



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Monday, October 28, 2019

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

3. **Approval of Minutes:** September 23, 2019

4. **Correspondence:** None

5. **Old Business:**

(A) **PC#13-19** *Deferred from September 23, 2019 meeting.*

Land Development Code Text Amendment Application to amend Article IV. Definitions to modify the definition of "Pets, household" to permit female chickens, and to amend Supplemental Standards Section 32-392(2) to add "hens". (Applicant – private sponsor)

6. **New Business:**

(A) **PC#30-19** **1436 Beach Boulevard**

Conditional Use Application for a proposed craft distillery located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(18) of the Jacksonville Beach Land Development Code. (Applicant – *Jacksontucky Distillery, Inc.*)

(B) **PC#31-19**

Land Development Code Text Amendment Application to amend Section 34-373 and 34-392 of the Jacksonville Beach Land Development Code related to parking area and walkway setbacks respectively for certain residential properties (Staff initiated application).

7. Planning Department Report:

(A) The next meeting is tentatively scheduled for **Tuesday, November 12, 2019.**

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.

**Minutes of Planning Commission Meeting
held Monday, September 23, 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 (*absent*) Jon Scott Walker (*absent*)
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:

- August 12, 2019
- August 26, 2019

Correspondence

None

Old Business

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

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

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

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)

Staff Report:

Ms. Ireland read the following report into the record:

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,

owner/applicant is building a four-unit townhouse project on the property and is requesting approval for a 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.

Agent:

Mr. John Atkins stated this project is replicating a previous project completed last year located of four semi-detached townhomes located across the street.

Public Hearing:

No one came forward to speak about this case.

Mr. Sutton closed the Public Hearing.

Discussion:

Conversation ensued regarding available parking for the project. Mr. Adkins stated each unit would have a two-car garage and two-car driveways, allowing a total of four cars.

Motion: It was moved by Mr. Spann and seconded by Mr. Dahl to approve the Concept Plan for Plat Application.

Roll call vote: Ayes – David Dahl, Margo Moehring, Colleen Murphy White, Bill Spann, and Greg Sutton.

The application was approved by a unanimous vote.

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

Owner/ Beach House of Jacksonville Beach, LLC

Applicant: 645 Mayport Road, Suite 5
Atlantic Beach, FL 32233

Conditional Use Application 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.

Staff Report:

Ms. Ireland read the following report into the record:

The subject property is located oceanfront of 1st Street South between 14th and 15th 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.

Agent:

William Corley stated an extension of approval for the temporary sales office is being requested to allow more time to finish plans, start groundbreaking, and preparing for construction.

Discussion:

Conversation ensued regarding the time frame until the temporary building would be removed and where the permanent sales office would be located after the temporary office is removed. Mr. Corley stated he is requesting an additional 18 months for the temporary sales office. He stated once the first floor of the permanent structure is completed, the sales office would move into the first-floor space.

Public Hearing:

The following spoke in opposition to the Conditional Use Application:

- William Rouse, 1505 1st Street South, Jacksonville Beach

Mr. Sutton closed the Public Hearing

Conversation ensued regarding building and landscape upkeep.

Motion: It was moved by Mr. Dahl and seconded by Mr. Spann to approve the extension Conditional Use Application for six months with an option for a further extension; and the conditions for further approval include paint, shrubbery, and fencing.

Roll call vote: Ayes – David Dahl, Margo Moehring, Colleen Murphy White, Bill Spann, 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, October 14, 2019.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:32 P.M.

Submitted by: Jodilynn Byrd
Administrative Assistant

Approval:

Chairman

Date

DRAFT

MEMORANDUM



TO: Planning Commission Members
FROM: Heather Ireland, Senior Planner
DATE: October 21, 2019
RE: October 28, 2019 - Planning Commission Staff Report

The following information is provided for your consideration regarding the following agenda items for the upcoming **Monday, October 28, 2019** Planning Commission meeting.

OLD BUSINESS:

PC#13-19 Land Development Code Text Amendment Application

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

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

Request: **Land Development Code Text Amendment Approval** to amend Article IV. Definitions to modify the definition of "Pets, household" to permit female chickens.

Comments: The proposed Land Development Code (LDC) Text Amendment was originally presented to the Planning Commission on May 28, 2019. 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 discussions. At the September 23rd meeting, the applicant requested to defer to October 28th.

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 amended through the Planning Commission.

The revised proposal before the Planning Commission includes two components.

1. Amend the definition of *Pets, household*, to include female chickens, or hens, as allowable household pets.
2. Amend Supplemental Standards Section 34-392(2) to include hens as household pets, and limit the number to five (5), where permitted.

The applicant has agreed to remove the request to allow female goats and any poultry other than hens. The remainder of the regulations, if moved forward, would be made in Chapter 5. Amendments proposed for Chapter 5 will be similar to those originally proposed for the Land Development Code under Supplemental Standards. Staff will work with the new City Attorney to draft the proposed changes to Chapter 5 to present to City Council. If proposed changes to Chapter 5 proceed forward, the proposed amendment to the Land Development Code as provided would be presented to City Council at the same time.

NEW BUSINESS:

PC#30-19 Conditional Use Application

Owner: Shetter Avenue, LLC
13 Roscoe Blvd North
Ponte Vedra Beach, FL 32082

Applicant: Jacksontucky Distillery, Inc.
200 E. Forsyth Street
Jacksonville, FL 32202

Location: 1436 Beach Boulevard (*Angie's* property)

Request: **Conditional Use Approval** for a proposed craft distillery located in a Commercial, general: C-2 zoning district, pursuant to Section 34-343(d)(18) of the Jacksonville Beach Land Development Code.

Comments: The subject property is located on the southeast corner of Beach Boulevard and 15th Street South and currently contains a restaurant. The applicant, with permission and in collaboration with the property owner, is proposing to add a craft distillery to the site, which is now permitted as a conditional use pursuant to Section 34-343(d) of the Land Development Code. Jacksontucky currently operates from a building off Shetter Avenue. "Craft distillery" was added to the list of conditional uses in the *Commercial, general: C-2* zoning district via Ordinance No. 2019-8122.

Adjacent uses include the existing restaurant on site, a commercial shopping center to the west across 15th Street, a public cemetery to the east and north across Beach Blvd, and multiple-family residential to the south. The addition of a manufacturing use on the subject property should not negatively impact adjacent properties. Staff will work with the property owner to ensure that adequate parking and buffering from the residential use is provided.

PC# 31-19 Land Development Code Text Amendment Application

Applicant: Planning & Development Department
11 North 3rd Street
Jacksonville Beach, FL 32250

Request: **Land Development Code Text Amendment Approval** to amend Section 34-373 and 34-392 of the Jacksonville Beach Land Development Code related to parking area and walkway setbacks respectively for certain residential properties

Comments: Staff is proposing amendments to the Land Development Code (LDC) parking design standards, and supplemental standards that address the setback for driveways and walkways on certain residential properties. Section 34-373(d) currently requires that all parking areas be located at least five (5) feet from any established right-of-way line or property line. This particular setback is difficult to meet without a variance for some two-family and townhouse residential projects due to the prevalence of nonconforming lots and narrow lot widths.

Staff is proposing that the five (5) foot parking area setback not be applicable to interior property lines between individual townhouse lots or two-family dwelling lots. The requested amendment also clarifies that there is no setback from the street right-of-way where a parking area or driveway connects to a street for vehicular access. The amendment further clarifies that curbing and wheel stops for off-street parking, as well as striping and landscaping standards, are not required for single-family, two-family, or townhouses dwellings, as these standards are intended to be applicable to multiple-family residential and commercial parking and vehicular use areas.

Staff is also proposing an amendment to Section 34-392 to add that walkways or sidewalks may connect to primary and/or detached accessory structures, driveways, and public sidewalks and may be located in front, side, or rear yard areas with a minimum two (2) feet setback from any exterior property line. This two (2) foot setback would not apply to interior lot lines between individual two-family dwelling lots and individual townhouse lots.

These amendments are proposed to rectify conflictive standards in the LDC relative to the development of two-family and townhouse projects that are ultimately sold as individual fee simple dwelling units. In both cases, were the developed units not to be sold individually (rental units or condominiums), there would be no interior property lines, thus there would be no required internal driveway setback requirements. This situation constitutes a bias towards a specific type of ownership of a dwelling unit. It is not the intent of the LDC to promote one type of dwelling ownership versus another. (In this instance, condominium/rental versus fee-simple ownership.)

The requested amendments are not in conflict with any other relevant standards in the LDC, and they in no way affect currently permitted residential densities in either the LDC or in the adopted 2030 Comprehensive Plan.



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" x11" 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

Sec. 34-392. - Accessory uses and structures.

Accessory uses and structures are permitted in all zoning districts provided that such uses and structures are customarily incidental and clearly subordinate to a permitted use and, unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as the permitted use. Where a building or portion thereof is attached to a building or structure containing such principal use, such building or portion thereof shall be considered as a part of a principal building and not an accessory building. Accessory uses shall not involve operations or structures not in keeping with the character of the zoning district where they are located and shall be subject to the following requirements.

- (1) **Setbacks.** Detached accessory structures shall observe the following setback requirements from adjacent property lines:
 - a. **Generally.** Detached accessory structures excluding temporary structures may be located in a required rear yard but shall be no closer than five (5) feet from any interior lot line. Street side and front yard setbacks shall be maintained on corner lots for the full length and width of the lot. Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side or rear yard, but shall not project more than three (3) feet into any required yard in a residential district.
 - b. **Oceanfront lots.** A detached accessory building may be constructed in the required setback area of the front yard of any oceanfront lot provided that the following conditions are met:
 1. The accessory building shall not extend beyond the width of the principal building.
 2. The accessory building shall not exceed fifteen (15) feet in height above grade.
 3. A landscape buffer strip with a minimum width of fifteen (15) feet from the front or rear property line shall be established and maintained, exclusive of required walks and driveways.
- (2) **Household pets.** Household pets like cats, dogs, hamsters, or birds, along with related doghouses and pens, are a permitted accessory use to residential uses in all zoning districts, provided the number of such pets over six (6) months in age shall not exceed three (3), and the keeping of four (4) or more dogs, six (6) months of age or older, shall be considered a kennel. Hens as household pets are limited to five (5) where permitted upon lands in the City.
- (3) **Residential accessory uses.** Accessory uses and structures in any residential zoning district shall include non-commercial greenhouses, gardens, detached garages and carports, piers, docks, and boat houses or shelters, utility sheds and workshops, swimming pools, tennis courts, private golfing facilities, barbecue pits, non-commercial antenna structures for television and radio, children's playhouses or play equipment, and similar uses or structures which:
 - a. Do not exceed fifteen (15) feet in height,
 - b. The combined ground floor area of all enclosed, detached accessory use buildings shall not exceed six hundred twenty-five (625) square feet,
 - c. Do not involve the conduct of business of any kind;
 - d. Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood; and
 - e. Do not involve operations or structures not in keeping with the character of the residential neighborhood.
- (4) **Pools.** Private swimming pools, as regulated herein, shall be any pool, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bathing purposes.

Chapter 34 Land Development Code, Article IV, Definitions

applies only to commercial message signs. For purposes of Article VIII, Division 4, Sign Standards of this chapter, all signs with noncommercial speech messages shall be deemed to be "on-site," regardless of location.

Outdoor restaurant or bar means any restaurant or bar, or portion thereof, which exists outside of the permanent exterior walls of the principal building(s) on a lot. This definition includes any deck or other area constructed and/or utilized on the roof of a structure.

Owner means any part or joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or beneficial title to whole or part of a building or land.

Package liquor store means any establishment devoted primarily to the sale of alcoholic beverages for consumption off-premises, which is licensed by the State of Florida to dispense or sell alcoholic beverages for consumption off-premises.

Painted wall sign means any sign painted on any surface or roof of any building.

Parcel of land means any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Parking bay means a parking module consisting of one (1) or more rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces.

Parking lot means an off-street, ground level area or plot of land used for the storage or parking of vehicles.

Parking space means a space for the parking of a motor vehicle within a public or private parking area.

Permanent sign means any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building. Unless otherwise provided for herein, a sign other than a temporary sign shall be deemed a permanent sign unless otherwise indicated elsewhere in this Land Development Code.

Pennant means any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, which will flutter or swing in the wind.

Person means any person, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer or any other entity whatsoever or any combination of such, jointly or severally.

Personal wireless service means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access facilities and those defined by the Communications Act, including but not limited to, the transmission and reception of radio microwave signals used for communication, data, cellular phone, personal communication services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

Personal wireless service facility or personal wireless service facilities means facilities used for the provision of personal wireless service including any freestanding facility, antennae, distributed antennae system, and/or small cell technology. Personal wireless service facilities include, but are not limited to, utility poles, towers, monopoles, communications facilities, and other facilities, equipment, and appurtenances that are used in the delivery or transmission of personal wireless services,

Personal wireless service provider means a company licensed by the Federal Communications Commission (FCC) that provides personal wireless service. A builder or owner of a personal wireless service facility is not a personal wireless service provider unless licensed to provide personal wireless services.

Pets, household means any domestic animal such as cats, dogs, hamsters, ~~and birds, and hens other than poultry~~ that are customarily kept for personal use including collection of eggs and/-or enjoyment within the home or residential lot. Other Ppoultry, hoofed animals of any type, ~~predatory animals~~, or any animal which is normally raised ~~to provide food for slaughter or commercial sale for people~~ shall not be considered as household pets.



CONDITIONAL USE APPLICATION

RECEIVED

SEP 25 2019

PC No. 30-19
AS/400# 19-100171
HEARING DATE 10/28/19

PLANNING & DEVELOPMENT

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: Shetter Ave, LLC
Mailing Address: 13 ROSCOE BLVD NORTH,
PONTE Vedra Bch, FL 32082
Applicant Name: Jacksontucky Distillery, Inc.
Mailing Address: 200 E. FORSYTH STREET,
JAX, FL 32202

Telephone: 904-993-3474
Fax: _____
E-Mail: angieessubs@gmail.com
Telephone: 904-591-6790
Fax: 904-674-0737
E-Mail: jacksontucky@gmail.com

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: (1400) 1436 Beach Blvd, Jax Bch, FL 32250 RE# 177389-0000

Legal Description of property (attach copy of deed): See attached

Current Zoning Classification: C-2 Future Land Use Map Designation: CC

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: 34-343(d)(18)

Describe the proposed conditional use and the reason for the request: Redevelop the site to include a modern distillery and create a tourist destination.

Applicant Signature: [Signature] Date: 9/25/19

September 25, 2019

Edward Malin
Shetter Ave., LLC
13 Roscoe Blvd North
Ponte Vedra Bch, FL 32082

City of Jacksonville Beach
11 North Third Street
Jacksonville Beach, FL 32250

Re: Jacksontucky Distillery, Inc.

Dear Sirs,

I am the owner of Shetter Avenue, LLC, the property where Angie's Subs is situated. The Jacksontucky Distillery, Inc. ("Applicant") is submitting an application for conditional use. The Applicant has created plans for the development of a distillery on the subject property adjacent to Angie's. I hereby authorize the conditional use for the purposes sought by the Applicant.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward A. Malin", with a long horizontal line extending to the right.

Edward Malin, Managing Member
Shetter Avenue, LLC

RECEIVED

PC#30-19

SEP 25 2019

PLANNING & DEVELOPMENT

10/10/19 10:00 AM
10/10/19 10:00 AM

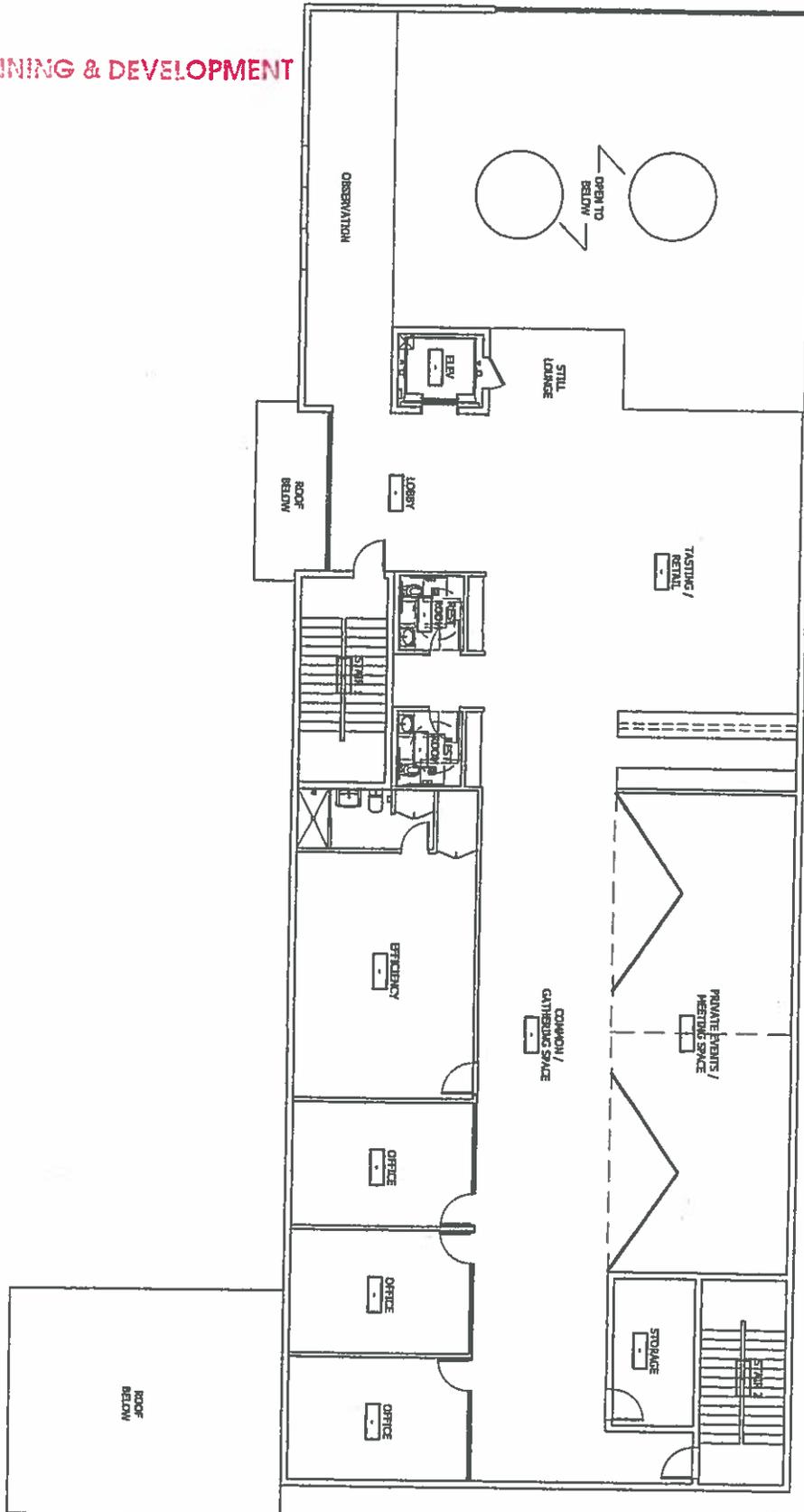


RECEIVED

PC#30-19

SEP 25 2019

PLANNING & DEVELOPMENT



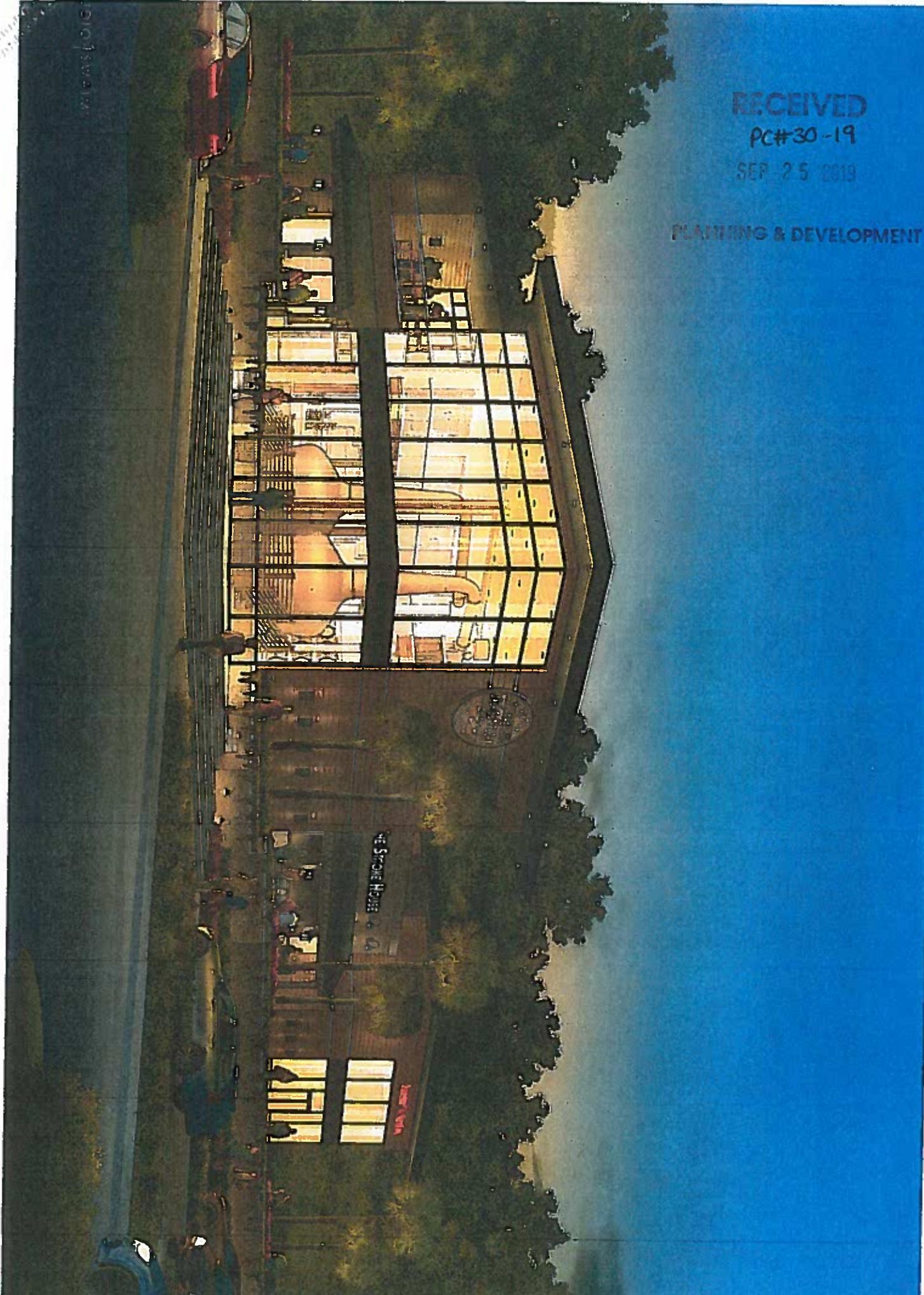
08-13-19 SECOND FLOOR PLAN
SCALE 1" = 30'

RECEIVED

PC#30-19

SEP 25 2019

PLANNING & DEVELOPMENT



Planning & Development

www.mn.gov

RECEIVED

PC#30-19

SEP 25 2019

Prepared by and return to:
Kathleen H. Cold
Attorney at Law
Holbrook, Akel, Cold, Stiefel & Ray, P.A.
1 Independent Drive #2301
Jacksonville, FL 32202

PLANNING & DEVELOPMENT

File Number: 343.020802A
Will Call No.: 2080678834

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 18th day of January, 2005 between Helen M. Reaves, individually as to a (1/2 Interest) whose post office address is 2031 E. 19th Street, Jacksonville, FL 32206, grantor, and Shetter Avenue, LLC., A Florida Limited Liability Company whose post office address is 10161 Centurion Parkway, Suite 150, Jacksonville, FL 32256, 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 the sum of TEN AND NO/100 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 County, Florida to-wit:

A part of the CASTRO Y. FERRER GRANT, Section 38, Township 2 South, Range 29, East, Jacksonville Beach, Duval County, Florida and being more particularly described as follows: Begin at the intersection of the Easterly right of way line of 15th Street (a 50 foot right of way as now established) with the Southerly right of way line of Hogan Beach Boulevard (A variable width right of way as now established); thence North 89 degrees 08 minutes 00 seconds East 210.00 feet; thence South 00 degrees 52 minutes 00 seconds East 180.00 feet; thence South 89 degrees 08 minutes 00 seconds West, 210.00 feet; thence North 00 degrees 50 minutes 59 seconds West, 180.00 feet to the point of beginning.

Parcel Identification Number: 177389-0000

SUBJECT TO: TAXES FOR THE YEAR 2005 AND SUBSEQUENT YEARS UNDER PARCEL NO. 177389-0000 AND COVENANTS, RESTRICTIONS, EASEMENTS, LIMITATIONS AND ZONING ORDINANCES OF RECORD, IF ANY.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise 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 accruing subsequent to December 31, 2004 and as stated above.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

(2) 678834

RECEIVED

PC# 30-19
SEP 25 2019

Signed, sealed and delivered in our presence:

PLANNING & DEVELOPMENT

Carol E. Ruggiero
Witness Name: CAROL E. RUGGIERO

Helen M. Reaves (Seal)
Helen M. Reaves

Kathleen H. Coed
Witness Name: Kathleen H. Coed

State of Florida
County of Duval

The foregoing instrument was acknowledged before me this 18th day of January, 2005 by Helen M. Reaves, Individually, who is personally known or has produced a driver's license as identification. is pers

[Notary Seal]

Kathleen H. Coed
Notary Public

Printed Name: _____

My Commission Expires: _____

State o



KATHLEEN H. COED
Notary Public-State of Florida
My Commission Expires June 23, 2008
Commission # 00022822



REZONING/TEXT AMENDMENT

APPLICATION

PC No. 31-1910/28/19AS/400# 19-100178

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: N/A

Telephone: _____

Mailing Address: _____

Fax: _____

E-Mail: _____

Applicant Name: Planning and Development DepartmentTelephone: (904) 247-6231

Mailing Address: _____

Fax: _____

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

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

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: 34-373 and 34-392

REQUESTED INFORMATION

	Attached?	
	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.	✓	

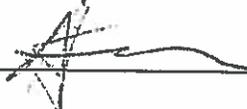
Applicant Signature: Date: 10/4/19

EXHIBIT 1

Additional / amendatory language underlined, italicized, and in bold print below

Sec. 34-373. - Design standards.

(a) *Spaces*. The minimum dimensions of off-street parking and loading spaces shall be as follows:

- (1) *Off-street parking*: Nine (9) feet by seventeen (17) feet.
- (2) *Parallel parking*: Nine and one-half (9½) feet by twenty (20) feet.
- (3) *Parking for the handicapped*: Twelve (12) feet by seventeen (17) feet, plus a five-foot wide clear area (the clear area may be combined with the clear area for an adjacent handicapped space).
- (4) *Off-street loading*: Twelve (12) feet by forty (40) feet.

(b) *Parking aisles*. The minimum required dimensions of off-street parking aisles shall be based on the angle of the parking stalls to the aisle as follows:

Parking Angle (degrees)	Width of One-Way Aisle (feet)	Width of Two-Way Aisle (feet)
30	12	23
45	12	23
60	16	23
90	23	23

(c) *Turning and maneuvering space*. Off-street turning and maneuvering space shall be provided for each lot so that no vehicle shall be required to back onto a public street or alley, with the exception of one- and two-family structures, townhouses, or individual multiple-family structures containing up to four (4) units with attached garages or carports.

(d) *Parking area setbacks*. Off-street parking areas shall be located at least ten (10) feet from any corner and five (5) feet from any established right-of-way or property line unless otherwise stated in the LDC. **However, no setbacks are required for driveways relative to interior property lines between individual townhouse lots or individual two-family dwelling lots, or between a driveway and its connection to a right-of-way for vehicular access.** Below ground parking garages on oceanfront lots are exempt from setback requirements, provided that they shall be constructed no closer than three

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(3) feet from any property line, shall be completely roofed and covered, and such roof or cover shall not be elevated more than six (6) inches above the crown of the abutting street.

- (e) *Curbs and wheel stops.* Curbing or wheel stops shall be provided within off-street parking and loading areas to prevent vehicles from encroaching upon public rights-of-way, landscape areas or adjacent property. Curbing or wheel stops shall be installed at least five (5) feet from any property line. *The requirements provided herein are not applicable to driveways for single-family residences, two-family dwellings, and townhouses.*
- (f) *Construction standards.* Off-street parking and loading areas shall be paved, striped, and landscaped. All landscaping shall be in accordance with section 34-425. *The requirements provided herein for striping and landscaping are not applicable to driveways for single-family residences, two-family dwellings, and townhouses.*
- (g) *Lighting.* If off-street parking areas are lighted, lighting shall be designed and installed in a manner that will prevent harsh glare or excessive light from spilling onto adjacent property and streets.

(Ord. No. 7500, § 8.1(C), 8-19-91)

* * *

Sec. 34-392. - Accessory uses and structures.

Accessory uses and structures are permitted in all zoning districts provided that such uses and structures are customarily incidental and clearly subordinate to a permitted use and, unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as the permitted use. Where a building or portion thereof is attached to a building or structure containing such principal use, such building or portion thereof shall be considered as a part of a principal building and not an accessory building. Accessory uses shall not involve operations or structures not in keeping with the character of the zoning district where they are located and shall be subject to the following requirements.

- (1) *Setbacks.* Detached accessory structures shall observe the following setback requirements from adjacent property lines:
 - a. *Generally.* Detached accessory structures excluding temporary structures may be located in a required rear yard but shall be no closer than five (5) feet from any interior lot line. Street side and front yard setbacks shall be maintained on corner lots for the full length and width of the lot. Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side or rear yard, but shall not project more than three (3) feet into any required yard in a residential district. *Walkways may connect to primary and/or detached accessory structures.*

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driveways, and public sidewalks, and may be located in a required front, side, or rear yard area, but shall be setback a minimum of two (2) feet from any exterior property line, except for interior property lines between individual two-family dwelling lots and individual townhouse lots for which no setback is required.

- b. *Oceanfront lots.* A detached accessory building may be constructed in the required setback area of the front yard of any oceanfront lot provided that the following conditions are met:
 1. The accessory building shall not extend beyond the width of the principal building.
 2. The accessory building shall not exceed fifteen (15) feet in height above grade.
 3. A landscape buffer strip with a minimum width of fifteen (15) feet from the front or rear property line shall be established and maintained, exclusive of required walks and driveways.
- (2) *Household pets.* Household pets, along with related doghouses and pens, are a permitted accessory use to residential uses in all zoning districts, provided the number of such pets over six (6) months in age shall not exceed three (3), and the keeping of four (4) or more dogs, six (6) months of age or older, shall be considered a kennel.
- (3) *Residential accessory uses.* Accessory uses and structures in any residential zoning district shall include non-commercial greenhouses, gardens, detached garages and carports, piers, docks, and boat houses or shelters, utility sheds and workshops, swimming pools, tennis courts, private golfing facilities, barbecue pits, non-commercial antenna structures for television and radio, children's playhouses or play equipment, and similar uses or structures which:
 - a. Do not exceed fifteen (15) feet in height;
 - b. The combined ground floor area of all enclosed, detached accessory use buildings shall not exceed six hundred twenty-five (625) square feet;
 - c. Do not involve the conduct of business of any kind;
 - d. Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood; and
 - e. Do not involve operations or structures not in keeping with the character of the residential neighborhood.

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- a. No portion of the communications facility, including all antenna and equipment components, may extend more than twenty (20) feet above the structure on which it is located.
- b. Facility components shall be located, designed, and screened or otherwise treated to blend with the existing natural or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed communications service and the need to be compatible with neighboring uses and the character of the community.
- c. Proof, in writing, must be submitted with building permit application materials that the facility conforms with regulations of the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA), and that the existing structure is structurally capable to accept the proposed facility.
- d. No communications facility shall be designed and or sited such that it poses a potential hazard to humans, on-site improvements, or surrounding properties.

(Ord. No. 7500, § 8.2(B), 8-19-91; Ord. No. 97-7714, § 1, 8-4-97; Ord. No. 2004-7880, § 1, 7-19-04)