



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Monday, February 28, 2022

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

Britton Sanders (Chair), Margo Moehring (Vice-Chair), Dave Dahl, Greg Sutton, Colleen White
Alternates: Justin Lerman, Emily Stouffer

APPROVAL OF MINUTES

A. Regular Planning Commission Meeting held on February 14, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- A. **PC# 01-22** ADDRESS: **2017 3rd Street North**
APPLICANT: Leslie G. Platock OWNER: 2017 N. Third St., LLC
SUMMARY OF APPLICATION: Conditional Use for a four-unit fee-simple townhouse development for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)15 of the Jacksonville Beach Land Development Code. The property is located at 2017 3rd Street North, RE# 175438-0000, legally described as *Lot 3 & 4, Less and Except the South 5.50 feet of Lot 4, Block 203, Elton Realty Company's Replat.*
- B. **PC# 02-22** ADDRESS: **119 & 129 12th Avenue South**
AGENT: John Wallace & Smith Hulsey & Busey OWNER: Golf Stix, LLC.
SUMMARY OF APPLICATION: **Concept Plan for Plat** for a proposed four lot, fee-simple townhouse subdivision located in a Residential Multiple-Family: RM-2 zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code. The properties are located at 119 & 129 12th Avenue South, RE#(s) 176191-0005 and 176190-0000, legally described as *Lots 8 & 9, Block 112, Pablo Beach South.*
- C. **PC# 03-22** ADDRESS: **2400 3rd Street South, #101**
APPLICANT: Joe Bates, SoNapa Grille OWNER: 2400 South Third, LLC.

AGENT: Bill Schueth, Grunthal & Schueth Properties, Inc.

SUMMARY OF APPLICATION: **Conditional Use** for the transfer of approval for outdoor restaurant seating at a new restaurant for a property located in the Commercial, Limited: C1 zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. The property is located at 2400 3rd Street South, Unit 101, RE# 179548-0500, legally described as a *Part of Government Lot 16, Section 4, Township 3 South, Range 29 East, Jacksonville Beach* (Applicant SoNapa Grille)

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Monday, March 28, 2022.

COURTESY OF THE FLOOR TO VISITORS

ADJOURNMENT

NOTICE

Information concerning the hearing process is available online at www.jacksonvillebeach.org/publichearinginfo and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the 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@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 distributed to the Commission and attached to the related agenda item before the start of the meeting. All comments received are public record.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting.

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 14, 2022, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



CALL TO ORDER

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

ROLL CALL

Chairman: Greg Sutton

Vice-Chairman: David Dahl

Board Members: Margo Moehring Britton Sanders Colleen M. White (absent)

Alternates: Justin Lerman Emily Stouffer

Senior Planner Christian Popoli and Deputy City Clerk Jodilynn Byrd were also present.

Chairman Sutton moved the election of officers to the end of the agenda.

APPROVAL OF MINUTES:

The following minutes were passed unanimously by a voice vote:

- January 10, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS: None

ELECTION OF OFFICERS

A. Election of Chair and Vice-Chair per section 34-77 of the Land Development Code.

Motion: It was moved by Chairman Sutton and seconded by Ms. Moehring to nominate Britton Sanders as Chair.

Roll Call Vote: Ayes – Margo Moehring, Britton Sanders, David Dahl, Justin Lerman, and Greg Sutton

The motion was unanimously approved.

Motion: It was moved by Mr. Dahl and seconded by Mr. Sanders to nominate Margo Moehring as Vice-Chair.

Roll Call Vote: Ayes – Britton Sanders, David Dahl, Margo Moehring, Justin Lerman, and Greg Sutton

The motion was unanimously approved.

Mr. Sutton congratulated Mr. Sanders and Ms. Moehring and thanked Mr. Dahl for his service.

PLANNING DEPARTMENT REPORT

The next meeting is scheduled for Monday, February 28, 2022. There are three scheduled cases.

ADJOURNMENT

There being no further business coming before the Board, Chairman Sutton adjourned the meeting at 7:07 P.M.

Submitted by: Jodilynn Byrd
Deputy City Clerk

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



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PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	02/15/2022
SUBJECT:	February 28, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, February 28, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#01-22 Conditional Use Application

OWNER: 2017 N. Third St. LLC
 1640 Beach Avenue
 Atlantic Beach, FL 32233

APPLICANT: Leslie G. Platock
 1640 Beach Avenue
 Atlantic Beach, FL 32233

AGENT: Leslie G. Platock
 1640 Beach Avenue
 Atlantic Beach, FL 32233

LOCATION: 2017 North 3rd Street

REQUEST: **Conditional Use Approval** for a proposed four-unit residential townhouse project located in a *Commercial, limited: C-1* zoning district pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is located on the east side of North 3rd Street between 20th Avenue North and 19th Avenue North and exists as a vacant commercially zoned lot approximately 12,000 square feet in size. The applicant is proposing to develop a four-unit, fee-simple townhouse project on the property, and was advised by staff that conditional use approval would be required.

In 2005, a different applicant applied for, and received conditional use approval



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under PC#18-05 for a multi-family residential development. In 2018 another applicant applied for and received approval for a townhouse project under PC# 15-18. Additionally in 2019 a third proposal for fee simple townhomes was submitted PC#29-19. None of these projects were developed. The current proposal is similar to the 2019 proposed project.

Adjacent uses include medical office and multi-family residential to the south, single and multi-family to the east, commercial office to the north, and Fletcher Middle School directly to the west across 3rd Street. The proposed use of a four-unit townhouse development is consistent with the RM-2 zoning standards, and is consistent with surrounding multi-family development.

In addition to Conditional Use approval, a concept plat, final plat and development plan would need to be submitted and approved prior to construction and sale. A limiting factor in the past has been the ability to acquire an FDOT approval for an additional driveway, and the same would be true with this proposed site plan. No Variance would be required.

Based on an evaluation of the criteria outlined in Section 34-231 and the information provided by the Applicant, the Planning and Development Department recommends APPROVAL of the request.

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

JAN 28 2022

PC No. 01-22
AS/400# 22-100013
HEARING DATE 2/28/22

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: 2017 N. Third St, LLC
Mailing Address: 1640 Beach Avenue
Atlantic Beach, FL 32233

Telephone: (904) 993-7888
Fax: (904) 586-3062
E-Mail: bplatock@gmail.com

Applicant Name: Leslie G. Platock
Mailing Address: 1640 Beach Avenue
Atlantic Beach, FL 32233

Telephone: (904) 993-7888
Fax: (904) 586-3062
E-Mail: bplatock@gmail.com

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

Agent Name: _____
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

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

PROJECT DATA

Street address of property and/or Real Estate Number: 2017 N Third Street, 175438-0000

Legal Description of property (attach copy of deed): Lots 3 & 4, less and except South 5.50 feet of Lot 4, Block 203 Elton Realty Company's Replat

Current Zoning Classification: C-1

Future Land Use Map Designation: Commercial

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: sec 34-342 (d) (15)

Describe the proposed conditional use and the reason for the request: _____
Seeking to develop 4 townhomes. Highest and best use are townhomes due to small size of the lot.

Applicant Signature: 

Date: 1-28-2022

Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES

PC
01-22

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

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22-100013

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PLANNING & DEVELOPMENT

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

Prepared by and return to:

Neil Platock, Esq.
Attorney at Law
Platock Law, PA
1935 Commerce Lane, #4
Jupiter, FL 33458
561-623-8285
File Number: **BrianPlatock**
Will Call No.:

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PC # 01-22
JAN 28 2022
22-100013
PLANNING & DEVELOPMENT

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 28th day of June, 2013 between American Banking Company d/b/a Ameris, a Georgia corporation whose post office address is 3440 Cypress Mill Road, Brunswick, GA 31500, grantor, and 2017 N Third Street, LLC, a Florida limited liability company whose post office address is 1640 Beach Ave, Atlantic Beach, FL 32233, grantee:

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

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval County, Florida, to-wit:

Lots 3 and 4, LESS AND EXCEPT the South 5.50 Feet of Lot 4, Block 203, ELTON REALTY COMPANY'S REPLAT, according to the map or plat thereof as recorded in Plat Book 10, Page 14, Public Records of Duval County, Florida.

Parcel Identification Number: 175438-0000

Subject to taxes for 2013 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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

Signed, sealed and delivered in our presence:

Sandra Smith
Witness Name: Sandra Smith

Ainslie C. Grange
Witness Name: Ainslie C. GRANGE

American Banking Company d/b/a Ameris

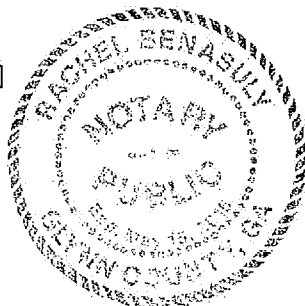
By: David Aldridge
David Aldridge, Vice President

(Corporate Seal)

State of Georgia
County of Glynn

The foregoing instrument was acknowledged before me this 5 day of June, 2013 by David Aldridge of American Bank Company d/b/a Ameris, on behalf of the corporation. He/she ☒ is personally known to me or ☐ has produced a driver's license as identification.

[Notary Seal]



Rachel Benasuly
Notary Public

Printed Name: Rachel Benasuly

My Commission Expires: 5/15/15



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OFFICER'S CERTIFICATE OF AMERIS BANK

Cindi Lewis, in her capacity as Executive Vice President and Corporate Secretary of Ameris Bank, does hereby certify that:

The following named individuals are, as of the date hereof, duly elected and qualified officers of Ameris Bank, a subsidiary of Ameris Bancorp. Each holds the office set forth beneath the individual's name, and is authorized to execute documents and conduct business on behalf of Ameris Bank.

W. David Aldridge
Vice President – Special Assets Officer

Teresa Jones
Vice President – Lending Officer

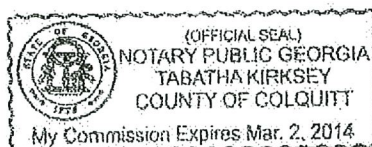
IN WITNESS WHEREOF, I have hereunto set my hand as of the 8th day of February, 2012.

Cindi Lewis, EVP & Corporate Secretary

Unofficial Witness

STATE OF GEORGIA
COUNTY OF COLQUITT

I HEREBY CERTIFY that on the 8th day of February, 2012, before me personally appeared CINDI LEWIS, Executive Vice President and Corporate Secretary of AMERIS BANK.



NOTARY PUBLIC



ASPHALT PAVEMENT



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PC # 01-22

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**MAP SHOWING BOUNDARY SURVEY OF
LOT 3 AND LOT 4, LESS AND EXCEPT THE SOUTH 5.50 FEET OF LOT 4,
BLOCK 203 AS SHOWN ON MAP OF ELTON REALTY COMPANY'S REPLAT
RECORDED IN PLAT BOOK 10, PAGE 14 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA**

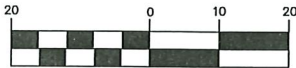
LEGEND	
●	FOUND 1/2" IRON (NO CAP), UNLESS NOTED
R/W	RIGHT OF WAY
O.R.	OFFICIAL RECORDS BOOK OR VOLUME
MF	METAL FENCE
WDF	WOOD FENCE
CLF	CHAIN LINK FENCE
-x-	FENCE, AS NOTED, W/TIES TO FACE

GENERAL NOTES:

1. BEARING REFERENCE: N09°43'30"W FOR THE EASTERLY R/W LINE OF 3RD STREET NORTH PER STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION R/W MAPS, SECTION 7210-113.
2. THIS IS AN ABOVE SURFACE SURVEY ONLY. NO UNDERGROUND INFORMATION WAS LOCATED OR SHOWN..
3. THE PROPERTY SURVEYED HEREON LIES WITHIN FLOOD ZONE "X" AS SCALED FROM FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NO. 120078-0001D, DATED APRIL 17, 1989.
4. SUBJECT PROPERTY ADDRESS: 2017 3RD STREET NORTH, JACKSONVILLE BEACH, FLORIDA 32250.
5. SUBJECT PROPERTY CONTAINS: 0.25 ACRES (10,897 SQUARE FEET).
6. ALL LOT AND BLOCK INFORMATION SHOWN HEREON REFERS TO MAP OF ELTON REALTY COMPANY'S REPLAT, PLAT BOOK 10, PAGE 14.

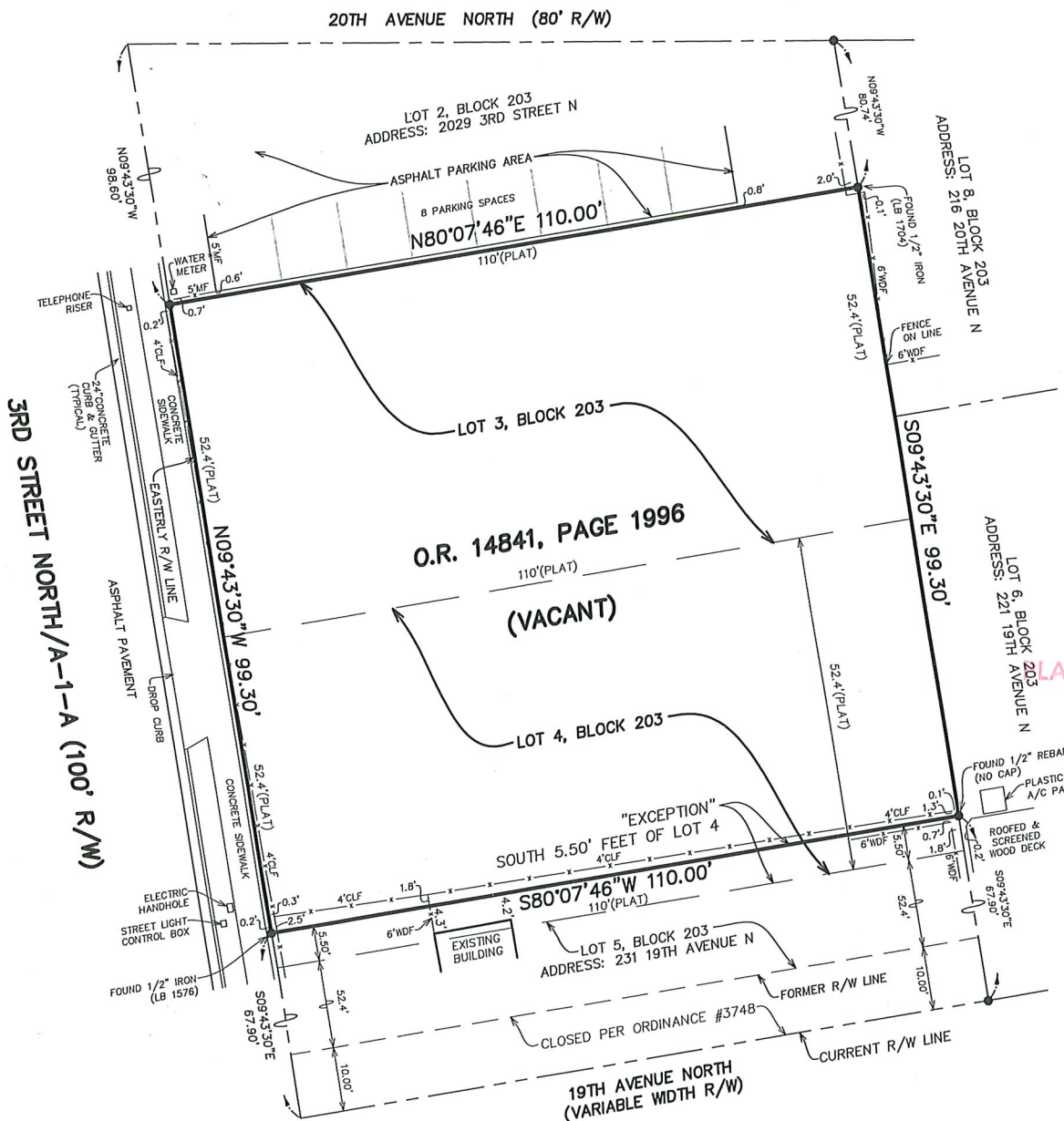
CERTIFIED TO:
LESLIE G. PLATOCK DDS, LLC;
CNL BANK;
OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY;
PLATOCK LAW, P.A.

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.



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PC #01-22
JAN 28 2022
22-100013

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Reference PC#01-22



CONDITIONAL USE APPLICATION

PC No. 29-19
AS/400# 19-100170
HEARING DATE 10/14/19

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: 2017 N THIRD ST. LLC
Mailing Address: 100 THIRD ST. # 203
NEPTUNE BCH., FL 32266

Telephone: 904-993-7888
Fax: _____
E-Mail: DPLATOCK@FLORIDARETAILGROUP.COM

Applicant Name: MARGARET CORNELIUS
Mailing Address: 218 BAY ST.
NEPTUNE BCH., FL. 32266

Telephone: 904-249-9706
Fax: _____
E-Mail: PEGGY@CORNELIUSCONSTRUCTION.COM

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

Agent Name: _____
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: SEP 20 2019

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: 2017 N. THIRD ST.

Legal Description of property (attach copy of deed): LOT 3 & LOT 4 LESS & ACCEPT THE SOUTH 5.50 FT of lot 4
BLOCK 203

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

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: 34-342 (d) (15)

Describe the proposed conditional use and the reason for the request: Multi-family in C-1
for four townhouses.

Applicant Signature: _____ Date: 9-20-19

Reference PC#01-22

DEPARTMENT OF PLANNING & DEVELOPMENT



CERTIFIED MAIL RECEIPT# 7017 3040 0000 2086 0163

October 15, 2019

Margaret Cornelius
218 Bay Street
Neptune Beach, FL 32266

RE: **Planning Commission Case: PC# 29-19**
Conditional Use Application for a proposed four-unit residential townhouse project located in a *Commercial, limited: C-1* zoning district.

The City of Jacksonville Beach Planning Commission met on **Monday, October 14, 2019** in Council Chambers to consider your **Conditional Use Application** for a proposed four-unit residential townhouse project located in a *Commercial, limited: C-1* zoning district pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code, for property located at 2017 North 3rd Street.

The request was **Approved**.

Please remove the public notices posted on the property. Please provide a copy of this letter with any other applications and building permits. Pursuant to Section 34-233, conditional use approval is not transferable, and granted only to the applicant. Should you have any additional questions related to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Ireland".

Heather Ireland, AICP
Senior Planner

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org



Reference PC#01-22



Reference for PC# 29-19

ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

November 15, 2005

The Lofts of North Beach, LLC.
c/o Pete Russo
486 Osceola Avenue
Jacksonville Beach, FL 32250

RE: Planning Commission Case PC#18-05
Multi-family use in a Commercial Limited Zoning District

Dear Mr. Russo:

The City of Jacksonville Beach Planning Commission met on Monday, October 24, 2005 in the Council Chambers to consider your application for conditional use approval of a proposed multi-family residential use in a *Commercial General: C-1* zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code for the property located at 2017 North 3rd Street. Your request was approved with the condition that the project provides access to 3rd Street using a one-way pair of driveways, as shown on site plan submitted.

Should you have any additional questions relative to this matter, please feel free to contact our office at (904) 247-6231.

Sincerely,

Chandra M. Tolman
Senior Secretary
Planning & Development
City of Jacksonville Beach



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PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	02/15/2022
SUBJECT:	February 28, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, February 28, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#02-22 Concept Plat Application

OWNER: Golf Stix, LLC
59 North 19th Avenue
Jacksonville Beach, FL 32250

APPLICANT: Golf Stix, LLC
59 North 19th Avenue
Jacksonville Beach, FL 32250

AGENT: John W. Wallace and Smith Huslsey & Busey
1 Independence Dr. Suite 3300
Jacksonville, FL 32202

LOCATION: 119 & 129 12th Avenue South

REQUEST: **Concept Plat Approval** for a proposed four-unit fee-simple townhouse development for property located in a *Residential Multifamily: RM-2* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is located on the north side of 12th Avenue South, near the intersection with 2nd Street south. The applicant is proposing to develop a four-unit, fee-simple townhouse project on the property. The property is currently occupied by a two-family dwelling and a single family dwelling, on two historic lots or record, lots 8 & 9 of block 112 of the Pablo Beach South Plat (circa 1909).



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Townhomes are a permitted use in the RM-2 zoning district, so no conditional use application is required.

Adjacent uses include single family to the west, single and multifamily to the north, a vacant lot to the east and single and multifamily to the south. The proposed use of a four-unit townhouse development is consistent with the RM-2 zoning standards, and is consistent with surrounding multi-family development.

Based on an evaluation of the criteria outlined in Section 34-503(6) and the information provided by the Applicant, the Planning and Development Department recommends APPROVAL of the request.

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.



CONCEPT PLAN FOR PLAT APPLICATION

JAN 28 2022

PC No. 02-22
AS/400# 22.100014
HEARING DATE 2.28.22

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

DEVELOPMENT INFORMATION

Land Owner's Name: Golf Stix, LLC
Mailing Address: 59 N. 19th Ave.
Jacksonville Beach, FL 32250

Telephone: (904) 759-3203
Fax: _____
E-Mail: davidfletcher101@gmail.com

Developer Name: Golf Stix, LLC
Mailing Address: 59 N. 19th Ave.
Jacksonville Beach, FL 32250

Telephone: (904) 759-3203
Fax: _____
E-Mail: davidfletcher101@gmail.com

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

Agent Name: John W. Wallace and Smith Hulsey & Busey
Mailing Address: 1 Independent Dr., Ste. 3300
Jacksonville, FL 32202

Telephone: (904) 359-7728
Fax: (904) 359-7708
E-Mail: davidfletcher101@gmail.com

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

PROPERTY AND PROJECT DATA

Project Name: Villas of South Jax Beach
Property Address(es): 119 & 129 12th Ave S., Jax Beach, FL 32250
List All Real Estate/Parcel Number(s): 176191 0005; 176190 0000

Legal Description of Property: All of lots 8 and 9, Block 112, Pablo Beach as shown on the Plat thereof, recorded in Plat Book 3, Page 28 of the current public records of duval county florida.

Current Use of Property: RES HD Proposed Use of Property: RES HD
Current Zoning Classification: RM-2 Future Land Use Map Designation: RES HD

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

Applicant Signature: [Signature]

Date: 1-12-22

Section 34-503 (6) STANDARDS APPLICABLE TO CONCEPT PLAN FOR PLAT

When considering an application for concept plan for plat, the planning commission shall consider whether and the extent to which:

- (a) The concept plan is consistent with the goals, objectives, and policies of the comprehensive plan.
- (b) The concept plan is compatible with surrounding land uses.
- (c) The concept plan is adequately designed so that the general layout of the proposed development will be compatible with surround land uses and not be at such variance with other development so as to cause a substantial depreciation in property values.

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Prepared By:
Gibraltar Title Services, LLC
Attn: Tahnya Gary
4190 Belfort Road, Suite 475
Jacksonville, FL 32216

Return To:
Gibraltar Title Services, LLC
Attn: David Ubbens
4190 Belfort Road, Suite 475
Jacksonville, FL 32216

Order No.: GTS-2150836

Property Appraiser's Parcel I.D. (folio) Number:
176191-0000 & 176190-0000

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22-100014
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TRUSTEE'S DEED

THIS TRUSTEE'S DEED made and executed July 19, 2021 by Graziano Fruzzetti, Individually and as Successor Trustee of The Harvey W. Lotz Revocable Living Trust Dated February 11, 2011, whose post office address is 1601 Declaration Drive, Jacksonville Beach, FL 32250-2511 (the "Grantor"), to Golf Stix, LLC, a Florida limited liability company, whose post office address is 119 & 129 12th Avenue South, Jacksonville Beach, FL 32250-6415 (the "Grantee");

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

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in County of Duval, State of Florida, viz:

PARCEL A:

Lot 9, Block 112, PABLO BEACH SOUTH PABLO BEACH SOUTH, according to the map or plat thereof, as recorded in Plat Book 3, Page 28, of the Public Records of Duval County, Florida.

PARCEL B:

Lot 8, Block 112, PABLO BEACH SOUTH PABLO BEACH SOUTH, according to the map or plat thereof, as recorded in Plat Book 3, Page 28, of the Public Records of Duval County, Florida.

Subject to easements, restrictions, reservations, and limitations of record, if any.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

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PC#02-22
JAN 28 2022
22-100014
ING & DEVELOPMENT

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in Fee Simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2020.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness Signature

Printed Name of First Witness

Witness Signature

Printed Name of Second Witness

Graziano Fruzzetti, Individually and as
Successor Trustee of The Harvey W. Lotz
Revocable Living Trust Dated February 11,
2011

Grantor Address:
1601 Declaration Drive
Jacksonville Beach, FL 32250-2511

STATE OF FLORIDA
COUNTY OF DUVAL

THE FOREGOING instrument was acknowledged before me by means of (x) physical presence or () online notarization, this 19th day of July, 2021, by Graziano Fruzzetti, Individually and as Successor Trustee of The Harvey W. Lotz Revocable Living Trust Dated February 11, 2011, who has produced a driver's license as identification.

Notary Public - State of Florida

CARL D. LUETHICH JR.
Name of Notary Typed, Printed or Stamped

My Commission Expires: 03.06.2025

(Notary Seal)



CARL D. LUETTICH, JR.
Commission # HH 100358
Expires March 6, 2026
Bonded Thru Budget Notary Services

SMITH HULSEY & BUSEY

JOHN W. WALLACE
DIRECT 904.359.7728
JWALLACE@SMITHHULSEY.COM

January 27, 2022

Via Federal Express
Heather Ireland, AICP
Director of Planning & Development
City of Jacksonville Beach
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Concept Plan for Plat Application

Dear Ms. Ireland:

I represent Golf Stix LLC in connection with the development of property on 12th Avenue South in Jacksonville Beach. Please find enclosed a concept plan for plat application, along with supporting documentation and a check for \$250. Included herewith are the following documents:

1. Concept Plan for Plat Application
2. Check in the amount of \$250.00
3. Plat of Pablo Beach South, Plat Book 3, Page 28, Official Records of Duval County
4. Trustees deed to Golf Stix, LLC for lots 8 and 9, Block 112, Pablo Beach South
5. Boundary survey of aforementioned lots
6. Concept plan for proposed plat

Please contact me should you have any questions or should you need additional information in order to deem the application complete. Thank you so much for your attention in this matter.

Very truly yours,



John W. Wallace

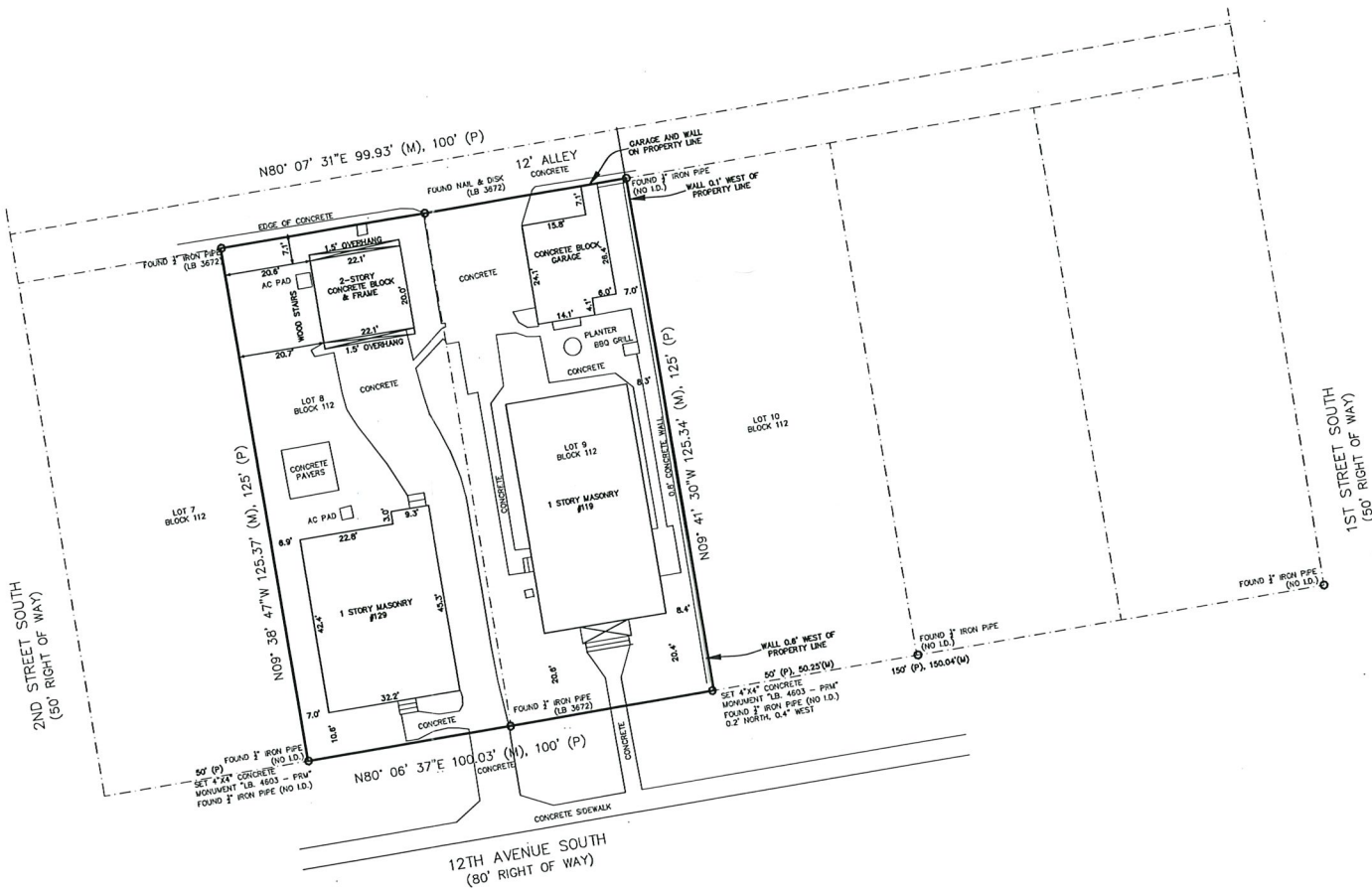
Enclosures (6)

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MAP SHOWING BOUNDARY SURVEY OF:

LOTS 8 AND 9, BLOCK 112, PABLO BEACH SOUTH, AS RECORDED IN PLAT BOOK
3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

- LEGEND**
- DENOTES SANITARY SEWER MANHOLE
 - ⊙ DENOTES WOOD POWER POLE
 - (9.85) DENOTES ELEVATION AT "X"
 - DENOTES ASPHALT
 - DENOTES CONCRETE
 - DENOTES SET 1/2" IRON PIPE WITH IDENTIFICATION CAP L.B. # 4603.
 - ⊙ DENOTES FOUND CORNER AS INDICATED
 - DENOTES IRON PIPE OR REBAR AS INDICATED
 - ⊕ DENOTES BENCHMARK
 - EH DENOTES ELECTRIC HANDHOLE
 - ICV DENOTES IRRIGATION CONTROL VALVE
 - NAD DENOTES NORTH AMERICAN DATUM
 - NGVD DENOTES NATIONAL GEODETIC VERTICAL DATUM
 - GN DENOTES GEODETIC NORTH
 - N.G.S. DENOTES NATIONAL GEODETIC SURVEY
 - DENOTES FOUND 4"x4" CONCRETE MONUMENT AS INDICATED
 - CPP DENOTES CONCRETE POWER POLE
 - ⊙ DENOTES CONCRETE LIGHT POLE
 - (D) DENOTES DEED
 - (C) DENOTES CALCULATED
 - (M) DENOTES MEASURED



NOTES:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83(2011)), U.S. SURVEY FEET, WITH A BEARING OF N 80°06'37" E ON THE NORTHERLY RIGHT OF WAY LINE OF 12th AVENUE SOUTH.
- THE PROPERTY SHOWN HEREON LIES IN SPECIAL FLOOD HAZARD AREAS: ZONE AE (BASE FLOOD ELEVATION 9) AND ZONE X AS DETERMINED FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 12031C0419J, DATED 11/2/2018.
- UNDERGROUND FOUNDATIONS AND OTHER SUBTERRANEAN FEATURES WERE NOT LOCATED.
- THE LEGAL DESCRIPTION OF THE PARENT TRACT WAS PROVIDED TO THIS OFFICE.
- THE SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

RECEIVED

22-100014

JAN 28 2022

PC 02-22

PLANNING & DEVELOPMENT

SURVEY DATE: JANUARY 4, 2022	DRAWING DATE: JANUARY 5, 2022
FIELD BOOK: X, PAGE(S): X	DRAWING SCALE: 1" = 40'
DRAFTED BY: GRN	REVISION DATE:
CHECKED BY: BDC	
COMPUTER FILE: 2021207 FLETCHER REPLAT.DWG	
JOB FILE No. 2021207	

2131 CORPORATE SQUARE BOULEVARD,
JACKSONVILLE, FL 32216
904-722-0400
FAX 904-722-0402
DEGROVE@DEGROVE.COM
LICENSED BUSINESS NUMBER L.B.4603

DEGROVE
SURVEYORS, INC.
SURVEYING AND MAPPING CONSULTANTS



THIS SURVEY MEETS THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS IN THE STATE OF FLORIDA, CHAPTER 5J-17.051 & 5J-17.052, F.A.C.
Gordon R. Niles
2022-01-05 13:16:05:00
GORDON R. NILES, P.S.M., FLORIDA CERTIFICATION NO. 4112
NOTICE:
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CERTIFIED TO:

GOLFSTIX, LLC

PLAT 28, 3.
J.P. Cassidy
S.J. Candee

STATE OF FLORIDA
COUNTY OF DUVAL

Personally appeared this day before me
a Notary Public for the State of Florida at large,
E.W. Curtis, who being by me first duly sworn, deposes
and says that the accompanying plat indicates and is
made in accordance with an actual survey of part of
SECTION 33 T28-R28E part of Section 4 T.35-R28E as
made by him.

E.W. Curtis

Subscribed and sworn to before me this 18th day of Feb A.D. 1909.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
My commission expires Feb. 1st, 1911.

OFFICIAL MAP PABLO BEACH DUVAL COUNTY FLORIDA

SCALE 1 inch = 400 feet

ELLIS, CURTIS & KOOKER
CIVIL ENGINEERS AND SURVEYORS
ROOMS 210, 211 AND 212 REALTY BUILDING
JACKSONVILLE, FLORIDA.



Thomas Griffith

J.E. Dickerson

W. Wilkerson

Jas. G. Gonzalez

TOWN COUNCIL

O. Stevens

E. E. Willard

Chas. Triner

Pearce Lewis

Shawtman

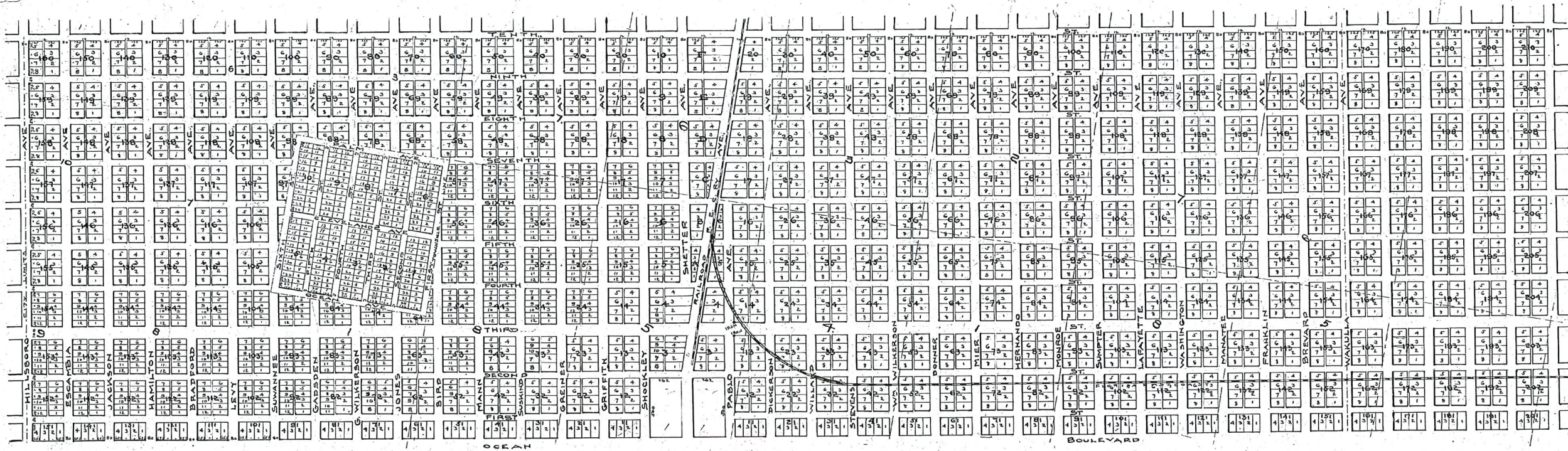
H.M. Shookley

MAYOR

G.W. Wilkinson

CLERK

Approved as the Official Map of PABLO
by a special meeting of the Town Council
called for that purpose on JAN. 2 1909.



RECEIVED

PC#02-22

JAN 28 2022

22-100014

PLANNING & DEVELOPMENT

VILLAS OF SOUTH JAX BEACH

BEING A REPLAT OF ALL OF LOTS 8 AND 9, BLOCK 112, PABLO BEACH, AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
CITY OF JACKSONVILLE BEACH, DUVAL COUNTY, FLORIDA

PLAT BOOK PAGE

SHEET 1 OF 1

CAPTION

ALL OF LOTS 8 AND 9, BLOCK 112, PABLO BEACH AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT GOLF STIX, LLC, A FLORIDA LIMITED LIABILITY COMPANY ("OWNER"), IS THE FEE SIMPLE OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON KNOWN AS FLETCHER REPLAT, HAVING CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED. THIS PLAT BEING MADE IN ACCORDANCE WITH SAID SURVEY IS HEREBY ADOPTED AS A TRUE AND CORRECT PLAT OF THOSE LANDS.

IN WITNESS THEREOF, OF HAS CAUSED THESE PRESENTS TO BE SIGNED THIS DAY OF A.D. 2022.

WITNESS WILLIAM D. FLETCHER, MEMBER
PRINT NAME:

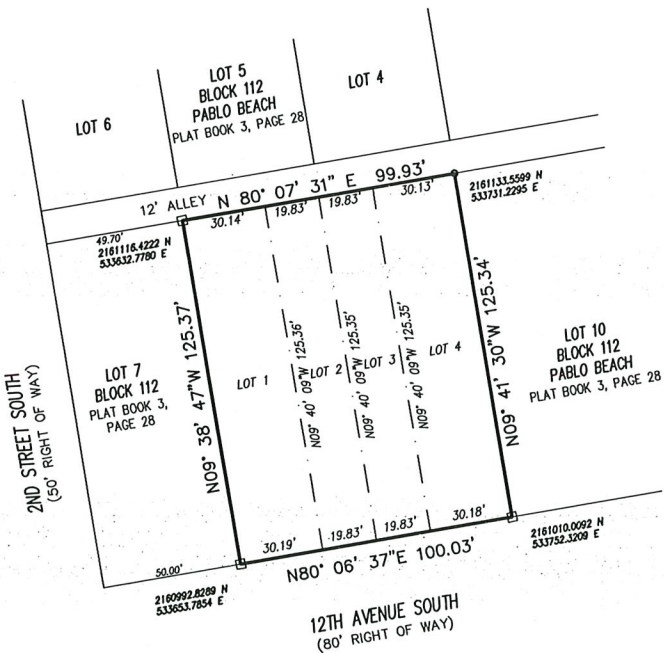
WITNESS JOHN DOSTER, MEMBER
PRINT NAME:

STATE OF FLORIDA
COUNTY OF DUVAL
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY PHYSICAL PRESENCE OR ONLINE NOTARIZATION, THIS DAY, 20, BY OF ON BEHALF OF THE COMPANY WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION.

BY: NOTARY PUBLIC, STATE OF FLORIDA

PRINT NAME

MY COMMISSION EXPIRES:

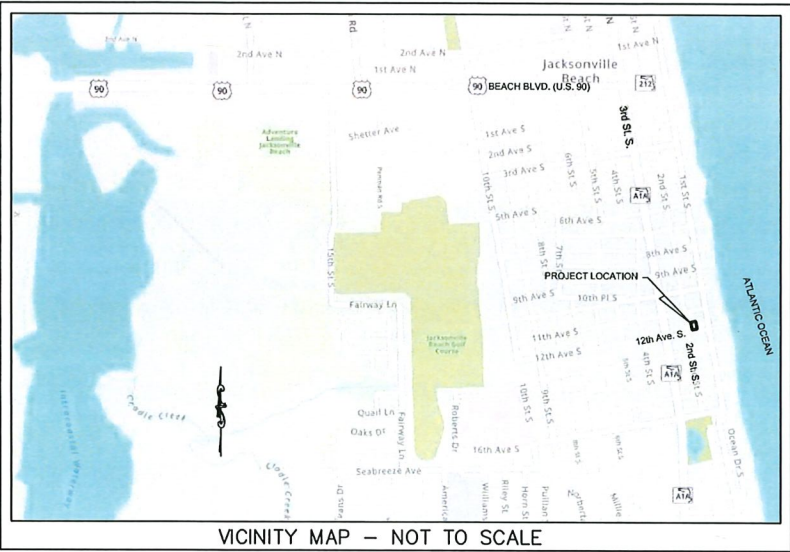


LEGEND:

- SET 4"x4" PERMANENT REFERENCE MONUMENT STAMPED "P.R.M. LB 4603" (OR ALTERNATIVE MONUMENTATION)
- FOUND 1/2 IRON PIPE - NO IDENTIFICATION (COULD NOT SET PERMANENT REFERENCE MONUMENT)
- 2161010.0092 N 533752.3209 E DENOTES COORDINATE (SEE NOTE 2)

NOTES:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83(2011)), U.S. SURVEY FEET, WITH A BEARING OF N 80°06'37" E ON THE NORTHERLY RIGHT OF WAY LINE OF 12th AVENUE SOUTH.
- STATE PLANE COORDINATES SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE), NORTH AMERICAN DATUM OF 1983 (NAD83(2011)), U.S. SURVEY FEET.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SURVEYED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 177.091)



VICINITY MAP - NOT TO SCALE

CLERK'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND APPROVED, AND THAT IT COMPLIES IN FORM WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND SUBMITTED TO ME FOR RECORDING AND IS RECORDED IN PLAT BOOK PAGE OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

SIGNED THIS DAY OF A.D., 2022.

BY: CLERK OF THE CIRCUIT COURT BY: DEPUTY CLERK

CITY OF JACKSONVILLE BEACH APPROVAL

EXAMINED AND APPROVED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, THIS DAY OF A.D. 2022.

MAYOR CLERK

PLAT CONFORMITY REVIEW

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH PART 1, CHAPTER 177, FLORIDA STATUTES, THIS DAY OF A.D. 2022.

ALBERT D. BRADSHAW
FLORIDA PROFESSIONAL LAND SURVEYOR
AND MAPPER CERTIFICATE NO. 5257
L.B. NO. 6824

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF THE FLORIDA STATUTE CHAPTER 177, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA

SIGNED THIS DAY OF A.D., 2022.

RECEIVED
22-100014
JAN 28 2022
PC#02-22

PLANNING & DEVELOPMENT

BRENDA D. CATONE
FLORIDA PROFESSIONAL LAND SURVEYOR
AND MAPPER CERTIFICATE NO. 5447
L.B. NO. 4603

DEGROVE
SURVEYORS, INC.
2131 CORPORATE SQUARE BOULEVARD
JACKSONVILLE, FLORIDA 32216
(904) 722-0400



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

PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	02/15/2022
SUBJECT:	February 28, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, February 28, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#03-22

Conditional Use Application

OWNER: 2400 South Third, LLC
1010 East Adams Street, Suite 201
Jacksonville, FL 32202

APPLICANT: Joe Bates
2400 3rd Street South
Jacksonville Beach, FL 32250

AGENT: Grunthal & Schueth Properties, Inc.
1010 E. Adams Street, Suite 201
Jacksonville, FL 32202

LOCATION: 2400 3rd Street South, Suite 101

REQUEST: **Conditional Use Approval** for the transfer of approval for outdoor restaurant seating at a new restaurant, for property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is located on the west side of 3rd at the northwest corner of 3rd Street South and Osceola Avenue. The property is a roughly 150,000 square foot parcel that is home to several commercial structures. Suite 101 is the northern most structure, designed and built as a restaurant space in 2003. The subject structure to be occupied by the tenant is roughly 17,000 square feet in size.



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

In 2003, a Conditional Use was granted for outside restaurant seating, (PC#24-03) for the former Roy's restaurant. The Conditional Use was granted with a single condition related to low volume amplified music would only be played in the outside seating area with speakers oriented to the seating area only. The previous approved Conditional Use order is attached for reference.

Adjacent uses include medical office and retail sales to the north, a retail sales and gas station to the south, commercial shopping center to the east and single family to the west. The single family to the west is roughly 550 feet from the outside seating, and is separated by a commercial structure on the same parcel as the subject building. The proposed use of Outside Restaurant Seating is consistent with the C-1 zoning standards, and is consistent with surrounding commercial development. Additionally, the outside seating has been utilized by the previous restaurant since 2003.

Based on an evaluation of the criteria outlined in Section 34-231 and the information provided by the Applicant, the Planning and Development Department recommends APPROVAL of the request.

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. 3-22
AS/400# 22-100018
HEARING DATE 2/28/22

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.

PLANNING & DEVELOPMENT

APPLICANT INFORMATION

Land Owner's Name: 2400 South Third, LLC
Mailing Address: 1010 East Adams Street, Suite 201
Jacksonville, FL 32202

Telephone: (904) 356-1060
Fax: _____
E-Mail: bgrunthal@gmail.com

Applicant Name: Joe Bates
Mailing Address: _____
2400 3rd Street S., Suite 101

Telephone: (386) 212-6548
Fax: _____
E-Mail: joe@sonapa.com

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

Agent Name: Grunthal & Schueth Properties, Inc
Mailing Address: 1010 E. Adams St., Suite 201
Jacksonville, FL 32202

Telephone: (904) 356-1060
Fax: _____
E-Mail: billschueth@g-sproperties.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: 2400 3rd Street S., Suite 101

Legal Description of property (attach copy of deed): 179458-0500

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

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: _____

Describe the proposed conditional use and the reason for the request:
This patio will be part of the seating area for SoNapa Grille Jacksonville Beach. It will include tables and chairs where full service dining will be available

Applicant Signature: [Signature] Date: 2/3/20

Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES

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

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

Prepared By and Return To:
ANTHONY A. ANDERSON
Rogers, Towers, Bailey, Jones & Gay
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Doc# 2001181386
Book: 10080
Pages: 2161 - 2166
Filed & Recorded
07/24/2001 12:01:21 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 3.50
DEED DOC STAMP \$ 15,400.00
RECORDING \$ 25.00

SPECIAL WARRANTY DEED

THE STATE OF FLORIDA

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

That LEVIT-SETZER FLORIDA PROPERTIES, LIMITED (hereinafter called "Grantor"), a Texas limited partnership, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to Grantor by 2400 SOUTH THIRD ST., LLC (hereinafter called "Grantee"), a Florida limited liability company, the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, SELL, CONVEY, ASSIGN and DELIVER to Grantee the following described real property situated in Duval County, Florida, together with all improvements thereon and fixtures affixed thereto (the "Property")

A part of Government Lot 16, Section 4, Township 3 South, Range 29 East, Jacksonville Beach, Duval County, Florida, being more particularly described as:

Commence at the Southwest corner of said Government Lot 16; thence North 1°25' West, along the Westerly line of said Government Lot 16, said Westerly line also being the Easterly line of Hanna Terrace Subdivision as recorded in Plat Book 29, Page 58, of the public records of Duval County, Florida, 15 feet for Point of Beginning; thence continue on a prolongation of said last mentioned course along said Westerly line of Government Lot 16 and the Easterly line of said Hanna Terrace Subdivision 250 feet; thence North 88°19' East, 604 feet to the Westerly right of way line of State Road No. A-1-A, as now occupied and claimed by the State Road Department as a 100 foot right of way; thence South 1°25' East, along said Westerly right of way line of said State Road No. A-1-A a distance of 250 feet to a point, which point lies 15 feet Northerly of the Southerly line of said Government Lot 16; thence South 88°19' West and parallel to and 15 feet Northerly of the said Southerly line of Government Lot 16, 604 feet to the Point of Beginning. (Duval County R. E. No. 179458-0500-1)

Doc# 2001181387
Book: 10080
Pages: 2167 - 2184
Filed & Recorded
07/24/2001 12:01:21 PM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 3.50
MORTGAGE DOC ST \$ 6,930.00
INTANGIBLE TAX \$ 3,960.00
RECORDING \$ 73.00

This conveyance is made and accepted subject to all matters set forth on **Exhibit A**; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all matters that would be shown by an accurate survey of the Property, all rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance, and operation of any municipal and/or other governmental districts, agencies, and/or

authorities; taxes for the current year, the payment of which Grantee assumes; and subsequent assessments for the current and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes (all of the foregoing hereinafter called the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, subject to the Permitted Encumbrances, unto Grantee, and its successors and assigns forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the Property unto Grantee, its successors and assigns forever against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject, however, to the Permitted Encumbrances.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, WILL NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS, IMPLIED, OR STATUTORY, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO: (A) THE NATURE, QUALITY OR CONDITION OF THE PROPERTY OR ANY PART THEREOF, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY; (B) THE ECONOMIC FEASIBILITY OF THE PROPERTY OR THE INCOME TO BE DERIVED FROM THE PROPERTY; (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON; (D) EXCEPT FOR ANY WARRANTIES CONTAINED IN THIS SPECIAL WARRANTY DEED, THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, LEASE, POSSESSION OR TITLE MATTER; (E) THE COMPLIANCE OF OR BY THE PROPERTY OR THE OPERATION OF ANY BUSINESS OR OTHER ENTERPRISE THEREON WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY; (F) THE RENTABILITY, HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY; (G) THE PRESENCE OF ANY ENDANGERED OR THREATENED SPECIES ON THE PROPERTY, AS WELL AS THE SUITABILITY OF THE PROPERTY AS HABITAT FOR ANY OF THOSE SPECIES; OR (H) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY. WITHOUT LIMITING THE FOREGOING, GRANTOR DOES NOT MAKE, HAS NOT MADE, AND WILL NOT MAKE ANY REPRESENTATION OR WARRANTY REGARDING THE PRESENCE OR ABSENCE OF ANY HAZARDOUS SUBSTANCES (AS HEREINAFTER DEFINED) ON, UNDER OR ABOUT THE PROPERTY OR THE COMPLIANCE OF THE PROPERTY WITH THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT, THE SUPERFUND AMENDMENT AND REAUTHORIZATION ACT, THE RESOURCE CONSERVATION RECOVERY ACT, THE FEDERAL WATER POLLUTION CONTROL ACT, THE FEDERAL ENVIRONMENTAL PESTICIDES ACT, THE CLEAN WATER ACT, THE CLEAN AIR ACT, ANY SIMILAR FLORIDA STATE LAWS, ANY SO CALLED FEDERAL, STATE OR LOCAL "SUPERFUND" OR "SUPERLIEN" STATUTE, OR ANY OTHER STATUTE,

LAW, ORDINANCE, CODE, RULE, REGULATION, ORDER OR DECREE REGULATING, RELATING TO OR IMPOSING LIABILITY (INCLUDING STRICT LIABILITY) OR STANDARDS OF CONDUCT INTENDED TO PROTECT HUMAN HEALTH OR THE ENVIRONMENT OR CONCERNING ANY HAZARDOUS SUBSTANCES (COLLECTIVELY, THE "HAZARDOUS SUBSTANCE LAWS"). FOR PURPOSES OF THIS AGREEMENT, THE TERM "HAZARDOUS SUBSTANCES" SHALL MEAN AND INCLUDE THOSE ELEMENTS, COMPOUNDS, MATERIALS AND SUBSTANCES WHICH ARE CONTAINED ON ANY LIST OF HAZARDOUS OR TOXIC SUBSTANCES, WASTES OR MATERIALS ADOPTED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY OR ANY OTHER GOVERNMENTAL AUTHORITY WITH JURISDICTION OVER THE GRANTOR, THE PROPERTY OR ANY ENVIRONMENTAL MATTER AND ANY OTHER WASTE, POLLUTANT, CONTAMINANT, TOXICANT OR SUBSTANCE REGULATED, OR THE DISPOSAL, HANDLING, TRANSPORTATION OR STORAGE OF WHICH IS REGULATED, UNDER ANY HAZARDOUS SUBSTANCE LAW.

GRANTEE HAS INVESTIGATED THE PROPERTY AND IN PURCHASING THE PROPERTY GRANTEE HAS RELIED SOLELY UPON ITS INDEPENDENT EXAMINATION, STUDY, INSPECTION AND KNOWLEDGE OF THE PROPERTY, AND GRANTEE IS RELYING SOLELY UPON ITS OWN EXAMINATION, STUDY, INSPECTION, AND KNOWLEDGE, OF THE PROPERTY AND GRANTEE'S DETERMINATION OF THE VALUE OF THE PROPERTY AND USES TO WHICH THE PROPERTY MAY BE PUT, AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. GRANTEE FURTHER ACKNOWLEDGES THAT THE INFORMATION, IF ANY, PROVIDED BY OR ON BEHALF OF GRANTOR WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND GRANTOR (A) HAS NOT MADE AND WILL NOT BE OBLIGATED TO MAKE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION; AND (B) DOES NOT MAKE ANY REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. GRANTEE AGREES TO PAY FOR AND HAS CAUSED TO BE MADE ALL INSPECTIONS, INVESTIGATIONS AND ANALYSES NECESSARY OR APPROPRIATE FOR THE PURPOSE OF DETERMINING COMPLIANCE OR NON-COMPLIANCE BY THE PROPERTY WITH ALL BUILDING, HEALTH, ENVIRONMENTAL, ZONING AND LAND USE LAWS, ORDINANCES, RULES AND REGULATIONS, AND GRANTOR MAKES NO REPRESENTATION OR WARRANTY, EXPRESS, IMPLIED OR STATUTORY, CONCERNING THE PROPERTY'S COMPLIANCE WITH SUCH BUILDING, HEALTH, ENVIRONMENTAL, ZONING AND LAND USE LAWS, ORDINANCES, RULES AND REGULATIONS.

GRANTEE RELEASES, ACQUITS AND FOREVER DISCHARGES GRANTOR FROM, AND WAIVES, ANY AND ALL LIABILITIES, CLAIMS, CAUSES OF ACTION, DAMAGES, AND OTHER RELIEF, WHETHER AT LAW OR IN EQUITY AND WHETHER IN CONTRACT, TORT, STRICT LIABILITY OR OTHERWISE, IN CONNECTION WITH, AS RESULT OF OR OTHERWISE WITH REGARD TO THE CONDITION OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO ITS ENVIRONMENTAL CONDITION. THIS GENERAL RELEASE SHALL BE APPLICABLE, WITHOUT

LIMITATION, TO ANY AND ALL LIABILITIES, CLAIMS, CAUSES OF ACTION, DAMAGES AND OTHER RELIEF AVAILABLE UNDER ANY HAZARDOUS SUBSTANCE LAW.

THE OCCURRENCE OF A CLOSING CONSTITUTES AN ACKNOWLEDGMENT BY GRANTEE THAT THE PROPERTY WAS ACCEPTED WITHOUT REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED (EXCEPT FOR THE SPECIAL WARRANTY OF TITLE SET FORTH HEREIN), SUBJECT TO THE PROVISIONS OF THIS SPECIAL WARRANTY DEED AND OTHERWISE IN AN "AS IS", "WHERE IS", AND "WITH ALL FAULTS" CONDITION.

Current ad valorem taxes on the Property having been prorated, Grantee hereby assumes the payment thereof.

This Special Warranty Deed is executed on the date set forth in the acknowledgement below BUT IS TO BE EFFECTIVE as of the fifth day of July, 2001.

GRANTOR:

LEVIT-SETZER FLORIDA PROPERTIES,
LIMITED

By: BHG Investments, Inc.

By: [Signature]
Gerald A. Levit, President

Witnesses:

[Signature]
Myma Rendon
[Signature]
Sylvia Salinas

ACCEPTED AND AGREED:

2400 SOUTH THIRD ST., LLC

By: [Signature]
Name: Leonard A. Grantham, III
Title: Manager

Witnesses:

[Signature]
Anthony A. Anderson
[Signature]
Wm. F. Schmoth, Jr.

2400 South Third St., LLC

PC#3-22
RECEIVED
22-100018
FEB - 8 2022

PLANNING & DEVELOPMENT

February 08, 2022

To: City of Jacksonville Beach
Planning and Development Department

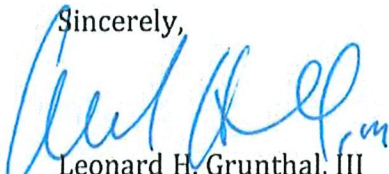
Re: 2400 3rd. St. S., Suite 101 (SoNapa Grille)
Jacksonville Beach, FL 32250

From: Leonard H. Grunthal, III Manager
2400 South Third St., LLC

The purpose of this correspondence is to grant authorization to our Tenant, SoNapa Grille, permission to use the outside patio contiguous to their space for the purpose of serving alcoholic beverages. If there is any additional information you require please contact me.

Thank you in advance for your consideration.

Sincerely,



Leonard H. Grunthal, III
Title: Manager

GRANTEE'S ADDRESS:

45 W. Bay St Suite 203
Jacksonville, FL 32202

RECEIVED

PC # 3-22

FEB - 8 2022

22-100018

PLANNING & DEVELOPMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 3rd day of July, 2000, by Gerald A. Levit, President of BHG Investments, Inc., a Texas corporation and general partner of LEVIT-SETZER FLORIDA PROPERTIES, LIMITED, a Texas limited partnership, on behalf of said corporation acting in its capacity as general partner of said partnership.

My Commission Expires:



B. Reid
Notary Public in and for the State of Texas

THE STATE OF FLORIDA §
§
COUNTY OF Duval §
~~VOLUSIA~~ §

This instrument was acknowledged before me on this 5th day of July, 2001, by Leonard H. Gounthel, III, president of 2400 SOUTH THIRD ST., LLC, on behalf of said limited liability company. member

My Commission Expires:



Anthony A. Anderson
COMMISSION EXPIRES
AUGUST 26, 2002
BONDED THRU TROY FAIR INSURANCE, INC.

Anthony A. Anderson
Notary Public in and for the State of ~~Texas~~
Florida

FEB - 8 2022

PLANNING & DEVELOPMENT

FEE SIMPLE PARCEL (OFFICIAL RECORDS BOOK 10050, PAGE 2161)
A PART OF GOVERNMENT LOT 18, SECTION 1, TOWNSHIP 2 NORTH,

[illegible]

TITLE COMMITMENT NOTES

Notes: These notes refer to Schedule B- Section 2 of Citicorp Title Insurance Company's Commitment Number 160032314, with an effective date of August 29, 2003.

NOTE C185 - Official Records Book of the Public Records of Deed County, Florida

1. ITEM NO. 7
C185, contains undivided liability company in the Lease made by 2420 South West 13th Street, LLC, Florida, limited liability company to Sunbelt Florida, Limited Partnership, recorded September 4, 2002, at CIDB 10802 page 561 reflects, to some extent, the substance of the Lease referenced in Schedule A of title commitment. The undersigned was not provided a copy of the Lease referenced in this instrument. The undersigned hereby certifies which any encumbrances listed in the Lease affect the subject Fee Simple Parcel.

2. ITEM NO. 8
C185, contains undivided other matters in the Lease made by 2420 South West 13th Street, LLC, Florida limited liability company to Bay/West Partners, Limited Partnership, recorded September 4, 2002, at CIDB 10802 page 561 reflects, to some extent, the substance of the Lease referenced in Schedule A of title commitment. The undersigned was not provided a copy of the Lease referenced in this instrument. The undersigned hereby certifies which any encumbrances listed in the Lease affect the subject Fee Simple Parcel.

3. ITEM NO. 8
Examined and Endorsement Payment Agreement provided to CIDB of Jacksonville Beach, Florida, recorded in DDB 10810, page 1201 is a variable trust agreement between the parties to the Lease referenced in Schedule A of title commitment, and affects the subject Fee Simple Parcel through its own provision. In addition, it provides for the payment of the Lease over and above the needs, drawings, parking lots, and unimproved portions of the subject Fee Simple Parcel.

4. ITEM NO. 10
Grant of Encumbrance for Encroachment Boundary Line granted to city of Jacksonville Beach, Florida, recorded in CIDB 10753 page 1241 is a blanket encumbrance, and effects the of the subject Fee Simple Parcel.

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

AVC = AIR CONDITIONER	 = CONCRETE	 = FENCE	RCP = REINFORCED CONCRETE PIPE	PVC = POLYVINYL CHLORIDE	OME = OVER HEAD ELECTRIC
AVL = POWER LINE	 = PAVES	 = CONCRETE LIGHT POLE	 = SANITARY MANHOLE	 = SANITARY PARKING	LP = LIQUID PROPANE
 = LIGHT POLE	 = CATCH BASIN	 = CORRUGATED METAL PIPE	 = BOLLARD	 = SIGN	ORS = OFFICIAL RECORDS BOOK
 = STORM MANHOLE	 = FIRE HYDRANT	CPP = CORRUGATED PLASTIC PIPE	 = WATER VALVE	 = WATER METER	

Date: 10-27-12 *David W. Moore*
Harold R. Moore, Florida Registered Land Surveyor No. 4353

PREPARED FOR AND CONTROLLED BY
GENERAL ELECTRIC CAPITAL CORPORATION
HOOVER, TENNESSEE
2440 SOUTH THIRD STREET, LLC
CHICAGO TELE SECURANCE COMPANY

M **MOORE & YOUNG**
INCORPORATED
MEMBER FINANCIAL INSTITUTIONS
SUNSHINE AND SHAWNEE • ALL TRUSTS • COMMERCIAL LENDING
REAL ESTATE BROKERAGE • NATIONAL ALIEN • (800) 326-7666 FAX (800) 326-7666



ELEVEN NORTH THIRD STREET • JACKSONVILLE BEACH, FLORIDA 32250

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 29, 2003

Buzz Grunthal
45 West Bay Street, Suite 203
Jacksonville, FL 32202

RE: Planning Commission Case PC# 24-03
2400 South 3rd Street, Unit 101 (Roy's Restaurant)

Dear Mr. Grunthal:

The City of Jacksonville Beach Planning Commission met on Monday, May 28, 2003 in the Council Chambers to consider your conditional use application.

As indicated in the application, the request was for an approval of a conditional use to 34-342(d)(19) of the Jacksonville Beach Land Development Code to allow proposed outdoor seating for a restaurant in a Commercial, limited: C-1. Your request was granted with the following condition:

1. Only low volume, background type amplified music shall be allowed within or oriented towards the outside seating area and shall not be audible off of the subject property.

Should you have any further questions relative to this matter, please feel free to contact me at (904) 247-6232.

Sincerely,

Marie Hobbs

Marie Hobbs
Permit Specialist