



**MINUTES**  
**COMMUNITY DEVELOPMENT BOARD**  
**NOVEMBER 14, 2018 AT 6:00 P.M.**  
**COUNCIL CHAMBERS**  
**116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA 32266**

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Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held November 14, 2018 at 6:00 p.m. in the Council Chambers.

Attendance

Board members were in attendance:  
Christopher Goodin, Chair  
Bob Frosio, Member  
Nia Livingston, Member  
Diana Kelly, Member  
Colin Moore, Member  
Aaron Evens, Member  
Charley Miller, Alternate Member

Lauren McPhaul alternate members, was in attendance.

The following staff members were present:

Amanda Askew, Deputy City Manager & Community Development Director  
Piper Turner, Code Compliance Supervisor

Call to Order/Roll Call

Chair Goodin called the meeting to order at 6:00 p.m. Chair Goodin welcomed Ms. McPhaul to the board.

Minutes

Made by Evens, seconded by Kelly.

**MOTION: TO TABLE THE APPROVAL THE SEPTEMBER 12, 2018 MINUTES UNTIL THE NEXT MEETING IN ORDER TO ADD MORE DETAILS TO THE PROPOSED LIGHT ORDINANCE DISCUSSION.**

**APPROVED BY CONSENSUS**

**MOTION CARRIED**

CDB 18-14  
Replat of Lot 6  
Blk 15 of  
Bowes of  
Oceanview and  
Lot 29 of Neptune

CDB18-14 Application for a replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for the Estate of Markis Edwin Rhoden, deceased, and applicants Alan and Heather Guzzino for the properties currently known as 203 Lora St (RE# 173764-0000) Lot 6 Block 15 of Bowes of Oceanview and 207-209 Lora St (RE #172595-0000) Lot 29 of Neptune Beach Terrace. The applicants are requesting to replat the existing

Beach Terrace  
203 & 207-209  
Lora Street

non-conforming lots into two (2) conforming lots in order to build a single family dwelling on each lot in the future.

Mr. Alan Guzzino, 115 North Street, addressed the board and presented a handout to the board with pictures of the properties and surveys. He stated they were purchasing the property at 203 and 207-209 Lora Street. The former owner died and an investor tried to put together an investment package that included keeping the 5-plex and adding a pool. Currently there are two buildings on the entire property with a total of five units. They plan to demolish both structures and have those permits. The east lot is only 35 feet wide and the west lot is 50.25 feet wide. The replat would make each lot over 42 feet wide. All of the concrete will be removed during demolition and the new houses will comply with the current zoning including size and setbacks.

Mrs. Askew, Deputy City Manager, stated the lots are in R-4 zoning districts. The applicant is requesting to move the lot line to create two equal size lots. The R-4 zoning district requires a minimum lot size of 4,356 square feet for each single family home and a minimum width of 40 feet. The proposed lots are approximately 4,684 square feet each and will be 42.59 feet wide. Both have the necessary utilities and access to the public rights-of-way.

Questions from the board:

When will the demolition be done? Within 2 weeks of the approval.

Will you be building on the lots or will someone else be the builder? The two new lots will be put up for sale. We have someone interested in building one house for his daughter while building a spec house on the other lot. The spec house will be put up for sale.

Chairperson Goodin opened the floor for public comments.

Mr. Tarek Ghadour, 225 Lora Street, stated the existing houses were dilapidated. It is all concrete with a lot of traffic in and out. When we heard the plans we were excited. The new houses will reduce the number of people and the number of cars. The new owners will be invested in the neighborhood.

There being no further comments, the public hearing was closed.

Made by Evens, seconded by Livingston.

**MOTION: TO RECOMMEND APPROVAL OF CDB 18-14 AS SUBMITTED FOR THE REPLAT OF LOT 6 BLOCK 15 OF BOWES OF OCEAN VIEW AND LOT 29 NEPTUNE BEACH TERRACE INTO TWO (2) EQUAL SIZE LOTS.**

Roll Call Vote:

Ayes: 7-Livingston, Frosio, Kelly, Moore, Evens, Miller, Goodin

Noes: 0

**MOTION APPROVED.**

The applicant was informed that the request for replat would be forwarded to the next City Council for their final review and that they should attend that meeting.

Discussion of  
proposed  
lighting  
ordinance

Amanda Askew, Deputy City Manager and Community Development Director, reminded the board of the concerns they had discussed at the September meeting.

Board questions discussed:

Ms. McPhaul had found a proposed lighting ordinance from the City of Tampa. The board looked over it and suggested adding the wording "The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community/neighborhood and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplished on-site light needs without intrusion on adjacent properties." to the purpose and intent.

Chairperson Goodin introduced a new section to address exempt properties. The board agreed to incorporate his suggestion into the proposed ordinance.

There was a lot of discussion concerning fines and who should receive violation notice, property owner or tenant. The tenant may not be able to change out a lighting fixture, however property owner may leave out of town. After talking about the pros and cons about each, it was decided that the police department would issue a warning for the first offense with no penalty and 30 days to correct. The second offense would require a ticket in the amount of \$100, third offense \$300 and fourth and subsequent offenses would be \$500.

The proposed ordinance being forwarded to City Council shall read:  
Underlined are additions and strikethroughs are deletions.

### **Purpose and intent**

The City Council recognizes that poorly designed and badly aimed lighting can have a negative impact on the environment and cause problems for citizens and affect the neighbor's right to enjoy their own property. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community/neighborhood and/or should be designed to blend into the surrounding landscape. Lighting design and installation shall ensure that lighting accomplished on-site light needs without intrusion on adjacent properties.

### **1. Light Trespass and glare.**

- a) **Trespass and glare.** Any development ~~adjacent to a residential use~~ shall not create offensive light trespass. Directional luminaires such as floodlights, spotlights, sign lights and area lights associated with the development, shall be installed and directed so that the lighting illuminates only the area intended and so that the light produced does not shine directly onto neighboring properties. Such lighting shall also be directed in ~~such~~ a way that is does not shine on or create safety concerns on roadways. Building façade and decorative lighting, sports lighting and other applications using floodlights shall have glare shielding (external or internal shields) to prevent light trespass and light pollution on neighboring properties. All lighting shall be designed, hooded or shielded to direct light so that no illumination source or glare creates a nuisance to any adjacent property or unreasonably interferes with the lawful use and enjoyment of any adjacent property.

- b) **Exterior lighting.** Lighting which is provided for the security of areas such as, but not limited to, building entrances, stairways, ramp and main walkways or for a permitted outdoor use of land (such as recreational facilities) shall be wall-mounted lighting with full cut-off fixtures. All light fixtures shall have builds that are fully recessed within the fixture and may not emit light above horizontal plane, except for low voltage landscape lights.
- d) ~~c) **Height.**~~ The maximum height of light fixtures, ~~except as otherwise regulated by this section,~~ shall not exceed 30 feet.
- e) ~~d) **Light pollution.**~~ All building lighting for security or aesthetics will be fully cut-off type, not allowing any upward distribution of light.
- f) ~~e) **Local and State Street and roadway lighting**~~ are exempt from these regulations.

## 2. Violation constitutes nuisance; abatement.

Any light trespass or glare which is constructed, erected, operated, used, maintained, posted or displayed in violation of this Code is hereby declared to be a nuisance and shall be forthwith removed, obliterated or abated.

## 3. Exempt Properties:

Any existing lighting fixture for any purpose that is not in compliance with this ordinance shall be exempt from replacing their existing lighting fixture if the lighting does not create light trespass and glare to any adjacent property or unreasonably interferes with the lawful use and enjoyment of an adjacent property as outlined in 1 a). If the exempt property replaces, or performs improvements/maintenance, these exempt properties shall be required to come into compliance as outlined in section 1 b). No new construction property shall be exempt.

## 4. Penalties.

Any person or persons, firm or corporation, or any agent thereof who knowingly violates any of the provision of this section may upon conviction be guilty of a noncriminal violation punishable as provided for under F.S> Ch. 162, or by appearance before a County Judge if a citation is issued by a police officer, code enforcement officer, ~~animal control officer~~ or other acting at the direction of the city manager. The department of public safety and all officers under its supervision may issue a citation for a civil penalty. A surcharge equal to all administrative cost, including , but not limited to any filing fees required by the Clerk of Courts for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty impose for violation of this section. For violations of this chapter, the civil penalty shall be assessed and pain in the following amounts:

First offense....warning shall be issued with 30 days to correct the violation

Second offense....\$100

Third offense....\$300

Fourth and any subsequent offense....\$500

A defendant may pay the civil penalty as specified above, in lieu of appearing in County court. A defendant may exercise this option by paying the specified fine at the Public Safety Building within then (10) days of their violation. Of the civil penalty is not paid by such time, the city shall proceed to enforce such violation as otherwise provided by law.

The board would revisit the ordinance one year after it has been approved to re-evaluate what and how the ordinance is working and if changes need to be made.

Chairperson Goodin opened the floor for public comments. There being no comments, the public hearing was closed.

Made by Livingston, seconded by Frosio.

**MOTION: TO RECOMMEND TO CITY COUNCIL THE PROPOSED LIGHTING ORDINANCE WITH THE STIPULATION THAT THE BOARD WILL REVISIT THE ORDINANCE IN ONE YEAR.**

Roll Call Vote:

Ayes: 6-Livingston, Frosio, Moore, Evens, Miller, Goodin

Noes: 1- Kelly,

**MOTION APPROVED.**

Open Discussion

The next regular meeting will be January 9, 2019 at 6:00p.m. The City has received but no approved two application to install small wireless cell tower in the City.

Adjournment

There being no further business, the meeting was adjourned at 8:08 p.m.

\_\_\_\_\_  
Chairperson Christopher Goodin

ATTEST:

\_\_\_\_\_  
Piper Turner, Board Secretary

\_\_\_\_\_  
Date