



AGENDA
COMMUNITY DEVELOPMENT BOARD MEETING
HISTORICAL SUBCOMMITTEE
MARCH 13, 2024 AT 5:00 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

1. Call To Order and Roll Call
2. Board Discussion
3. Staff Observations and Suggestions
4. Public Comment
5. Adjourn

Residents and Board Members attending public meetings can validate their parking at no cost by using the parking code

DD14

After 5:00 on the date of the meeting, follow these steps:

- Make sure you are parked in a North Beaches public parking space – we can't validate valet parking or parking in private lots.
- • To use a kiosk: Press the Start button and then select 2 to enter your plate and the validation code.
- • To use the Flowbird app: Tap the nearest yellow balloon and tap "Park here." From the payment screen, select "Redeem a code" at the top. Confirm your information and tap "Purchase" – the price will show "Free."



AGENDA
COMMUNITY DEVELOPMENT BOARD MEETING
CODE SUBCOMMITTEE
MARCH 13, 2024 AT 5:30 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

1. Call To Order and Roll Call
2. Board Discussion
3. Staff Observations and Suggestions
4. Public Comment
5. Adjourn

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COMMUNITY DEVELOPMENT BOARD MEETING
MARCH 13, 2024 AT 5:00 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

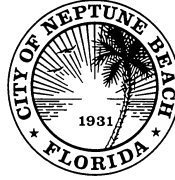
1. Special Meeting of the Historic Preservation Committee
2. Special Meeting of the Code Committee
3. Call to Order and Roll Call
4. Pledge of Allegiance
5. Approval of Minutes for February 21, 2024 meetings
6. V24-04 Application for variance as outlined in Chapter 27 Article III Division 8 of the Unified Land Development Code of Neptune Beach for John Campbell and Barabra Williams for the property at 1412 Strand St (RE# 172995-0000). The applicant requests a variance from 27-235 (a) (6) Encroachments into and use of front, side, and rear yards: Balconies and Upper-Level Decks & Patios minimum rear yard setback of five feet to permit a zero setback in order to replace an existing upper-level deck. The property is in the R-4 RC Overlay zoning district.
7. Board training: Roles and Variances. Presented by the City Attorney
8. Open Discussion
9. Adjourn

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DD14

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 - the price will show "Free."



MINUTES
COMMUNITY DEVELOPMENT BOARD
FEBRUARY 21, 2024, 6:00 P.M.
COUNCIL CHAMBERS
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held in person on Tuesday, February 21, 2024, at 6:00 p.m. in the Council Chambers.

Attendance Board members were in attendance:
Greg Schwartzenberger, Chair
Rene Atayan, Vice-Chair
Tony Mazzola, Member
William Hilton, Member
Charley Miller, Member
Corrine Bylund, Member
Marc Boran, Alternate Member
Rhonda Charles, Alternate Member
Lynda Padrta, Alternate Member

The following staff members were present:

Heather Whitmore, Community Development Director
Zachary Roth, City Attorney
Alejandro M. Gonzalez, Ansbacher Law
Catherine Ponson, City Clerk

Pledge Pledge of Allegiance.

Call to Order/Roll Call Chair Schwartzenberger called the meeting to order at 6:00 p.m.

Minutes Made by Atayan, seconded by Mazzola.

MOTION: TO APPROVE THE MINUTES OF JANUARY 17, 2024, AS SUBMITTED

Roll Call Vote:

Ayes: 7-Atayan, Boran, Bylund, Hilton, Mazzola, Miller, and Schwartzenberger

Noes: 0

MOTION CARRIED

V24-03, V24-03 Application for variance as outlined in Chapter 27 Article III Division 8 of the Unified Application for Land Development Code of Neptune Beach for Lejeune Irene Mann for the property at 205 Myra Variance, 205 Myra Myra

Swearing In City Attorney Zachary Roth asked anyone appearing before the board tonight to raise their right hand to be sworn in. Jeffrey Tyer, representing the applicant, was sworn in by Mr. Roth.

Background An application for variance requesting relief for: RC Overlay R-4 Building Height Maximum Stories (Table 27-239).

Discussion The property owner requests a variance from Table 27-239 Building Height Maximum Stories of two floors to permit a habitable interior third floor in an existing structure. The property is in the R-4/RC Overlay zoning district

The existing single-family home is currently approximately 32 feet high and over the 28-foot maximum height permitted in the R-4/RC Overlay. The home has an existing unfinished third floor that the applicant would like to finish as an occupiable space. The exterior of the building's height would remain at approximately 32 feet.



- Findings
1. The property has unique and peculiar circumstances, which create an exceptional and unique hardship. For the purpose of this determination, the unique hardship shall be unique to the parcel and not shared by other property owners in the same zoning district.
 - a. **Applicant Response:** "Set unit owner is deceased and the children of state managers wish to correct said deficiencies and bring the unit into harmony with the existing abutting and adjoining units."
 - b. **Staff Response:** The property is not unique in size or peculiar in circumstances. All the homes in the RC/R-4 district share the same building height/maximum stories. This home does not have unique hardship. All residential buildings in Neptune Beach are limited to 28 feet in height and two stories.
 2. The proposed variance is the minimum necessary to allow the reasonable use of the parcel of land.
 - a. **Applicant Response:** "The proposed variance is the minimum necessary to reconstruct the existing unit to be consistent with the new Neptune beach

- a. **Applicant Response:** "Granting of the variance will neither confer any special privileges nor create precedent as the adjoining budding units have similar design elements existing and in place."
- b. **Staff Response:** Granting the variance request to permit three finishes floors would confer upon the applicant a special privilege not granted in the zoning district.

Staff Conclusion Staff recommends denial of the variance request to permit three finishes floors as requested.

Applicant Representative Mr. Tyer, representing the applicant, stated the house located at 205 Myra Street has been an eyesore for quite some time. It was owned by an elderly couple that had passed away. It has been tied up in probate for a number of years. There are quite a few code violations on the property. The son who grew up there owns it. He would like to finish it out as a regular residence. Over the years, the parents have constructed habitable space on the third floor, which is not allowed in the overlay district. This is not setting a precedence as the adjoining and abutting properties have habitable third-floor spaces.

Mr. Tyer said he had met with the fire marshal who advised you could have habitable space if you have eight-foot ceilings. Mr. Tyer also stated they would be upgrading with the one and two-hour fire codes.

Board Discussion Mr. Schwartzenberger stated that he went by the location and the other duplexes on the street are all at the 32-foot height.

Mr. Miller stated it appears the applicant wants to enclose an existing screened-in porch and make that a habitable space. This could be converted to another bedroom. He has concerns that this would increase density by increasing the habitable space. This is one of the reasons why the limit is two-floors is to keep the density down.

Mr. Schwartzenberger expressed when he looks at the property from the street, being it is a duplex with a common wall, it is obvious what they are trying to do. They are trying to create the same structure as their shared-wall neighbor. He added that it is challenging to look at this existing duplex from the street view and see the one side finished with the same height.

Ms. Bylund agreed with Mr. Miller regarding increasing density. The analysis by staff shows the applicant has not checked all of the boxes and the CDB has to follow the law.

Ms. Atayan expressed that the Board must follow the law. She does have a problem with not allowing people to work within their building envelope. The legal work was done, and the application does not meet the regulation put forth in the Code, according to staff.

Made by Miller, seconded by Bylund.

MOTION: TO DENY VARIANCE V24-03

Roll Call Vote:

Ayes: 5- Bylund, Atayan, Hilton, Mazzola, and Miller

Noes: 2- Boran and Schwartzenberger

MOTION CARRIED

BOARD TRAINING

Board Training Mr. Roth presented training to the Board. The training included quasi-judicial action versus legislative action, the role and purpose of the CDB, staff members and officers' roles, variances, special exceptions, and ex-parte communication.

Adjournment The meeting adjourned at 7:05 p.m.

Greg Schwartzenberger, Chairperson

ATTEST:

Piper Turner, Board Secretary

CITY OF NEPTUNE BEACH – COMMUNITY DEVELOPMENT DEPARTMENT



STAFF REPORT

MEETING DATE: March 13, 2024
BOARD/COMMITTEE: Community Development Board
APPLICATION NUMBER: V24-01

TO: Community Development Board
FROM: Heather Whitmore, AICP, PTP Community Development Director
DATE: March 8, 2024
SUBJECT: Variance Request 1412 Strand Street (RE# 172995-0000)

- I. **BACKGROUND:** An application for one variance requesting relief for:
- 27-235 (a) (6) “Encroachments into and use of front, side, and rear yards: Balconies and Upper-Level Decks & Patios”

II. **DISCUSSION:**

The property owner of 1420 1st Street requests a rear yard setback variance to Section 27-235 (a) (6) “Encroachment into and use of front, side and rear yards: Balconies and Upper-Level Decks & Patios” minimum rear yard setback of five feet to permit a zero setback in order to replace an existing upper-level deck. The property is located on the west side of Strand Street, just north of Bowles Street. The subject lot is 60 feet wide by 56 feet deep with an existing 1935 home. The property is located in the RC Overlay/R-4 district.

Section 27-235 (a) (6) states:

“Balconies may encroach a maximum of six (6) feet into any required yard setback for existing residential structures and shall be no closer than five (5) feet of any interior side or rear yard property line.”

The requested variance to Section 27-235 (a) (6) is to permit a rear yard setback encroachment on the southern property line. Specifically, the applicant requests to replace an existing second floor upper-level wood deck. The replacement wood deck

will be the same size/dimensions as the existing deck. The existing 20’x 8’ deck encroaches eight feet into the required rear yard, sitting zero feet from the southern side property line. The replacement upper-level deck would be placed in the same footprint as the existing deck, with a zero-foot setback from the southern property line.

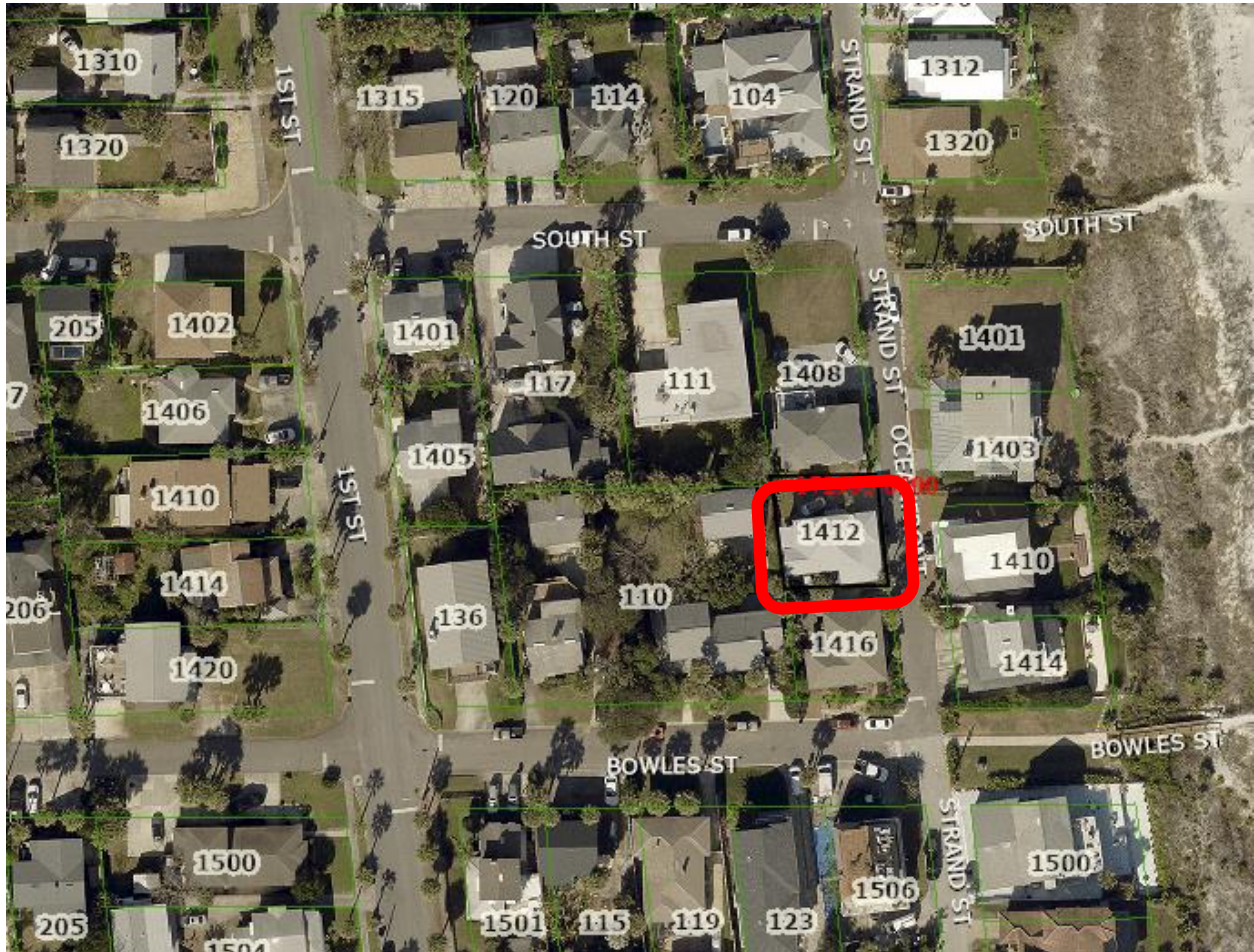


Figure 1: 1412 Strand St.

III. FINDINGS:

1. The property has unique and peculiar circumstances, which create an exceptional and unique hardship. For the purpose of this determination, the unique hardship shall be unique to the parcel and not shared by other property owners in the same zoning district.

- a. **Applicant Response:** “We bought the property with a nonconforming deck. For safety purposes we needed to repair and replace some of the rotting wood and bring the railings up to current building code.”
 - b. **Staff Response:** The property is unique due to its small size. The lot is 60 feet by 56 feet. The home was built in 1938. This is an existing condition. This is an existing nonconforming footprint of the southern rear yard and will not be intensified.
2. **The proposed variance is the minimum necessary to allow the reasonable use of the parcel of land.**
 - a. **Applicant Response:** “Without the variance approval we cannot repair or replace our existing deck to make it safe for use and compliant with the current railing code”.
 - b. **Staff Response:** A variance for the rear setback is the minimum necessary to allow for the replacement and extension of the deck. The narrow size conditions are unique. The existing balcony is zero feet from the property line. Given the circumstances, the encroachment variance is de minimis and the minimum necessary to allow the reasonable use of the parcel of land.
3. **The proposed variance would not adversely affect adjacent and nearby properties or the public in general.**
 - a. **Applicant Response:** “A repaired deck will not adversely affect nearby properties or the public. It will enhance the appearance and provide more safety for us our guests and our meter reader.”
 - b. **Staff Response:** The proposed variance to the rear setback would not negatively impact adjacent and nearby properties or the public in general. The deck would have the same southern setback and basic footprint as the existing deck.
4. **The proposed variance will not substantially diminish property values in, nor alter the essential character of the area surrounding the site.**
 - a. **Applicant Response:** “It should have a positive impact on property values since it will be much better in appearance, safer and consistent with the old beach feel of the property.”
 - b. **Staff Response:** The proposed variance will not diminish property values. The new balcony would have the same south footprint as the existing home.
5. **The effect of the proposed variance is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area(s) of the ULDC.**

- a. **Applicant Response:** “The current deck is nonconforming, and the railing is out of code. The repairs will bring it up to building code.”
 - b. **Staff Response:** The variance request for the rear setback reduction is in harmony with the general intent of the LDC. This is an existing condition. This is an existing nonconforming footprint of a deck on an unusually small lot.

- 6. **The need for the variance has not been created by the actions of the property owner or developer nor is the result of mere disregard for the provisions from which relief is sought.**
 - a. **Applicant Response:** “Nonconforming deck is existing at the time the property was purchased. The placement of the house and the deck relative to the property line existed when we bought the house in 2016.”
 - b. **Staff Response:** The proposed variance request for rear setback was not created through the actions of the property owner. This is an existing condition. The property owner would like to be able to repair an existing deck.

- 7. **Granting the variance will not confer upon the applicant any special privilege that is denied by the ULDC to other lands, buildings, or structures in the same zoning district.**
 - a. **Applicant Response:** “This does not grant any special privileges. As we are only replacing what already exists.”
 - b. **Staff Response:** Granting the variance to the rear setback to allow the replacement of the existing deck will not confer upon the applicant any special privilege. The lot is very small, 50 x 60 feet. This is not an intensification or new build.

IV. **CONCLUSION:** Staff recommends approval of the variance requests to build in the required side setbacks as requested.

V. **RECOMMENDED MOTION:**

- a. I recommend approval of V24-04

- OR

- b. I recommend denial of V24-04

Paid 2/26/24

APPLICATION FOR ZONING VARIANCE

THE CITY OF NEPTUNE BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266-6140
PH: 270-2400 Ext 34 or cdd@nbfl.us



V24-04

IMPORTANT NOTE: THE COMMUNITY DEVELOPMENT BOARD, IN CONSIDERING YOUR PETITION, IS ACTING IN A QUASI-JUDICIAL CAPACITY AND ANY DISCUSSION WITH MEMBERS, OTHER THAN AT A PUBLIC MEETING IS PROHIBITED AND ANY SUCH CONTACT MAY VOID YOUR PETITION.

Date Filed:	Zoning District:	Real Estate Parcel Number: 172995-000
Name & Address of Owner of Record: John W. Campbell & Barbara Williamson 1412 STRAND ST. 32266 Unit B		Property Address: 1412 STRAND ST. Neptune Bch, FL 32266
Contact phone number# (904) 994-1943 Barbara's	e-mail address Barbara Seadawg@gmail.com	Number of units on property: 3 Have any previous applications for variance been filed concerning this property? NO If Yes, Give Date: _____
Section 27-15 of the Unified Land Development Code (ULDC) defines a variance as follows: Grant of relief authorized by the board of appeals, or the city council upon recommendation by the planning and development review board, that relaxes specified provisions of the Code which will not be contrary to the public interest and that meets the requirements set forth in article III, division 8 of this Code.		
1. Explain the proposed relief being sought from the code(s): Property is non-conforming relative to the 5 foot minimum setback for decks.		
2. Explain the purpose of the variance (if granted)? To permit the repair/replacement of the existing second floor balcony deck. It will be the same size and foot print.		
3. Based on the required findings needed to issue a variance in Section 27-147 explain the following (attach additional sheets as necessary): A. How does your property have unique and peculiar circumstances, which create an exceptional and unique hardship? Unique hardship shall be unique to the parcel and not shared by other property owners. The hardship cannot be created by or be the result of the property owner's own action. We bought the property with a non-conforming deck. For safety purposes we need to repair and/or replace rotten wood and bring the railings up to code.		

B. How is the proposed variance the minimum necessary to allow reasonable use of the property?

WITHOUT VARIANCE APPROVAL WE CANNOT REPAIR OR REPLACE EXISTING DECK TO MAKE IT SAFE FOR USE AND COMPLIANT WITH CURRENT RAILING CODES.

C. Indicate how the proposed variance will not adversely affect adjacent or nearby properties or the public in general.

A REPAIRED DECK WILL NOT ADVERSELY AFFECT NEARBY PROPERTIES OR THE PUBLIC. IT WILL ENHANCE THE APPEARANCE AND PROVIDE MORE SAFETY FOR US, OUR GUEST AND METER READERS.

D. Indicate how the proposed variance will not diminish property values nor alter the character of the area.

IT SHOULD HAVE A POSITIVE IMPACT ON PROPERTY VALUES SINCE IT WILL BE MUCH BETTER IN APPEARANCE, SAFER AND CONSISTENT WITH THE OLD BEACH FEEL OF THE PROPERTY.

E. Explain how the proposed variance is in harmony with the general intent of the Unified Land Development Code.

THE CURRENT DECK IS NON-CONFORMING AND THE RAILING IS OUT OF CODE. THE REPAIRS WILL BRING ~~THE~~ IT TO CODE.

F. Explain how the need for the proposed variance has not been created by you or the developer?

NON-CONFORMING DECK EXISTED AT TIME PROPERTY WAS PURCHASED. THE PLACEMENT OF THE HOUSE AND DECK RELATIVE TO THE PROPERTY LINE EXISTED WHEN WE BECAME THE OWNERS IN 2016.

G. Indicate how granting of the proposed variance will not confer upon you any special privileges that is denied by the code to other lands, buildings or structures in the same zoning district.

THIS DOES NOT GRANT ANY SPECIAL PRIVILEGES AS WE ARE ONLY REPLACING WHAT ALREADY EXISTS.

4. **Required Attachments**-Applicant must include the following: **(INCOMPLETE PACKAGES WILL BE RETURNED)**
- A. 8 1/2" by 11" overhead site plan drawn to an appropriate scale showing the location of all existing and proposed improvements to the property and including all setback measurements from property lines. **WHICH HAS NOT BEEN REDUCED.**
 - B. Survey of the property certified by licensed surveyor **dated within one year of application date.** **WHICH HAS NOT BEEN REDUCED.**
 - C. Copy of Deed
 - D. Pictures of the property as it currently exists
5. Letter of authorization for agent to make application (Required only if not made by owner)
6. **NON-REFUNDABLE FEE:**
\$300.00 (Residentially zoning property) / \$500.00 (Commercially Zoned Property)

NO APPLICATION WILL BE ACCEPTED UNTIL ALL THE REQUESTED INFORMATION HAS BEEN SUPPLIED AND THE REQUIRED FEE HAS BEEN PAID. THE ACCEPTANCE OF AN APPLICATION DOES NOT GUARANTEE ITS APPROVAL BY THE COMMUNITY DEVELOPMENT BOARD. THE APPLICANT AND SURROUNDING PROPERTIES WILL BE NOTIFIED OF THE PUBLIC HEARING BY MAIL AND POSTING OF THE PROPERTY. THE APPLICANT OR HIS/HER AUTHORIZED AGENT MUST BE PRESENT AT THE MEETING.

***If a residential zoning variance is granted, then a 30 day wait period must pass before any required building permits can be released, in order to allow time for appeals.**
***If a commercially zoned variance is granted by council, then a 30 day wait period must pass before any required building permits can be released, in order to allow time for appeals.**


I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER OR AUTHORIZED AGENT FOR THE OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY APPLY FOR A ZONING VARIANCE AS REQUESTED.

NAME (S) OF PROPERTY OWNER (S)
John W. Campbell
& Barbara Williamson

NAME OF AUTHORIZED AGENT

ADDRESS OF PROPERTY OWNER
1412 Strand St.
Neptune Beach, FL 32266

ADDRESS OF AUTHORIZED AGENT

SIGNATURE OF OWNER OR AUTHORIZED AGENT:


(Not Applicable)

OWNER'S AUTHORIZATION FOR AGENT/AFFIDAVIT OF ASSENT

THIS FORM MUST BE FILLED OUT IN THE CASE THAT THE APPLICANT IS NOT THE OWNER OF THE PREMISES UNDER WHICH THE PARTICULAR APPLICATION IS BEING FILED.

_____ is hereby authorized TO ACT ON BEHALF OF _____, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Neptune Beach, Florida, for an application related to a variance:

BY: _____

Signature of Owner

Print Name

Daytime Telephone Number

State of Florida

County of _____

Signed and sworn before me on this _____ day of, 20____.

By _____

Identification verified: _____ Oath sworn: Yes No

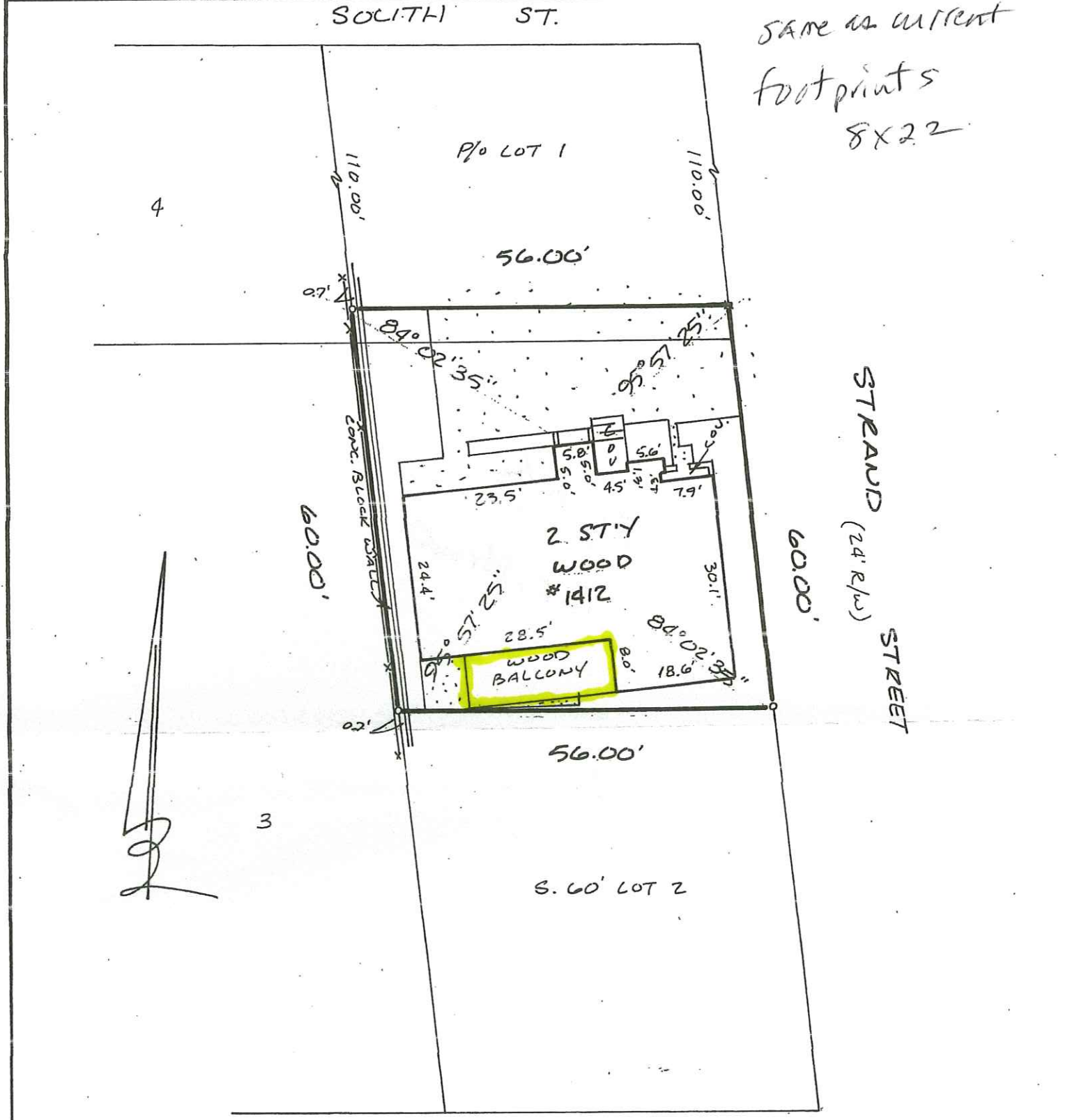
Notary Signature

My Commission expires: _____

1412 Strand St Neptune Beach Black line current yellow highlight - proposed

MAP SHOWING BOUNDARY SURVEY OF ^{#2} **LOT 1 & LOT 2** ^{EXCEPT THE SOUTH 60.00'} **BLOCK 8** ^{TH SOUTH 5.00'} **AS SHOWN ON MAP OF MERIMAR**

AS RECORDED IN PLAT BOOK 8 PAGES 30 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
CERTIFIED FOR: ROSE MARIE CAMPBELL; FIRST AMERICAN TITLE INS. CO.;
CHRISTOPHER J. HURST P.A.



SAME AS CURRENT
FOOTPRINTS
8x22

STRAND STREET
(24' R/W)

[Handwritten signature]

From: Hatch, Trey Trey.Hatch@FloridaDEP.gov
Subject: RE: Williamson 1412 Strand street apt b Neptune beach fl 32266
Date: March 14, 2023 at 6:14 PM
To: Barbara Williamson barbaraseadawg@gmail.com



Barbra,

Thank you for the information.

After reviewing the photos and the location landward of Strand Street the described re-construction of an existing deck without increasing the footprint is considered to have no environmental impact to the beach and dune system and therefor is considered exempt FDEP CCCL permitting.

6 EXEMPTIONS

6.1 STATUTES AND RULES

* PARAGRAPH 161.053 (11), F.S., provides statutory authority for exemptions.

* RULE 62B-33.004, F.A.C., list exemptions from permitting.

6.2 EXEMPTED ACTIVITIES

Inspectors are authorized to make a determination that the activities listed below are exempt from the permitting process.

Activities listed in paragraph 62B-33.004(2)(c), F.A.C., as follows:

(c) Minor activities which do not cause an adverse impact on the coastal system and do not cause a disturbance to any significant or primary dune are exempt from the permitting requirements of this chapter. Such activities shall be conducted so as not to disturb marked marine turtle nests or known nest locations or damage existing native salt-tolerant vegetation.

Have a great day

Trey Hatch
Environmental Specialist II
Coastal Construction Control Line Program
Office of Resilience and Coastal Protection
Florida Department Of Environmental Protection
Trey.Hatch@FloridaDEP.gov
Cell 904-832-6757

Permitting Consistency Initiative: The Florida Department of Environmental Protection is committed to providing efficient, consistent and quality service to the citizens of Florida. In keeping with these objectives, we continue to identify ongoing improvements to our permitting process by standardizing and simplifying our documents.

-----Original Message-----

From: Barbara Williamson <barbaraseadawg@gmail.com>
Sent: Friday, March 10, 2023 10:16 AM
To: Hatch, Trey <Trey.Hatch@FloridaDEP.gov>
Cc: Barbara Williamson <barbaraseadawg@gmail.com>; John Campbell <jcampnole@gmail.com>
Subject: Williamson 1412 Strand street apt b Neptune beach fl 32266

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Trey

Thank you for your call just now regarding the repair / replacement of our existing upstairs wooden balcony at 1412 Strand Street apt B Neptune Beach Florida 32266.

We are replacing rotten boards, railings, joist hangers, and supporting posts as needed.

We are not making any changes to existing size or footprint. Just replacing existing porch.

I will send in separate email the following:

I am attaching a picture of a survey showing the current wooden balcony (8x28.5)

3 pictures

Also sending pictures of existing attached pictures balcony.

Please let me know if it meets what you need or if you need any thing else.

Thank you for your assistance.

Barbara Williamson

John Campbell (husband)

1412 Strand Street Apt B

Neptune Beach, Fl 32266

Email barbaraseadawg@gmail.com

Cell 904-994-1943

Sent from my iPhone

[Dep Customer Survey]<<http://survey.dep.state.fl.us/?refemail=Trey.Hatch@FloridaDEP.gov>>



**WARRANTY DEED
(reserving life estate)**

THIS DEED is made this 6 day of September, 2016, by and between JOHN W. CAMPBELL and BARBARA WILLIAMSON, husband and wife, hereinafter referred to as the grantors, and JOHN W. CAMPBELL and BARBARA WILLIAMSON, husband and wife, for so long as either of them shall be living and, following their deaths, to JOHN W. CAMPBELL and BARBARA WILLIAMSON, and their successors, as Trustees of the Campbell-Williamson Revocable Trust, under agreement dated February 23, 2012, whose address is 1412 Strand Street, Apt. B, Neptune Beach, Florida 32266, hereinafter referred to as the grantees.

WITNESSETH, That the grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other valuable considerations paid to the grantors by the grantees, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do hereby grant, bargain, sell and convey to the grantees forever, all of that certain real property in Duval County, Florida, described as follows:

South Five feet of Lot 1 and Lot 2 (except South 60 feet), Block 8, MERIMAR, according to plat thereof recorded in Plat Book 8, page 30, current public records, Duval County, Florida.

PROPERTY APPRAISER'S PARCEL IDENTIFICATION NO. 172995-000.

TO HAVE AND TO HOLD the same, together with the tenements, hereditaments and appurtenances, unto the grantees in fee simple. And the grantors fully warrant the title to said property and will warrant and defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to ad valorem taxes or assessments levied or which may become a lien subsequent to December 31st of the calendar year next preceding the date hereof, and covenants, easements and restrictions of record, if any.

The grantees, and their successors and assigns as Trustees of the Campbell-Williamson Revocable Trust, shall have full power and authority to sell, convey, lease, encumber and otherwise to manage and dispose of the real property described herein, and no third party need ever inquire into their authority as Trustees under the trust agreement referred to herein. Under

Prepared by:
(without examination of title)
John R. Crawford
Marks Gray, P.A.
1200 Riverplace Blvd., Suite 800
Jacksonville, FL 32207
(904) 398-0900

the terms of the Campbell-Williamson Revocable Trust, the grantors retain the present possessory rights to the property described above.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Barbara Wilson
Signature of Witness

Barbara Wilson
Witness Name-Typed or Printed

Brenda Pateracki
Signature of Witness

Brenda PATERACKI
Witness Name-Typed or Printed

John W. Campbell (SEAL)
John W. Campbell

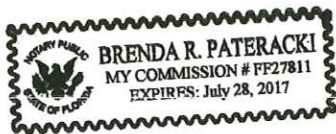
Barbara Williamson (SEAL)
Barbara Williamson

¹⁴¹²
~~1320~~ Strand Street ²B
Neptune Beach, Florida 32266

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of September, 2016, by John W. Campbell and Barbara Williamson, husband and wife, and who are each personally known to me, or who have each produced Florida Driver's License or _____ as identification.

Brenda R Pateracki
Signature of Notary Public
Notary Public, State of Florida
My commission expires: _____



(Notarial Seal)





Paid 2/26/24

APPLICATION FOR ZONING VARIANCE

THE CITY OF NEPTUNE BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266-6140
PH: 270-2400 Ext 34 or cdd@nbfl.us



V24-04

IMPORTANT NOTE: THE COMMUNITY DEVELOPMENT BOARD, IN CONSIDERING YOUR PETITION, IS ACTING IN A QUASI-JUDICIAL CAPACITY AND ANY DISCUSSION WITH MEMBERS, OTHER THAN AT A PUBLIC MEETING IS PROHIBITED AND ANY SUCH CONTACT MAY VOID YOUR PETITION.

Date Filed:	Zoning District:	Real Estate Parcel Number: 172995-000
Name & Address of Owner of Record: John W. Campbell & Barbara Williamson 1412 STRAND ST. 32266 In. B		Property Address: 1412 STRAND ST. Neptune Bch, FL 32266
Contact phone number# (904) 994-1943 Barbara's	e-mail address Barbara Seadawg@gmail.com	Number of units on property: 3 Have any previous applications for variance been filed concerning this property? NO If Yes, Give Date: _____
Section 27-15 of the Unified Land Development Code (ULDC) defines a variance as follows: Grant of relief authorized by the board of appeals, or the city council upon recommendation by the planning and development review board, that relaxes specified provisions of the Code which will not be contrary to the public interest and that meets the requirements set forth in article III, division 8 of this Code.		
1. Explain the proposed relief being sought from the code(s): Property is non-conforming relative to the 5 foot minimum setback for decks.		
2. Explain the purpose of the variance (if granted)? To permit the repair/replacement of the existing second floor balcony deck. It will be the same size and foot print.		
3. Based on the required findings needed to issue a variance in Section 27-147 explain the following (attach additional sheets as necessary): A. How does your property have unique and peculiar circumstances, which create an exceptional and unique hardship? Unique hardship shall be unique to the parcel and not shared by other property owners. The hardship cannot be created by or be the result of the property owner's own action. We bought the property with a non-conforming deck. For safety purposes we need to repair and/or replace rotten wood and bring the railings up to code.		

B. How is the proposed variance the minimum necessary to allow reasonable use of the property?

WITHOUT VARIANCE APPROVAL WE CANNOT REPAIR OR REPLACE EXISTING DECK TO MAKE IT SAFE FOR USE AND COMPLIANT WITH CURRENT RAILING CODES.

C. Indicate how the proposed variance will not adversely affect adjacent or nearby properties or the public in general.

A REPAIRED DECK WILL NOT ADVERSELY AFFECT NEARBY PROPERTIES OR THE PUBLIC. IT WILL ENHANCE THE APPEARANCE AND PROVIDE MORE SAFETY FOR US, OUR GUEST AND METER READERS.

D. Indicate how the proposed variance will not diminish property values nor alter the character of the area.

IT SHOULD HAVE A POSITIVE IMPACT ON PROPERTY VALUES SINCE IT WILL BE MUCH BETTER IN APPEARANCE, SAFER AND CONSISTENT WITH THE OLD BEACH FEEL OF THE PROPERTY.

E. Explain how the proposed variance is in harmony with the general intent of the Unified Land Development Code.

THE CURRENT DECK IS NON-CONFORMING AND THE RAILING IS OUT OF CODE. THE REPAIRS WILL BRING ~~THE~~ IT TO CODE.

F. Explain how the need for the proposed variance has not been created by you or the developer?

NON-CONFORMING DECK EXISTED AT TIME PROPERTY WAS PURCHASED. THE PLACEMENT OF THE HOUSE AND DECK RELATIVE TO THE PROPERTY LINE EXISTED WHEN WE BECAME THE OWNERS IN 2016.

G. Indicate how granting of the proposed variance will not confer upon you any special privileges that is denied by the code to other lands, buildings or structures in the same zoning district.

THIS DOES NOT GRANT ANY SPECIAL PRIVILEGES AS WE ARE ONLY REPLACING WHAT ALREADY EXISTS.

4. Required Attachments -Applicant must include the following: (INCOMPLETE PACKAGES WILL BE RETURNED)
A. 8 1/2" by 11" overhead site plan drawn to an appropriate scale showing the location of all existing and proposed improvements to the property and including all setback measurements from property lines. WHICH HAS NOT BEEN REDUCED.
B. Survey of the property certified by licensed surveyor dated within one year of application date. WHICH HAS NOT BEEN REDUCED.
C. Copy of Deed
D. Pictures of the property as it currently exists
5. Letter of authorization for agent to make application (Required only if not made by owner)
6. NON-REFUNDABLE FEE: \$300.00 (Residentially zoning property) / \$500.00 (Commercially Zoned Property)

NO APPLICATION WILL BE ACCEPTED UNTIL ALL THE REQUESTED INFORMATION HAS BEEN SUPPLIED AND THE REQUIRED FEE HAS BEEN PAID. THE ACCEPTANCE OF AN APPLICATION DOES NOT GUARANTEE ITS APPROVAL BY THE COMMUNITY DEVELOPMENT BOARD. THE APPLICANT AND SURROUNDING PROPERTIES WILL BE NOTIFIED OF THE PUBLIC HEARING BY MAIL AND POSTING OF THE PROPERTY. THE APPLICANT OR HIS/HER AUTHORIZED AGENT MUST BE PRESENT AT THE MEETING.

***If a residential zoning variance is granted, then a 30 day wait period must pass before any required building permits can be released, in order to allow time for appeals.**
***If a commercially zoned variance is granted by council, then a 30 day wait period must pass before any required building permits can be released, in order to allow time for appeals.**


I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER OR AUTHORIZED AGENT FOR THE OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY APPLY FOR A ZONING VARIANCE AS REQUESTED.

NAME (S) OF PROPERTY OWNER (S)
John W. Campbell
& Barbara Williamson

NAME OF AUTHORIZED AGENT

ADDRESS OF PROPERTY OWNER
1412 Strand St.
Neptune Beach, FL 32266

ADDRESS OF AUTHORIZED AGENT

SIGNATURE OF OWNER OR AUTHORIZED AGENT:


(Not Applicable)

OWNER'S AUTHORIZATION FOR AGENT/AFFIDAVIT OF ASSENT

THIS FORM MUST BE FILLED OUT IN THE CASE THAT THE APPLICANT IS NOT THE OWNER OF THE PREMISES UNDER WHICH THE PARTICULAR APPLICATION IS BEING FILED.

_____ is hereby authorized TO ACT ON BEHALF OF _____, the owner(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Neptune Beach, Florida, for an application related to a variance:

BY: _____

Signature of Owner

Print Name

Daytime Telephone Number _____

State of Florida

County of _____

Signed and sworn before me on this _____ day of, 20____.

By _____

Identification verified: _____ Oath sworn: Yes No

Notary Signature

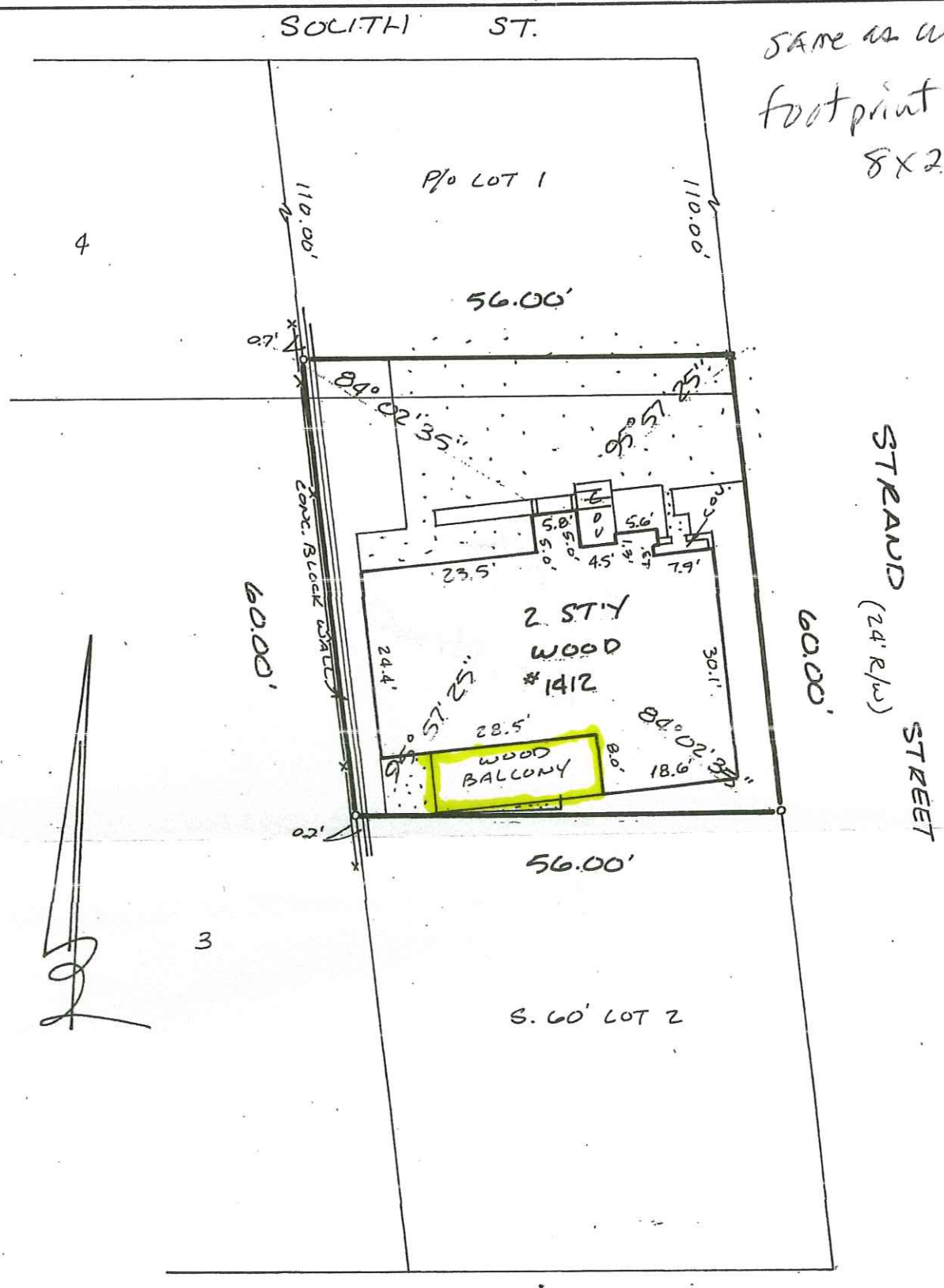
My Commission expires: _____

1412 Strand St Neptune Beach

Black line current
yellow highlight - proposed

MAP SHOWING BOUNDARY SURVEY OF ^{#2} LOT 1 & LOT 2 ^{EXCEPT THE SOUTH 60.00'} BLOCK 8 AS SHOWN ON MAP OF MERIMAR ^{TH SOUTH 5.00'}

AS RECORDED IN PLAT BOOK 8 PAGES 30 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA
CERTIFIED FOR: ROSE MARIE CAMPBELL; FIRST AMERICAN TITLE INS. CO.;
CHRISTOPHER J. HURST P.A.



SAME AS CURRENT
FOOTPRINTS
8X22

From: Hatch, Trey Trey.Hatch@FloridaDEP.gov
Subject: RE: Williamson 1412 Strand street apt b Neptune beach fl 32266
Date: March 14, 2023 at 6:14 PM
To: Barbara Williamson barbaraseadawg@gmail.com



Barbra,

Thank you for the information.

After reviewing the photos and the location landward of Strand Street the described re-construction of an existing deck without increasing the footprint is considered to have no environmental impact to the beach and dune system and therefor is considered exempt FDEP CCCL permitting.

6 EXEMPTIONS

6.1 STATUTES AND RULES

* PARAGRAPH 161.053 (11), F.S., provides statutory authority for exemptions.

* RULE 62B-33.004, F.A.C., list exemptions from permitting.

6.2 EXEMPTED ACTIVITIES

Inspectors are authorized to make a determination that the activities listed below are exempt from the permitting process.

Activities listed in paragraph 62B-33.004(2)(c), F.A.C., as follows:

(c) Minor activities which do not cause an adverse impact on the coastal system and do not cause a disturbance to any significant or primary dune are exempt from the permitting requirements of this chapter. Such activities shall be conducted so as not to disturb marked marine turtle nests or known nest locations or damage existing native salt-tolerant vegetation.

Have a great day

Trey Hatch
Environmental Specialist II
Coastal Construction Control Line Program
Office of Resilience and Coastal Protection
Florida Department Of Environmental Protection
Trey.Hatch@FloridaDEP.gov
Cell 904-832-6757

Permitting Consistency Initiative: The Florida Department of Environmental Protection is committed to providing efficient, consistent and quality service to the citizens of Florida. In keeping with these objectives, we continue to identify ongoing improvements to our permitting process by standardizing and simplifying our documents.

-----Original Message-----

From: Barbara Williamson <barbaraseadawg@gmail.com>
Sent: Friday, March 10, 2023 10:16 AM
To: Hatch, Trey <Trey.Hatch@FloridaDEP.gov>
Cc: Barbara Williamson <barbaraseadawg@gmail.com>; John Campbell <jcampnole@gmail.com>
Subject: Williamson 1412 Strand street apt b Neptune beach fl 32266

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Trey

Thank you for your call just now regarding the repair / replacement of our existing upstairs wooden balcony at 1412 Strand Street apt B Neptune Beach Florida 32266.

We are replacing rotten boards, railings, joist hangers, and supporting posts as needed.

We are not making any changes to existing size or footprint. Just replacing existing porch.

I will send in separate email the following:

I am attaching a picture of a survey showing the current wooden balcony (8x28.5)

3 pictures

Also sending pictures of existing attached pictures balcony.

Please let me know if it meets what you need or if you need any thing else.

Thank you for your assistance.

Barbara Williamson

John Campbell (husband)

1412 Strand Street Apt B

Neptune Beach, Fl 32266

Email barbaraseadawg@gmail.com

Cell 904-994-1943

Sent from my iPhone

[Dep Customer Survey]<<http://survey.dep.state.fl.us/?refemail=Trey.Hatch@FloridaDEP.gov>>



**WARRANTY DEED
(reserving life estate)**

THIS DEED is made this 6 day of September, 2016, by and between JOHN W. CAMPBELL and BARBARA WILLIAMSON, husband and wife, hereinafter referred to as the grantors, and JOHN W. CAMPBELL and BARBARA WILLIAMSON, husband and wife, for so long as either of them shall be living and, following their deaths, to JOHN W. CAMPBELL and BARBARA WILLIAMSON, and their successors, as Trustees of the Campbell-Williamson Revocable Trust, under agreement dated February 23, 2012, whose address is 1412 Strand Street, Apt. B, Neptune Beach, Florida 32266, hereinafter referred to as the grantees.

WITNESSETH, That the grantors, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other valuable considerations paid to the grantors by the grantees, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do hereby grant, bargain, sell and convey to the grantees forever, all of that certain real property in Duval County, Florida, described as follows:

South Five feet of Lot 1 and Lot 2 (except South 60 feet), Block 8, MERIMAR, according to plat thereof recorded in Plat Book 8, page 30, current public records, Duval County, Florida.

PROPERTY APPRAISER'S PARCEL IDENTIFICATION NO. 172995-000.

TO HAVE AND TO HOLD the same, together with the tenements, hereditaments and appurtenances, unto the grantees in fee simple. And the grantors fully warrant the title to said property and will warrant and defend the same against the lawful claims of all persons whomsoever.

This conveyance is subject to ad valorem taxes or assessments levied or which may become a lien subsequent to December 31st of the calendar year next preceding the date hereof, and covenants, easements and restrictions of record, if any.

The grantees, and their successors and assigns as Trustees of the Campbell-Williamson Revocable Trust, shall have full power and authority to sell, convey, lease, encumber and otherwise to manage and dispose of the real property described herein, and no third party need ever inquire into their authority as Trustees under the trust agreement referred to herein. Under

Prepared by:
(without examination of title)
John R. Crawford
Marks Gray, P.A.
1200 Riverplace Blvd., Suite 800
Jacksonville, FL 32207
(904) 398-0900

the terms of the Campbell-Williamson Revocable Trust, the grantors retain the present possessory rights to the property described above.

IN WITNESS WHEREOF, the said grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Barbara Wilson
Signature of Witness

Barbara Wilson
Witness Name-Typed or Printed

Brenda Pateracki
Signature of Witness

Brenda PATERACKI
Witness Name-Typed or Printed

John W. Campbell (SEAL)
John W. Campbell

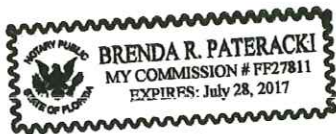
Barbara Williamson (SEAL)
Barbara Williamson

¹⁴¹²
~~1320~~ Strand Street ²B
Neptune Beach, Florida 32266

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7th day of September, 2016, by John W. Campbell and Barbara Williamson, husband and wife, and who are each personally known to me, or who have each produced Florida Driver's License or _____ as identification.

Brenda R Pateracki
Signature of Notary Public
Notary Public, State of Florida
My commission expires: _____



(Notarial Seal)



