



City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, April 14, 2025

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.

CALL TO ORDER

ROLL CALL

Nicholas Andrews (Chair), Justin Henderson (Vice-Chair), Debbie Cole, Dave Dahl, Margo Moehring
Alternates: Matthew Filer, Dean Haddock

APPROVAL OF MINUTES

- A. Regular Planning Commission Meeting held on February 10, 2025
- B. Regular Planning Commission Meeting held on February 24, 2025

CORRESPONDENCE

DISCLOSURE OF EX-PARTE COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

- A. **PC#** 05-25
ADDRESS: 1310 3rd Street South
OWNER: Lake Worth Properties, LLC
APPLICANT/AGENT: Lake Worth Properties, LLC/ Phil Toye

SUMMARY OF APPLICATION: **Conditional Use Application** to allow for continued use of a gasoline service station located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-617(d)(2) of the Jacksonville Beach Land Development Code, subject to the conditions outlined in section 34-558(n)(1). The property is addressed as 1310 3rd Street South RE#176270-0010, legally described as The Northerly ½ of Lots 1, 2, and 3, Block 134, Pablo Beach South, and recorded easement.

- B. Adopt Planning Commission Bylaws
- C. Land Development Code Training

PLANNING DEPARTMENT REPORT

- A. The next Planning Commission meeting will be April 28, 2025

ADJOURNMENT

NOTICE

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.

In accordance with Section 286.0114, Florida Statutes, any member of the public may attend a public hearing and can be heard on any matter presented before the Commission. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it 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. Speakers will be called to address the Commission when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment may be submitted in advance and must include the following: (1) First Name; (2) Last Name; (3) Address; (4) Public Hearing Date; (5) Case Number; and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbchfl.net; (2) Postal mail to Planning and Development, Planning Commission - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250; or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be made part of the record. All comments received are public record.

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.

**Minutes of Planning Commission Meeting
held Monday, February 10, 2025, 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 7:06 P.M. by Chair Pro Tem Dean Haddock.

ROLL CALL:

Chairperson: Margo Moehring (absent)
Vice-Chairperson: Nicholas Andrews (absent)
Board Members: David Dahl Debbie Cole Justin Henderson (absent)
Alternates: Dean Haddock Matthew Filer

Senior Planner Christian Popoli and Operations Support Specialist I Monica McDaniel were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE:

Mr. Popoli referenced documents distributed to Board members.

DISCLOSURE - EX PARTE COMMUNICATION: None

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 01-25 Conditional Use Application

Owner: Tuxedo Park Rental, LLC
179 Fawn Hill Rd. Tuxedo Park,
New York, 10987

Applicant: Timothy Whalen
1217 Belhaven Ln.
Ponte Vedra, FL 32081

Agent: Leonardo Ortiz

Location: 130 8th Avenue North

Conditional Use Application for a 2-unit multi-family dwelling located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)15 (RM-1 Standards) of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

“The request for Conditional Use approval is to address a unique situation of a property located in the C-1 Commercial zoning district. The property was part of an approved Conditional Use approval from 1998. At the time, this property, which is currently a single-family structure, was combined with two other lots with structures in them, sharing parking as existing as a unit. The subject lot was recently split off from the other two lots and sold individually. The new owner submitted for a building permit for a renovation, and due to the complications of the current C-1 zoning district, single family houses are not a permitted or conditional use in this district. Therefore, the lowest intensity use allowed is a two-unit multifamily structure. The applicant proposed to renovate the existing structure and turn the single-family home into two units. To do so however, the applicant needs a conditional use for multifamily in the C-1 district.

While there are other issues associated with the dimensional standards of the C1 district, they also have a companion Variance Application to address the nonconformities. As this structure is older, nonconformities are expected. This issue regarding existing single family in the C-1 zoning district has been an issue brought to planning staff on more than one occasion. The new draft LDC includes a provision to allow existing and historic single-family to remain without the need to go through a conversion. This applicant does wish to move forward with the conversion, as is allowed under C-1.

The surrounding property is all located in the C-1 zoning district and comprises a mix of single and multifamily structures. To the north, across 8th Ave N, is a large multifamily structure, to the east is a single-family home, to the west of these are the other two units from the previous conditional use that included this property, and to the south is another multifamily structure. The proposed use of a two-unit multifamily structure is consistent with the C-1 zoning district standards, and is consistent with surrounding commercial zoned property, and the mix of residential and multifamily uses. The proposed use for a two-unit multifamily structure should not negatively affect the surrounding uses.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#01-25.”

Agent and Applicant: Leonardo Ortiz, 1401 Riverplace Boulevard, Jacksonville, and Timothy Whalen, 1217 Belhaven Lane, Ponte Vedra, were sworn in and provided background on the item.

Public Hearing:

The following did not speak in support or opposition but expressed concern about the application:

- Idith Roberts, 132 8th Avenue North, Jacksonville Beach

Mr. Ortiz addressed concerns about sewer issues, project footprint, parking impact, and staircase.

Chair Pro Tem Haddock closed the public hearing.

Motion: It was moved by Ms. Cole, seconded by Mr. Filer, to approve #PC 01-25.

After discussion, Ms. Cole restated the motion to amend.

Amended Motion: It was moved by Ms. Cole, seconded by Mr. Filer, to amend the motion to approve #PC 01-25 to include two additional code conditions to address parking and sewage.

Discussion: None

Amended Motion Roll Call Vote: Ayes – David Dahl, Debbie Cole, Matthew Filer, and Dean Haddock

The amended motion was unanimously approved.

(B) PC# 02-25 Conditional Use Application

Owner: Tavus Investments LLC
1368 Beach Boulevard
Jacksonville Beach, FL 32250

Applicant: Serenity Restaurant and Hookah Lounge
1396 Beach Boulevard
Jacksonville, FL 32250

Agent: Lawrence Yancy

Location: 1368 Beach Boulevard, #1396

Conditional Use Application transfer of ownership for Outdoor Restaurant Seating at an existing restaurant for a property located in the Commercial General: C-2 zoning district, pursuant to Section 34-343(d)14 of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

“The subject property is located at the southeast corner of the intersection of Beach Boulevard and Penman Road South. The property is a large commercial shopping center, with the specific structure being a multi-tenant building roughly 70,000 square feet in area. The subject restaurant space is 6,053 square feet and will have 250 seats. The existing space was designed with a fenced outside seating area that has roughly 24 seats.

The restaurant space has had four separate Conditional Use approvals for outside seating dating from 2003, and the most recent in 2017. Past restaurants include the former Crabcake Factory and, most recently, Yummy Crab and Seafood and again Crabcake factory, which was approved in 2023. The oldest two approvals, from 2003 and 2008 included conditions for no outside speakers in the front of the restaurant and in the outside seating area. The two more recent, from 2010 and 2017, did not include such conditions. Adjacent uses include a commercial shopping center to the east, commercial and office uses to the north across Beach Boulevard, the Jacksonville Beach Police Department to the south, and Lee Krikland Cemetery to the west. The proposed use of Outside Restaurant Seating is consistent with the C-2 zoning standards and is consistent with surrounding commercial development. Based on the location and design of the outside seating area, and the fact that the outside seating has been utilized by previous restaurants since 2003, the proposed use for outside restaurant seating should not negatively affect the surrounding uses.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#02-25

Applicant: Lawrence Yancy, 1309 St. Johns Bluff Road North, Jacksonville, was sworn in and provided background on the item.

A brief discussion ensued about seating and outdoor music.

Public Hearing:

No one came forth to speak. Chair Pro Tem Haddock closed the public hearing.

Motion: It was moved by Ms. Cole, seconded by Mr. Dahl, to approve #PC 02-25.

Discussion: None

Roll Call Vote: Ayes – Debbie Cole, David Dahl, Matthew Filer, and Dean Haddock

The motion was unanimously approved.

(C) PC# 03-25 Conditional Use Application

Owner: TALAVANOOR LLC
500 South 3rd Street
Jacksonville Beach, FL 32250

Applicant: Neutral Service
C/O Alex Brown
323 N. 10th Ave.
Jacksonville Beach, FL 32250

Agent: N/A

Location: 323 N 10th Avenue

Conditional Use Application for a proposed drinking establishment for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)3 of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

The subject property is a unit inside an existing commercial center. The location is that of the previous "Spruce" Plant store with beer and wine service. Prior to that, it was "Really Good Beer Stop", a tap room and package store, and prior to that was occupied by "Pour Craft Beer", also a tap room. The site has been reviewed several times for compliance with section 34-393 for alcohol proximity requirements in the past and the situation surrounding the property is unchanged. The proposed use is that of a retail bicycle shop that serves beer and coffee. The proposed use is a new trend in the cycling community and can be seen in other areas of Florida and other states such as North Carolina. The store will predominantly sell and repair bikes but will also serve beer

and wine to patrons of the store. The use of coffee shop is a permitted use in C-1 and does not require conditional use approval, nor does retail sales of bicycles.

Adjacent uses consist of the other tenants in the commercial center to the east and west, a mix of residential and commercial uses behind the center to the north, and commercial and restaurant uses across 10th Avenue to the south. The applicant's request should not negatively impact the existing shopping center character or parking. As this is a shopping center, the parking is consistent as long as the uses are allowed in the C-1 zoning district.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#03-25"

Applicant: Alex Brown, 655 Silver Lakes Circle, Atlantic Beach, was sworn in and provided background on the item.

A brief discussion ensued about alcohol sales, operating hours, and bike parking.

Public Hearing:

No one came forth to speak. Chair Pro Tem Haddock closed the public hearing.

Motion: It was moved by Mr. Dahl, seconded by Ms. Cole, to approve #PC 03-25.

Discussion: None

Roll Call Vote: Ayes – Debbie Cole, David Dahl, Matthew Filer, and Dean Haddock

The motion was unanimously approved.

(D) PC# 04-25 Conditional Use Application

Owner: Karen B. Thomas
216 11th Ave. S.
Jacksonville Beach, FL 32250

Applicant: Fabio Fasanelli
5150 Palm Valley Rd.
Ponte Vedra Beach, FL 32082

Agent: Fabio Fasanelli

Location: 1102 2nd Avenue South

Conditional Use Application to allow for construction of a multi-family dwellings (townhomes) located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)15 (RM-1 Standards) of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

“The subject property is located in the Commercial Limited: C-1 zoning district. Under the C-1 list of uses, Multi-family is a use allowed with approval of the Planning Commission through a Conditional Use request. The subject property is 75 feet in width and 125 feet in depth, with an overall area of roughly 9,300 square feet. The actual area is still to be determined by a licensed surveyor. The property is currently occupied by a quadplex of apartments / condos and was constructed in 1943. The property is located in the AE 9 flood zone, and the requirements under the flood hazard ordinance as well as the Florida Building Code would require the structure to be 10 feet off grade, to have one foot of freeboard above the required 9 feet for the flood zone. Since the structure is very old, and needs substantial work, any renovation would likely trigger the need to meet the elevation requirements, thus requiring the existing structure to be elevated. This is not a practical solution based on the age of the structure.

The applicant is proposing to build three townhomes, following the dimensional criteria of the RM-1 standards for townhomes. The property is located east of 3rd street, and therefore, based on the densities established in the Comprehensive Plan, would be entitled to 40 dwelling units per acre. Based on the minimum lot size, the property could be built with up to 6 multifamily dwellings, if it were true multifamily (condos or apartments). This would be a maximum, so the reality of building footprint, required parking, etc. would all dictate the total number of units as well. Three fee-simple townhomes are not the most intense use for this property and is actually less intensive based on units per acre than what is currently there.

Adjacent uses include a restaurant to the west, multi-family to the east, across 2nd Street S, a commercial office to the north across 11th Ave South, and multi-family to the south. The proposed use of three fee-simple townhomes should not negatively impact the surrounding uses and is a less intense use of what can be constructed there, and from what is there currently.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#04-25”

Applicant: Fabio Fasanelli, 712 Shipwatch Drive East, Jacksonville Beach, and John Nagy, 3572 Richmond Street, Jacksonville, were sworn in and provided background on the item.

A brief discussion ensued about the neighboring restaurant.

Public Hearing:

The following did not speak in support or opposition but expressed concern about parking:

- Lisa Brown, 1115 2nd Street South, Jacksonville Beach
- Bobby Welton, 1032 1st Street, Jacksonville Beach

Mr. Nagy addressed parking concerns.

Chair Pro Tem Haddock closed the public hearing.

A discussion ensued about the land development code criteria and parking.

Motion: It was moved by Mr. Filer, seconded by Ms. Cole, to approve #PC 04-25.

Discussion: None

Roll Call Vote: Ayes – Debbie Cole, David Dahl, Matthew Filer, and Dean Haddock

The motion was unanimously approved.

PLANNING DEPARTMENT REPORT:

The final LDC Public Workshop to be held on February 20, 2025 at 6:00 PM in Council Chambers. The first and second reading of the LDC adoption ordinance are tentatively scheduled for March 3 and March 17th at 6:00 PM in Council Chambers.

The next scheduled meeting will be held on February 24, 2025.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:17 P.M.

Submitted by: Monica McDaniel
Operations Support Specialist I

Minutes reviewed by Planning & Development.

Approval:

Chairperson

Date

**Minutes of Planning Commission Meeting
held Monday, February 24, 2025, 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 Chair Margo Moehring.

ELECTION OF CHAIR AND VICE CHAIR:

The Board briefly discussed term limits.

Mr. Henderson nominated Nicholas Andrews for Chair. Chair Moehring seconded the nomination. In a unanimous voice vote, Mr. Andrews was elected Chair.

Chair Moehring nominated David Dahl for Vice Chair.

No one voted in favor of Mr. Dahl.

Nicholas Andrews nominated Justin Henderson for Vice Chair.

In a unanimous voice vote, Mr. Henderson was elected Vice Chair.

ROLL CALL:

Chairperson: Margo Moehring

Vice-Chairperson: Nicholas Andrews

Board Members: David Dahl Debbie Cole (absent) Justin Henderson

Alternates: Dean Haddock (absent) Matthew Filer

Senior Planner Christian Popoli and Operations Support Specialist I Monica McDaniel were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Andrews, seconded by Mr. Dahl, and passed unanimously to approve the following minutes, as amended:

- Regular Planning Commission Meeting held on January 27, 2025

NEW BUSINESS:

(A) Discussion of Draft Bylaws

Mr. Popoli reviewed the draft bylaws.

Discussion ensued about proposed changes to the draft bylaws.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting will be held on April 14, 2025.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:47 P.M.

Submitted by: Monica McDaniel

Operations Support Specialist I

Minutes reviewed by Planning & Development.

Approval:

Chairperson

Date

DRAFT



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Planning and Development Department Christian Popoli Senior Planner
DATE:	03/21/2025
SUBJECT:	PC#05-25 Conditional Use Application Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, April 14, 2025 Planning Commission Meeting.

PC#05-25
Conditional Use Application

OWNER: Lake Worth Properties, LLC
1201 Oakfield Drive
Brandon, FL 33511

APPLICANT: Lake Worth Properties, LLC
1201 Oakfield Drive
Brandon, FL 33511

AGENT: Phil Toye, Development Manager
1201 Oakfield Drive
Brandon, FL 33511

LOCATION: 1310 South 3rd Street

REQUEST: Transfer of Conditional Use to a new owner of an existing Gasoline Service Station
/ Gasoline Sales

COMMENTS: The subject property has been in use as a gas station since its construction in 1983. Under the previous LDC, which would apply in this case, as the application predates the adoption of the new code, Conditional Use approvals for gas stations are non-transferable, and therefore the new owner must seek approval to continue the operation as a gas station. The property is also shared with other commercial uses in tenant spaces adjacent to the gas station convenience store. The gas pump island is shared between the spaces via an easement recorded with the deed.

The subject parcel is located at the intersection of 3rd Street South and 13th Avenue South, on the Southwest corner. Adjacent uses include office uses to the west and south, a commercial bank to the east, across 3rd Street South, and a



commercial strip center to the north, across 13th Avenue South.

The proposed use does not conflict with the standards set forth in section 34-553 of the Jacksonville Beach Land Development Code. Generally, the C-1 zoning district is intended to implement commercial land uses of the comprehensive plan, in areas that can be within close proximity to residential uses and not create a nuisance. As noted above, there are no adjacent residential uses, and the previous use as a gas station has existed since 1983 without any known conflicts of use or nuisance with adjacent properties.

Based on the provided application and the analysis stated in this report, the Planning and Development Department recommends **Approval** of the proposed Conditional Use Request.

ATTACHMENTS:

1. PC#05-25 Application

In accordance with Sec. 286.0105, Fla. Stat., any person who desires to appeal any decision made by the commission at this meeting will need a record of the proceedings. For such purpose, he or she 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.



CONDITIONAL USE APPLICATION

PC No. OS-;) S
AS/400# Qq-1010 2?3
HEARING DATE LtI-1-QS

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: Lake Worth Properties, LLC
Mailing Address: 1201 Oakfield Dr., Brandon, FL 33511

Telephone: (813) 681-4279
Fax: _____
E-Mail: phil@apecgas.com

Applicant Name: Lake Worth Properties, LLC / Phil Toye
Mailing Address: 1201 Oakfield Dr., Brandon, FL 33511

Telephone: (813) 681-4279
Fax: _____
E-Mail: phil@apecgas.com

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

Agent Name: Phil Toye- Development Manager (As listed on Sunbiz)
Mailing Address: 1201 Oakfield Dr., Brandon, FL 33511

Telephone: (813) 681-4279
Fax: _____
E-Mail: phil@apecgas.com

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

PROJECT DATA

1711 10-00\Q

Street address of property and/or Real Estate Number: 1310 S. 3rd St., Jacksonville Beach, FL 32250

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

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

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 34-226.0, 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: _____ ~~Conditional Use 2~~

Describe the proposed conditional use and the reason for the request: _____

Existing gas station/c-store to remain: _____

Applicant Signature: _____ Date: ___ 1/29/25 ___

Callie Bowling

From: Christian Popoli
Sent: Wednesday, September 4, 2024 4:58 PM
To: Callie Bowling
Cc: Heather Ireland; David Migut
Subject: Kangaroo express conditional use.

Callie,

The application is insufficient.

- 1) The signature at the bottom is not identified anywhere in the application, neither the landowner, applicant, or agent section mentions a person by name, only the LLC. They must name someone who will attend the meeting as an agent of the LLC.
- 2) The LLC needs to provide a notarized letter to allow the application to be filed on their behalf by whomever signed it, and the letter must come from someone who represents the corporation's board. The registered agent for the LLC is not someone who has authority normally, but if they are, they need to give us something showing they are in fact a part of the board / president / chair. Something like that.

Please let the applicant know they need to provide this information to be deemed sufficient.

Dave,

If I missed anything, let me know.

Christian Popoli, MAURP

Senior Planner

COJB Planning & Development

11 3rd Street North | Jacksonville Beach, FL 32250

(P) (904)247-6231 | (F) (904)247-6107

[Permitting and Zoning Applications and Checklists](#)

[Jacksonville Beach Code of Ordinances](#)

Prepared by:

Haynes & Boone, LLP
112 E. Pecan Street
Suite 1200
San Antonio, TX 78205-1524
Attention: Abby Johanson

Tax Identification No.: 176270-0010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the 21st day of February, 2023, by Circle K Stores Inc., a Texas corporation successor-by-merger to The Pantry, Inc., a Delaware corporation successor-by-merger to Lil' Champ Food Stores, Inc., a Florida corporation successor-in-interest to Lil' Champ/Jiffy Stores, Inc., a Florida corporation successor-in-interest to Huntley's Jiffy Stores Inc., a Florida corporation (the "Grantor"), with an office address of 1100 Situs Court, Suite 100, Raleigh, North Carolina 27606, to Lake Worth Property Enterprises, LLC, a Florida limited liability company (the "Grantee"), with an office address of 1201 Oakfield Dr., Suite 209, Brandon, FL 33511:

WITNESSETH: That the Grantor, for the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration paid to Grantor, receipt whereof is hereby acknowledged by Grantor, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in Duval County, Florida, more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof.

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, except for taxes and assessments for the year 2023 and subsequent years, Permitted Exceptions described in Exhibit B, the Grantor hereby covenants with said Grantee that said land is free from encumbrances made by Grantor and except for taxes and assessments for the year 2023 and subsequent years, Permitted Exceptions described in Exhibit B, that Grantor will defend title against the lawful claims of all persons claiming by, through or under the said Grantor, but against none other.

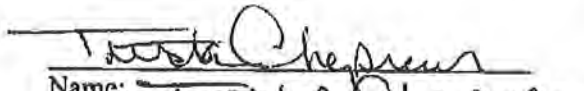
[SIGNATURE ON NEXT PAGE]

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its proper officers thereunto duly authorized, as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

WITNESSES:

Circle K Stores Inc., a Texas corporation
successor-by-merger to The Pantry, Inc., a
Delaware corporation successor-by-merger
to Lil' Champ Food Stores, Inc., a Florida
corporation successor-in-interest to Lil'
Champ/Jiffy Stores, Inc., a Florida
corporation successor-in-interest to
Huntley's Jiffy Stores Inc., a Florida
corporation

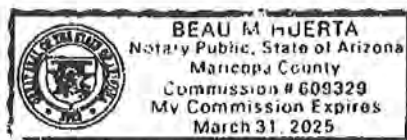

Name: Trista Chapman

Name: MIKE SEICH

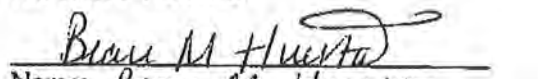
By: 
Name: Danielle Burgess
Title: Assistant Secretary

STATE OF ARIZONA §
 §
COUNTY OF MARICOPA §

The foregoing instrument was acknowledged before me by means of physical presence this 10
day of February, 2023, by Danielle Burgess as Assistant Secretary of Circle K Stores Inc., a Texas
corporation, on behalf of the corporation.



NOTARY PUBLIC


Name: Beau M. Huerta
State of Arizona
My Commission Expires: 03-31-2025

Special Warranty Deed
Store # 2726160
1310 S 3rd St
Jacksonville Beach, FL

Exhibit A
Legal Description

THE NORTHERLY ½ OF LOTS 1, 2 AND 3, BLOCK 134, PABLO BEACH SOUTH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TOGETHER WITH THE EASEMENTS SET FORTH IN WARRANTY DEED BETWEEN JOHN R. BUCHHEIMER AND MICHAEL JUNK, AS TENANTS IN COMMON AND LOUIS L. HUNTLEY FILED MAY 24, 1990, OFFICIAL RECORDS VOLUME 5725, PAGE 1014, PUBLIC RECORDS OF DUVAL COUNTY FLORIDA.

Exhibit B
Permitted Exceptions

1. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
2. Matters shown on the Plat of Pablo Beach, recorded in Plat Book 3, Page 28; as affected by Clerk's Certificate recorded in Book 15234, Page 1753 of Official Records; as affected by Clerk's Certificate recorded in Book 16699, Page 1771 of Official Records.
3. Easement for Ingress, egress, drainage, utilities and parking over and across created by Warranty Deed recorded in Book 5725, Page 1014 of Official Records.
4. Terms and conditions of the Party Wall Agreement between Louis L. Huntley, (Huntley) John R. Buchheimer (Buchheimer) and Michael Junk (Junk) recorded in Book 5725, Page 1016 of Official Records.

LAKE WORTH PROPERTY ENTERPRISES, LLC
1201 Oakfield Drive, Suite 109
Brandon, Florida 33509-1110

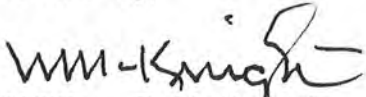
Date: February 3, 2025

Location: Circle K
1310 S. 3rd St.
Jacksonville Beach, Fl. 32250

To Whom it May Concern,

This letter represents authorization for Phil Toye to act on our behalf for all matters pertaining to the Circle K business and property located at 1310 S. 3rd St., Jacksonville Beach, Fl. 32250, including the filing of the Conditional Use Application. Let me know if you have any questions.

Sincerely,



William D. McKnight

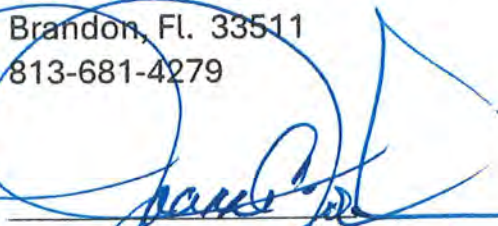
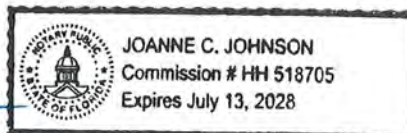
Manager

Lake Worth Property Enterprises, LLC

1201 Oakfield Dr.

Brandon, Fl. 33511

813-681-4279


Notary Signature
Print Name



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
LAKE WORTH PROPERTY ENTERPRISES, LLC

Filing Information

Document Number L08000006106
FEI/EIN Number 26-1815890
Date Filed 01/16/2008
State FL
Status ACTIVE

Principal Address

1201 OAKFIELD DR
BRANDON, FL 33511

Changed: 02/04/2022

Mailing Address

P.O BOX 1110
BRANDON, FL 33509

Changed: 04/28/2009

Registered Agent Name & Address

MCKNIGHT, WILLIAM D
1201 OAKFIELD DR.
BRANDON, FL 33509-0110

Name Changed: 04/21/2008

Address Changed: 04/21/2008

Authorized Person(s) Detail

Name & Address

Title MGR

MCKNIGHT, WILLIAM D
1201 OAKFIELD DR
BRANDON, FL 33509

Title MGRM

August 22, 2024

To: City of Jacksonville Beach
Attn: Planning & Development
11 N 3rd Street
Jacksonville Beach, FL 32250

Re: Kangaroo Express
1310 S 3rd St.
Jacksonville Beach, FL 32250
(OA #23-064)

Reference: Permit 24-1066

To Whom It May Concern:

I am writing this letter in response to your Plan Review Comments dated July 11th, 2024, for the above-referenced project.

LDC REVIEW:

Comment 1: Per Section 34.342(d)(2) of the City of Jacksonville Beach Land Development Code (LDC), gasoline service stations require conditional use approval from the Planning Commission to operate. Additionally, Per Section 34.233 of the LDC, conditional uses are non-transferable. As the property was sold in 2023, and no conditional use is on file, it must be applied for prior to any work on the structure, signs, or operation of fuel and retail sales. Please file a Conditional Use application, on paper, we cannot accept electronic copies, the application can be found on the COJB website, under Planning and Development.

Response 1: See attached for the Conditional Use Application and the deed.

FIRE:

Comment 1: Emergency fuel disconnect not shown.

Response 1: "Refer to architectural sheet A1a, Keyed Note #6 for the location of the existing emergency fuel disconnect"

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely yours,
OLIVERI ARCHITECTS

Joseph L. Oliveri, AIA, NCARB
President
State of Florida
License # AR0014028



Digitally signed
by Joseph L
Oliveri
Date: 2024.08.26
08:23:16 -04'00'

JLO/DSW/NV

TRANSMITTAL LETTER

PROJ. NAME: Kangaroo Express – Jacksonville Beach, FL

PROJECT #: 23-064 (Permit 24-1066)

DATE: 08/26/2024

TO: COJB Building Department
c.o. Planning Division
11 North 3rd Street
Jacksonville Beach, FL 32250
904-247-6231

FROM: Nicole Vassallo
permitting@oliveriarchitects.com

RECEIVED

AUG 30 2024

**PLANNING
DEPARTMENT**

SHIPPED VIA:

PICKED UP BY: _____ **DATE** _____

PRINT NAME: _____

WE TRANSMIT THE FOLLOWING:

FOR YOUR:	APPROVAL	REVIEW	USE	X	PER YOUR REQUEST
	RECORD	DISTRIBUTION	X	OTHER	REVISION

Included: Check for \$500.00, Conditional Use Application, Response Letter, Elevation Certificate, Deed, Survey & National Flood Hazard FEMA Doc

REMARKS: If enclosures are not as noted, please inform us immediately.

STATE OF FLORIDA,

S.S.

COUNTY OF DUVAL,

Before the undersigned authority personally appeared Nichol Stringer, who on oath says that she is the Publisher's Representative of the JACKSONVILLE DAILY RECORD, a weekly newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a Public Notice

in the matter of PC#05-25

in the Court, was published in said newspaper by print in the issues of 3/20/25.

Affiant further says that the JACKSONVILLE DAILY RECORD complies with all legal requirements for publication in Chapter 50, Florida Statutes.

*This notice was published on both
jaxdailyrecord.com and floridapublicnotices.com.



Nichol Stringer

Sworn to and subscribed before me this 20th day of March, 2025 by Nichol Stringer who is personally known to me.

RHONDA L. FISHER
NOTARY PUBLIC
STATE OF FLORIDA
NO. HH 596781
MY COMMISSION EXPIRES OCT. 03, 2028



Seal

Notary Public, State of Florida

PUBLIC NOTICE

The **Planning Commission** for the City of Jacksonville Beach, Florida will meet and hold a public hearing on **Monday, April 14, 2025, at 7:00 p.m.** in the **Council Chambers**, located at **11 North 3rd Street**, Jacksonville Beach, to consider the following development permit applications:

PC#05-25 Conditional Use Application to allow for continued use of a gasoline service station located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-617(d)(2) of the Jacksonville Beach Land Development Code, subject to the conditions outlined in section 34-558(n)(1). The **property is addressed as 1310 3rd Street South RE#176270-0010, legally described as The Northerly 1/4 of Lots 1, 2, and 3, Block 134, Pablo Beach South, and recorded easement.**

The above referenced applications are on file with the Planning and Development Department, City Hall, 11 North 3rd Street, and is open to public review during regular business hours (M-F, 8:00am-4:30pm).

Planning Commission
City of Jacksonville Beach

NOTICE

In accordance with Section 286.0114, Florida Statutes, any member of the public can attend a public hearing and can be heard on any matter presented before the Commission. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it 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. Speakers will be called to address the Commission when specified items are under consideration and will be limited to a maximum of three minutes or

less, at the discretion of the presiding officer.

Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbeachfl.net, (2) Postal mail to Planning and Development, Planning Commission - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Commission and attached to the related agenda item before the start of the meeting. All comments received are public record.

If you are a person with a disability who needs accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an Accommodation Request to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.

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.

Mar. 20

00 (25-01544D)



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Planning Commission
City of Jacksonville Beach

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ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1–9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name AUTOMATED PETROLEUM AND ENERGY COMPANY INCORPORATED				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1310 SOUTH 3RD STREET				Company NAIC Number:	
City JACKSONVILLE BEACH		State Florida		ZIP Code 32250	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) N 1/2 LOTS 1-3, BLK 134, PABLO BEACH SOUTH, PARCEL 176270-0010					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>COMMERCIAL</u>					
A5. Latitude/Longitude: Lat. <u>30°16'32"N</u> Long. <u>81°23'22"W</u> Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>N/A</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A8.b <u>N/A</u> sq in					
d) Engineered flood openings? ☐ Yes ☒ No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A9.b <u>N/A</u> sq in					
d) Engineered flood openings? ☐ Yes ☒ No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number CITY OF JACKSONVILLE BEACH 120078			B2. County Name DUVAL COUNTY		B3. State Florida
B4. Map/Panel Number 12031C0419	B5. Suffix J	B6. FIRM Index Date 11-02-2018	B7. FIRM Panel Effective/ Revised Date 11-02-2018	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 9'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: ☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☐ No Designation Date: _____ ☐ CBRS ☐ OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1310 SOUTH 3RD STREET			Policy Number:
City JACKSONVILLE BEACH	State Florida	ZIP Code 32250	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: X323

Vertical Datum: ELEV= 6.87'

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	9.3	☒ feet	☐ meters
b) Top of the next higher floor	N/A	☐ feet	☐ meters
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	☐ feet	☐ meters
d) Attached garage (top of slab)	N/A	☐ feet	☐ meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	23.7	☒ feet	☐ meters
f) Lowest adjacent (finished) grade next to building (LAG)	8.5	☒ feet	☐ meters
g) Highest adjacent (finished) grade next to building (HAG)	9.2	☒ feet	☐ meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	N/A	☐ feet	☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name CRAIG D. WATSON		License Number PSM #5647	
Title OWNER / SURVEYOR			
Company Name CRAIG WATSON & ASSOCIATES, LLC			
Address 130 SOUTH INDIAN RIVER DRIVE SUITE 202			
City FORT PIERCE	State Florida	ZIP Code 34957	
Signature 	Date 04-04-2023	Telephone (772) 334-0868	Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)
C2(e) A/C PAD IS LOCATED ON TOP OF THE ROOF.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1310 SOUTH 3RD STREET			Policy Number:
City JACKSONVILLE BEACH	State Florida	ZIP Code 32250	Company NAIC Number

SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

Address City State ZIP Code

Signature Date Telephone

Comments

☐ Check here if attachments.

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1310 SOUTH 3RD STREET			Policy Number:
City JACKSONVILLE BEACH	State Florida	ZIP Code 32250	Company NAIC Number

SECTION G – COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8–G10. In Puerto Rico only, enter meters.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4–G10) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
-------------------	------------------------	---

G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site: _____ ☐ feet ☐ meters Datum _____

G10. Community's design flood elevation: _____ ☐ feet ☐ meters Datum _____

Local Official's Name	Title
Community Name	Telephone
Signature	Date

Comments (including type of equipment and location, per C2(e), if applicable)

☐ Check here if attachments.

BUILDING PHOTOGRAPHS**ELEVATION CERTIFICATE**

See Instructions for Item A6.

OMB No. 1660-0008

Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.**FOR INSURANCE COMPANY USE**Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
1310 SOUTH 3RD STREET

Policy Number:

City
JACKSONVILLE BEACHState
FloridaZIP Code
32250

Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption FRONT 1/30/23

Clear Photo One



Photo Two

Photo Two Caption REAR 1/30/23

Clear Photo Two

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.

FOR INSURANCE COMPANY USE

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
1310 SOUTH 3RD STREET

Policy Number:

City
JACKSONVILLE BEACH

State
Florida

ZIP Code
32250

Company NAIC Number

If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.



Photo Three

Photo Three Caption LEFT SIDE 1/30/23

Clear Photo Three



Photo Four

Photo Four Caption RIGHT SIDE 1/30/23

Clear Photo Four

National Flood Hazard Layer FIRMette

81°23'41"W 30°16'48"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A, V, A99

With BFE or Depth Zone AE, AO, AH, VE, AR

Regulatory Floodway

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone J

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

OTHER FEATURES

Cross Sections with 1% Annual Chance Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

MAP PANELS

Digital Data Available

No Digital Data Available

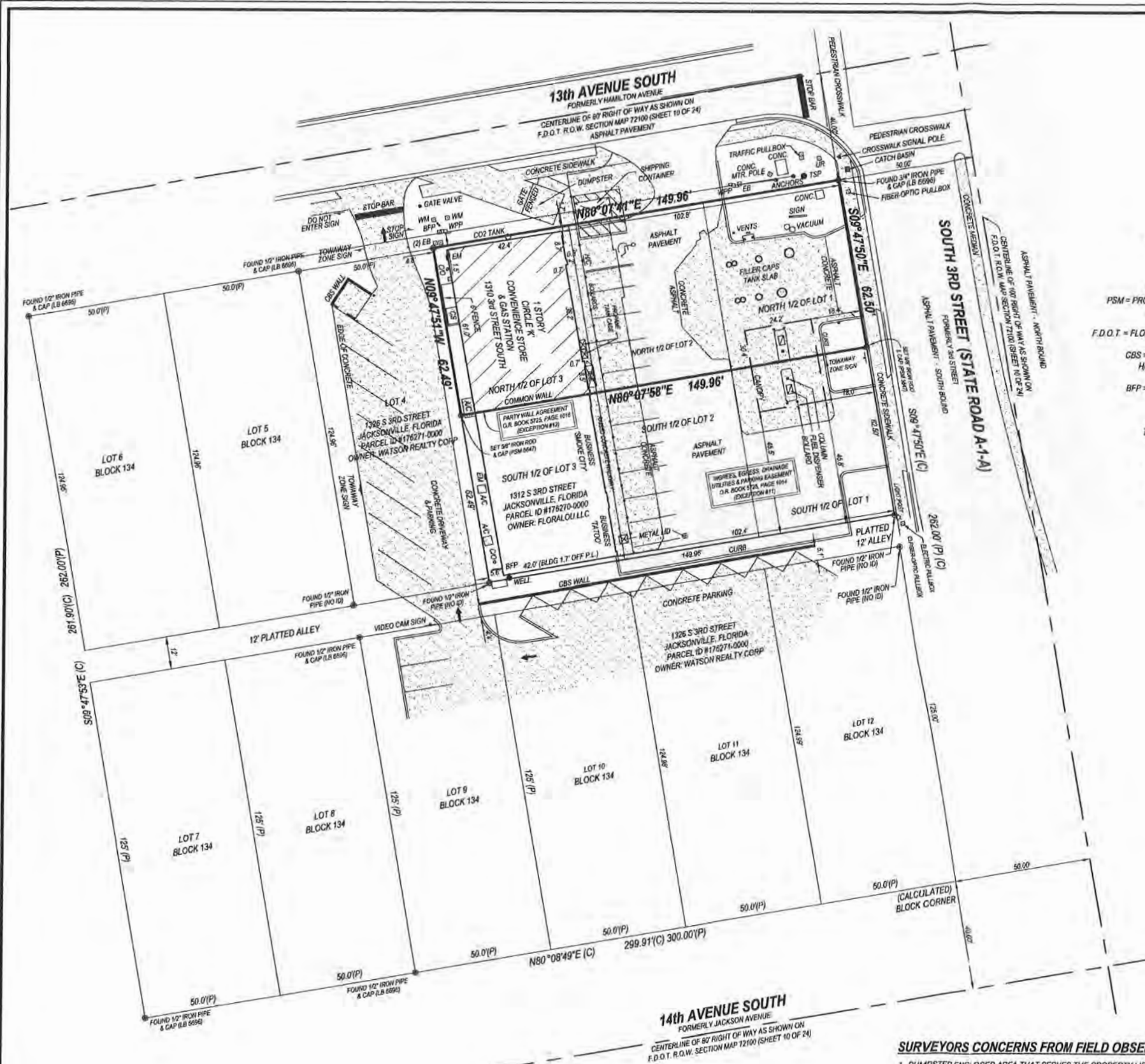
Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/12/2023 at 12:26 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



PROPERTY ACCESS NOTE:

THE SUBJECT PROPERTY HAS DIRECT ACCESS TO SOUTH 3RD STREET (STATE ROAD A-1-A) AND 13TH AVENUE, BOTH BEING PUBLIC RIGHT OF WAYS WITH NO GAPS, GORS OR OVERLAPS IN RELATIONSHIP TO THE SUBJECT PROPERTY.

ZONING & BUILDING SETBACKS:

NO ZONING REPORT AND/OR LETTER WAS FURNISHED TO THE LAND SURVEYOR

ACERAGE:

- SUBJECT PROPERTY AS PER MONUMENTED OCCUPATION -
NORTH 1/2 LOTS 1, 2 AND 3, BLOCK 134
- 9,371.34 SQUARE FEET AND/OR 0.22 ACRES -
ALL OF LOTS 1, 2 AND 3, BLOCK 134
- 18,742.65 SQUARE FEET AND/OR 0.43 ACRES -

SURVEYORS CONCERNS FROM FIELD OBSERVATIONS:

1. DUMPSTER ENCLOSED AREA THAT SERVES THE PROPERTY LIES WITHIN THE PUBLIC RIGHT OF WAY (SEE THE ATTACHED SURVEY MAP)
2. A PORTION OF ASPHALT & CONCRETE PAVEMENT LIES WITHIN THE 12' PLATTED ALLEY. (SOUTH SIDE OF ENTIRE PROPERTY IN REFERENCE TO EXCEPTION 11 AND EXHIBIT 'A')

REFERENCED MATERIAL

1. BOUNDARY SURVEY PREPARED BY ELLIS, CURTIS & KOOKER, INC., LAND SURVEYS AND PLANNERS DATED: 4-19-90 AS FURNISH BY CLIENT.
2. FDOT DISTRICT 2 - STATE OF FLORIDA STATE ROAD DEPARTMENT - SECTION NO. 72100, F.P. NO.: 200867-2, STATE ROAD A-1-A, DUVAL COUNTY, FL. (SHEET 10 OF 14 WITH A LAST CHECKED DATE OF 06-06-2007)
3. THE UNDERLYING PLAT OF 'PABLO BEACH', PLAT BOOK 3, PAGE 28, DUVAL COUNTY, FLORIDA.
4. LAND BOUNDARY INFORMATION SYSTEM BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. (LABINS.COM)
5. DUVAL COUNTY PROPERTY APPRAISER AND THE CLERK OF THE COURTS PUBLIC RECORDS. (WEB SITE)

BOUNDARY SURVEY
ALSO BEING AN
ALTA / NSPS LAND TITLE SURVEY
LOCATED AT
1310 SOUTH 3RD STREET, JACKSONVILLE BEACH, FLORIDA 32250
SECTION 4-TOWNSHIP 3 SOUTH-RANGE 29 EAST
DUVAL COUNTY, FLORIDA

ABBREVIATIONS:

- (P) = PLAT
(M) = MEASURED
(C) = CALCULATED
O.R. = OFFICIAL RECORDS
PSM = PROFESSIONAL SURVEYOR AND MAPPER
LB = LICENSED BUSINESS
ID = IDENTIFICATION
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
R.O.W. = RIGHT OF WAY
CBS = CONCRETE BLOCK STRUCTURE
H/C = HANDICAP PARKING SIGN
WM = WATER METER
BFP = BACKFLOW PREVENTOR VALVE
EB = ELECTRIC BOX
C/O = CLEAN OUT
CS = CONCRETE SLAB
TSP = TRAFFIC SIGNAL POLE
MTR = METER
UR = UTILITY RISER
EM = ELECTRIC METER
CONC = CONCRETE
P.L. = PROPERTY LINE
BLDG = BUILDING

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DUVAL, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHERLY 1/2 OF LOTS 1, 2 AND 3, BLOCK 134, PABLO BEACH SOUTH, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TOGETHER WITH THE EASEMENTS SET FORTH IN WARRANTY DEED BETWEEN JOHN R. BUCHHEIMER AND MICHAEL JUNK, AS TENANTS IN COMMON AND LOUIS L. HUNTLEY FILED MAY 24, 1990, OFFICIAL RECORDS VOLUME 5725, PAGE 1014, PUBLIC RECORDS OF DUVAL COUNTY FLORIDA

TITLE REVIEW:

LANDS SHOWN HEREON WERE ABSTRACTED FOR RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY OF RECORD PER FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER: NCS-1F9L06-CO, COMMITMENT DATE: 11/29/2022 AT 7:30 AM. EASEMENTS AND/OR RIGHTS OF WAY OF RECORD PER TITLE COMMITMENT THAT ARE PLOTTABLE ARE SHOWN ON THIS 'ALTA/NSPS LAND TITLE SURVEY'.

SCHEDULE B - SECTION II

1. - 9. STANDARD EXCEPTIONS, NOT ADDRESSED.
10. MATTERS SHOWN ON THE PLAT OF PABLO BEACH, RECORDED IN PLAT BOOK 3, PAGE 28; AS AFFECTED BY CLERK'S CERTIFICATE RECORDED IN BOOK 15234, PAGE 1753 OF OFFICIAL RECORDS; AS AFFECTED BY CLERK'S CERTIFICATE RECORDED IN BOOK 16699, PAGE 1771 OF OFFICIAL RECORDS. - AFFECTS THE SUBJECT PROPERTY AS SHOWN ON THE ATTACHED SURVEY MAP. NOTE: NO PLOTTABLE EASEMENTS ON THE UNDERLYING PLAT.
11. EASEMENT FOR INGRESS, EGRESS, DRAINAGE, UTILITIES AND PARKING OVER AND ACROSS CREATED BY WARRANTY DEED RECORDED IN BOOK 5725, PAGE 1014 OF OFFICIAL RECORDS. - AFFECTS THE SUBJECT PROPERTY AND IS NOT PLOTTABLE. BLANKET IN NATURE. - NOTE: EXHIBIT 'A' (SURVEY BY OTHERS) WAS NOT FURNISHED AS PART OF THIS DOCUMENT.
12. TERMS AND CONDITIONS OF THE PARTY WALL AGREEMENT BETWEEN LOUIS L. HUNTLEY, (HUNTLEY) JOHN R. BUCHHEIMER (BUCHHEIMER) AND MICHAEL JUNK (JUNK) RECORDED IN BOOK 5725, PAGE 1016 OF OFFICIAL RECORDS. - AFFECTS THE SUBJECT PROPERTY AS SHOWN ON THE ATTACHED SURVEY MAP.
13. ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (7 U.S.C. §§499A, ET SEQ.) OR THE PACKERS AND STOCKYARDS ACT (7 U.S.C. §§181 ET SEQ.) OR UNDER SIMILAR STATE LAWS. - NOT ADDRESSED AND NOT A SURVEY MATTER.

FLOOD ZONE NOTE:

LANDS SHOWN HEREON ARE LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION OF 'AE' BASE EL 9.0' WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 12031C0415J (CITY OF JACKSONVILLE BEACH 120078), DATED NOVEMBER 2, 2018

SURVEYOR'S NOTES:

1. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE. THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM ASBUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY.
4. THE BEARING BASE OF THIS SURVEY IS ALONG THE WEST R-O-W LINE OF STATE ROAD A-1-A. (N08°47'50"E)
5. ALL BEARINGS AND DISTANCES SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE NOTED.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. THE EXPECTED USE FOR THIS SURVEY AND MAP IS FOR COMMERCIAL PURPOSES.
8. ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, IN FEET.

SURVEYOR'S CERTIFICATION:

TO: AUTOMATED PETROLEUM AND ENERGY COMPANY INCORPORATED
LAKE WORTH PROPERTY ENTERPRISES LLC, A FLORIDA LIMITED LIABILITY COMPANY
SYNOVUS BANK, ITS SUCCESSORS AND/OR ASSIGNS
MCDERMOTT & THACKER, P.A.
FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA / NSPS LAND TITLE SURVEYS, EFFECTIVE DATE OF FEBRUARY 23, 2021, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 9, 10, 13, 14, 16 AND 19 OF TABLE 'A' THEREOF AND MEETS THE APPLICABLE CODES AS SET FORTH IN THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
THE FIELD WORK WAS COMPLETED ON JANUARY 21, 2023.
SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CRAIG D. WATSON
PROFESSIONAL SURVEYOR & MAPPER
NO. 5647 STATE OF FLORIDA

DATE	REVISIONS

PREPARED FOR:
APEL
AUTOMATED PETROLEUM & ENERGY CO., INC
1201 OAKFIELD DRIVE SUITE 109
BRANDON, FLORIDA

CRAIG WATSON AND ASSOCIATES LLC
PROFESSIONAL SURVEYING MAPPING



130 S INDIAN RIVER DRIVE
SUITE 202
FT. PIERCE, FLORIDA 34950
PHONE 772-334-0868
CELL 772-260-0249

DATE: 01-21-2023
SCALE: 1" = 20'
DWNG. BY: C.D.W.
CHECKED BY: C.D.W.
JOB NUMBER: 23013

SHEET NUMBER
1 OF 1

JACKSONVILLE BEACH PLANNING COMMISSION (AKA “COMMISSION”)

BYLAWS AND RULES OF PROCEDURES FOR THE COMMISSION OF THE CITY OF JACKSONVILLE BEACH

ARTICLE I – ORDINANCE AUTHORITY

The Jacksonville Beach Planning Commission (“Commission”) is created by City Code, Chapter 34, Article V., Division 3, Sections 34-71 through 34-79 (as amended 2025).

ARTICLE II – POWERS AND DUTIES

A. Advisory Body.

- 1) The Commission is an advisory body to the Jacksonville Beach City Council and serves as a quasi-judicial body under specific circumstances outlined in the Powers and Duties Section below (B). They are a seven-member body consisting of 5 full voting members and two alternates, appointed by the City Council.

B. Powers and Duties.

- 1) The Commission shall have the following powers and duties under the provisions of the Land Development Code (“LDC”):
 - (a) To serve as the Local Planning Agency (“LPA”), as required by F.S. § 163.3174;
 - (b) To initiate the preparation of or cause to be prepared the Comprehensive Plan, or any element or portion thereof;
 - (c) To prepare or cause to be prepared the LDC;
 - (d) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications for development permits to amend the text of the Comprehensive Plan;
 - (e) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the Future Land Use Map of the Comprehensive Plan;
 - (f) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the text of the LDC;

- (g) To initiate, review, hear, consider, and make recommendations to the City Council on applications for development permits to approve, approve with conditions, or deny amendments to the official Zoning Map of the LDC;
- (h) To hear, consider, and make recommendations to approve, approve with conditions, or deny applications for development permits for a planned unit development or redevelopment district;
- (i) To hear, consider, and approve, approve with conditions, or deny applications for development permits for conditional uses;
- (j) To make its special knowledge and expertise available upon written request and authorization of the City Council to any official, department, board, commission, or agency of the City, state, or federal governments;
- (k) To adopt or amended Bylaws to establish meeting procedures not inconsistent with this Section to govern the Planning Commission's proceedings; and
- (l) To make and initiate studies of the resources, possibilities, and needs of the City and to report its findings and recommendations, with reference thereto, from time to time, to the City Council.

ARTICLE III – MEMBERSHIP AND OFFICERS

A. Qualifications.

- 1) Members of the Commission shall be a resident of the City for two (2) years prior to appointment, and a qualified elector. No member of the City Council or a City employee shall serve on the Commission. Although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

B. Appointment.

- 1) The Commission shall be composed of five (5) members to be appointed by the City Council. The City Council shall also appoint two (2) alternate members, a first alternate and a second alternate. The alternate members shall vote only in the absence of regular members. The first alternate member shall have priority to vote in the absence of the first regular member's absence. When any of the two (2) alternate members are in attendance they may participate throughout the meeting, however they are only allowed to vote during an absence of a regular member.

D. Term of Office.

- 1) *Member.* All members serving on the Commission on the effective date of the LDC shall complete their terms according to their prior appointments. The term of office of each member appointed under the LDC shall be for four (4) years. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.
- 2) *Alternate member.* The term of an alternate member of the Commission shall be for four (4) years. When a person is appointed to fill out the term of a departing alternate member, that person's term shall end at the time the departing member's term would have ended. Alternate members may participate in discussions by the Commission on items of business but may only vote in the even they will be filling in for an absent regular Commission member.

E. Removal From Office.

- 1) In the event that any member is no longer a qualified elector or is convicted of a felony offense involving moral turpitude, the City Council shall terminate the appointment of such person as a member of the Commission and appoint a new member.
- 2) If any member fails to attend three (3) regular Commission meetings in a row, without the prior notification to the chair, either in the meeting or through notification of staff in advance of the Chair or acting Chair of the Commission, specifically for absences that do not constitute an emergency or unforeseen circumstances, the City Clerk's Office or Planning and Development Department shall notify the City Council of the absences, and the City Council may appoint a new member, or promote an alternate member, to assume the absent member's seat, which would be declared vacant by the actions of the City Council.
- 3) Any member who plans to be absent shall notify the Commission Staff, via email or in writing, or make known at the meeting prior to the absence and Commission Staff will relay that notification to the Chair or Acting Chair and the Clerk's Office. Notification should occur in advance of the meeting date when possible. Additionally, Any Commission member may also announce their expected absence at the meeting prior to the absence.

F. Vacancy.

- 1) Whenever a vacancy occurs on the Commission, the full time member's position shall be served by an alternate member until a permanent member can be appointed by the City Council. The City Council shall appoint the new member within thirty (30) days of the vacancy or may appoint an alternate to the position of full member.

G. Officers; Quorum.

- 1) *Chair and vice-chair.* At an annual organizational meeting, which is set by the Commission Bylaws, the members of the Commission shall elect a chair and vice-chair from among its members. The chair and vice-chair's term shall be for one (1) year. No member shall serve as chair for more than two (2) consecutive terms. The chair shall be in charge of all proceedings before the Commission and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Commission. In the absence of the chair, the vice-chair shall act as chair.
- 2) *Chair Pro tem.* In the absence of the Chair and Vice Chair, the Planning staff will call the meeting to order, and act as facilitator of Commission members and voting alternate members to elect a Chair Pro tem to preside over the meeting for that specific and singular agenda. At the completion of that meeting, the Chair Pro tem's term will expire.
- 3) *Staff.* The Planning and Development Department shall be the professional staff of the Commission.
- 4) *Quorum and voting.* The presence of three (3) or more members of the Commission shall constitute a quorum of the Commission necessary to take action and transact business. All actions shall require a simple majority of the quorum present.

H. Establishing a Regular Meeting Schedule.

- 1) *General.* Meetings of the Commission shall be held twice a month to dispense of matters properly before the Commission. If there is no new business on the agenda, the meeting will be cancelled, and a notice posted at City Hall along with social media outlets and the City's Website. Additionally, meetings may be called by the chair or at the request of three (3) members of the Commission in writing. The location of all Commission meetings shall be in the City of Jacksonville Beach in a place accessible to the public.
- 2) *Days and Frequency of Meetings.* Meetings will be generally held on the second and fourth weeks of each month, but never on Fridays unless required by holiday, weather, or other even related circumstances.
- 3) *Meeting Times.* Meetings will always be held after 5:30 pm on the day of the advertised meeting, times will be set by the Commission and will be publishing on the annual calendar.
- 4) *Changes to Meeting Days, Times, and Frequency.* If the Commission chooses to amend their calendar, frequency, or time of meetings, it shall be done by a roll call vote and a majority of the Commission members and alternate members in attendance.
- 5) *Special Meetings and Workshops.* At the request of the City Council or Planning Staff, the Commission may be required to hold special meetings or workshops for review and discussion of specific topics, such as amendments to the Comprehensive Plan or the LDC.

- 6) *Organizational Meeting.* The Commission shall set the date and time for their annual organizational meeting, where elections for chair and vicechair will be held, as well as any changes or amendments to the Commission Bylaws or rules and procedures.
- 7) *Annual Training.* Annually City staff will conduct a training on topics related to the proper operation and procedures for the member under Florida law, as well as City ethics and procedures.

I. Interactions with Staff.

- 1) *Agenda Review.* the chair or acting chair may, at their choosing, ask for a meeting with staff prior to the Commission meeting to review the agenda and staff reports, and to familiarize the chair with the items to be considered at the next meeting.
- 2) *Requests and Directions.* The Commission as a whole may request, through consensus, that staff investigate or provide additional information on any agenda item or question of fact, but final determination of staff's priorities will be determined by the City Manager and Administration.

J. Compensation.

- 1) The membership of the Commission as well as its officers serve in a voluntary capacity and are not compensated for their time. Reimbursement for expenses related to training and travel may be reimbursed, based on a decision by the City Council or existing City Policy.

ARTICLE IV – MEETINGS

A. Open Meetings.

- 1) The Commission will hold all meetings and conduct all business in accordance with City Policy and the State of Florida Statutes for Government in the Sunshine, and therefore will be open to the public. The public will be given the opportunity to speak on any item of business before the Commission and will be given a specified time limit for speaking. All items provided to the Commission in the form of physical materials will be retained to maintain the public record of the events of the meeting.

B. Procedure Not Contained in Bylaws or Addendums.

- 1) All meetings of the Commission will be, to the extent not in conflict with these bylaws, conducted according to the generally established process of City Council, or in absence of such, the latest edition of Roberts Rule of Order, with the exception that the chair, will be permitted to vote on any motion. Any

procedural question not contained in the bylaws may also be decided by the rules and procedures of the City Council, in absence of any established procedure by the Commission.

C. Meeting Procedures, General.

- 1) The chair shall:
 - a. preside over the meeting,
 - b. call the meeting to order,
 - c. request the disclosure of ex-parte communication from each Commission member for each item individually,
 - d. open and close the public hearing for each item,
 - e. invite the applicant to the podium for their presentation
 - f. invite members of the public, who wish to speak, to the podium, and call for a motion or vote on all motions or amendment to motions.
- 2) Vice-chair shall:
 - a. preside over the meeting *in absence of the chair*,
 - b. generally, *in the absence of any motions* made by Commission members, make a motion for discussion so the Commission may discuss the items before them,
 - c. collect and call the names of speakers who have turned in speaker cards for each item.
- 3) Chair Pro tem shall:
 - a. preside over the meeting in absence of the chair and vice-chair.

D. Voting and Conflicts.

- 1) *Voting required.* All members of the Commission are required to vote on all items of business before the Commission, unless a conflict of interest is present. All conflicts will be recorded on the proper form of the City or State of Florida, and any questions or evaluations of potential conflicts will be reviewed, and advice will be given by the City Attorney.
- 2) *Votes Recorded.*
 - a. All procedural votes of the Commission, including items such as the approval or minutes, or other normal business of the Commission, may be voted on by voice vote, or roll call vote, at the discretion of the chair.
 - b. All items of business, either quasi-judicial or advisory in nature, shall be decided by roll-call vote of all members present, and alternates, should they fill a vacancy of a regular Commission member in their absence.

E. Agenda Items.

- 1) Normal business of the Commission will be set on an agenda by staff, based on application deadlines and sufficiency, or items requested for review by the City Council or staff. The Commission may request items be placed on the

agenda, the date of the item will be determined by staff, especially if legal notice and posting would be required, to ensure the item is properly noticed.

F. Virtual Participation in Meetings.

- 1) Telephonic participation may be permitted where, in the opinion of the chair, members can participate fully in the discussion and any actions. Attendance through alternate means shall be subject to the Rules and Procedures of the City Council.

ARTICLE V – MISCELLANEOUS

A. Conflicts of Interest.

- 1) All conflicts of interest shall be defined or governed by Chapter 112.3143 F.S.

B. Enacting and Amending Bylaws.

- 1) The Commission shall, by a majority vote of the entire membership (full Commission members and alternates), adopt rules of procedure for the transaction of business through the use of bylaws. These bylaws shall include all the rules and procedures necessary to allow for the orderly transaction of business before the Commission. These bylaws will be available to the public for review to better understand the function and action of the Commission.
- 2) Amendments or changes to the bylaws will be noticed through the publishing of the agenda, no less than 48 hours prior to the meeting.

C. Addendum.

- 1) The addendum will contain ancillary documents that may assist in the execution of the meeting by providing scripts, example motions, and additional materials such as code excerpts.

Addendum

To the Planning Commission Bylaws

April 14, 2025

City of Jacksonville Beach Planning Commission
Sec. 34-553 - Standards Applicable to all
Variances

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

- (a) The conditional use is consistent with the visions, intents and strategies of the Comprehensive Plan, including standards for building and commercial intensities and densities, and intensities of use;**
 - (b) The conditional use is compatible with existing permissible uses in 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 such as massing, of the proposed use on adjacent properties, and provides adequate screening and buffering;**
 - (d) The proposed conditional use will not have an adverse effect on the permitted uses of the Zoning District where it is located;**
-

(e) The proposed conditional use will not have a demonstrated adverse effect on the value of adjacent property;

(f) There are adequate public facilities and services pursuant to Article IX, Adequate Public Facility Standards;

(g) There is adequate ingress and egress to the proposed conditional use;

(h) The proposed conditional use is consistent with the requirements of the LDC;

(i) The applicant has guaranteed the provision of open space and other improvements, as may be required, associated with the proposed conditional use;

(j) 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 requirements of the LDC including specific conditional uses below.

Chair Script / General Procedures

Opening of the meeting.

- [to the public]
It is now 6:00 PM, (date of meeting) and I call this meeting of Planning Commission to Order
[use gavel]
- [to the city clerk]
May I please have a Roll Call?

Review and vote on previous meeting's minutes.

- [to the Commission]
Are there any changes or corrections to the minutes dated [date of minutes] noted by any member?
If not, may I have a motion to approve the minutes?
(voice vote)
All those in favor please signify by saying "aye".
All those opposed please signify by saying "nay".
Motion to approve the minutes from [date of minutes] is approved. [make sure you count the yes and no votes, so you know if it passes or not]

Communications.

- [to the staff]
Is there any correspondence for any item on the agenda?

[if so, staff will typically have it on the dais for each member, but will state for the record what it is and what agenda item it is for]

Old Business (same procedure as new business).

New Business.

- [to the public]
The Planning Commission meetings are generally quasi-judicial in nature. All decisions of the Commission will be based on competent substantial evidence, including testimony provided in this meeting.
- [to the public]
Any person who is not an applicant or agent that wishes to speak will need to fill out a speaker card located on the side table by the door and turn them into the City Clerk.
- [to the public]
Each member of the public will be given three (3) minutes to speak on each item.
- [to the public]
Please refrain from speaking from the audience and applause or cheering will not be allowed.
- [to the public]
Please silence your cell phones.
- [to the vice-chair]
Can you please read the Application by title?

Vice-chair to call the application by application number and notice language.

- [to the Planning staff]
May we please have the staff presentation?

Planning staff will read report and recommendation.

After each Item is read by the vice-chair:

- [to the public]
As a reminder each member of the public will be given three minutes to speak when we open the public hearing.
- [To the Commission]
Does any Commission Member have any ex-parte communication to disclose?
(go member my member, and if they do, make sure they disclose the content of the communication in summary)
- [to the applicant]
Would the applicant please come forward to be sworn in and give any presentation?
- [remind the Commission]
Commission members, please refrain from interrupting the presentation and hold questions to the end.
(people get nervous speaking in public, interrupting them can be distracting)
- [To the Commission]
Do any Commission members have any questions for the applicant?
[after applicant concludes presentation]
- [to the public]
I will now open the public hearing.
[use gavel]
- [to the vice-chair]
Do we have any speaker cards?

Vice-chair to read each card and call the speaker to the podium.

- [to the public, after all cards have been called]
Is there anyone in the audience who has not filled out a speaker card that wishes to speak? If so, please fill out a speaker card before you leave.
- [to the public]
I will now close the public hearing and bring the item back to the board for discussion.
[use gavel]

Discussion only after a motion.

- [to the Commission]
Is there a motion?
[Vice-chair should make an affirmative motion, can be “for discussion only”]
- [to the Commission]
Is there a second?

[discussion can now take place; motions may be amended]
- [to the Commission]
Is there any further discussion?
- [to the city clerk]
May I have a roll call vote on the motion?
- [to staff]
May we have the Planning Department's report?
- [to the Commission at the end of all business]
May I have a motion to adjourn?

Model Motion for Planning Commission

Typically, the motion should be made in the affirmative, based on the staff report, not in the negative. This first motion is to have a motion on the table for discussion, even if you don't want to approve it. The Commission **must** have a motion on the table to discuss an item.

I make a motion to approve [application number] with the required standard conditions [add any additional condition here as well] based on the substantial competent evidence presented in the staff report and all relevant testimony presented at this hearing, and that the motion meets ALL the standards for a Conditional Use [or ordinance] as outlined in section 34-553 of the Jacksonville Beach Land Development Code.

[someone should second, or motion dies for lack of second]

I make a motion to deny [Conditional Use Number] based on the fact that the applicant failed to prove they met all the standards, but more specifically [list standard, such as standard "b"] as the conditional use is not compatible with the existing uses.

[Relate it to whatever standard they failed to meet. MOST important, state HOW it doesn't meet the standard, and what you based this on, such as WHY it isn't compatible.]