

**Summary of Special Magistrate Hearing
held Wednesday, March 26, 2025, at 2:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CaseNumber: 24-262

Homestead: Yes

Name/Address: Jacki Clark
632 10th Street North
Jacksonville Beach, FL 32250

Violation Address: 632 10th Street North
Jacksonville Beach, FL 32250

Violation: LDC Section 34-406(b)(4) (4)A fence located in a side or rear yard, except rear yards of oceanfront lots in the RS-1 zoning district, may be constructed at a height not to exceed eight (8) feet provided that the following requirements are met:

- a. All fences installed pursuant to this subsection shall be constructed of wood, masonry, or other aesthetically pleasing material. In no case shall fences constructed of chainlink wire fabric be permitted to exceed six (6) feet in height.
- b. Any portion of said fence in excess of six (6) feet in height shall be constructed in a manner which provides openings to allow the free flow of air through that portion of the fence. The openings shall be evenly distributed with the pertinent portion of the fence and shall equal not less than twenty-five (25) percent of the aggregate surface area of the portion of the fence which exceeds six (6) feet in height.
- c. Side and rear yard fences on single-family residential uses that are immediately adjacent to an established commercial or industrial use may be built to a height not to exceed eight (8) feet on the property boundary immediately bordering the commercial or industrial use, and may be constructed without twenty-five (25) percent of the aggregate surface area being open, even when the property is separated by an intervening alley.

Testified: Code Enforcement Inspector Nikki Beavers, Respondent was present; service completed.

Action: **Order of Non-Compliance No. 02-25**

CaseNumber: 25-303

Homestead: No

Name/Address: RHC Associates c/o Dunkin Brands
130 Royall St #1293
Canton, MA 02021-1010

Violation Address: 1325 Beach Boulevard
Jacksonville Beach, FL 32250

Violation: **Sec. 34-450. - Nonconforming signs.**

All signs that are lawfully in existence or are lawfully erected and that do not conform to the provisions of this division are declared nonconforming signs. It is the intent of this division to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this division. It is also the intent of this division that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

(2) Signs rendered nonconforming:

a. Except as provided in this section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the division that rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.

b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this division. An existing monument sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.

c. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this division if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

(4) Signs discontinued:

a. Sign structures that remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies, for a period of one hundred eighty (180) days, shall be deemed to be discontinued.

b. A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.

c. After a sign structure has been deemed discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign.

d. Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

Testified: Code Enforcement Inspector Nikki Beavers, Respondent was present; service completed.

Action: Order Continuing Hearing No. 03-25

CaseNumber: 24-281

Homestead: No

Name/Address: Parrish Rentals LLC
725 3rd Street North
Jacksonville Beach, FL 32250

Violation Address: 725 3rd Street North
Jacksonville Beach, FL 32250

Violation: **Sec. 34-450. - Nonconforming signs.**

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(2) Signs rendered nonconforming:

a. Except as provided in this section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the division that rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.

b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this division. An existing monument sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.

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b. A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.

c. After a sign structure has been deemed discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign.

d. Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

Testified: Code Enforcement Inspector Nikki Beavers, Respondent was present; service completed.

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Action: **Order of Non-Compliance No. 04-25**

CaseNumber: 24-267

Homestead: No

Name/Address: Desluna Inc
2843 Broward Rd
Jacksonville, FL 32218

Violation Address: 223 9th Avenue South
Jacksonville Beach, FL 32250

Violation: **Sec. 34-450. - Nonconforming signs.**

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(2) Signs rendered nonconforming:

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d. Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

Testified: Code Enforcement Inspector Nikki Beavers, Respondents were present; service completed.

Action: **Order of Non-Compliance No. 05-25**

CaseNumber: 23-130 **Homestead:** No

Name/Address: 1121 N 3rd STREET INC
PO Box 330108
Atlantic Beach, FL 32233

Violation Address: 1121 North 3rd Street
Jacksonville Beach, FL 32250

Violation: Section 34-342(b), (c) & (d) "Permitted, Accessory and Conditional Uses". The use of outside sales and display of merchandise is not a listed use in the C-1 Zoning District.

Section 34-31(16) of the Land Development Code states "Exclusivity of uses in zoning districts. The permitted uses and conditional uses in the zoning districts established in Article VII, Zoning Districts, are exclusive, and shall be permitted subject to the standards and procedures of the LDC".

Testified: Code Enforcement Inspector Nikki Beavers, representative of the tenant was present; service completed.

Action: **Order of Dismissal No. 06-25**

The hearing adjourned at 4:35 P.M.

Submitted by: Lauren Loria
Operations Support Specialist II