



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Amended Agenda

Planning Commission

Monday, June 13, 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

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

APPROVAL OF MINUTES

A. Regular Planning Commission Meeting held on May 23, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- A. **PC# 09-22** ADDRESS: 118 8th Avenue North
APPLICANT: Christine C. Cormack OWNER: Christine C. Cormack
SUMMARY OF APPLICATION: **Conditional Use Application** for a multi-family dwelling 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 118 8th Avenue North, RE# 174341-0000, legally described as The West 37.50 feet of the North 80 feet of Lot 2, Block 82, *Pablo Beach*.
- B. **PC# 10-22** ADDRESS: 402 4th Street North
APPLICANT: Selina Beenen / Beenen Counseling, LLC. OWNER: JBO, LLC.
SUMMARY OF APPLICATION: **Conditional Use Application** for a Business and Professional Office for a property located in the Residential Multi-family: RM-1 zoning district, pursuant to Section 34-339(d)12 of the Jacksonville Beach Land Development Code. The property is located at 402 4th Street North, RE# 173875-0050, legally described as Lot 12, Block 45, *Atlantic Park, a replat of a plat of Pablo Beach North*
- C. **PC# 11-22** ADDRESS: 2101-2109 Gorden Avenue
APPLICANT: Atkins Builders, Inc. John Atkins OWNER: Atkins Builders, Inc. John Atkins

SUMMARY OF APPLICATION: **Concept Plan for Plat Application** for a proposed four lot, fee-simple townhouse subdivision located in a Residential Multi-family: RM-2 zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code. The property is located at 2101-2109 Gordon Avenue, RE# 179409-0000 & 179410-0000, legally described as Lots 10, 11 and 12, Block "R", *Permenter's Replat of South Pablo or Atlantic Camp Grounds*

- D. **PC# 12-22** ADDRESS: 1302-1322 2nd Street South
APPLICANT: Atkins Builders, Inc. John Atkins OWNER: Atkins Builders, Inc. John Atkins
SUMMARY OF APPLICATION: **Concept Plan for Plat Application** for a proposed four lot, fee-simple townhouse subdivision located in a Commercial Limited: C-1 zoning district, pursuant to Section 34-503, of the Jacksonville Beach Land Development Code. The property is located at 1302-1322 2nd Street South, RE# 176265-0005, legally described as Lots 1 and 2, Block 133, *Pablo Beach South*

PLANNING DEPARTMENT REPORT

- A. The next scheduled meeting is Monday, June 27, 2022. There are two scheduled cases.

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, May 23, 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 7:02 P.M. by Chair Margo Moehring.

ROLL CALL

Chair: Margo Moehring
Vice-Chair: Colleen M. White
Board Members: David Dahl Greg Sutton Justin Lerman
Alternate: Emily Stouffer

Senior Planner Christian Popoli, City Clerk Sheri Gosselin, and Administrative Assistant Callie Rayeski were also present.

Ms. Gosselin administered the Oath of Office to Justin Lerman as a new Regular Board Member and Emily Stouffer as the new 1st Alternate.

APPROVAL OF MINUTES:

It was moved by Ms. White, seconded by Mr. Lerman, and passed unanimously to approve the following minutes:

- May 9, 2022

CORRESPONDENCE:

Senior Planner Christian Popoli noted correspondence [on file] was provided to Board Members on the dais.

OLD BUSINESS: None

NEW BUSINESS:

(A) **PC# 08-22** Conditional Use Application
Owner: SMV Management LLC
10150 Belle Rive Boulevard, Unit 106
Jacksonville, FL 32256

Applicant: Parthesh Vakil
10150 Belle Rive Boulevard, Unit 106
Jacksonville, FL 32256

Location: 312 North 1st Avenue

Conditional Use Application for a proposed two-unit multiple-family dwelling located in a Commercial, general: C-2 zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

The subject property is located on the south side of 1st Avenue North, just west of A1A, and contains a vacant non-conforming single-family dwelling constructed in 1931. The building sustained fire damage in the summer of 2020. In June of 2020, the electric meter was removed from the building, rendering the structure abandoned. Pursuant to Section 34-622 of the Land Development Code, if a nonconforming use is discontinued or abandoned for a period of more than six consecutive months, then such use may not be re-established or resumed, and any subsequent use shall conform to the provisions specified in the LDC.

The use of a Single-Family Home is not a permitted or conditional use in the C-2 Zoning District. The previous use of single-family was a legal nonconforming use. The owner was advised that the existing nonconforming use could not be re-established. In order to have a residential use on the property, conditional use approval would be required, and the use would have to be multiple family. Based on the small lot size, the density and LDC requirements would limit the project to two dwelling units. Given the overall width PC220523 memo Page 2 of 4 of the lot, at 25 feet, and the proposed design, a variance would need to be approved as well to address the potential deficiencies in meeting the code for dimensional standards.

Adjacent uses include commercial to the east, commercial and multiple-family residential to the north, a residential structure converted to commercial use that is legal non-conforming [corrected from Staff Report] to the west, and a bank / financial institution to the south. Considering the mix of uses in the immediate vicinity and the fact that the nonconforming single-family use cannot be re-established, the proposed use of a two-unit multiple-family dwelling is not inconsistent with the surrounding uses and should not negatively impact adjacent uses, though the most immediate use to the west is a similar legal nonconforming single-family use that is still active and therefore retains its nonconforming status until such time as it is discontinued.

Ex-Parte Communication:

Ms. Moehring disclosed an email she received from Heath Aldridge on May 18, 2022.

No additional Board Members had ex-parte communication on this item.

Applicant:

Parthesh Vakil, 10150 Belle Rive Boulevard, Unit 106, Jacksonville, explained the proposal.

Public Hearing:

The following spoke in support of the application:

- Ryan Vermey, 261 Ahern Street, Atlantic Beach
- Mark Stillman, 228 3rd Street North, Jacksonville Beach
- Julie Childers, 3889 Poinciana Boulevard, Jacksonville Beach

The following spoke in opposition of the application:

- Justin McGurrin, 127 17th Avenue North, Jacksonville Beach
- Zain Jazrawi, 331 1st Avenue North, Jacksonville Beach

Ms. Moehring closed the public hearing.

Discussion:

A discussion ensued about the original design and parking.

Motion: It was moved by Mr. Sutton and seconded by Mr. Lerman to approve PC# 08-22.

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

The application was unanimously approved.

PLANNING DEPARTMENT REPORT

Mr. Popoli noted Kimley-Horn had been selected as the consultant for the Land Development Code and Comprehensive Plan update. He said the next steps were funding approval and contract negotiation.

ADJOURNMENT

There being no further business, Ms. Moehring adjourned the meeting at 7:29 P.M.

Submitted by: Callie Rayeski
Administrative Assistant

These minutes were reviewed by Planning and Development.

Approval:

Chairperson

Date



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:	06/01/2022
SUBJECT:	June 13, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, June 13, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#4-22 Conditional Use Application

OWNER: Christine C Cormack
 118 8th Avenue North
 Jacksonville Beach, FL 32250

APPLICANT: Christine C Cormack
 118 8th Avenue North
 Jacksonville Beach, FL 32250

AGENT: N/A

LOCATION: 118 8th Avenue North
 RE# 174341-0000

REQUEST: *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 currently occupied by a legal nonconforming use of a multifamily structure(s). The subject property consists of a single family home, and a detached block structure in the rear. The rear structure was likely built as a garage sometime around the construction of the main house, which dates from 1932. The structure was converted to a duplex sometime in the past. The current owner is in the process of renovating the rear structure and the project cost will exceed 15% of the assessed value. The Land Development Code caps renovation costs for existing legal nonconforming uses at 15%. So the applicant has applied for Conditional Use approval to move the use from nonconforming to



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conforming, which will raise the renovation limit to 50% of the structure value. The applicant has requested to have conditional use granted, so the structure would then be conforming, and should the unforeseeable happen, the applicant would then be able to rebuild. The applicant has also submitted a variance for this location to address the existing nonconforming setbacks and parking. The current property is over the allowable density allowed in the Comprehensive Plan and Land Development Code. Even with the approval of this Conditional Use, any reconstruction would be limited to the maximum density allowed, and could not exceed it in the future.

Adjacent property uses include office and retail to the west, multifamily to the north, east and south. Approval of conditional use for the existing multifamily structure should not negatively impact adjacent properties.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#9-22**

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. 9-22
 AS/400# 22-100151
 HEARING DATE 6/13/22

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: Christine McCormack
 Mailing Address: 118 8th AVE N
Jacksonville Beach, FL 32250

Telephone: 703-932-1122
 Fax: _____
 E-Mail: CO.McCormack1122@gmail.com

Applicant Name: SAME AS ABOVE
 Mailing Address: _____

Telephone: _____
 Fax: _____
 E-Mail: _____

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: 118 8th AVE N Jacksonville Beach

Legal Description of property (attach copy of deed): 174341-0000
3-28-33-25-29E, 069 Pablo BEACH
NORTH W 37.5 FT OF N 80 FT LOT 2 BIK 82

Current Zoning Classification: C 1

Future Land Use Map Designation: _____

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (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: Remodel interior
AND FRONT OF COTTAGE

Applicant Signature: Christine C. McCormack

Date: 4-26-2022

PREPARED BY
JEFFREY M. LASMAN, ESQ.
A LICENSED FLORIDA ATTORNEY
C/O U.S. DEEDS
213 BRENTSHIRE DRIVE
BRANDON, FLORIDA 33511

WHEN RECORDED MAIL TO:
JANIE MCDERMOTT
ADAMS, PORTER & RADIGAN, LTD.
1650 TYSONS BOULEVARD
SUITE 700
MCLEAN, VA 22102

PARCEL ID NO.: 174341-0000-5

RECEIVED
PC #9-22
APR 26 2022
22-100051
PLANNING & DEVELOPMENT

Doc# 2002252298
Book: 10652
Pages: 2246 - 2248
Filed & Recorded
09/09/2002 08:05:05 AM
JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 2.00
DEED DOC STAMP \$ 1,008.00
RECORDING \$ 13.00

Quitclaim Deed

THIS QUITCLAIM DEED is made on 08-16-02, by JAMES A. ANZALONE and CHRISTINE C. ANZALONE, husband and wife, and ALLISON C. BRADY, an unmarried woman, each of whose address is 43806 Abbott Place, Ashburn, VA 20147 (herein, "Grantor"), to CC PROPERTIES, LLC, a Virginia Limited Liability Company, whose address is 43806 Abbott Place, Ashburn, VA 20147 (herein, "Grantee").

GRANTOR, in consideration of Ten Dollars and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys to Grantee, all of Grantor's interest in and to the following described real property located in the County of Duval, State of Florida:

SEE EXHIBIT A ATTACHED HERETO.

TOGETHER WITH all of the easements, rights, privileges and appurtenances thereto belonging and all of the estate, right, title, interest and claim, either at law or in equity, of Grantor of, in, to or out of such real property.

TO HAVE AND TO HOLD the above-described real property in fee simple with all appurtenances and for the purposes set forth herein, subject to all matters of record, if any.

IN WITNESS WHEREOF, Grantor signed and sealed this Quitclaim Deed on the date first above written.

WITNESSES (as to each Grantor):

GRANTOR:

Kimberly Thomas
Print Name: Kimberly Thomas

Margaret Spaid
Print Name: Margaret Spaid

James A. Anzalone
JAMES A. ANZALONE
Christine C. Anzalone
CHRISTINE C. ANZALONE

STATE OF VIRGINIA
COUNTY OF LOUDOUN

The foregoing instrument was acknowledged before me on 08-16-02 by JAMES A. ANZALONE, CHRISTINE C. ANZALONE, [] who are personally known to me or [x] who have produced DRIVERS LICENSES as identification.

[Affix Notary Seal]



Carol J. Westerman
NOTARY PUBLIC

Allison C. Brady

ALLISON C. BRADY

STATE OF VIRGINIA
COUNTY OF LOUDOUN

The foregoing instrument was acknowledged before me on 08-16-02, by ALLISON C. BRADY, []
who are personally known to me or [✓] who have produced DRIVERS LICENSES as
identification.

[Affix Notary Seal]

Carol J. Westerman
NOTARY PUBLIC



EXHIBIT A

The West 37.5 of the North 80 feet of Lot 2, Block 82, PABLO BEACH NORTH, according to plat thereof as recorded in Plat Book 3, page 28 of the current public records of Duval County, Florida.

This property is not the homestead real property of Grantor.

MAIL FUTURE TAX STATEMENT TO:

CC PROPERTIES, LLC
20955 Professional Plaza
Suite 310
Ashburn, VA 20147

This instrument has been prepared solely from information given by the parties hereto. There are no express or implied guarantees as to marketability of title, accuracy of the description or quantity of land described, as no examination of title to the property was requested or conducted. The preparer has not been requested to provide, nor has the preparer provided, advice on the tax, legal or non-legal consequences that may arise as a result of the conveyance or verified the accuracy of the amount of consideration stated to have been paid in connection with the conveyance or upon which documentary stamp taxes may have been calculated.



COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

Office of the Clerk

RECEIVED

PC #9-22

APR 26 2022

22-100051

PLANNING & DEVELOPMENT

June 6, 2016

JOHN P CUMMINS III
11350 RANDOM HILLS ROAD
SUITE 700
FAIRFAX, VA 22030

RECEIPT

RE: **CC PROPERTIES, LLC**

ID: **S0407058**

DCN: **1606066237**

Dear Customer:

This is to acknowledge the filing of a statement of change of registered office and/or registered agent for the above-referenced limited liability company with this office.

The effective date of the change is June 6, 2016.

If you have any questions about this matter, please contact this office at the addresses or telephone numbers shown below.

RECEIPT
CISECOM

Sincerely,

Joel H. Peck
Clerk of the Commission

P.O. Box 1197, Richmond, VA 23218-1197
Tyler Building, First Floor, 1300 East Main Street, Richmond, VA 23219-3630
Clerk's Office (804) 371-9733 or (866) 722-2551 (toll-free in Virginia) www.scc.virginia.gov/clk



eFile
(12/09)

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

STATEMENT OF CHANGE OF REGISTERED OFFICE
AND/OR REGISTERED AGENT CHANGE

1. RE: CC PROPERTIES, LLC

ID: S0407058

2. Current registered agent's name and registered office address on record (including the jurisdiction in which the registered office is physically located):

JOHN P CUMMINS III
COLTEN CUMMINS ET AL
3959 PENDER DR STE 200
FAIRFAX, VA 22030-0000 (FAIRFAX COUNTY)

3. The current registered agent is an individual who is a resident of Virginia and a member of the Virginia State Bar.

4. The registered agent's name and registered office address after this statement is filed with the Commission (including the jurisdiction in which the registered office is physically located):

JOHN P CUMMINS III
11350 Random Hills Road
Suite 700
Fairfax, VA 22030 (FAIRFAX COUNTY)

5. The registered agent named in item 4 is an individual who is a resident of Virginia and a member of the Virginia State Bar.

6. After the foregoing change or changes are made, the limited liability company will be in compliance with the requirements of § 13.1-1015 of the Code of Virginia.

7. The registered agent certifies that a copy of the statement of change will be mailed to the principal office address of the company named above on or before the business day following the day on which the statement is filed with the State Corporation Commission.

Signed on June 6, 2016, on behalf of CC PROPERTIES, LLC

By: John P Cummins III, Registered Agent

/s/ John P Cummins III

MAP SHOWING BOUNDARY SURVEY OF
THE WEST 37.50 FEET OF THE NORTH 80 FEET OF LOT 2, BLOCK
82, PABLO BEACH, AS RECORDED IN PLAT BOOK 3, PAGE 20 OF THE
CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

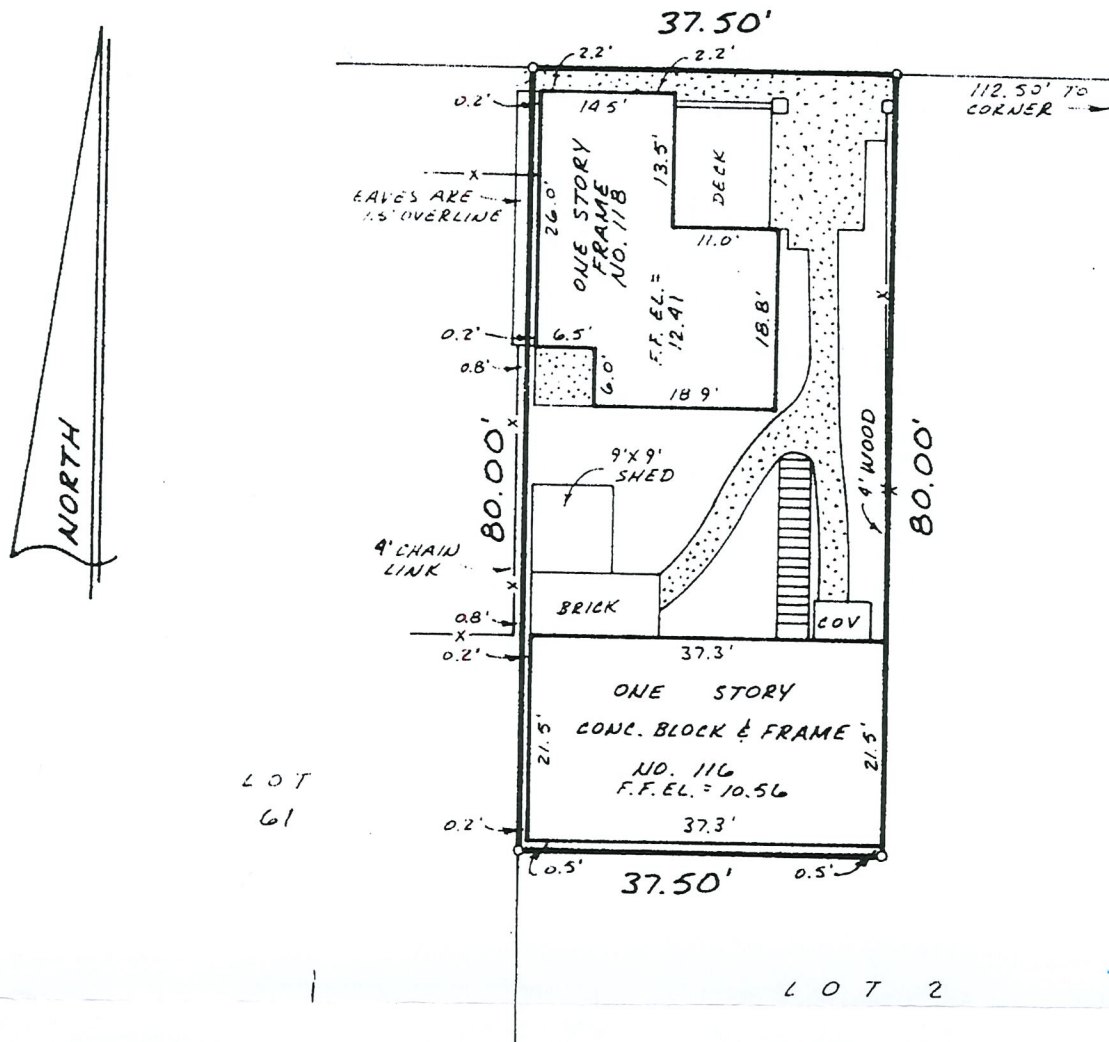
HOPE M. CLAYTON, SEARS MORT. CORP.,
CERTIFIED FOR PROFESSIONAL LAND TITLE GROUP, INC.

PC#9-22

RECEIVED
22-100051
APR 26 2022

8TH 80' R/W AVENUE NORTH

PLANNING & DEVELOPMENT



BZA#40-93

NOT VALID UNLESS EMBOSSED WITH SEAL OF THE UNDERSIGNED. ALL INTERIOR ANGLES ARE 90°00'00"

I HEREBY CERTIFY THAT THE LOT SHOWN HEREON IS IN THE SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP 0001 FOR JACKSONVILLE BEACH, FLORIDA, DATED 4-17-89

TRI-STATE LAND SURVEYORS, INC.

8411 BAYMEADOWS WAY SUITE #2, JACKSONVILLE, FLORIDA 32256 (904) 731-7235

LEGEND

- CONC. MGN
- IRON CUR
- (SET WITH CAP # 10 4144)
- FENCE
- IRON CUR (FOUND)
- CROSS CUT
- B.R.L. BUILDING RESTRICTION LINE
- ESMT EASEMENT
- R/W RIGHT-OF-WAY
- COV COVERED AREA
- C CENTERLINE
- A/C AIR CONDITIONING PAU
- (R) RADIAL DISTANCE
- CONCRETE

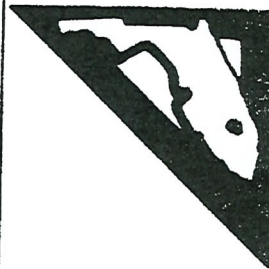
I HEREBY CERTIFY THAT THE ABOVE LANDS WERE SURVEYED UNDER MY RESPONSIBLE SUPERVISION AND DIRECTION, THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN AND THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LARRY G. EDDY, P.L.S. No. 4144

SCALE: 1"=20'

DATE: 2-26-92

REGISTERED SURVEYOR, STATE OF FLORIDA





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PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	06/01/2022
SUBJECT:	June 13, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, June 13, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#10-22

Conditional Use Application

OWNER: JBO, LLC
4233 Pablo Professional Court, Suite 201
Jacksonville, FL 32224

APPLICANT: Selina Beenen, Beenen Counseling, LLC
2347 Barefoot Trace
Atlantic Beach, FL 32233

AGENT: N/A

LOCATION: 402 4th Street North, Suite 4

REQUEST: **Conditional Use Approval** for a miscellaneous health office located in a *Residential Multifamily: RM-1* zoning district, pursuant to Section 34-399(d)(12) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject site is an existing multi-unit office structure that has been used for several different types of office and professional uses over time. The proposed use of counseling center is an allowable use under the Land Development Code for the RM-1 zoning district, with conditional use approval. The structure has housed several previous commercial uses since 1998, and has a dedicated parking facility.

The structure is of a more residential appearance and architectural design, helping it blend in with the residential uses in this transitional area. The existing



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parking facility has adequate spaces for the office square footage and is designed to the standards of the Land Development Code. There is adequate ingress and egress on the property. The use is one of several less intensive uses allowed under the RM-1 zoning district with Conditional Use approval. The site has adequate screening to reduce any negative impact on the surrounding properties. Staff finds the proposed use is consistent with the standards in Sec. 34-231 of the Land Development Code.

Adjacent property uses include multifamily and single family to the east, multifamily to the south, multifamily and single family to the west, and multifamily and single family to the north, across 8th Avenue North.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#10-22**

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

MAY - 4 2022

PC No. 10-22
AS/400# 22-100057
HEARING DATE 6-13-22

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: JBO, LLC
Mailing Address: 4233 Pablo Professional Court, Suite 201
Jacksonville, FL 32224

Telephone: 904-424-2570
Fax: _____
E-Mail: will.montoya@bks-partners.com

Applicant Name: Selina Beenen /Beenen Counseling, LLC
Mailing Address: 2347 Barefoot Trace
Atlantic Beach, FL 32233

Telephone: 904-612-8807
Fax: _____
E-Mail: beenen@comcast.net

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: 402 Suite 4 4th St. North, Second Floor, Jacksonville

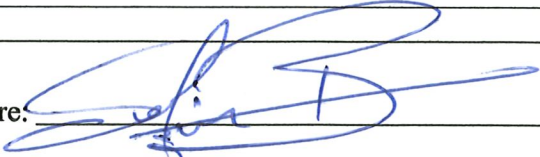
Legal Description of property (attach copy of deed): Lot 12, Block 45, Atlantic Park, a replat of Pablo Beach
North, Plat Book 9, Page 15 Deed is attached 173875-0050

Current Zoning Classification: JRM-1 Future Land Use Map Designation: High Density Residential

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: _____
Licensed Clinical Social Work and other services as outlined on the attached document.

Applicant Signature:  Date: 5/04/22

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.

22-100057



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

Detail by Entity Name

Florida Limited Liability Company
JBO, LLC

Filing Information

Document Number	L17000066629
FEI/EIN Number	82-0943846
Date Filed	03/23/2017
Effective Date	03/24/2017
State	FL
Status	ACTIVE

Principal Address

4233 PABLO PROFESSIONAL COURT
SUITE 201
JACKSONVILLE, FL 32224

Mailing Address

4233 PABLO PROFESSIONAL COURT
SUITE 201
JACKSONVILLE, FL 32224

Registered Agent Name & Address

MONTOYA, HERBERT W
4233 PABLO PROFESSIONAL COURT
SUITE 201
JACKSONVILLE, FL 32224

Authorized Person(s) Detail

Name & Address

Title AP

SMITH, DIONNE M
4233 PABLO PROFESSIONAL COURT
JACKSONVILLE, FL 32224

Title MGR

MONTOYA, HERBERT W
4233 PABLO PROFESSIONAL COURT
JACKSONVILLE, FL 32224

PC #10-22
22-100057

Beenen Counseling, LLC

May 4, 2022

Re: 404 4th St. North, Jacksonville Beach, FL
Conditional Use Permit

To whom it may concern:

Beenen Counseling, LLC, is a Licensed Clinical Social Work practice lead and owned by Selina Beenen, LCSW, who has been in private practice for over 12 years in another Jacksonville Beach location. The practice serves youth and adults by providing individual, couple, and family therapy. Our therapist's specialized training includes:

- Eye Movement Desensitization Reprocessing (EMDR)
- Cognitive Behavioral Therapy (CBT)
- Trauma-focused Therapy
- Dialectical Behavioral Therapy (DBT)
- Family Systems Therapy
- Marital Therapy, Gottman approach
- Exposure and Response Prevention (ERP)
- Addiction/Substance abuse counseling

Subject property has been used for professional offices since 1997. Property is well maintained and fits well with the neighboring properties. The applicant is a licensed social worker and mental health counselor, which falls into the allowed conditional uses. The site enjoys excellent parking and will easily accommodate all traffic to the practice. The tenant shall utilize the premises with only interior cosmetic improvements, while maintaining the exterior as show in the attached photos.

Sincerely,

Selina Beenen

Selina Beenen



PC # 10-22

RECEIVED

22-100057

MAY - 4 2022

PLANNING & DEVELOPMENT

PC #10-22

RECEIVED

22-100057

MAY - 4 2022

PLANNING & DEVELOPMENT

RECORD AND RETURN TO
PREPARER OF THIS INSTRUMENT:
TIMOTHY P. KELLY, ESQ.
1016 LaSalle Street
Jacksonville, Florida 32207

Real Estate Tax I.D. No

WARRANTY DEED

THIS WARRANTY DEED made this 6th day of April, 2017, by **HERBERT WILLIAM MONTOYA and LESLIE MONTOYA**, husband and wife, whose address is 502 Le Master Drive, Ponte Vedra Beach, Florida 32082 hereinafter collectively called Grantors, to **JBO, LLC, a Florida limited liability company**, whose address is 4233 Pablo Professional Court, Suite 201, Jacksonville, Florida 32224 hereinafter called Grantee.

(Wherever used herein the term "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, and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate, lying and being in Duval County, Florida, viz:

404 N. 4th Street, Jacksonville Beach, Florida 32250 being more fully described as follows: Lot 12, Block 45, Atlantic Park, a replat of a plat of Pablo Beach North, according to the plat thereof as recorded in Plat Book 9, Page 15, of the current public records of Duval County, Florida.

Parcel Identification Number: 173875-0050

Property is not the homestead of the Grantors.

SUBJECT TO taxes accruing subsequent to December 31, 2016.

SUBJECT TO covenants, restrictions and easements of records, if any; however, this reference thereto shall not operate to reimpose same.

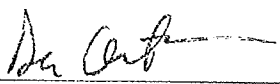
TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

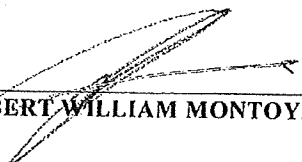
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

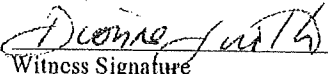


Witness Signature
DENISE OISENER

Witness Printed Signature

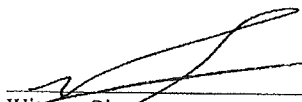


HERBERT WILLIAM MONTOYA



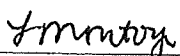
Witness Signature
DIONNE SMITH

Witness Printed Signature

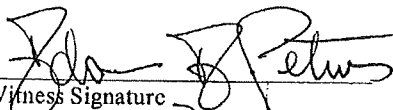


Witness Signature
LESLIE MONTOYA

Witness Printed Signature



LESLIE MONTOYA



Witness Signature
ADAM A. PETERS

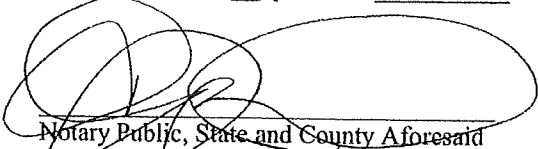
Witness Printed Signature

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 6th day of April, 2017, by
Herbert William Montoya who is (☒) personally known to me or has (☐) produced _____
_____ as identification.

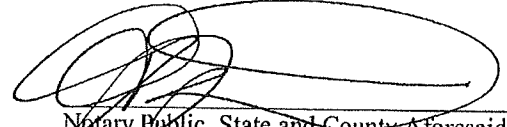


ANGELA J. NEWMAN
MY COMMISSION # FF 108944
EXPIRES: April 25, 2018
Bonded Thru Budget Notary Services


Notary Public, State and County Aforesaid
My Commission Expires: 4-25-2018
My Commission Number: FF108944

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 6th day of April, 2017, by
Leslie Montoya who is (☒) personally known to me or has (☐) produced _____
_____ as identification.


Notary Public, State and County Aforesaid
My Commission Expires: 4-25-18
My Commission Number: FF108944



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:	06/01/2022
SUBJECT:	June 13, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, June 13, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#11-22

Concept Plat Application

OWNER:

Atkins Builders, Inc.
P.O. Box 51262
Jacksonville Beach, FL 32250

APPLICANT:

John Atkins
C/O Atkins Builders, Inc.
P.O. Box 51262
Jacksonville Beach, FL 32250

AGENT:

N/A

LOCATION:

2101, 2103, 2107 & 2109 Gorden Avenue
RE#(s) 179409-0000 & 179410-0000

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 at the southwest corner of the intersection of Gorden Avenue and 21st Avenue South. The site consists of three platted lots of record, circa 1925. Townhomes are a permitted use in the RM-2 zoning district, so no conditional use application is required. A variance was granted in May of 2021 for setbacks for this project by the Board of Adjustment.



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

Adjacent uses include multifamily to the south, government use to the west, multifamily and two family dwellings to the east, and single family to the north. 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 the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#11-22**

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

RECEIVED
MAY - 4 2022

PC No. 11-22
AS/400# 22-160058
HEARING DATE 6.13.22

PLANNING & DEVELOPMENT
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: Atkins Builders, Inc
Mailing Address: PO Box 51262
Jacksonville Beach, FL 32240

Telephone: (904) 465-3749
Fax: _____
E-Mail: atkinsbuilders@hotmail.com

Developer Name: Atkins Builders, Inc
Mailing Address: PO Box 51262
Jacksonville Beach, FL 32240

Telephone: (904) 465-3749
Fax: _____
E-Mail: atkinsbuilders@hotmail.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.

PROPERTY AND PROJECT DATA

Project Name: Campbell Cove

Property Address(es): 2101, 2103, 2107 & 2109 Gorden Ave.

List All Real Estate/Parcel Number(s): 179409-0000 & 179410-0000

Legal Description of Property: Lots 10, 11 & 12 Block R, Permenter's Replat of South Pablo or Atlantic Campgrounds, Plat Book 9, Page 44.

Current Use of Property: Vacant Proposed Use of Property: Multi-family

Current Zoning Classification: RM2 Future Land Use Map Designation: RM2

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: _____

Date: 5/3/22

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.

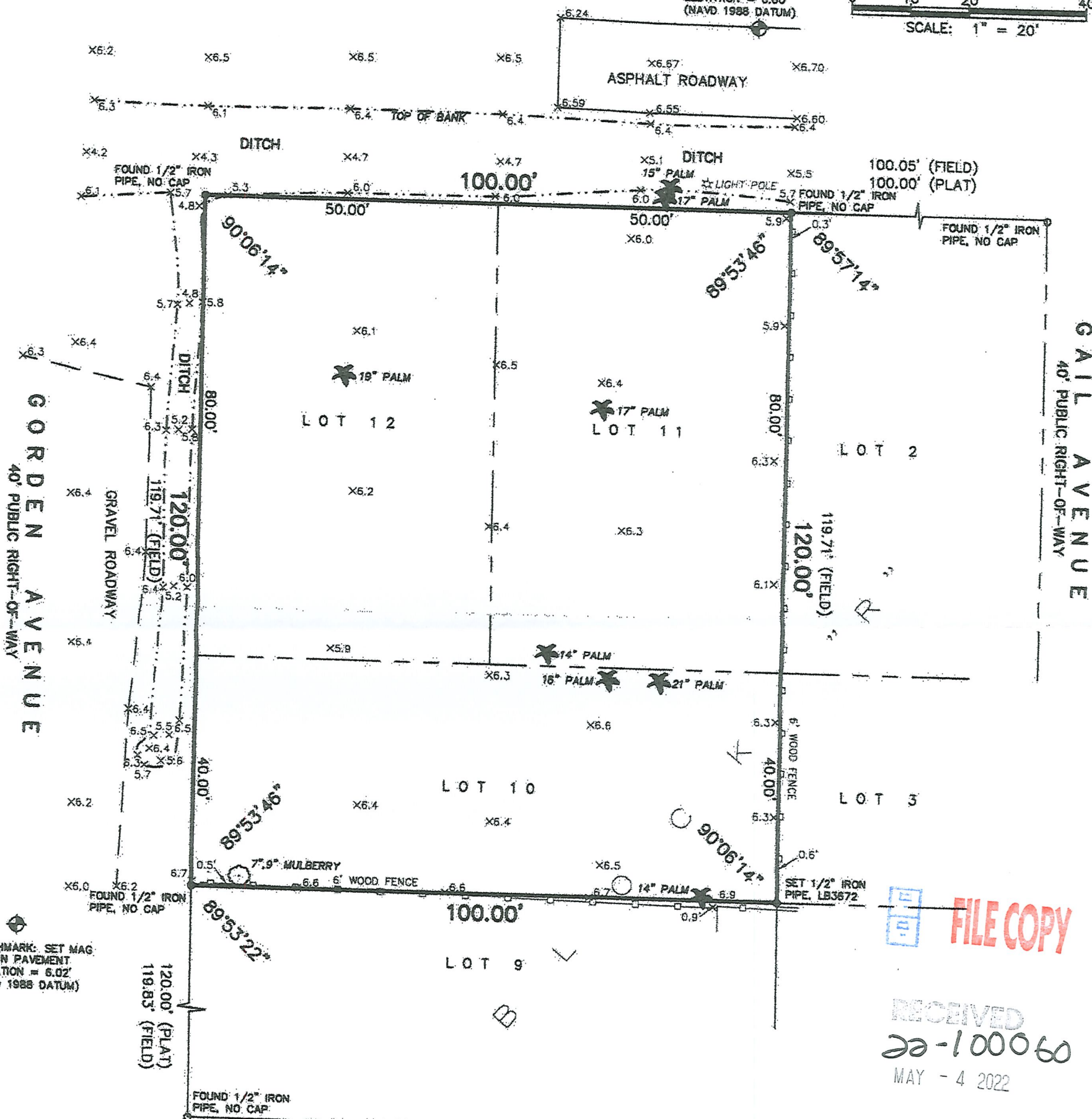
MAP SHOWING SURVEY OF

LOTS 10, 11, AND 12, BLOCK "R", PERMENTER'S REPLAT OF SOUTH PABLO OR ATLANTIC CAMP GROUNDS, AS RECORDED IN PLAT BOOK 9, PAGE 44, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

21ST AVENUE SOUTH
CRISTOBEL AVENUE PER PLAT
40' PUBLIC RIGHT-OF-WAY

BENCHMARK: FOUND MAG. NAIL & DISK IN PAVEMENT
ELEVATION = 6.60'
(NAVD 1988 DATUM)

SCALE: 1" = 20'



FILE COPY

RECEIVED
22-100060
MAY - 4 2022

NOTES:

1. THIS IS A BOUNDARY AND TOPOGRAPHIC SURVEY WITH TREE LOCATION.
2. INTERIOR ANGLES AS PER FIELD SURVEY.
3. NO BUILDING RESTRICTION LINES PER PLAT.
4. NORTH PROTRACTED FROM PLAT.
5. BENCHMARK USED IS NGS BENCHMARK "V 323" LOCATED NEAR THE SOUTHWEST CORNER OF THE FENCE SURROUNDING THE WATER TOWER. ELEVATION = 7.0.9' (NAVD 1988 DATUM).

THE PROPERTY DESCRIBED HEREON LIES IN COASTAL FLOODPLAIN FLOOD ZONE "AE" (ELEVATION 9 FEET) AS DETERMINED BY THE FLOOD INSURANCE RATE MAP No. 12031C0419J, REVISED NOVEMBER 2, 2018 FOR DUVAL COUNTY, FLORIDA.

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

22ND AVENUE SOUTH
PAULINE AVENUE PER PLAT
40' PUBLIC RIGHT-OF-WAY

THIS SURVEY WAS MADE FOR THE BENEFIT OF ATKINS BUILDERS, INC.; INESSE W REESE REVOCABLE LIVING TRUST; AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.

JASON D. BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR and MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING and MAPPING BUSINESS No. LB 3672

CHECKED BY:
DRAWN BY: JDB
FILE: 2021-0426-2

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE: APRIL 6, 2021
SHEET 1 OF 1

PLAT BOOK _____ PAGE _____
SHEET 1 OF 1 SHEETS

CAPTION:

ADOPTION AND DEDICATION

BY: _____
JOHN ATKINS, PRESIDENT OF ATKINS BUILDER, INC.

WITNESS
PRINT NAMES: _____

WITNESS
PRINT NAMES:

STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS _____ DAY OF _____, 2022 A.D., BY JOHN ATKINS, PRESIDENT OF ATKINS BUILDERS, INC., WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
PRINT NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

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 _____, PAGES _____ OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ON THIS _____ DAY OF _____, 2022 AD.

BY: _____ BY: _____
CLERK OF THE CIRCUIT COURT DEPUTY CLERK

CITY OF JACKSONVILLE BEACH APPROVAL:

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

MAYOR _____ CLERK _____

CONSENT AND SUBORDINATION BY MORTGAGE:

SYNOVUS BANK AS HOLDER OF CERTAIN MORTGAGE OF THE LANDS DESCRIBED IN THE CAPTION HEREON RECORDED IN OFFICIAL RECORDS BOOK 19814, PAGE 2415 HEREBY JOINS AND CONSENTS TO THE FOREGOING ADOPTION AN DEDICATION AND AGREES THAT MORTGAGE SHALL BE SUBORDINATED TO THE DEDICATIONS.

IN WITNESS WHEREOF, PATRICK KINCAID, AS COMMERCIAL BANKER OF SYNOVUS BANK HAS CAUSED THESE PRESENTS TO BE SIGNED
THIS _____ DAY OF _____, 2022 AD.

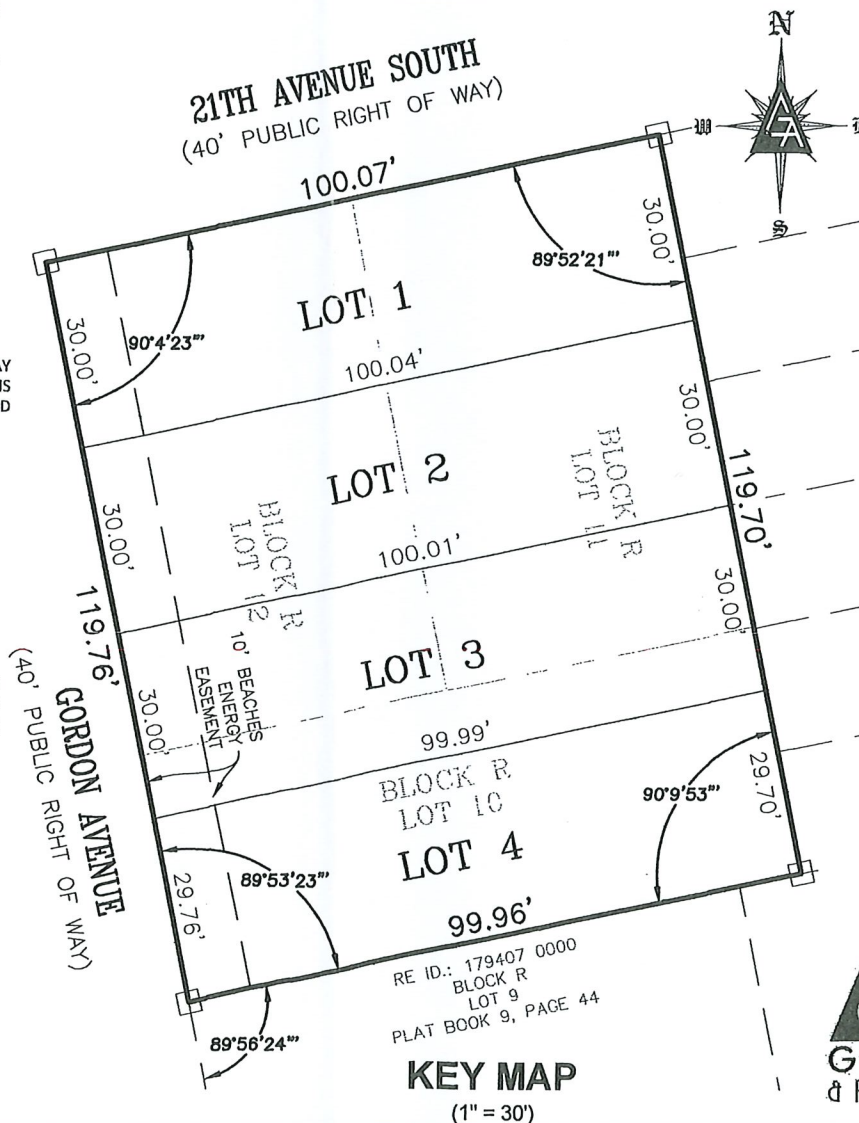
BY: _____
PATRICK KINCAID
COMMERCIAL BANKER OF SYNOVUS BANK

STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS _____ DAY OF _____, 2022 A.D., PATRICK KINCAID COMMERCIAL BANKER, SYNOVUS BANK, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
PRINT NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

21TH AVENUE SOUTH
(40' PUBLIC RIGHT OF WAY)



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. FEATURES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, U.S. SURVEY FOOT, (NAD '83, 2011 ADJUSTMENT).
2. NO BEARINGS SHOWN HEREON, PLAT OF RECORD DOES NOT CONTAIN ANY ANGULAR INFORMATION, INTERIOR ANGLES AS PER FIELD SURVEY.
4. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHICAL FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED 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 ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 177.091 (28))

LEGEND:

☐ SET 4"X4" CONCRETE MONUMENT STAMPED "P.R.M. LB 6508"
 R.E. ID. REAL ESTATE IDENTIFICATION

PLAT CONFORMITY REVIEW:

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH TO FLORIDA STATUTES CHAPTER 177,
PART 1, FLORIDA STATUTES, ON THIS _____ DAY OF _____, 2022 AD.

BY: **John S Thomas** Digitally signed by John S Thomas
Date: 2022.05.04 09:13:48 -04'00'

JOHN S. THOMAS, P.S.M.
PROFESSIONAL LAND SURVEYOR NUMBER 6223

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT PRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, PLATTING; THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA.

SIGNED AND SEALED THIS _____ DAY OF _____, 2022 A.D.

John S Thomas Digitally signed by John S Thomas
Date: 2022.05.04 09:14:09 -04'00'

JOHN S. THOMAS
PROFESSIONAL SURVEYOR & MAPPER, LICENSE NUMBER 6223
GHIOTTO & ASSOCIATES, INC.

PREPARED BY
GHIOTTO & ASSOCIATES, INC.
NATIONALLY CERTIFIED SURVEYORS & MAPPERS

CERTIFICATE OF AUTHORIZATION No. LB 6508
2426 PHILIPS HIGHWAY
JACKSONVILLE, FLORIDA 32207
(904) 886-0071
(904) 886-7174 FAX
www.GHIOTTO.com

FILE NO: C-1104



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:	06/01/2022
SUBJECT:	June 13, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, June 13, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#12-22

Concept Plat Application

OWNER:

Atkins Builders, Inc.
P.O. Box 51262
Jacksonville Beach, FL 32250

APPLICANT:

John Atkins
C/O Atkins Builders, Inc.
P.O. Box 51262
Jacksonville Beach, FL 32250

AGENT:

N/A

LOCATION:

1302, 1308, 1314 & 1322 2nd Street South
RE# 176265-0005

REQUEST:

Concept Plat Approval for a proposed four-unit fee-simple townhouse development for property located in a *Commercial Limited: C-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

COMMENTS:

The subject property is located on the southeast corner of the intersection of 13th Avenue South and 2nd Street South. The property consists of two lots of record circa 1909, located in the Commercial Limited: C-1 zoning district. The property was formerly part of a large parking lot for a bank adjacent to the west that has frontage on 3rd Street South. Townhomes are a Conditional Use in the C-1 zoning district, and Conditional Use approval was granted by this body in July of 2021. Additionally, a Variance was granted for setback reduction by the Board



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

of Adjustment in August of 2021.

Adjacent uses include commercial (bank) to the west, commercial (retail) and multifamily to the north, multifamily to the east, and multifamily and commercial (retail) to the south. The proposed use of a four-unit townhouse development is consistent with the C-1 (RM-2) zoning standards, and is consistent with surrounding multi-family development.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#12-22**

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

MAY - 4 2022

PC No.

12-22

AS/400#

22-100059

HEARING DATE

6-13-22

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: Atkins Builders, Inc

Mailing Address: PO Box 51262

Jacksonville Beach, FL 32240

Telephone: (904) 465-3749

Fax: _____

E-Mail: atkinsbuilders@hotmail.com

Developer Name: Atkins Builders, Inc

Mailing Address: PO Box 51262

Jacksonville Beach, FL 32240

Telephone: (904) 465-3749

Fax: _____

E-Mail: atkinsbuilders@hotmail.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.

PROPERTY AND PROJECT DATA

Project Name: Owen Shores

Property Address(es): 1302, 1308, 1314 & 1322 S. 2nd St.

List All Real Estate/Parcel Number(s): 176265-0005

Legal Description of Property: Lots 1 & 2 Block 133, Pablo Beach South, Plat Book 3, Page 28.

Current Use of Property: Parking

Proposed Use of Property: Multi-family

Current Zoning Classification: C-1

Future Land Use Map Designation: RM2

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: _____

Date: _____

5/3/22

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.

FILE NO: C-1103

OWEN SHORES

CITY OF JACKSONVILLE BEACH, FLORIDA

BEING LOTS 1 AND 2, BLOCK 133, PABLO BEACH SOUTH, PLAT BOOK 3, PAGE 28, SECTION 4, TOWNSHIP 3 SOUTH, RANGE 29 EAST, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CAPTION:

BEING LOTS 1 AND 2, BLOCK 133, PABLO BEACH SOUTH, PLAT BOOK 3, PAGE 28, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ADOPTION AND DEDICATION

THIS IS TO CERTIFY THAT ATKINS BUILDER, INC., IS THE LAWFUL OWNER OF THE LANDS DESCRIBED IN THE CAPTION HEREON KNOWN AS OWEN SHORES, 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.

THE EASEMENT DESIGNATED AS TEN FOOT (10') BEACHES ENERGY EASEMENT IS HEREBY IRREVOCABLY DEDICATED TO THE CITY OF JACKSONVILLE BEACH, A MUNICIPAL CORPORATION IN DUVAL COUNTY, FLORIDA, D/B/A BEACHES ENERGY SERVICES, ITS SUCCESSORS AND ASSIGNS FOR ITS NON-EXCLUSIVE USE IN CONJUNCTION WITH ITS UNDERGROUND ELECTRICAL DISTRIBUTION SYSTEM. BEACH ENERGY SERVICES HEREBY RESERVES THE NON-EXCLUSIVE, IRREVOCABLE AND PERPETUAL RIGHT OF INGRESS TO EGRESS FROM, OVER, UNDER, AND ACROSS ALL ROADS, STREETS, WAYS, BOULEVARDS, LANES, AND ELECTRIC EASEMENTS DEPICTED BY THIS PLAT FOR ITS USE IN THE CONSTRUCTION, INSTALLATION, MAINTENANCE, OR REMOVAL OF ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM, SURFACE MOUNTED EQUIPMENT, FACILITIES, AND APPURTENANCES IN CONJUNCTION WITH ITS UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM. THE AFORESAID SPECIFIC TEN FOOT (10') BEACHES ENERGY EASEMENT IS SUBJECT TO THE FOLLOWING COVENANTS WITH SHALL RUN WITH THE LAND:

(1) NO UTILITIES OTHER THAN BEACHES ENERGY SERVICES SHALL BE INSTALLED WITHIN SAID ELECTRIC EASEMENTS.

(2) ELECTRIC EASEMENTS DEDICATED TO BEACHES ENERGY SERVICES AND WHERE ABOVE GROUND EQUIPMENT, FACILITIES, AND APPURTENANCES ARE PLACED SHALL REMAIN TOTALLY UNOBSTRUCTED IN COMPLIANCE WITH THE UTILITY'S REQUIREMENTS AND SPECIFICATIONS FOR EQUIPMENT CLEARANCES FROM SHRUBS, TREES, PLANTS, FENCES, AND OTHER OBJECTS.

(3) THE INSTALLATION OF FENCES, HEDGES, AND LANDSCAPING IS PERMISSIBLE BUT SUBJECT TO REMOVAL BY BEACHES ENERGY SERVICES WITHOUT PRIOR NOTICE, AT THE EXPENSE OF EACH LOT OWNER OR ATKINS BUILDER, INC., FOR THE REMOVAL AND REPLACEMENT OF SUCH ITEMS.

THE PRIVATE UTILITY EASEMENTS SHOWN HEREON IS FOR SANITARY SEWER LINES AND SHALL REMAIN PRIVATELY OWNED AND THE SOLE EXCLUSIVE PROPERTY OF THE OWNERS, THEIR SUCCESSOR AND ASSIGNS; PROVIDED HOWEVER, THE UNDERSIGNED OWNER RESERVES THE RIGHT TO CONVEY SAID EASEMENT TO AN ENTITY, INCLUDING WITHOUT LIMITATION, A PROPERTY OWNERS ASSOCIATION, OR OTHER THIRD PARTY THAT ASSUMES ALL OBLIGATION OF MAINTENANCE AND OPERATION THEREOF UNDER THIS PLAT.

IN WITNESS WHEREOF ATKINS BUILDER, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED, THIS DAY OF _____, 2022 A.D.

BY: _____
JOHN ATKINS, PRESIDENT OF ATKINS BUILDER, INC.

WITNESS
PRINT NAMES: _____

WITNESS
PRINT NAMES: _____

STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DAY OF _____, 2022 A.D., BY JOHN ATKINS, PRESIDENT OF ATKINS BUILDERS, INC., WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
PRINT NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____

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 _____, PAGES _____ OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

ON THIS DAY OF _____, 2022 A.D.

BY: _____
BY: _____
CLERK OF THE CIRCUIT COURT
DEPUTY CLERK

CITY OF JACKSONVILLE BEACH APPROVAL:

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

MAYOR
CLERK

CONSENT AND SUBORDINATION BY MORTGAGE:

AMERIS BANK AS HOLDER OF CERTAIN MORTGAGE OF THE LANDS DESCRIBED IN THE CAPTION HEREON RECORDED IN OFFICIAL RECORDS BOOK 19999, PAGE 778 HEREBY JOINS AND CONSENTS TO THE FOREGOING ADOPTION AND AGREES THAT MORTGAGE SHALL BE SUBORDINATED TO THE DEDICATIONS.

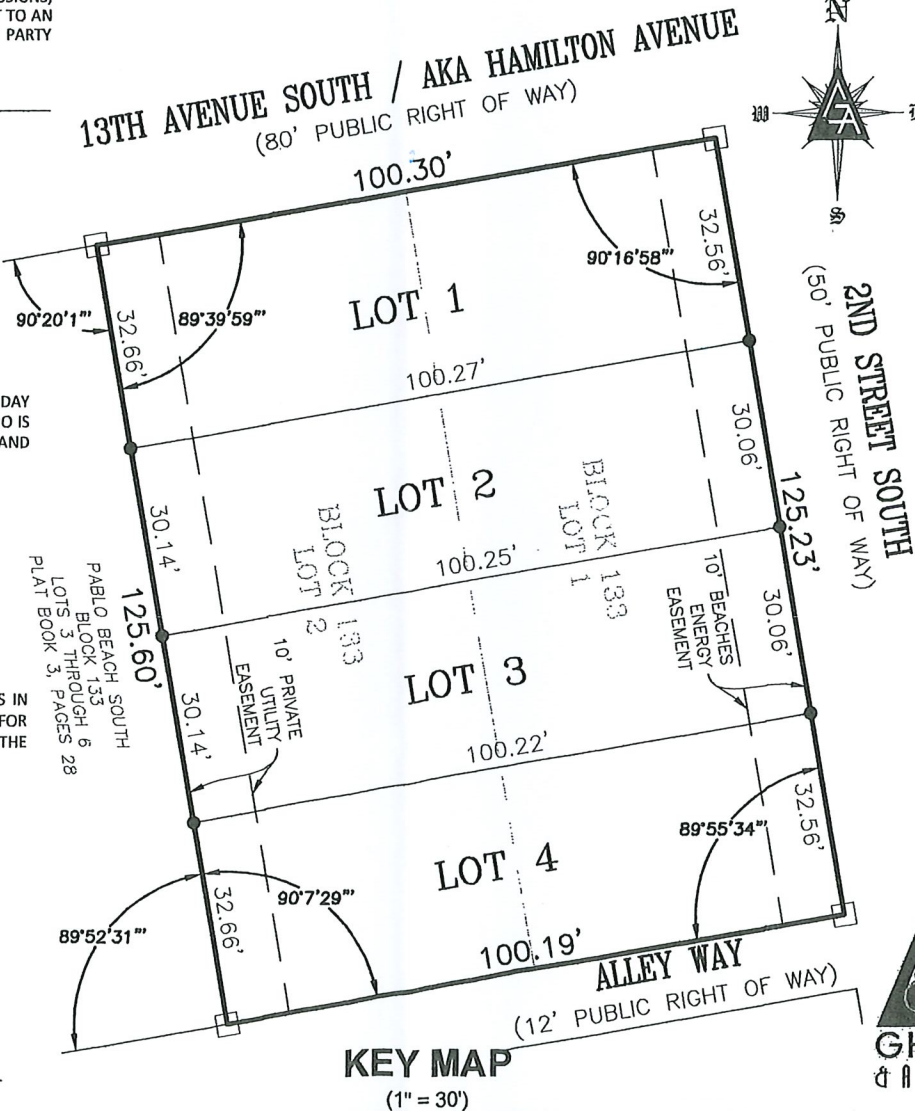
IN WITNESS WHEREOF, JERRY POWER, AS COMMERCIAL BANKER OF AMERIS BANK HAS CAUSED THESE PRESENTS TO BE SIGNED THIS DAY OF _____, 2022 AD.

BY: _____
JERRY POWER
COMMERCIAL BANKER OF AMERIS BANK
WITNESS
PRINT NAMES: _____

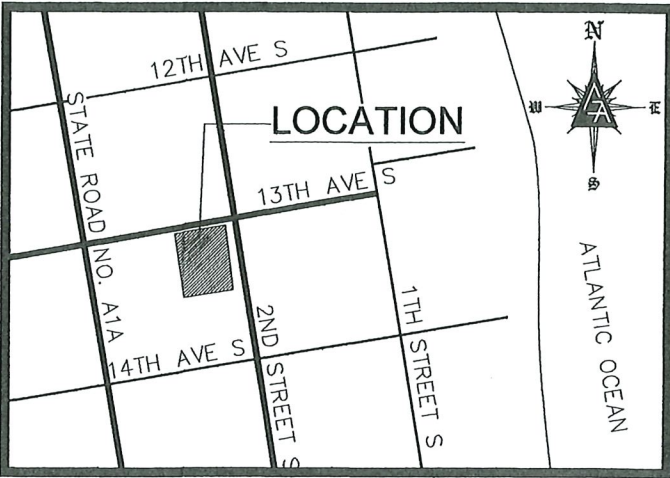
STATE OF FLORIDA, COUNTY OF DUVAL:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DAY OF _____, 2022 A.D., JERRY POWER, COMMERCIAL BANKER, AMERIS BANK, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION AND WHO DID (DID NOT) TAKE OATH.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
PRINT NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____



PLAT BOOK _____ PAGE _____
SHEET 1 OF 1 SHEETS



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

- FEATURES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, U.S. SURVEY FOOT, (NAD '83, 2011 ADJUSTMENT).
- NO BEARINGS SHOWN HEREON. PLAT OF RECORD DOES NOT CONTAIN ANY ANGULAR INFORMATION.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHICAL FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED 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 ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. (FLORIDA STATUTE 177.091 (28))

SYMBOL:	DEFINITION:
●	SET 1/2" IRON PIPE W/CAP STAMPED LB 1048
□	SET 4"x4" CONCRETE MONUMENT STAMPED "P.R.M. LB 6508"

PLAT CONFORMITY REVIEW:

THIS PLAT HAS BEEN REVIEWED AND FOUND IN COMPLIANCE WITH TO FLORIDA STATUES CHAPER 177, PART 1, FLORIDA STATUTES, ON THIS DAY OF _____, 2022 AD.

John S Thomas
BY: _____
JOHN S. THOMAS, P.S.M.
PROFESSIONAL LAND SURVEYOR NUMBER 6223

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT PRESENTATION OF THE LANDS SURVEYED, PLATTED AND DESCRIBED IN THE CAPTION, THAT THE SURVEY WAS PREPARED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING; AND THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED ACCORDING TO THE LAWS OF THE STATE OF FLORIDA AND THE CITY OF JACKSONVILLE BEACH, FLORIDA.

SIGNED AND SEALED THIS DAY OF _____, 2022 A.D.

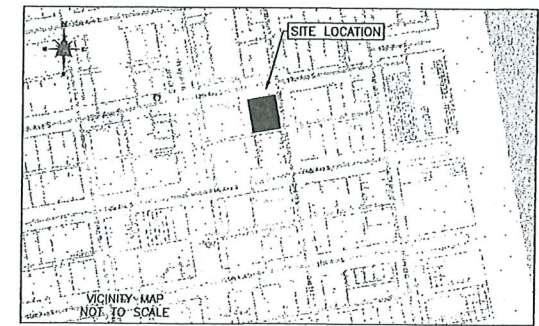
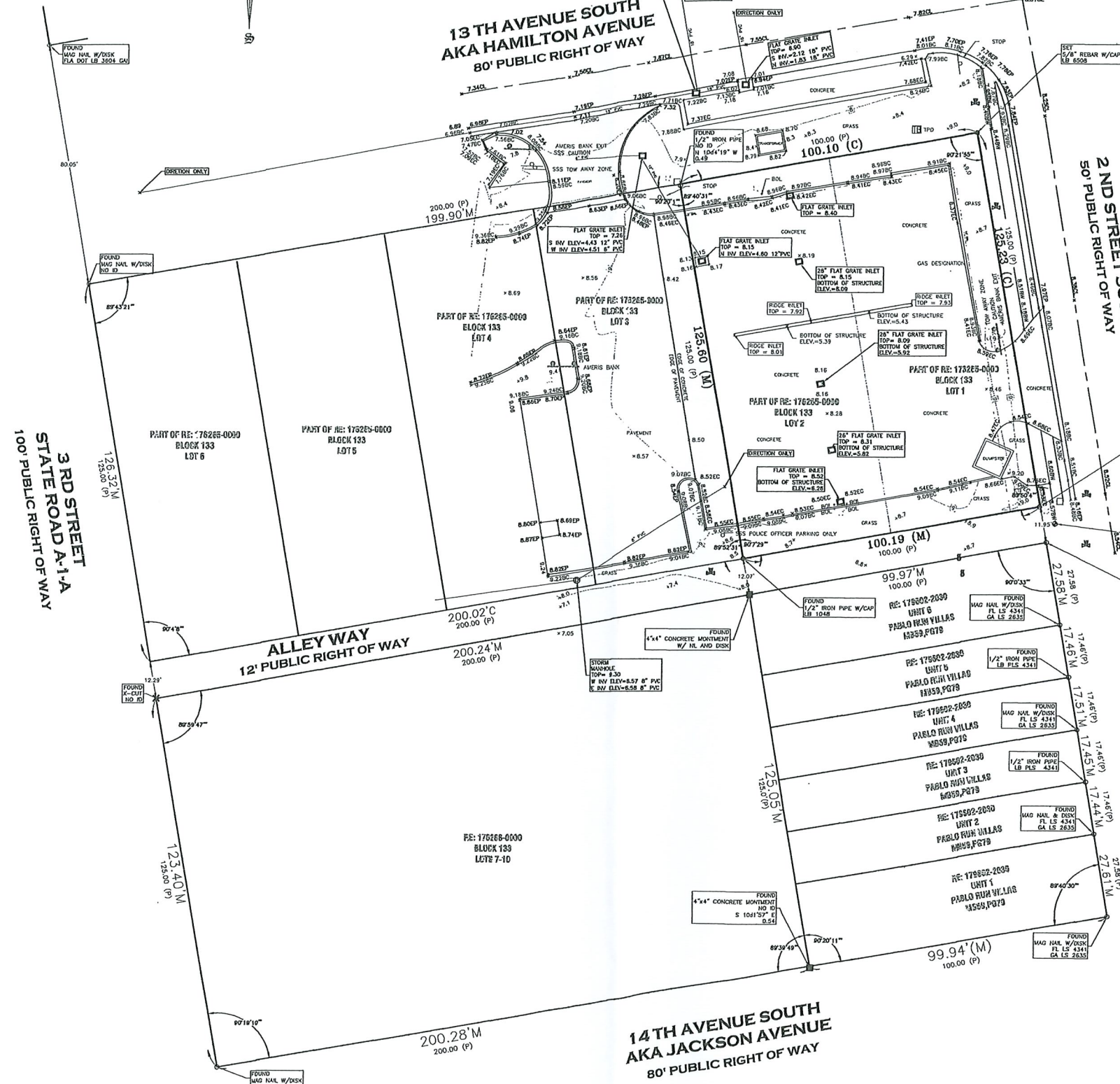
John S Thomas
BY: _____
JOHN S. THOMAS
PROFESSIONAL SURVEYOR & MAPPER, LICENSE NUMBER 6223
GHOTTO & ASSOCIATES, INC.

PREPARED BY
GHOTTO & ASSOCIATES, INC.
NATIONALLY CERTIFIED SURVEYORS & MAPPERS
CERTIFICATE OF AUTHORIZATION No. LB 6508
2426 PHILIPS HIGHWAY
JACKSONVILLE, FLORIDA 32207
(904) 886-0071
(904) 886-7174 FAX
www.GHOTTO.com

SHEET 1 OF 1

Symbol Legend	
Symbol	Denotes
	CONCRETE MONUMENT
	FLAT GRATE INLET
	GATE
	IRON PIPE
	REBAR
	LIGHT POLE
	NAIL AND DISK
	SEWER MANHOLE
	SIGN
	TELEPHONE
	SIGN SINGLE POST
	WOOD POST
	WATER GATE
	X-CUT

1. NO BEARINGS SHOWN HEREON, PLAT OF RECORD DOES NOT CONTAIN ANY ANGULAR INFORMATION.
2. MEASUREMENT METHODS USED FOR THIS SURVEY MEET STANDARDS OF PRACTICE FOR LAND SURVEYING AS SET FORTH IN FLORIDA ADMINISTRATIVE CODE CHAPTER 5 J-17.050-052 REQUIREMENTS.
3. UNDERGROUND IMPROVEMENTS AND UTILITIES WERE NOT LOCATED AS PART OF THIS SURVEY, EXCEPT AS SHOWN HEREON.
4. BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY LIES WITHIN THE FOLLOWING FLOOD ZONE: ZONE AE-8 AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 130304A19J, EFFECTIVE NOVEMBER 2, 2018. NO FIELD SURVEY WAS PERFORMED TO DETERMINE ZONES.
5. THIS LAND WAS PREPARED WITHOUT THE BENEFIT OF TITLE ABSTRACT, PROPERTIES SURVEYED HEREON MAY BE AFFECTED BY EASEMENTS, OR OTHER MATTERS OF PUBLIC RECORD, THAT WOULD BE DISCLOSED IN A TITLE ABSTRACT.
6. THE BOUNDARY SURVEY WAS PREPARED IN ACCORDANCE WITH THE DEED OF RECORD(S) AS INDICATED IN THE DUAL COUNTY PROPERTY APPRAISERS OFFICE AND RECORDED IN THE OFFICIAL RECORDS OF DUAL COUNTY, FLORIDA.
7. ELEVATIONS SHOWN HEREON REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88), AND ARE REFERENCED TO NATIONAL GEODETIC SURVEY, BENCHMARK DESIGNATION AS "X 323" SAID BENCHMARK BEING A BRASS DISK, 25.5 FEET NORTH OF THE CENTER LINE OF THE AVENUE, 47 FEET EAST OF THE CENTER LINE OF THE NORTHBOUND LANE OF THE HIGHWAY, AND ABOUT LEVEL WITH THE HIGHWAY.



CERTIFIED TO:

GHIOITTO & ASSOCIATES, INC.
NATIONALLY CERTIFIED SURVEYORS & MAPPERS
CERTIFICATE OF AUTHORIZATION No. LB 6508
2426 PHILIPS HIGHWAY
JACKSONVILLE, FLORIDA 32207
(904) 886-0071
(904) 886-7174 FAX
WWW.GHIOITTO.com

[illegible]

FILE No. C-1001
PARTY CHIEF: J. JOHNSON
F.B. 2042-93
DRAWN BY: T. HODGE
CHECKED BY: J. THOMAS
SURVEY DATE: 07/15/2021

1315 3RD STREET SOUTH
DUVAL COUNTY, FLORIDA

BEING A PORTION OF OFFICIAL RECORDS BOOK 8475, PAGE 1871-72.
BEING LOTS 1 AND 2, BLOCK 133, PABLO BEACH SOUTH, PLAT BOOK 3,
PAGE 28, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

JOHN S. THOMAS P.S.M. No. 6223
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NO: C-1007