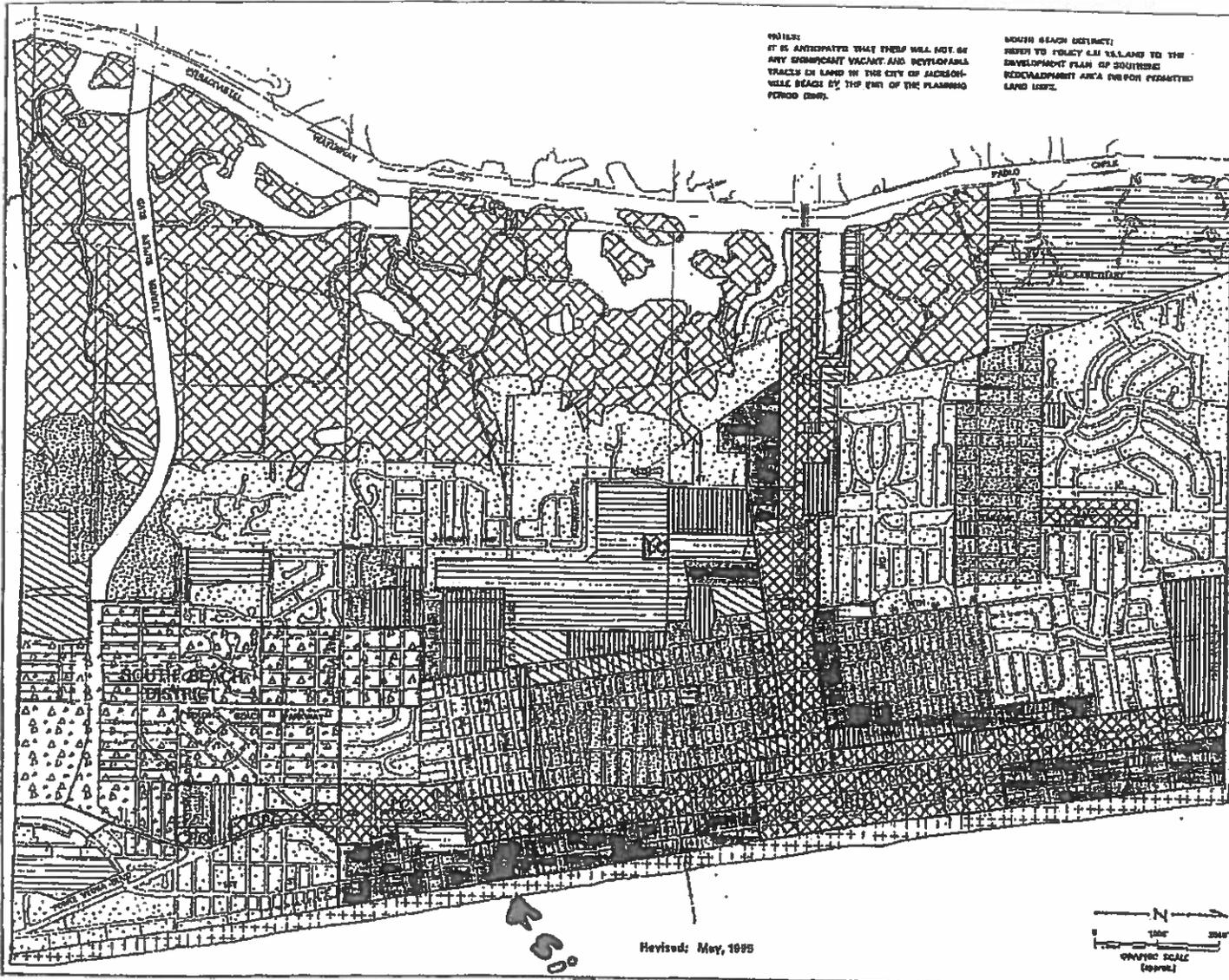
SEP 5 2019

PC#20-19

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SEP - 5 2019

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**LEGEND**

- RESIDENTIAL - LOW DENSITY
- RESIDENTIAL - MEDIUM DENSITY
- RESIDENTIAL - HIGH DENSITY
- PUBLIC / INSTITUTIONAL
- INDUSTRIAL
- RECREATION/OPEN SPACE
- COMMERCIAL - ALL TYPES
- LC = LIMITED
- CC = COMMUNITY
- SC = SERVICE
- CPD = CBD
- CPD = CPD
- SOUTH BEACH DISTRICT
- CONSERVATION - PROTECTED -**
- TIDAL/WETLANDS
- BEACH
- FOR RESTRICTED AREAS SEE MAP CU-1
- COMMUNITY REDEVELOPMENT AREA

CITY OF  
 JACKSONVILLE BEACH,  
 FLORIDA

PLANNING AND  
 DEVELOPMENT DEPARTMENT

FUTURE  
 LAND USE  
 MAP  
 YEAR - 2010

FIGURE LU-3

PC#08-19

Revised: May, 1995

PC#28-19

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PREPARED BY AND RETURN TO:  
Andrew M. Sodi, Esquire  
Akerman LLP  
50 North Laura Street, Suite 3100  
Jacksonville, Florida 32202

SEP 25 2013

PLANNING & DEVELOPMENT

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** (this "Deed") is made and entered into as of the 19<sup>th</sup> day of December, 2013, by **TJB PROPERTIES, LLC**, a Florida limited liability company, whose address for notice purposes is 100 North Laura Street, Suite 1000, Jacksonville, Florida 32202 ("Grantor"), in favor of **BEACH HOUSE OF JACKSONVILLE BEACH LLC**, a Florida limited liability company, whose address for notice purposes is 645-5 Mayport Road, Suite 5, Atlantic Beach, Florida 32233 ("Grantee").

**WITNESSETH:**

**THAT**, Grantor for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, its successors and assigns, to have and to hold, that certain real property, situated lying and being in Duval County, Florida, as more particularly described on Exhibit A attached hereto (the "Land");

**TOGETHER WITH** all improvements, easements, licenses, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining (collectively, the "Property").

**TO HAVE AND TO HOLD** the same in fee simple forever;

**SUBJECT TO**, existing zoning and or restrictions imposed by governmental authority; taxes for the year 2014 and subsequent years, and all covenants, restrictions, easements, reservations, limitations, or assessments or other matters and/or conveyances of record existing prior to, on, or after the date of this Deed, none of which are reimposed by this reference (the "Permitted Exceptions");

**AND** the Grantor does hereby covenant with and warrant to the Grantee that the Grantor is lawfully seized of the Property in fee simple; that the Grantor has good right and lawful authority to sell and convey the Property; and that the Grantor warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

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PC#28-19

SEP 15 2013

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed as of the day and year first above written.

WITNESSED BY:

TJB PROPERTIES, LLC, a Florida limited liability company

Rachel Ingle  
Print Name: Rachel Ingle

Robin W Deen  
Print Name: Robin W Deen

By: THE JACKSONVILLE BANK, a Florida corporation  
Its: Sole Member and Managing Member

By: Margaret A. Incandela  
Margaret A. Incandela  
Its: Executive Vice President and Chief Credit Officer and Chief Operating Officer

STATE OF FLORIDA     )  
  ) ss:  
COUNTY OF DUVAL    )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December, 2013, by Margaret A. Incandela, Executive Vice President and Chief Credit Officer and Chief Operating Officer of The Jacksonville Bank, a Florida corporation, the Sole Member and Managing Member of TJB PROPERTIES, LLC, a Florida limited liability company, on behalf of the company, and who is  personally known to me or has  produced \_\_\_\_\_ as identification.

Rachel Ingle  
Notary Public, State of Florida  
Name: Rachel Ingle  
My Commission Expires: 4/22/2016  
My Commission Number is: EE191503





Reference for PC#28-19

CERTIFIED MAIL RECEIPT# 7017 0660 0000 0986 8736

November 14, 2017

The Klotz Companies  
645 Mayport Road  
Atlantic Beach, FL 32233

RE: **Planning Commission Case: PC# 50-17**  
**Conditional Use Application** for a temporary real estate sales office for a condominium project located in a *Residential, multiple-family: RM-2*, located at 1401 1<sup>st</sup> Street South. (*Waterfall Condominiums*)

The City of Jacksonville Beach Planning Commission met on Monday, November 13, 2017 in Council Chambers to consider your **Conditional Use Application** for a temporary real estate sales office for a proposed condominium project located in a *Residential, multiple-family: RM-2* zoning district, pursuant to Section 34-340(d)(15) of the Jacksonville Beach Land Development Code, for property located at 1401 1<sup>st</sup> Street South.

The request was Approved with the following Condition:

- Approval is good for 18 months following issuance of Certificates of Occupancy for the temporary facilities.

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



**Minutes of Planning Commission Meeting  
Held Monday, August 12, 2019, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:01 P.M. by Chairman Greg Sutton

**Roll Call**

*Chairman:* Greg Sutton  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders Jon Scott Walker  
*Alternates:* Colleen Murphy White Bill Spann

Also present were Senior Planner Heather Ireland and Acting City Attorney Denise May.

**Approval of Minutes**

The following minutes were approved unanimously:

- June 24, 2019
- July 8, 2019

**Correspondence** None

**Old Business**

(A) **PC#23-19** 1198 Beach Boulevard, Suite 9

**Owner:** Hasteh, LLC  
3982 Alhambra Drive West  
Jacksonville, FL 33207

**Applicant:** Bento Jax Beach, LLC  
P.O. Box 3831  
Orlando, FL 32802

**Agent:** George Fong  
2555 Temple Trail, Suite 102  
Winter Park, FL 33789

**Conditional Use Approval** for proposed outdoor restaurant seating at a new restaurant located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland stated the applicant had requested the application be withdrawn from consideration.

Mr. Sutton stated the applicant had requested the application be deferred to this meeting at the July 22, 2019, meeting. Ms. Ireland confirmed the application deferral, however the application has been withdrawn and they may reapply at a later time.

(B) **PC#25-19** 2115 12<sup>th</sup> Avenue North  
**Owner:** Ocean Forest, LLC  
1912 Nightfall Drive  
Neptune Beach, FL 32266

**Applicant:** Ossi Development  
1112 3<sup>rd</sup> Street, Suite 4  
Neptune Beach, FL 32266

**Agent:** Chuck Kennedy, P.E.  
Connelly and Wicker, Inc.  
10060 Skinner Lake Drive, Suite 500  
Jacksonville, FL 32246

**Concept Plan for Plat Approval** for a proposed 10 lot single-family residential subdivision for property located in a *Residential, single-family: RS-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into record:

“The subject property is located at the north side of 12<sup>th</sup> Avenue North, west of Pinewood Lane in the Ocean Forest neighborhood. The property contains over two and a half acres and has been used as a private school child daycare center by the Lighthouse Christian Preschool since 1999. The owners are proposing to redevelop the subject property into a ten-lot single-family subdivision under the *Residential, single-family: RS-2* zoning standards.

All ten of the proposed lots meet or exceed the RS-2 lot size and dimensional standards. On-site privately maintained stormwater retention is proposed for the southeast corner of the property. Adjacent uses include single-family properties and a city-maintained drainage ditch to the north and east. The proposed ten-lot subdivision is consistent with the existing single-family uses surrounding the property and as shown meets the RS-2 zoning standards.”

Ms. Ireland stated this application was deferred at the July 22, 2019, meeting in order to allow time for the current tenants to have conversations with the current owner.

**Agent:**

Chuck Kennedy, 12375 Shore Acres Drive, Jacksonville, approached the Commission to discuss the application. Daryl Grubbs, 1912 Nightfall Drive, Neptune Beach, approached the Commission and stated there had been ongoing discussions with the daycare regarding the timeline and looking for additional space for the daycare.

Mr. Sanders inquired about the proposed home designs. Jack Ossi, 1112 3<sup>rd</sup> Street, Neptune Beach, stated the homes would be approximately 2,500-3,000 square feet with two-car garages. Mr. Sanders asked Ms. Ireland about the drainage. Ms. Ireland responded the proposed development

does not affect the City's drainage. There is an on-site retention pond. Mr. Kennedy stated Public Works is aware of the project and they will work with them to get what is needed.

**Public Hearing:**

No one came before the Commission to speak regarding this application.  
Mr. Sutton closed the public meeting.

**Discussion:**

Ms. May approached the Commission to answer questions. Ms. May stated what is before the Commission is an applicant who has made an application under Section 34-503, and the criteria must be applied for the property only.

**Ex-parte:**

Ms. Moehring stated she had a conversation with Mike Koerner similar to what Mr. Grubbs discussed.

Mr. Sutton stated he had a conversation with Mr. Grubbs.

**Motion:** It was moved by Mr. Sanders, seconded by Mr. Dahl, to approve the Concept Plan for Plat Application.

**Roll call vote:** Ayes – David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker, and Greg Sutton

The application was approved by a unanimous vote.

**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, August 26, 2019.

**Adjournment**

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:16 P.M.

Submitted by: Sheri Gosselin  
Assistant City Clerk

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**Minutes of Planning Commission Meeting  
Held Monday, August 26, 2019, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:00 P.M. by Chairman Greg Sutton.

**Roll Call**

**Chairman:** Greg Sutton  
**Vice-Chairman:** David Dahl  
**Board Members:** Margo Moehring Britton Sanders Jon Scott Walker  
**Alternates:** Colleen Murphy White Bill Spann

Also present was Senior Planner Heather Ireland.

**Approval of Minutes**

It was moved by David Dahl, seconded by Bill Spann, and passed unanimously to approve the following minutes:

- July 22, 2019

**Correspondence**

Ms. Ireland reported the Planning Division received an email [on file] from Mr. John Locke, 214 6<sup>th</sup> Avenue South #A, Jacksonville Beach, regarding case PC#26-19. A copy was distributed to Board members before the start of the meeting.

**New Business**

(A) **PC#26-19** 514 South 2<sup>nd</sup> Street  
**Owner:** Florida Land Trust  
PO Box 817058  
Hollywood, FL 33081  
**Applicant:** Atkins Builders, Inc.  
PO Box 51262  
Jacksonville Beach, FL 32240  
**Agent:** John Atkins  
PO Box 5262  
Jacksonville Beach, FL 32240

**Conditional Use Approval** for a proposed two-family dwelling located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following report into the record:

The subject property is located on the west side of South 2<sup>nd</sup> Street between 5<sup>th</sup> and 6<sup>th</sup> Avenue South, and exists as a nonconforming single-family dwelling, that was constructed in 1934. Single-family residential dwellings are not permitted in C-1 zoning districts. The applicant would like to redevelop the property with multi-family residential and was informed by staff that conditional use approval would be required since the property is located in commercial zoning.

Adjacent uses are single-family to the north and multiple-family to the south and east, and west. Given the residential nature of the area, the proposed multi-family residential project should not negatively impact the adjacent uses.

**Agent:**

No one was present representing the applicant in this case.

**Public Hearing:**

No one came before the Commission to speak about this case.

**Discussion:**

A discussion ensued by the Board members regarding lot size and coverage, parking, and status of the alleyways.

**Motion:** It was moved by Britton Sanders, seconded by Margo Moehring, to approve the Conditional Use application.

**Roll call vote:** Ayes - David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker and Greg Sutton.

The application was approved unanimously.

**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, September 23, 2019.

**Adjournment**

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

Submitted by: Laurie Scott  
City Clerk

Approval:

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Chairman

\_\_\_\_\_  
Date