



City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, September 8, 2025

6:00 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. Planning Commission Meeting held on July 28, 2025

CORRESPONDENCE

DISCLOSURE OF EX-PARTE COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

A. **PC#** 14-25
ADDRESS: 500 3rd Street South
Beach Properties South, Inc
APPLICANT: Ethan Davies

SUMMARY OF APPLICATION: **Conditional Use Application** to allow for office space to conduct automotive sales located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-617(d)(2) of the Jacksonville Beach Land Development Code.

PLANNING DEPARTMENT REPORT

A. Discussion regarding the October 22, 2018 Commission Minutes
B. September 22, 2025 Training Workshop for the Commission. 6:00 pm start time

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, July 28, 2025, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER:

The meeting was called to order at 6:00 P.M. by Chair Nicholas Andrews.

ROLL CALL:

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

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

APPROVAL OF MINUTES:

It was moved by Mr. Henderson, seconded by Mr. Haddock, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on June 23, 2025

CORRESPONDENCE: None

DISCLOSURE OF EX-PARTE COMMUNICATIONS: None

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 11-25 Conditional Use Application

Owner: Willard B III & Adine Nicholson
8 San Juan Circle
Ponte Vedra Beach, FL 32082

Applicant: GrowHouse Florida LLC
9471 Baymeadows Rd., Ste 103
Jacksonville, FL 32256

Agent: Joe Van Rooy
9471 Baymeadows Rd. Ste 103
Jacksonville, FL 32256

Location: 240 3rd South Street

Conditional Use Approval to allow for a Medical Marijuana Treatment Center (MMTC) Dispensing Facility located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-617(d)(21) 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. The subject property is located at the southwest corner of the intersection of 3rd Street South and 2nd Avenue South. The property was most recently a retail establishment, formerly Salt Life.

The applicant is seeking to open a new Medical Marijuana Treatment Center (MMTC) Dispensing Facility. Under the C-1 zoning district uses, a dispensing facility is allowed with conditional use approval, and, under state law, is treated no differently than a typical commercial pharmacy.

The site is currently developed with an existing structure and existing parking with landscaping. The proposed use would not change the parking demand substantially, and the applicant has committed to adding additional alternative parking to address any deficiencies. This does not affect the use request, but it is important to note that there are not any traffic or parking-related issues anticipated with this new use. All activities are well-regulated through the state licensing process, and all activities will be contained inside the building, as with any other retail use.

Surrounding uses include commercial offices to the west and adjacent, a fast-food establishment to the south and adjacent, a JFRD fire station to the north across 2nd Avenue North, and office use to the east across 3rd Street. As the use will function as a commercial retail establishment, it is not anticipated that the new use will be any more intense than the previous use of retail sales.

Based on the provided application and analysis stated in this report, the Planning and Development Department recommends **Approval of PC#11-25.**"

Applicant: Richard Johnston, 3528 Ocean Drive South, Jacksonville Beach, was sworn in and provided background on the item.

A brief discussion ensued about the facility, location, corporate offices, parking, windows and treatments.

Public Hearing:

No one came forth to speak. Chair Andrews closed the public hearing.

Motion: It was moved by Mr. Henderson, seconded by Mr. Haddock, to approve #PC 11-25.

Discussion: A brief discussion ensued regarding restrictions, dispensaries, regulation, employee parking, and use.

Williard "Colin" Nicholson III, 8 San Juan Circle, Ponte Vedra Beach, was sworn in and provided additional background as the property owner.

Discussion: A brief discussion continued about the market saturation of medical marijuana treatment facilities within Jacksonville Beach.

Roll Call Vote: Ayes – Margo Moehring and Dean Haddock.
Nays – Debbie Cole, Justin Henderson, and Nicholas Andrews.

The motion failed 2-3.

Applicant Tyler Haden, 1540 Penmen Road, Jacksonville Beach, was sworn in and inquired about the appeal process.

Discussion: A brief discussion continued about the denial of the case, conditional use, the possibility of reopening the discussion for another vote, and the appeal process.

(B) PC# 12-25 Conditional Use Application

Owner: Seahorse Real Estate LLC.
2305 Greenside Ct.
Ponte Vedra Beach, FL 32082

Applicant: Automated Petroleum & Energy Co, Inc.
1201 Oakfield Dr.
Brandon, FL 33511

Agent: Carter McKinnon
1635 Old 41 Hwy NW, Ste. 112-361
Kinnesaw, GA. 30152

Location: 1403 3rd Street North

Conditional Use Approval to allow for the 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.

Staff Report:

Mr. Popoli summarized the following report for the record:

“The subject property is located in the Commercial Limited: C-1 zoning district. It is located on the northeast corner of the intersection of 3rd Street North and 13th Avenue North. The property is currently a commercial gasoline service station, with a convenience store, as well as other commercial tenants towards the rear, facing 13th Avenue North. The property will be changing to new operators, and although fuel service as a use is now a transferable Conditional Use, this property has not had Conditional Use approval under the new code, and one is not on file for any previous operators. Therefore, a new Conditional Use is required, and if approved, will be transferable to the next operator or property owner, unless substantial upgrades are made, or another use is requested, at which time it will come back to the Planning Commission.

The property is currently in operation as a gasoline service station and convenience store. It was originally constructed as a gas station in 1983, though it has undergone several renovations throughout the years since, it has been continually operated as a gasoline service station and convenience store since its construction.

There have been recent code enforcement actions related to this site. However, they pertain to a tenant located on the southeast corner of the structure and are not related to the gasoline service station use or convenience store. Those cases have been resolved, and the property is currently in compliance.

Adjacent and surrounding uses include multifamily to the east within the same block and immediately adjacent, commercial sales to the north, within the same block, commercial sales to the south, across 13th Avenue North, and office uses to the west, across 3rd Street North. The gasoline service station has existed for many decades, and has not negatively affected adjacent uses, nor has it created a nuisance.

Based on the provided application and the analysis stated in this report, the Planning and Development Department recommends **Approval of PC#12-25."**

Applicant: Jeff Frank, 1690 Dunn Avenue, Daytona Beach, was sworn in and provided background on the item.

A brief discussion ensued about the request and business.

Public Hearing:

No one came forth to speak. Chair Andrews closed the public hearing.

Motion: It was moved by Mr. Henderson, seconded by Ms. Cole, to approve #PC 12-25.

Discussion: None.

Roll Call Vote: Ayes – Margo Moehring, Debbie Cole, Justin Henderson, Dean Haddock, and Nicholas Andrews.

PLANNING DEPARTMENT REPORT:

The first meeting of August is canceled due to a lack of items. Mr. Popoli confirmed board training would be held on September 22, 2025, in place of the scheduled meeting.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:00 P.M.

Submitted by: Monica McDaniel
Operations Support Specialist I

Minutes reviewed by Planning & Development.

Approval:

Chairperson

Date



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Planning and Development Department Christian Popoli Senior Planner
DATE:	08/11/2025
SUBJECT:	PC#14-25 Conditional Use Application Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, September 8, 2025 Planning Commission Meeting.

PC#14-25
Conditional Use Application

OWNER: Beach Properties South, Inc.
P.O. Box 403818
Miami, Florida 33140-1818

APPLICANT: Ethan Davies
308 4th Avenue N, Apt. 4
Jacksonville Beach, Florida 32250

AGENT: Ethan Davies
308 4th Avenue N, Apt. 4
Jacksonville Beach, Florida 32250

LOCATION: 500 S 3rd Street

REQUEST: **Conditional Use Application** to allow for office space to conduct automotive sales located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-617(d)(2) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is located in the Commercial Limited: C-1 zoning district. The property is currently in use as an office building, and the request is to use one of the suites as an office for the buying and selling of cars at auction. The LDC does not distinguish between car dealerships with on-site inventory, like a car lot, and auto sales that do not include onsite parking of vehicles for sale. This is due to the fact that the state license for automotive sales is the same, regardless, so they are also regulated the same in our LDC. Therefore, even though the applicant will be using the office space for car buying and selling, it will all be conducted over the phone and virtually, and no cars will be stored on site.

From a practical perspective, the use will be substantially similar to other office uses within the same property, but due to the nature of the product, they are



treated as auto sales and therefore need conditional use approval, per Sec. 34-617(d)(2). The subject property was constructed in 1987 as an office building, and has been operating continuously. It is not anticipated that this use will increase the traffic to and from the site, as it will simply be an office space for the applicant and any staff they may have. Although a technical change in use, practically, it will not change the nature of the site. No changes to the structure's exterior are planned, and any alterations inside the leased space will be minimal. This will not be an intensification of use for this property.

Surrounding uses are as follows: to the south and adjacent is an existing multifamily structure; To the east, across the parking lot and adjacent is a vacant commercial lot; To the north, across 5th Avenue South, is an office building, and to the east, across 3rd Street South, is a large multifamily structure.

Based on the application and included information as well as the reasons outlined in the staff memo, the Planning and Development Department recommends **approval of PC# 14-25 for automotive sales, with the condition that there will be no on-site storage of vehicles.**

ATTACHMENTS:

1. Application Packet PC#14-25

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

RECEIVED

JUL 30 2025

PLANNING

DEPARTMENT

PC No. 14-25
AS/400# 25-100053
HEARING DATE 9/8/25

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$500.00.

APPLICANT INFORMATION

Land Owner's Name: Beach Properties South Inc
Mailing Address: P.O. Box 403818 Miami, FL
33140-1818

Telephone: 904-305-1370 and/or
305-672-5055
Fax: 904-241-1301
E-Mail: _____

Applicant Name: Ethan Davies
Mailing Address: 308 4th ave N apt 4
Jacksonville beach, 32250

Telephone: 989-254-7446
Fax: _____
E-Mail: Ethand-1163@yahoo.com

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

Agent Name: Ethan Davies
Mailing Address: 308 4th ave N apt 4
Jacksonville beach 32250

Telephone: 989-254-7446
Fax: _____
E-Mail: Ethand-1163@yahoo.com

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

PROJECT DATA

Street address of property and/or Real Estate Number: 500 S 3rd Street Jacksonville Beach, 32250

Legal Description of property (attach copy of deed): Commercial JC-1 Code 1000

Current Zoning Classification: JC-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 (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: LDC Section 34-617(d)(2)

Describe the proposed conditional use and the reason for the request: Property is intended as the office space for a wholesale vehicle dealer to operate from. no vehicles will be at this location as they only go through auctions.

Applicant Signature: Eth Davies

Date: 7-30-2025

Ethan Davies
Davies Automotive LLC
989-254-7446
Ethand_1163@yahoo.com
7-30-2025

Jacksonville Beach City Planning Department

To Whom It May Concern,

I am writing to seek approval for the zoning of my business, Davies Automotive LLC, a wholesale vehicle dealer that specializes in dealer-to-dealer sales through auctions. I am currently in the process of obtaining my dealer's license, which is contingent upon the city's approval of my business location.

I have secured a lease at 500 3rd Street South, Jacksonville Beach, which will serve as my office. This location includes two reserved parking spaces that meet the requirements for a wholesale dealer's license. As the sole employee of Davies Automotive LLC, I will be responsible for picking up and dropping off vehicles at various auction sites. It is important to note that I will not have any vehicles stored at this location, as my operations are strictly auction-based, and I am not permitted to sell vehicles directly to the public under my wholesale dealer's license. Therefore, there will be no foot traffic from the public at this location; the office will solely be used for administrative purposes and document management.

Thank you for considering my request. I look forward to your favorable response.

Sincerely,

Ethan Davies
Davies Automotive LLC

S.S.# _____ EDGAR MCCURRY
D.# _____ BEACH PROPERTIES

Book 8364 Pg 1996

cc. Stamps 2537.50

it. Tax 2543.50
total

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 31st day of May, 1996, between EDGAR W. McCURRY, JR., a married man, post office address 3161-4 St. Johns Bluff Road South, Jacksonville, Florida 32246, hereinafter called the grantor, which term shall include, wherever the context so permits or requires, singular or plural, heirs, personal representatives, successors and assigns, and BEACH PROPERTIES SOUTH, INC., a Florida corporation, post office address 500 South Third Street, Jacksonville Beach, Florida 32250, hereinafter called the grantee, which term shall include, wherever the context so permits or requires, singular or plural, heirs, personal representatives, successors and assigns.

WITNESSETH, that the said grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration to the grantor in hand paid by the grantee, the receipt of all of which is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said grantee forever all of that certain property situate, lying and being in the County of Duval, State of Florida, described as follows:

Lot Three (3), together with the North ½ of Lots One (1) and Two (2), Block Fifty-four (54), PABLO BEACH SOUTH, according to map thereof as recorded in Plat Book 3, page 28 of the public records of Duval County, Florida. Said property is commercial and not the homestead of grantor.
RE#175970-0000 and 175972-0000

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the said grantee in fee simple.

And the said grantor does hereby fully warrant the title to said above granted and described property and will warrant and defend the same against the lawful claims of all persons whomsoever, claiming by, through or under him.

This conveyance is subject to all taxes and assessments levied or assessed or which may become a lien subsequent to December 31 of the year subsequent to the date hereof.

IN WITNESS WHEREOF, the grantor has executed this Special Warranty Deed under seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

Printed Name: Miriam Cruz Bustillo

Printed Name: Frank Coorbreck

Edgar W. McCurry, Jr. (SEAL)
EDGAR W. McCURRY, JR.

Bk: 8364
Pg: 1996
Doc# 96117986
Filed & Recorded

Please return to: Miriam Cruz-Bustillo, Esq.
P.O. Box 850, Gainesville, FL 32602

LEASE ADDENDUM

This Addendum dated **July 21, 2025**, by and between **BEACH PROPERTIES SOUTH, INC.**, (Landlord), and **DAVIES AUTOMOTIVE, LLC**, (Tenant), is attached to and hereby made a part of the Lease. Where any language or intent in the sections of the Lease are inconsistent with this Addendum, the provisions of this Addendum shall supersede. Where any section of the Lease is amended, modified, deleted in whole or part, or added to this Addendum, the provisions of such section not expressly amended, modified or deleted shall remain in full force and effect. In consideration of the execution of the Lease and other valuable considerations, the receipt of which is hereby acknowledged, the parties hereto amend the Lease as follows:

The leased premises shall be used specifically for Auto Sales.

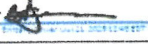
Said Lease shall be for a full 12 months, *starting on July 1, 2025, and ending on June 30, 2026*. Tenant shall have the option to renew for another 12 months at market rate providing Tenant request a renewal within 60 days of the expiration of the initial term.

Tenant shall have two (2) parking spaces assigned to Davies Automotive.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, the day and date above first written:

LANDLORD
Beach Properties South Inc.

TENANT
Davies Automotive LLC



Brittany Driver



Ethan Davies

BEACH PROPERTIES SOUTH INC500 South 3rd Street, Jacksonville Beach, FL 32250

Tele: 904-305-1370 Fax: 904-241-1301

**MONTH-TO-MONTH
OFFICE RENTAL AGREEMENT**This rental agreement begins **June 20, 2025**, by and between:

- (a) Beach Properties South Inc. (Landlord)
500 South 3rd Street
Jacksonville Beach, Florida 32250

And

- (b) Davies Automotive LLC
308 4th Ave N, #4
Jacksonville Beach, Florida 32250

Rental of office space located within 500 South 3rd Street Jacksonville Beach, Florida 32250 is a **"month to month"** term beginning: June 20, 2025. Tenant agrees to pay the monthly amount of **\$300.00** (\$289.86 rent + \$10.14 sales tax) for the rental term.

June is prorated from 20th thru 30th at \$110.10 (\$106.37 rent + 3.73 sales tax). June prorated amount is due today.

Rents are payable on the FIRST day of each month.

Security deposit will be paid in the amount of \$300.00 and be taken upon the signing of this rental agreement. Security deposit is fully refundable after tenant has vacated premises and left premises in good condition. Reasonable wear and tear is understood.

Beach Properties South Inc will provide the following at no additional cost:

All utilities including:

Heat

Air Conditioning

Water

Electricity

Basic Weekly Garbage Removal

Basic FAX and Copy equipment provided (large volume copying will have a small fee per copy to accommodate toner and paper use). All international fax service will be paid by tenant.

Tenant agrees to the following terms:

- 1) Rent is due on the FIRST day of every month. Rent not received by the FIFTH of the month will be charged a 10% late fee.
- 2) Tenant shall provide a copy of their insurance listing Beach Properties South Inc as additionally insured.
- 3) Tenant shall be responsible for maintaining all required city/state licenses required to operate.
- 4) The premises will only be used for the purpose of standard office use, unless otherwise agreed upon by Beach Properties South Inc.
- 5) Assignment of this agreement or subletting of premises is NOT allowed.

BEACH PROPERTIES SOUTH INC

500 South 3rd Street, Jacksonville Beach, FL 32250

Tele: 904-305-1370 Fax: 904-241-1301

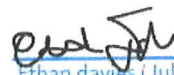
- 6) During the rental period, Tenant will pay the cost of all repairs for any damage done to the premises. The cost of cleaning the rented premises will be the responsibility of the tenant. We will expect you to clean up after yourself for the kitchen and bathroom areas.
- 7) Tenant is responsible for all personal possessions. Beach Properties South, Inc assumes no liability for tenant's personal property. Tenant agrees to release Beach Properties South Inc from all damages to any person or property occurring in or around the premises.
- 8) Tenant is responsible to make sure that any doors they use are locked, lights are off and HVAC is set to closed temperatures, if they are the last to leave the premises.
- 9) Tenant agrees to pay for any phone or internet lines they may require. Tenant will pay for all installation charges as well as monthly charges for usage of such services. All payments are to be made directly to the provider that Tenant has created such contract.
- 10) Any rent check returned for nonpayment will result in a \$40.00 fee as well as cause future rent payments to be made via cashier's check or money order.
- 11) Upon end of rental Tenant agrees to leave premises clean, in good order and repair and substantially the same condition at the time of the commencement of rental, excluding reasonable wear and tear. All keys must be returned to Landlord. Tenant will be charged \$150 if keys are not returned.
- 12) If in the event any material provision of this agreement has been breached, and such breach has continued for more than ten days after Tenant has received written notice of the same from Beach Properties South Inc., then Beach Properties South Inc may sever this agreement.
- 13) Landlord reserves the right to terminate this agreement for any reason at anytime by giving 30 day notice to Tenant.

Beach Properties South Inc
"Landlord"

Davies Automotive, LLC
"Tenant"



Brittany Driver (Jun 20, 2025 11:24 EDT)
Brittany Driver



Ethan Davies (Jul 4, 2025 15:03 EDT)
Ethan Davies

