

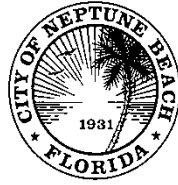


**AGENDA**  
**Regular City Council Meeting**  
**Monday, December 2, 2019, 6:00 PM**  
**Council Chambers, 116 First Street, Neptune Beach, Florida**

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS
  - A. Swearing In Ceremony-Officer Christian Griffin
3. APPROVAL OF MINUTES
  - A. **November 4, 2019, Regular City Council Meeting**  
**November 18, 2019, Special City Council Meeting**  
**November 18, 2019, Workshop City Council Meeting**
4. COMMUNICATION / CORRESPONDENCE / REPORTS

• Mayor	• City Attorney
• City Council	• City Clerk
• City Manager	• Departmental Reports
5. COMMENTS FROM THE PUBLIC
6. CONSENT AGENDA / NONE
7. VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS
  - A. CDB 19-11, Application for Development Permit review as outlined in Chapter 27, Article 2 of the Unified Land Development Code of Neptune Beach for Brewhound Coffee Bar Company for the property known as 1848 Kings Circle South (RE#173290-0000). This property is in the C-2 Zoning District. The applicant is proposing to build an 8' by 8' accessory structure to serve as a kiosk for customer check-in and reception.
  - B. CDB 19-12, Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for 324 Myrtle Street, LLC. The property is currently known as 324 Myrtle Street, (RE# 172976-0000). The subject property is located on the northeast corner of Third and Myrtle Streets. The applicants are requesting to demolish the existing duplex and subdivide the property into two conforming lots that will front on Myrtle Street.
8. ORDINANCES

- A. Ordinance No. 2019-10, Chapter 27, Article III, Division 3, Sections 27-101-27-102; Division 4, Sections 27-105-27-109 and Sections 27-110, Second Reading and **Public Hearing**, An Ordinance of the City Of Neptune Beach, Florida, Enacting A Temporary Moratorium To Prohibit The Acceptance or Processing of any Application for a Development Order or Any Other Official Action of the City Having the Effect of Permitting or Allowing for the Application of a Plat or Replat in the R-4 Zoning District as set forth in Chapter 27, Unified Land Development Regulations, Division 3, Sections 27-101 through 27-102, Platting Requirements Chapter 27, Unified Land Development Regulations, Division 4 Section 27-105 through 27-109, Minor Replat Requirements, and 27-110 Temporary Moratorium; Providing for a Temporary Moratorium Term to be Extended if Necessary by the City Council; Providing for Early Termination; Providing for Conflicts; Providing for Severability; Providing an Effective Date.
  - B. Ordinance No. 2019-11, Chapter 28, Nuisances, Article III, Sections 28-11-28-15, Second Reading and **Public Hearing**, An Ordinance of the City Of Neptune Beach, Florida, Amending Chapter 28, Nuisances, Amending Article III, Nuisance Lighting, Sections 28-11-28-15; and Providing an Effective Date.
  - C. Ordinance No. 2019-12, Chapter 2, Administration, Article VII, Division 2, Section 2-440, Second Reading and **Public Hearing**, An Ordinance of the City of Neptune Beach, Florida Amending Chapter 2, Administration, Amending Article VII, Boards and Commissions, Division 2, Code Enforcement Board, Section 2-440; and Providing an Effective Date.
- 9. OLD BUSINESS / NONE
  - 10. NEW BUSINESS
    - A. Resolution No. 2019-13, A Resolution Expressing Approval and Support for the Development of United States Bike Route 1 (USBR 1)
    - B. Resolution No. 2019-14, A Resolution of the City of Neptune Beach, Florida Authorizing the DONNA Marathon Weekend to be held February 7—9, 2020.
  - 11. COUNCIL COMMENTS
  - 12. ADJOURN



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**MONDAY, NOVEMBER 4, 2019, 6:00 P.M.**  
**NEPTUNE BEACH CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held Monday, November 4, 2019, at 6:00 p.m. in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida

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**Attendance:****IN ATTENDANCE:**

Mayor Elaine Brown  
 Vice Mayor Fred Jones  
 Councilor Kerry Chin  
 Councilor Scott Wiley  
 Councilor Josh Messinger

**STAFF:**

Interim City Manager Leon Smith  
 City Attorney Zachary Roth  
 Director of Finance Peter Kajokas  
 Police Chief Richard Pike  
 Deputy Public Works Director Megan George  
 Code Compliance Supervisor Piper Turner  
 City Clerk Catherine Ponson

**Call to Order**

Mayor Brown called the meeting to order at 6:00 p.m. and Councilor Chin led the Pledge of Allegiance.

**AWARDS / PRESENTATION / RECOGNITION OF GUESTS / NONE**

**APPROVAL OF MINUTES**

**Minutes**

Made by Wiley, seconded by Chin.

**MOTION: TO APPROVE THE FOLLOWING MINUTES:**

**October 7, 2019, Shade City Council Meeting; October 7, 2019, Regular City Council Meeting; October 11, 2019, Special City Council Meeting; October 12, 2019, Special City Council Meeting (8:30 a.m.); October 12, 2019, Special City Council Meeting (2:00 p.m.); October 17, 2019, Special City Council Meeting; October 21, 2019, Workshop City Council Meeting**

**Roll Call Vote:**

Ayes: 5-Chin, Messinger, Wiley, Jones, Brown  
 Noes: 0

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE****CITY MANAGER REPORT****City Manager  
Report**

Interim City Manager Smith reported the following:

- He introduced the new Community Development Director, Kristina Wright.

**Police Chief  
Report**

Police Chief Richard Pike reported that Cookies with a Cop would be held on Saturday, November 9, 2019, at Neptune House in Jarboe Park from 10:00 a.m. until noon. Movies with the Mayor is scheduled for November 23, 2019, at 6:30 p.m. with the Jacksonville Symphony Orchestra performing first at 4:30 p.m. He presented a monthly incident report that he would be handing out at the first council meeting each month.

Mayor Brown announced that Christmas in the Park would be held on Friday, December 6, 2019, at 6:00 p.m. and the Santa Ride through Neptune Beach would be on Saturday, December 21, 2019, at 9:00 a.m.

**PUBLIC COMMENTS****Public Comment**

Rick Sauls, 126 Cedar Street, Neptune Beach, recommended the Council rescind the recent stormwater rate increase. He also requested the Council vote no on the Comprehensive Plan and Land Development Code (LDC) revision.

Ginny Thurson, 1200 7<sup>th</sup> Street, Neptune Beach, spoke regarding the Comprehensive Plan and LDC revision. She stated she didn't see how the City could spend that amount.

Mary Frosio, 1830 Nightfall Drive, Neptune Beach, read an email she sent in support of the Dover, Kohl contract. She stated that time needs to be taken to understand and communicate the scope of this project; the community would buy into it.

**CONSENT AGENDA****Res. No. 2019-11, CDB  
Reappointment**

Resolution No. 2019-11, A Resolution Appointing Member to the Community Development Board (CDB)

Made by Messinger, seconded by Wiley.

**MOTION:****TO APPROVE THE CONSENT AGENDA**

Roll Call Vote:

Ayes: 5-Messinger, Wiley, Chin, Jones, and Brown  
Noes: 0

**MOTION CARRIED****VARIANCES / SPECIAL EXCEPTION / DEVELOPMENT ORDERS / NONE****ORDINANCES****Ord. No. 2019-10,  
R-4 Zoning  
District Lot Split  
Moratorium,**

Ordinance No. 2019-10, Chapter 27, Article III, Division 3, Sections 27-101-27-102; Division 4, Sections 27-105-27-109 and Sections 27-110, First Reading and Public Hearing, An Ordinance of the City Of Neptune Beach, Florida, Enacting A Temporary Moratorium To Prohibit The Acceptance or Processing of any Application for a Development Order or Any Other Official Action of the City Having the Effect of Permitting

or Allowing for the Application of a Plat or Replat in the R-4 Zoning District as set forth in Chapter 27, Unified Land Development Regulations, Division 3, Sections 27-101 through 27-102, Platting Requirements Chapter 27, Unified Land Development Regulations, Division 4 Section 27-105 through 27-109, Minor Replat Requirements, and 27-110 Temporary Moratorium; Providing for a Temporary Moratorium Term to be Extended if Necessary by the City Council; Providing for Early Termination; Providing for Conflicts; Providing for Severability; Providing an Effective Date.

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

City Attorney Zachary Roth explained that it had come up in various meetings that the City wanted to look at the situation with lot splits in the R-4 zoning district, particularly east of Third Street. This was due to the process that was being followed and concerns with preserving the character of Neptune Beach and issues with stormwater and sea level rise. He was approached by two separate Council members to investigate ways to evaluate that while the City is going through the rewrite of the Comprehensive Plan and Land Development Code. He recommended the moratorium of lot splits as opposed to a permanent resolution changing the width of the lot as it allows us to evaluate it as part of the overall global project. He added that it puts a hold on lot splits in the R-4 zoning district that would only result in more lots being created.

Councilor Wiley questioned the number of lots that this would affect and he added the owners of the lots are due notification that this is taking place. He also stated he does not see how this could not be the Bert Harris Act should someone file a claim against the City.

Vice Mayor Jones stated that the project with Dover, Kohl & Partners is not just a rewrite of the Comp Plan. It is also a Vision Plan, which is the biggest effort of the project. He added that in light of the concerns of resiliency and character, the temporary moratorium, even if extended, is a legitimate use of the moratorium as the City is showing action to address the issue.

Councilor Messinger agreed with Vice Mayor Jones and asked Mr. Roth to comment on the Bert Harris Act and this legislation.

Mr. Roth explained that there is an abundance of case law regarding how moratoriums are planning tools that are properly used by local governments. The alternative would be anytime an issue is identified, the City must make a permanent change and hope they don't get sued or the City is stuck with it. The key is that a moratorium is temporary and a change of the lot width or something similar is permanent and leaves the City exposed to a Bert Harris claim.

Councilor Messinger stated his concern is the loss of the community's character. He supports the moratorium while Dover, Kohl addresses the issues such as drainage, parking, and keeping the character intact.

Councilor Chin commented that this legislation, from his perspective is a compromise as he wanted to go back to the 50-foot lots. He added that he understands the intention of notifying the public. He stated that it is unreasonable to uphold the process of government hoping that everyone can be notified.

Mayor Brown stated that it was not asking a lot to notify the property owners.

Made by Messinger, seconded by Jones.

**MOTION:**                    **TO PASS ORDINANCE NO. 2019-10, R-4 ZONING DISTRICT LOT SPLIT MORATORIUM ON FIRST READ**

Roll Call Vote:

Ayes:                    4-Chin, Messinger, Jones, and Brown  
Noes:                    1-Wiley

**MOTION CARRIED**

Ord. No. 2019-11, Nuisance Lighting    Ordinance No. 2019-11, Chapter 28, Nuisances, Article III, Sections 28-11-28-15, First Reading and Public Hearing, An Ordinance of the City Of Neptune Beach, Florida, Amending Chapter 28, Nuisances, Amending Article III, Nuisance Lighting, Sections 28-11-28-15; and Providing an Effective Date.

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Mr. Roth explained there no new regulations added. It has added definitions and language to clarify the City's intent.

Mayor Brown requested that in the process for applying for a permit, if there is a way to know what the final product is going to be.

Councilor Chin agreed that there should be some step in the permitting process to review the applications better. He asked if these changes would help in the current litigation.

Mr. Roth answered that they would as the complaint revolved around lack of clarity.

Mr. Roth confirmed Councilor Messinger's inquiry that the individual involved in the current litigation had requested the changes.

Councilor Messinger stated that there were a number of businesses that had addressed the sign issues and made adjustments and thanked those businesses.

Vice Mayor Jones stated that the definitions add clarity and he might add language regarding enforcement and using a light meter.

Councilor Wiley agreed with Mayor Brown regarding the permitting process. He stated the City should wait for a ruling on the current litigation before amending the ordinance.

Made by Messinger, seconded by Jones.

**MOTION:**                    **TO PASS ORDINANCE NO. 2019-11, NUISANCE LIGHTING, ON FIRST READ**

Roll Call Vote:

Ayes:                    4-Chin, Messinger, Jones, and Brown  
Noes:                    1-Wiley

**MOTION CARRIED**

Ord. No. 2019-12, Code Enforcement Board      Ordinance No. 2019-12, Chapter 2, Administration, Article VII, Division 2, Section 2-440, First Reading and Public Hearing, An Ordinance of the City of Neptune Beach, Florida Amending Chapter 2, Administration, Amending Article VII, Boards and Commissions, Division 2, Code Enforcement Board, Section 2-440; and Providing an Effective Date.

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Mr. Roth explained this would correct a reference to a section in the Code that does not exist. Section 2-276 should be Section 2-446.

Made by Messinger, seconded by Chin.

**MOTION:**                      **TO PASS ORDINANCE NO. 2019-12, CODE ENFORCEMENT, ON FIRST READ**

Roll Call Vote:

Ayes:                              5-Messinger, Wiley, Chin, Jones, and Brown

Noes:                              0

**MOTION CARRIED**

**OLD BUSINESS / NONE**

**NEW BUSINESS**

Settlement Agreement, 1229 Forest Oaks Drive      Approval of Mediated Settlement Agreement in the Section 70.51, Florida Statutes, Proceeding by Leigh B. Broward Regarding the Denial of Minor Replat Application, CDB 19-05, for 1229 Forest Oaks Drive.

Sid Ansbacher, 780 North Ponce de Leon Boulevard, St. Augustine, Attorney for Mr. Broward, stated that Mr. Roth had shown him and Mr. Broward the modifications and they were approved by Mr. Broward to preserve or mitigate the trees.

Mr. Roth reviewed the process of Florida Statutes Section 70.51, where an owner can seek a dispute resolution with the City while maintaining any rights they may have moving forward. It allows time to discuss a potential resolution using a special magistrate to mediate. He continued that he addressed all of the issues that had been brought up at the Community Development Board and Council meetings. This comes before Council in two steps. The first is the mediated settlement agreement which is the special magistrate's recommendation. If that is approved, then the replat based on that recommendation would need to be approved.

Councilor Wiley reported he had attended the hearing on Tuesday, October 8, 2019.

Made by Messinger, seconded by Chin.

**MOTION:**                      **TO APPROVE THE MEDIATED SETTLEMENT AGREEMENT, AS MODIFIED**

Roll Call Vote:

Ayes:                              5-Wiley, Chin, Messinger, Jones, and Brown

Noes:                              0

**MOTION CARRIED**

Modified Minor  
Replat, 1228  
Forest Oaks  
Drive

Approval of Modified Minor Replat of 1229 Forest Oaks Drive.

Made by Chin, seconded by Messinger.

**MOTION:**

**TO APPROVE THE MODIFIED MINOR REPLAT OF 1229 FOREST OAKS DRIVE**

Roll Call Vote:

Ayes: 5-Chin, Messinger, Wiley, Jones, and Brown

Noes: 0

**MOTION CARRIED**

Pete's Bar  
Thanksgiving Day  
Event

Pete's Bar Thanksgiving Day Event - November 28, 2019. Councilor Messinger stated that this event is a great event. He had two concerns from the agreement from last year. There was a lot of trash being created and not being picked up. He requested the hiring of two Neptune Beach Public Works employees for purposes of garbage control for duration of event at standard rates for such employees for the date of the event.

Councilor Messinger expressed that the City of Neptune Beach, Atlantic Beach and the Beaches Town Center Agency have invested quite a bit of money to refresh the landscaping, irrigation and lighting. He is requesting the hiring of Rockaway, Inc. to install protective fencing around all landscaping and associated components servicing such landscaping and financial responsibility of the participating business for any damage to same.

Made by Chin, seconded by Messinger.

**MOTION:**

**TO APPROVE THE PETE'S BAR THANKSGIVING DAY EVENT AS DISCUSSED BY COUNCIL**

Roll Call Vote:

Ayes: 5- Messinger, Wiley, Chin, Jones, and Brown

Noes: 0

**MOTION CARRIED**

City Manager  
Contract

Approval of City Manager Contract. Mr. Roth explained that there were come changes in the contract presented. The changes included the start date, reimbursement for travel expenses, vehicle allowance, relocation expenses, removal of personal belongings upon termination, and residency.

Made by Messinger, seconded by Wiley.

**MOTION:**

**TO APPROVE THE CITY MANAGER CONTRACT, AS AMENDED**

Roll Call Vote:

Ayes: 5- Wiley, Chin, Messinger, Jones, and Brown

Noes: 0

**MOTION CARRIED**



Dover, Kohl &  
Partners  
Agreement

Approval of Agreement for Professional Services for the Comprehensive Plan and Land Development Code Revision with Dover, Kohl & Partners.

Councilor Chin stated he had heard from many residents regarding sticker shock. He remarked that people had difficulty valuing things that are intangible. He expressed that Neptune House was a similar expense and this project would bring greater value for the City. He stated it is 24 months of professional services for the City. It goes towards what vision do we want for our City and going cheaper is cynical and the City deserves more. He also added that there is the option of carving out the services to be done by the City now that we have a Community Development Director. He hopes to find ways to utilize these cost savings.

Councilor Messinger agreed with Councilor Chin. He too had sticker shock but in order to receive grants and help from FDOT, the City must show citizen buy-in, plans and documentation. There was a detailed process that chose Dover, Kohl and they would best articulate Neptune Beach's unique character. The finance director has presented funding sources for this project. He added this is a great value for the citizens of Neptune Beach.

Vice Mayor Jones added that the City of Neptune Beach has been vetting the future on uncertainty and fear. He stated the City needs more self-confidence and more adaptation to change and this is the vehicle to do that. The idea is to have a robust vision for the future owned by the public.

Councilor Wiley commented that the City ranked four firms and Dover, Kohl came out on top. He is questioned the process for choosing the firm. He stated that the City is obligated to issue an RFP. The funding for this project was discussed after the budget was adopted. He added this is a big expense. The funding is not there and he cannot support this.

Mayor Brown stated that the City is rushing into something that new City staff has not had a chance to evaluate and advise Council on. She looked at the funding and those funds are designated for certain expenditures. These are taxpayer dollars and she would like to have the new City Manager and Community Development Director review it.

Made by Brown, seconded by Wiley.

**MOTION:**                    **TO POSTPONE THE AGREEMENT WITH DOVER, KOHL AND PARTNERS**

Roll Call Vote:

Ayes:                    2- Wiley and Brown  
Noes:                    3-Chin, Messinger and Jones

**MOTION FAILED**

Made by Jones, seconded by Messinger.

**MOTION:**                    **TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH DOVER, KOHL AND PARTNERS FOR THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE REVISION**

Roll Call Vote:

Ayes:                    3-Messinger, Chin, and Jones  
Noes:                    2-Wiley and Brown

**MOTION CARRIED**

**COUNCIL COMMENTS**

Councilor Chin clarified that he is all for notifying the public and letting people know what is going on.

Vice Mayor Jones reported he would be in Washington, D.C. representing Neptune Beach in a safety week discussing complete streets.

Adjournment      There being no further business, the meeting adjourned at 7:56 p.m.

Attest:

\_\_\_\_\_  
Elaine Brown, Mayor

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved: \_\_\_\_\_



**MINUTES**  
**SPECIAL CITY COUNCIL MEETING**  
**MONDAY, NOVEMBER 18, 2019, AT 6:00 P.M.**  
**COUNCIL CHAMBERS, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

Pursuant to proper notice a Special Meeting of the City Council of the City of Neptune Beach was held Monday, November 18, 2019, at 6:00 p.m. in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

**IN ATTENDANCE:**

Mayor Elaine Brown  
 Vice Mayor Fred Jones  
 Councilor Kerry Chin  
 Councilor Josh Messinger  
 Councilor Scott Wiley

**STAFF:**

Interim City Manager Leon Smith  
 City Attorney Zachary Roth  
 Chief of Police Richard Pike  
 Deputy Public Works Director Megan George  
 Finance Director Peter Kajokas  
 City Clerk Catherine Ponson

Order  
 Call/Pledge

Mayor Brown called the special meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

Mayor Brown asked for a moment of silence for Steve Ramsey, former Finance Director, who passed away on Friday, November 8, 2019.

Res. No. 2019-12,  
 Budget  
 Amendment

Resolution No. 2019-12, A Resolution Amending the Operating Budget for the City of Neptune Beach, Florida, for Fiscal Year 2019, beginning October 1, 2018 and ending September 30, 2019.

Peter Kajokas, Finance Director, reviewed the budget amendment for FY 2019.

Made by Messinger, seconded by Wiley.

**MOTION:** **TO APPROVE RESOLUTION 2019-12, AMENDING THE OPERATING BUDGET FOR THE CITY OF NEPTUNE BEACH, FLORIDA, FOR FISCAL YEAR 2019, BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019.**

Roll Call Vote:

Ayes: 5—Chin, Messinger, Wiley, Jones, and Brown.  
 Noes: 0

**MOTION CARRIED**

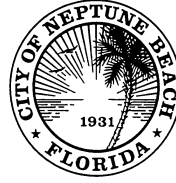
**COMMENTS FROM THE PUBLIC / NONE**

Adjournment      There being no further business, the special meeting adjourned at 6:07 p.m.

\_\_\_\_\_  
Elaine Brown, Mayor

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved: \_\_\_\_\_



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**MONDAY, NOVEMBER 18, 2019, 6:07 P.M.**  
**NEPTUNE BEACH CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

Pursuant to proper notice a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, November 18, 2019, at 6:07 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida

Attendance	<b>IN ATTENDANCE:</b> Mayor Elaine Brown Vice Mayor Fred Jones Councilor Kerry Chin Councilor Josh Messinger Councilor Scott Wiley	<b>STAFF:</b> Interim City Manager Leon Smith City Attorney Zachary Roth Police Chief Richard Pike Finance Director Peter Kajokas Deputy Public Works Director Megan George City Clerk Catherine Ponson, CMC
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Call to Order Mayor called the workshop meeting to order at 6:07 p.m.

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS**

CMC Presentation	Northeast Director of the Florida Association of City Clerks presented Neptune Beach City Clerk Catherine Ponson with her Certified Municipal Clerk Certificate.
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**CITY MANAGER REPORT**

City Manager Report	Interim City Manager Leon Smith reported: <ul style="list-style-type: none"> <li>• Davis Street would be closed for construction purposes.</li> <li>• New City Manager Stefen Wynn would be in town this week.</li> </ul>
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Police Chief Report	Chief of Police Richard Pike reported: <ul style="list-style-type: none"> <li>• Movies with the Mayor is scheduled for Saturday, November 23, 2019 and the Jacksonville Symphony Orchestra would be performing at 4:30 before the movie.</li> </ul>
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**COMMITTEE REPORTS**

Land Use and Parks	Committee Chairman Messinger reported that his committee meeting had been deferred until Tuesday, November 27, 2019.
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Strategic Planning & Visioning-Transportation/Public Safety	Committee Chairman Jones reported that the Strategic Planning and Visioning Committee and Transportation/Public Safety Committees had been deferred.
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Finance/Boards/  
Charter Review Committee Chairman Wiley reported his committee met on Wednesday, November 13, 2019. His committee discussed the budget amendment that was passed earlier. He stated that the senior center lease had been extended until April 2020 and the owner of that building would be in town in December and would meet to discuss that lease.

#### **PUBLIC COMMENTS**

Public Comment Shellie Thole, 217 Oleander Street, Neptune Beach, spoke regarding renting to a business in the Neptune House. She added that there should be parameters in place before renting a community structure to a commercial entity.

#### **PROPOSED ORDINANCES / NONE**

#### **CONTRACTS / AGREEMENTS**

Use Agreement for Neptune House Use Agreement between Dance Trance and the City of Neptune Beach. City Attorney Zachary Roth explained that the City had been approached by Jay Handline, Dance Trance Fitness, to utilize Neptune House for eight hours a week. Mr. Roth had drafted a use agreement for Council review. He added that it is important that this is not a lease. The rate would be \$50 an hour.

Councilor Wiley reported he had spoken with Mr. Handline regarding the use of Neptune House. Mr. Handline confirmed that there were over 100 members with 15-25 attending each class.

Councilor Wiley stated that the use of Neptune House had not been what was expected and that may be due to the rate structure. He added that the application stated that reoccurring use was prohibited. He added he had concerns regarding opening it to a business for profit.

Vice Mayor Jones stated he had concerns with the space limitations and we would need to clarify some of the potential conflicts that may arise.

Mr. Roth explained that he had built into the agreement that the City can provide notice that the facility would not be available at a certain time and give 24 hours' notice.

Councilor Messinger stated he had concerns with discounting the rent based on the installation of the flooring.

Councilor Chin reported he had spoken with Mr. Handline and had discussed the key points of using the space. He added he too had concerns regarding having recurring businesses use the space. This is something that need to be discussed.

Jay Handline, Dance Trance, 214 Orange Street, Neptune Beach, stated that he had presented a proposal with a great deal of flexibility.

Discussion ensued regarding floor installation, offering free classes to the community, and what the broader policy goal is with Neptune House regarding renting to recurring customers.

Mr. Roth stated he would take the comments from this meeting and present something for everyone to consider.

#### **ISSUE DEVELOPMENT**

Notification of Property Owners of Proposed Ordinance      Notification of Property Owners in the R-4 Zoning District of Proposed Lot Split Moratorium. Mr. Roth explained that he had drafted a letter for property owners based on the notice regarding Ordinance No. 2019-10.

Mayor Brown stated that this will be moved along and sent out to the property owners.

Concrete Purchase      Concrete Purchase for Florida Boulevard Path Widening. This is needed to complete the East Coast Greenway Trail.

Councilor Chin expressed he supports this project and would like to make sure we preserve heritage trees in the pathway.

Councilor Messinger stated his concern is making sure this is properly engineered and finished. He also would like to see the large trees and root systems preserved.

Vice Mayor Jones explained that getting the appropriate geotechnical work and the subsurface utility coordination ahead of time is important.

Councilor Wiley commented that he would like the City to save the trees while constructing the sidewalk.

**CONSENSUS:**      **TO AUTHORIZE THE INTERIM CITY MANAGER TO PROCEED WITH THE PURCHASE OF THE CONCRETE FOR THE FLORIDA BOULEVARD PATH WIDENING**

Res. No. 2019-13, USBR-1      Resolution No. 2019-13, A Resolution Expressing Approval and Support for the Development of United States Bike Route 1 (USBR 1). This is to support United States Bike Route 1 which would run through Neptune Beach.

**CONSENSUS:**      **FORWARD RESOLUTION NO. 2019-13 TO THE DECEMBER 2, 2019, AGENDA.**

#### **PUBLIC COMMENT**

Public Comment      Charles Miller, 512 South Street, Neptune Beach, spoke regarding the potential flooring in the Neptune House and ADA compliance and maintenance.

#### **COUNCIL COMMENTS**

Councilor Messinger stated that the contract costs for building inspection has increased and the Council and City staff should explore bringing a building inspector in-house.

Councilor Chin agreed with Councilor Messinger in terms of bringing a building inspector in-house.

Mr. Roth commented that the City would continue enforcing the provisions of the Code regarding tree preservation.

Adjournment      There being no further business, the workshop meeting adjourned at 7:53 p.m.

\_\_\_\_\_  
Elaine Brown, Mayor

ATTEST:

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved: \_\_\_\_\_





**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** CDB 19-11, Application for Development Permit review as outlined in Chapter 27, Article 2 of the Unified Land Development Code of Neptune Beach for Brewhound Coffee Bar Company for the property known as 1848 Kings Circle South (RE#173290-0000). This property is in the C-2 Zoning District. The applicant is proposing to build an 8' by 8' accessory structure to serve as a kiosk for customer check-in and reception.

**SUBMITTED BY:** Jason Underwood, Brewhound Coffee Bar Company

**DATE:** November 27, 2019

**BACKGROUND:** Brewhound Coffee Bar Company is requesting to add an 8' by 8' accessory structure to be used as a kiosk for customer check-in and reception. The property is located at 1848 Kings Circle South and is in the C-2 Zoning District.

**BUDGET:** N/A

**RECOMMENDATION:** The Community Development Board approved the application unanimously on November 13, 2019.

**ATTACHMENT:** 1. CDB 19-11, Brewhound

*City of*  
**Neptune Beach**

116 First Street • Neptune Beach, Florida 32266-6140  
(904) 270-2400 • FAX (904) 270-2432



**MEMORANDUM**

**TO: Community Development Board**

**FROM: Staff**

**DATE: October 31, 2019**

**SUBJECT: CDB 19-11 / 1848 Kings Circle South – Development Order**

---

**Background**

A development permit application to construct a 8 foot by 8 foot accessory structure to be used as a Kiosk for customer check-in and reception for Brewhound Coffee Bar Company located at 1848 Kings Circle South.

**Analysis**

The property is located in the C-2 zoning district and is the site of the Brewhound dog park. The commercial C-2, zoning district is intended to provide for retail sales and services for one (1) or more neighborhoods. This district corresponds to the commercial medium designation on the adopted future land use map.

The proposal is to add a shed type structure to be located at the entrance of the park north of the existing handicap parking space. The building will have a service window in front and a rear door for access. The addition does not require any additional parking.

CLB19-11

## APPLICATION FOR DEVELOPMENT PLAN REVIEW

TO THE CITY OF NEPTUNE BEACH BUILDING DEPARTMENT  
116 FIRST STREET  
NEPTUNE BEACH, FLORIDA 32266-6140  
PH: 270-2400 Ext 4 FAX: 270-2417



**APPLICATION FEE: \$300 Residentially Zone Property**  
**\$500 Commercially Zone Property plus \$.005 (1/2 cent) for each square foot of land**  
**or \$1500 whichever is greater**

Date Filed: <b>RECEIVED OCT 04 2019</b>		Name and address of the applicant requesting development review: (NOTE: If the applicant is other than all the legal owners of the property, notarized written consent signed by all the legal owners of the property shall be attached. In the case of corporation ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and the embossed with the corporate seal). The undersigned hereby applies for a development review as follows.	
Name & Mailing address of Owner of Record: <u>JASON UNDERWOOD</u> <u>2398 EAGLES NEST RD. JACKSONVILLE, 32246</u> Contact phone # <u>904-237-1164</u> e-mail address <u>JASON@BREW-HOUND.COM</u> <u>Brewhound Coffee Bar Co</u>		Property Address: <u>1848 KING'S CIRCLE S.</u> Neptune Beach, FL 32266 Real Estate ID # <u>173290-0000</u> Lot _____ Block _____ Subdivision _____ Zoning District: <u>C-2</u>	
Name and Address of Agent/Applicant: <u>JASON UNDERWOOD</u>		Telephone #- <u>904-237-1164</u> Email: <u>JASON@BREW-HOUND.COM</u>	
Describe Request being made: <u>Requesting to build 8x8 shed on property serving as kiosk for customer check-in + reception</u>			
<p align="center"><b>PLEASE BE ADVISED THE COMMUNITY DEVELOPMENT BOARD CONDUCTS A PUBLIC HEARING TO CONSIDER CERTAIN FACTORS IN ORDER TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OR DISAPPROVAL OF THE DEVELOPMENT PLAN.</b></p>			

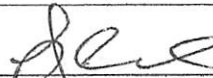
I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER OR AUTHORIZED AGENT FOR THE OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING THE ATTACHMENTS ARE TRUE AND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

**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 development review:

<input checked="" type="checkbox"/> Development Order	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Comp Plan Amendment
<input type="checkbox"/> Variance	<input type="checkbox"/> Concurrency
<input type="checkbox"/> Appeal	<input checked="" type="checkbox"/> other/building permit

BY:  INSON UNDERWOOD  
Signature of Owner Print Name

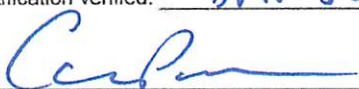
\_\_\_\_\_  
Signature of Owner Print Name

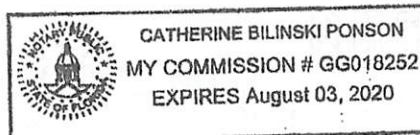
State of Florida  
County of \_\_\_\_\_

Signed and sworn before me on this 2nd day of, 20 19.

By

Identification verified: Drivers License Oath sworn: ☒ Yes ☐ No

 8-03-2020  
Notary Signature My Commission expires:







# NOTES:

## 1. BUILDING CODE:

FLORIDA BUILDING CODE, 5th EDITION (2014)  
BUILDINGS ARE NOT FOR HIGH-VELOCITY HURRICANE ZONES (HVHZ)

## 2. DESIGN LOADING:

WIND SPEED:  $V_{ult} = 155$   
 $V_{asd} = 120$

EXPOSURE: C

ROOF LIVE LOAD: 20 PSF

ROOF DEAD LOAD: 10 PSF

FLOOR LIVE LOAD: MIN. 50 PSF (SEE NOTE 5, DETAIL 1, SHEET 3)

RISK CATEGORY: 1

COMPONENT AND CLADDING: ROOF: 29 PSF (ZONE 1)  
WIND PRESSURE (psf) (ASD VALUES) 50 PSF (ZONE 2)  
74 PSF (ZONE 3)

(BASED ON 10 SQ FT) WALL: 34 PSF (ZONE 4)  
42 PSF (ZONE 5)

INTERNAL WIND PRESSURE COEFFICIENT:  $\pm 0.18$   
(ENCLOSED BUILDING)

FLORIDA BUILDING APPROVAL NUMBERS--

1. WINDOWS BY TAFCO CORP - FLORIDA BUILDING APPROVAL #FL20743.1.

2. LP SMARTSIDE SIDING - FLORIDA BUILDING APPROVAL #FL9190.6-R4.

3. SHINGLES BY OWENS CORNING - FLORIDA BUILDING APPROVAL #FL10674.1-R12.

4. ROOF UNDERLAYMENT BY WOODLAND INDUSTRIES INC. - FLORIDA BUILDING APPROVAL #FL17206.2-R3.

5. THOMPSON ARCHITECTURAL METALS CO. METAL ROOFING - FLORIDA BUILDING APPROVAL #FL5218.1-R2.

6. INNOVATIONS MANUFACTURING, INC. TRANSOM WINDOWS - FLORIDA BUILDING APPROVAL #FL17657.1.

7. FLOOD SOLUTIONS, LLC FLOOD VENTS (IF REQ'D) - FLORIDA BUILDING APPROVAL #FL17588.1.

8. OX PAPERBOARD MICHIGAN, LLC THERMO-PLY SHEATHING - FLORIDA BUILDING APPROVAL #FL16391.1-R1.

HEADER NAILING:

HEADER TO STUD - 4-16d END NAIL DOUBLED HEADER  
- 16d @ 16" STAGGERED FACE NAIL

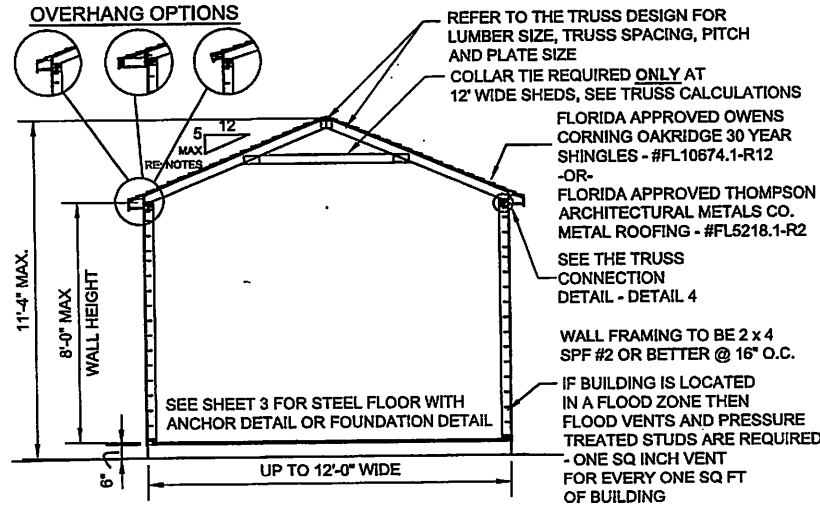
NAILING:

REFER TO SHEET 2 FOR WALL AND ROOF  
SHEATHING NAILING.

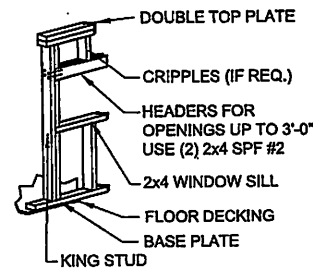
MAX WALL HEIGHT FOR EACH SHED:

PPTR - 8'-0" 1/4" (96 1/4")

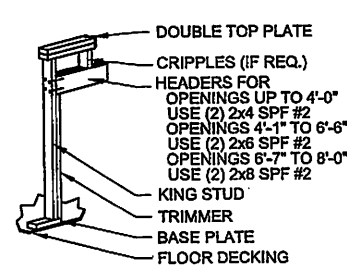
## UNINHABITED UTILITY SHED UP TO 12' WIDE x UP TO 24' LONG PPTR WEEKENDER



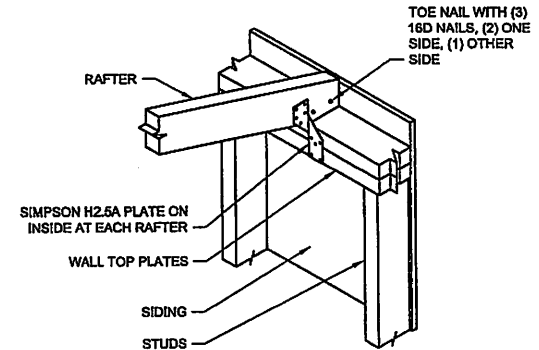
1 BUILDING SECTION  
SCALE: N.T.S.



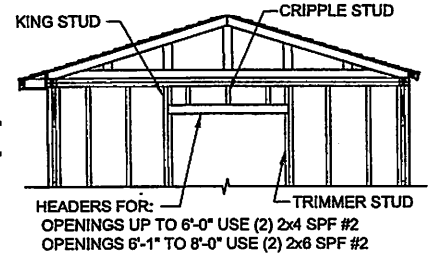
2A WINDOW HEADER DETAIL FOR SIDE WALLS  
SCALE: N.T.S.



2B DOOR HEADER DETAIL FOR SIDE WALLS  
SCALE: N.T.S.



4 TRUSS TO WALL CONNECTION DETAIL  
SCALE: N.T.S.



3 HEADER DETAIL FOR END WALLS  
SCALE: N.T.S.

REFER TO THE DOOR DETAIL (SHEET 2) FOR THE DOOR DESIGN



Order #:	
Customer:	
Site Address:	
Building Size: WIDTH - LENGTH - HEIGHT - SQ. FT. AREA	

P.O. #	
Drawn By: SJ	
Date: 1/2/15	
Checked By:	
Date:	
Scale: N.T.S.	

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TUFF SHED, INC.  
ENGINEERING DEPARTMENT  
  
RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-8833 EXT. 96315

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TITLE  
BUILDING SECTIONS  
HEADER FRAMING DETAILS  
FBC, 5th EDITION (2014)  
155C

DRAWING NO.	FL-PPTRw-01
REV. LEVEL	01
SHEET	1
PAGE	1 OF 5

4 AUG 2017

# 3/8 SMART SIDE NAILING REQUIREMENTS

USE THESE NAILING TABLES FOR THE PPTR AND TR/TRD800 DRAWINGS

SIDE WALL EDGE NAILING REQUIREMENTS				
MARK WALLS BEING USED	END WALL WIDTH	SIDE WALL LENGTH	EDGE NAILING	MAX. COMB. OPENING (NOTE 2)

NO OPENINGS ALONG THE WALL				
6'	6'-18'	8d NAILS @ 6" O.C.	0'	6'-18'
8'	8'-24'	8d NAILS @ 6" O.C.	0'	8'-24'
10'	10'-24'	8d NAILS @ 6" O.C.	0'	10'-24'
12'	12'-24'	8d NAILS @ 6" O.C.	0'	12'-24'

MIN 2'-4" RTN WALLS ON EACH END OF WALL - MIN 2'-4" WALL SEGMENT				
6'	6'-18'	8d NAILS @ 6" O.C.	UP TO 12'	4'
8'	8'-24'	8d NAILS @ 6" O.C.	UP TO 12'	5'
8'	8'-24'	8d NAILS @ 4" O.C.	UP TO 12'	3'
10'	10'-24'	8d NAILS @ 6" O.C.	UP TO 12'	6'
10'	10'-24'	8d NAILS @ 4" O.C.	UP TO 12'	4'
12'	12'-24'	8d NAILS @ 6" O.C.	UP TO 12'	7'
12'	12'-24'	8d NAILS @ 4" O.C.	UP TO 12'	5'

END WALL EDGE NAILING REQUIREMENTS				
MARK WALLS BEING USED	END WALL WIDTH	SIDE WALL LENGTH	EDGE NAILING	MAX. COMB. OPENING

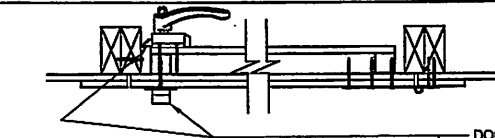
NO OPENINGS ALONG THE WALL				
6'	6'-10'	8d NAILS @ 6" O.C.	0'	6'
6'	12'-16'	8d NAILS @ 4" O.C.	0'	6'
6'	18'	8d NAILS @ 3" O.C.	0'	6'
8'	8'-14'	8d NAILS @ 6" O.C.	0'	8'
8'	16'-20'	8d NAILS @ 4" O.C.	0'	8'
8'	22'-24'	8d NAILS @ 3" O.C.	0'	8'
10'	10'-16'	8d NAILS @ 6" O.C.	0'	10'
10'	18'-24'	8d NAILS @ 4" O.C.	0'	10'
12'	12'-20'	8d NAILS @ 6" O.C.	0'	12'
12'	22'-24'	8d NAILS @ 4" O.C.	0'	12'

MIN 2'-4" RTN WALLS ON EACH END OF WALL - MIN 2'-4" WALL SEGMENT				
6'	6'-10'	8d NAILS @ 6" O.C.	3'	5'
6'	10'-12'	8d NAILS @ 4" O.C.	3'	5'
8'	14'-18'	8d NAILS @ 3" O.C.	3'	5'
8'	18'-24'	8d NAILS @ 4" O.C. (BS)	3'	5'
8'	8'-10'	8d NAILS @ 4" O.C.	4'	4'
8'	12'-14'	8d NAILS @ 3" O.C.	4'	4'
8'	16'-20'	8d NAILS @ 4" O.C. (BS)	4'	4'
8'	22'-24'	8d NAILS @ 3" O.C. (BS)	4'	4'
10'	10'-12'	8d NAILS @ 6" O.C.	3'	7'
10'	14'-18'	8d NAILS @ 4" O.C.	3'	7'
10'	20'-24'	8d NAILS @ 3" O.C.	3'	7'
10'	10'	8d NAILS @ 6" O.C.	4'	6'
10'	12'-14'	8d NAILS @ 4" O.C.	4'	6'
10'	16'-20'	8d NAILS @ 3" O.C.	4'	6'
10'	22'-24'	8d NAILS @ 3" O.C. (BS)	4'	6'
10'	10'	8d NAILS @ 4" O.C.	6'	4'
10'	12'	8d NAILS @ 3" O.C.	6'	4'
10'	14'-20'	8d NAILS @ 4" O.C. (BS)	6'	4'
10'	22'-24'	8d NAILS @ 3" O.C. (BS)	6'	4'
12'	12'	8d NAILS @ 6" O.C.	4'	8'
12'	14'-20'	8d NAILS @ 4" O.C.	4'	8'
12'	22'-24'	8d NAILS @ 3" O.C.	4'	8'
12'	12'-14'	8d NAILS @ 4" O.C.	6'	6'
12'	16'-20'	8d NAILS @ 3" O.C.	6'	6'
12'	22'-24'	8d NAILS @ 4" O.C. (BS)	6'	6'
12'	12'	8d NAILS @ 3" O.C.	8'	4'
12'	14'-20'	8d NAILS @ 4" O.C. (BS)	8'	4'
12'	22'-24'	8d NAILS @ 3" O.C. (BS)	8'	4'

ROOF SHEATHING (7/16" OSB)			
WIDTH	LENGTH	FIELD NAILING	EDGE NAILING
6'	6'-18'	8d NAILS @ 12" O.C.	8d NAILS @ 4" O.C.
8'	8'-24'	8d NAILS @ 12" O.C.	8d NAILS @ 4" O.C.
10'	10'-24'	8d NAILS @ 12" O.C.	8d NAILS @ 4" O.C.
12'	12'-24'	8d NAILS @ 12" O.C.	8d NAILS @ 4" O.C.

NOTES:  
1. USE 8d ROOFING, COMMON, OR GALVANIZED BOX NAILS.

TABLE NOTES:  
1. NAILING IS FOR 3/8" SMARTSIDE PANEL OR 3/8" SMARTSIDE WITH FOIL BACKER.  
2. NO SINGLE OPENING GREATER THAN 8'-0".  
3. \* 6" WIDE X 6'-9" LENGTH BUILDINGS ARE BASED ON 3-SIDED DIAPHRAGM. THE END WALL OPPOSITE OF THE OPENING MUST BE FULLY SHEATHED, IN THE 3-SIDED DIAPHRAGM CASES (NO OPENINGS) AND NAILED AS SPECIFIED. THE END WALL WITH THE OPENING DOES NOT HAVE A MIN. RETURN WALL ON EACH SIDE OF THE OPENING.  
4. USE COMMON OR GALVANIZED BOX NAILS WITH A MINIMUM LENGTH OF 2 1/2".  
5. FIELD NAILING FOR 3/8" SMARTSIDE: 8d @ 12" O.C.  
6. ON THESE BUILDINGS 6' X 10'-18" THE 3' DOOR IN THE END WALL WILL NEED TO BE OFF SET. THERE WILL BE A 2'6" PANEL ON ONE SIDE AND A 6" PANEL ON THE OTHER SIDE OF THE DOOR.  
7. (BS) - DESIGNATES WALLS THAT NEED TO BE SHEATHED ON BOTH SIDES.



1A SINGLE DOOR ASSEMBLY TOP VIEW  
SCALE: N.T.S.

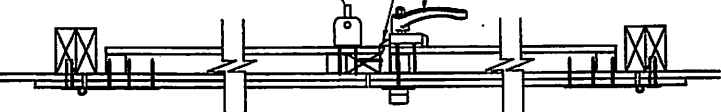
BOLT LATCH ON FIXED DOOR FOR DOUBLE DOOR

ATTACH (1) BOLT LATCH AT THE TOP AND (1) BOLT LATCH AT THE BOTTOM OF THE FIXED DOOR. ATTACH EACH BOLT LATCH ASSEMBLY WITH (4) #8 x 2-1/4" SQUARE DRIVE WOOD SCREWS.

DOOR HANDLE AND STRIKE PLATE ATTACHMENT

INSTALL DOOR HANDLE PER MANUFACTURER'S INSTRUCTIONS. USE #8 x 2-1/4" SQUARE DRIVE WOOD SCREWS.

ATTACH STRIKE PLATE WITH (3) #8 x 2" SQUARE DRIVE WOOD SCREWS.



1B DOUBLE DOOR ASSEMBLY TOP VIEW  
SCALE: N.T.S.

BOLT LATCH ON FIXED DOOR FOR DOUBLE DOOR

WHEN THE FIXED DOOR IS CLOSED AND BOTH BOLT LATCHES ARE ENGAGED, THE TOP BOLT LATCH WILL REST AGAINST THE INSIDE EDGE OF THE HEADER, AND THE BOTTOM BOLT WILL REST IN A PRE-DRILLED HOLE IN THE FLOOR DECKING.

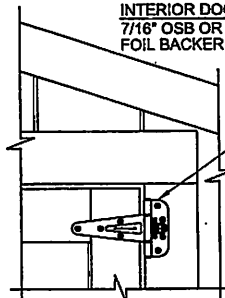
DOOR THRESHOLD

EXTERIOR DOOR SHEATHING 3/8" SMARTSIDE OR 3/8" SMARTSIDE WITH FOIL BACKER

INTERIOR DOOR SHEATHING 7/16" OSB OR 7/16" OSB WITH FOIL BACKER

HINGE ATTACHMENT

(3) TUFF SHED HINGES PER DOOR/DOOR PANEL. FILL EVERY HOLE IN HINGE WITH A #8 x 2-1/4" SQUARE DRIVE WOOD SCREW.



2 DOUBLE DOOR ASSEMBLY SIDE VIEW  
SCALE: N.T.S.

3 HINGE ASSEMBLY FRONT VIEW  
SCALE: N.T.S.

DOORS:  
STANDARD DOOR CONSTRUCTION FOR TUFF SHED DOORS UP TO 48" x 80 1/4" ON SINGLE HUNG DOORS AND 96" x 80 1/4" ON DOUBLE DOORS EXCEED ALL LOAD REQUIREMENTS FOR THE LOAD CRITERIA ON SHEET 1.



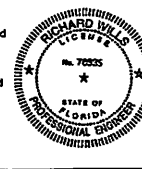
Order #. \_\_\_\_\_  
Customer: \_\_\_\_\_  
Site Address: \_\_\_\_\_  
Building Size: WIDTH x LENGTH x HEIGHT - SQ. FT. AREA \_\_\_\_\_

P.O. # \_\_\_\_\_  
Drawn By: SJ  
Date: 1/2/15  
Checked By: \_\_\_\_\_  
Date: \_\_\_\_\_  
Scale: N.T.S.

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TUFF SHED, INC.  
ENGINEERING DEPARTMENT  
RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-8833 EXT. 96315

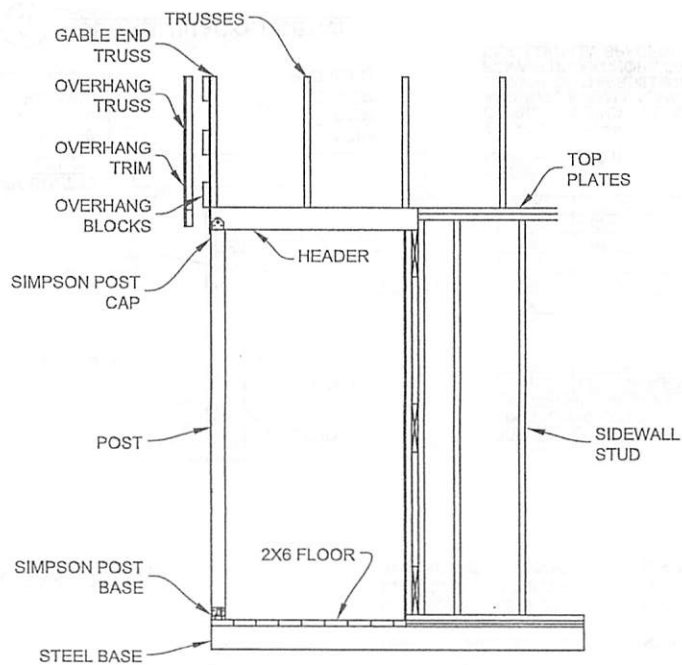
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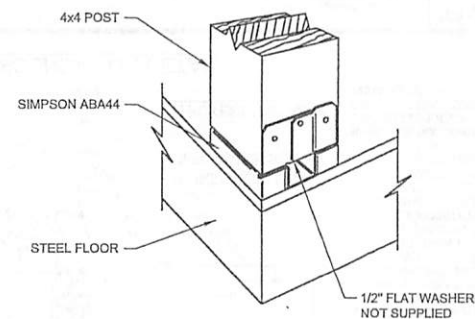
TITLE  
GENERAL NOTES  
FBC, 5th EDITION (2014)  
155C

DRAWING NO.  
FL-PPTRW-01  
REV. LEVEL 01  
SHEET 2  
PAGE 2 OF 5

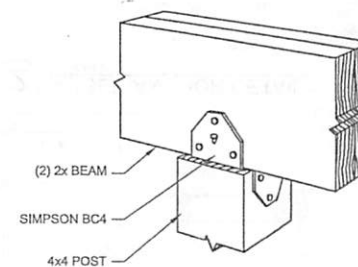
4 AUG 2017



1 PORCH DETAIL  
SCALE: N.T.S.



2 SIMPSON POST BASE  
SCALE: N.T.S.



3 SIMPSON POST CAP  
SCALE: N.T.S.



Order #:	P.O. #
Customer:	Drawn By: SJ
Site Address:	Date: 1/2/15
Building Size: WIDTH - LENGTH - HEIGHT - SQ. FT. AREA	Checked By:
	Date:
	Scale: N.T.S.

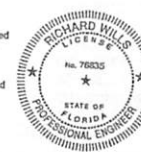
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TUFF SHED, INC.  
ENGINEERING DEPARTMENT

RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-8833 EXT. 96315

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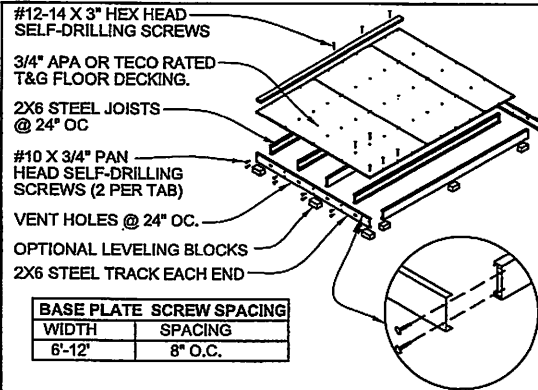
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<b>TITLE</b>  DETAILS  FBC, 5th EDITION (2014) 155C	<b>DRAWING NO.</b> FL-PPTRW-01
	<b>REV. LEVEL</b> 01
	<b>SHEET</b> 4
	<b>PAGE</b> 4 OF 5

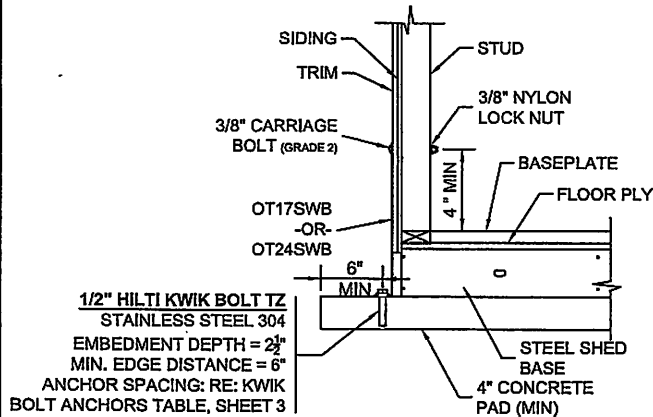
4 AUG 2017





1 STEEL SHED BASE DETAIL  
SCALE: N.T.S.

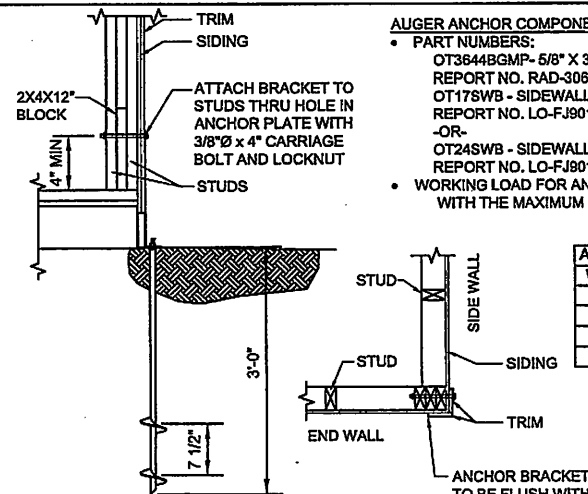
1. STEEL SHED FOUNDATION:  
600T125-054 - 16 GAUGE STEEL TRACKS G140 ZINC COATED  
600S137-054 - 16 GAUGE STEEL JOISTS G140 ZINC COATED  
@ 24\" O.C.  
(SUPPLIER: ALLIED STUDCO (JOIST: 600S137-054 / TRACK:  
600T125-054) ICC ER-4943P.
2. 3/4\" APA OR TECO RATED TONGUE AND GROOVE FLOOR  
DECKING, 24\" MAX PANEL SPAN, STAGGER PANEL LAYOUT.
3. FASTEN FLOOR DECKING TO JOIST & TRACKS USING  
#8 x 1-5/8\" ZINC PLATED SCREWS @ 12\" O.C.  
NO BLOCKING REQUIRED. ALL EDGES SHALL LIE ON FLOOR  
JOISTS. STAGGER PANEL LAYOUT PER APA CONDITION 1.
4. FASTEN SOLE PLATE THROUGH FLOOR DECKING INTO JOISTS  
OR TRACKS WITH #12-14 X 3\" GALVANIZED SELF-DRILLING  
SCREWS. REFERENCE SPACING CHART.
5. ALLOWABLE FLOOR LIVE LOAD: 75 PSF FOR STEEL JOISTS  
CONTINUOUSLY SUPPORTED. 50 PSF FOR JOISTS ON BLOCKS  
AS SHOWN.
6. USE OPTIONAL CONCRETE BLOCKS AS REQUIRED TO LEVEL  
BUILDING:  
SUGGESTED SIZES: 2\" x 8\" x 16\", 4\" x 8\" x 16\", OR 8\" x 8\" x 16\".  
BLOCKS UNDER JOISTS SPACED @ 8'-0\" O.C. MAXIMUM.  
BLOCKS UNDER TRACK SPACED @ 4'-0\" O.C. MAXIMUM.



3 SIDEWALL BRACKET DETAIL  
SCALE: N.T.S.

KWIK BOLT ANCHORS (INTO CONCRETE) RE: DETAIL 3 SHEET 3		
WIDTH	LENGTH	QTY
6'	6'-10"	6
6'	12'-18"	8
8'	8'-14"	6
8'	16'-20"	8
8'	22'-24"	10
10'	10'-16"	6
10'	18'-24"	8
12'	12'-18"	6
12'	20'-24"	8

- NOTES:
1. ANCHORS TO BE KWIK BOLT TZ, 304 SS
  2. PROVIDE (1) ANCHOR AT EA. CORNER  
OF THE BUILDING. THE REMAINING  
ANCHORS EQUALLY SPACED ALONG THE  
LENGTH OF THE BUILDING. (1/2 THE  
REMAINING ANCHORS ON EA. LENGTH  
SIDE EQUALLY SPACED).



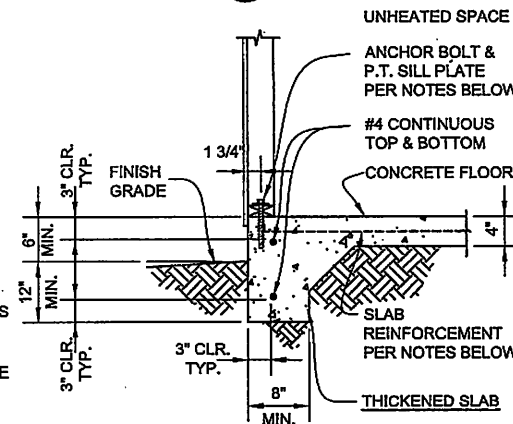
2 AUGER ANCHOR DETAIL  
SCALE: N.T.S.

#### AUGER ANCHOR COMPONENTS BY OLIVER TECHNOLOGIES

- PART NUMBERS:  
OT38448GMP- 5/8\" x 36\" (36\" IMBED) GALVANIZED AUGER  
REPORT NO. RAD-3080  
OT17SWB - SIDEWALL BRACKET FOR USE WITH THRU BOLTS  
REPORT NO. LO-FJ80129-A  
-OR-  
OT24SWB - SIDEWALL BRACKET FOR USE WITH THRU BOLTS  
REPORT NO. LO-FJ80129-B
- WORKING LOAD FOR ANCHOR SYSTEM IS 3,150 LBS  
WITH THE MAXIMUM LOAD OF 4,725 LBS

AUGER ANCHORS		
WIDTH	LENGTH	# OF ANCHORS
6'	6'-18"	4 ANCHORS
8'	8'-24"	4 ANCHORS
10'	10'-24"	4 ANCHORS
12'	12'-24"	4 ANCHORS

4-ANCHORS PROVIDE (1) AT EA.  
CORNER OF THE BUILDING.



4 CONCRETE FOUNDATION DETAIL  
SCALE: N.T.S.

- CONTINUOUS FOOTING NOTES
1. TOP OF SLAB TO BE 6\" MIN. ABOVE GRADE. SLAB REINFORCEMENT SHALL  
BE WVF 6X8 W1.4XW1.4. LOCATE AT MID-DEPTH OF SLAB.  
-OR-  
SLAB REINFORCEMENT SHALL BE FIBERMESH 150 OR BLENDED  
FIBERMESH150. FIBERMESH SHOULD BE DISPERSED UNIFORMLY  
THROUGH CONCRETE W/ MIN. 1 POUND PER CUBIC YARD OF CONCRETE.
  2. ALL FOOTING FORMS SHALL BE INSPECTED FOR SIZE AND REINFORCING  
BEFORE POURING CONCRETE.
  3. FOOTINGS SHALL BEAR ON UNDISTURBED NATURAL, COMPETENT SOIL,  
OR PROPERLY COMPACTED STRUCTURAL FILL. ALLOWABLE SOIL  
BEARING PRESSURE IS 1000 PSF AT 12\" BELOW GRADE.
  4. CONCRETE: MINIMUM 28 DAY COMPRESSIVE STRENGTH,  $f_c = 2500$  PSI.
  5. REINFORCING STEEL: A815, GRADE 40 OR GRADE 60. ALL REINFORCING  
STEEL SHOWN TO BE CONTINUOUS MAY BE LAPPED A MINIMUM OF 36 BAR  
DIAMETERS OR 24\" MINIMUM, WHICHEVER IS LARGER.
  6. SEISMIC DESIGN CATEGORY: A
    - A. ATTACH PRESSURE TREATED SOLE PLATE TO THE FOOTING USING  
1/2\" DIA X 7\" LONG SIMPSON TITEN ANCHOR WITH WASHERS.
    - B. EXPANSION BOLTS SHALL BE EMBEDDED AT LEAST 5\" INTO THE  
CONCRETE AND SHALL BE SPACED NOT MORE THAN 6\" OC.
    - C. THERE SHALL BE A MINIMUM OF 2 BOLTS PER SOLE PLATE PIECE  
WITH 1 BOLT LOCATED NOT MORE THAN 12\" NOR LESS THAN 7 BOLT  
DIAMETERS FROM EACH END OF EACH PIECE. A MINIMUM OF 4 BOLTS  
ARE REQUIRED PER SIDE OF THE BUILDING.

NOTE: FOR BUILDINGS 18\" AND LONGER OR ANY BUILDING DESIGNED AS A  
3-SIDED DIAPHRAGM, ADD SIMPSON SSTB16 ANCHORS AND HDU2 HOLD  
DOWNS AT EACH CORNER OF THE END WALLS. FOLLOW MANUFACTURER'S  
INSTALLATION INSTRUCTIONS.



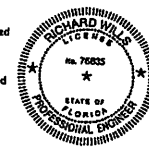
Order #:	P.O. #
Customer:	Drawn By: SJ
Site Address:	Date: 1/2/15
Building Size: WIDTH - LENGTH - HEIGHT - SQ. FT. AREA	Checked By:
	Date:
	Scale: N.T.S.

THESE DRAWINGS AND THE  
DESIGN ARE THE PROPERTY  
OF TUFF SHED, INC. THESE  
DRAWINGS ARE FOR A  
BUILDING TO BE SUPPLIED  
AND BUILT BY TUFF SHED.  
ANY OTHER USE IS  
FORBIDDEN BY BOTH TUFF  
SHED AND THE ENGINEER OF  
RECORD.

TUFF SHED, INC.  
ENGINEERING DEPARTMENT

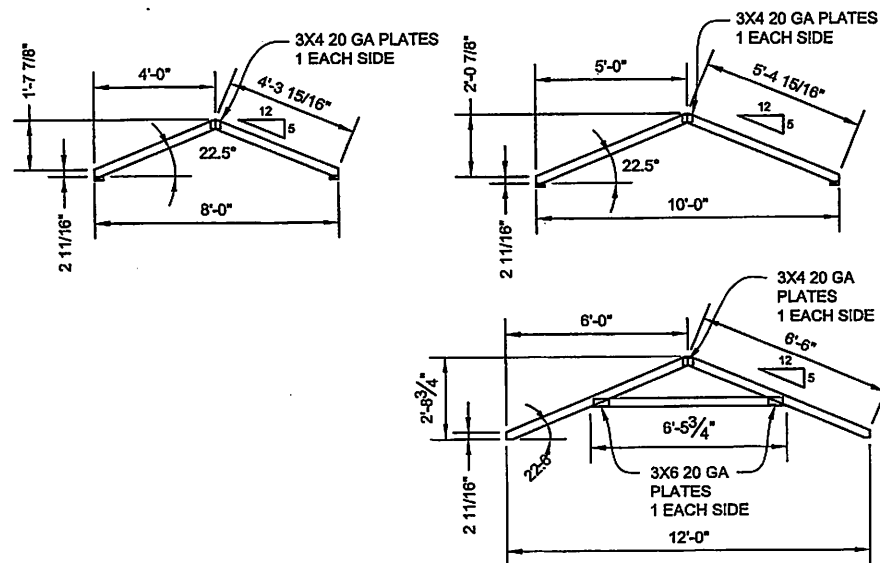
RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
(303) 753-8833 EXT. 96315

This item has been electronically signed and sealed  
by Richard Wills, P.E. On the date shown using a  
Digital Signature.  
Printed copies of this document are not considered  
signed and sealed and the signature must be  
verified on any electronic copies.



TITLE	DRAWING NO.
DETAILS	FL-PPTRW-01
FBC, 5th EDITION (2014)	REV. LEVEL 01
155C	SHEET 3
	PAGE 3 OF 5

4 AUG 2017



DESIGN LOADS:  
TOP CHORD LIVE LOAD = 20 PSF  
TOP CHORD DEAD LOAD = 10 PSF  
COLLAR TIE DEAD LOAD = 5 PSF

NOTES:  
FBC, 5th EDITION (2014), 2012 IBC  
ANSI/TPI 1-2007  
TRUSSES TO BE SPACED @ 24\"/>

REP MEMBER INCREASE: YES  
LUMBER D.O.L.: 1.25

WIND:  
ASCE 7-10, 155 mph, Exposure C, D.O.L.=1.60

PLATES ARE MANUFACTURED BY EAGLE METAL  
PRODUCTS, ICC-ES #ESR-1082.

**8' SPAN**  
REACTIONS:  
MAX. VERTICAL: 255 LBS.  
MAX. UPLIFT: -195 LBS.

NOTE:  
TRUSS MAY BE USED ON BUILDING LENGTHS  
UP TO 14FT UNLESS CEILING JOIST OR OTHER  
TENSION TIE IS PROVIDED.

**10' SPAN**  
REACTIONS:  
MAX. VERTICAL: 300 LBS.  
MAX. UPLIFT: -250 LBS.

NOTE:  
TRUSS MAY BE USED ON BUILDING LENGTHS  
UP TO 16FT UNLESS CEILING JOIST OR OTHER  
TENSION TIE IS PROVIDED.

**12' SPAN**  
REACTIONS:  
MAX. VERTICAL: 420 LBS.  
MAX. UPLIFT: -280 LBS.

NOTE:  
TRUSS MAY BE USED ON BUILDING LENGTHS  
UP TO 18FT UNLESS CEILING JOIST OR OTHER  
TENSION TIE IS PROVIDED.

MAXIMUM DEFLECTION (12 FT. SPAN)  
VERT LL: 0.06 in.  
VERT TL: 0.08 in.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING THIS TRUSS ARE TO DO SO IN  
ACCORDANCE TO THE RECOMMENDATIONS OF THE LATEST VERSION OF THE BCSI.



Order #.  
Customer.  
Site Address:  
Building Size: WIDTH - LENGTH - HEIGHT - SQ. FT. AREA

P.O. #  
Drawn By: PK  
Date: 4/6/16  
Checked By:  
Date:  
Scale: N.T.S.

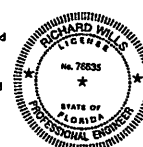
THESE DRAWINGS AND THE  
DESIGN ARE THE PROPERTY  
OF TUFF SHED, INC. THESE  
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BUILDING TO BE SUPPLIED  
AND BUILT BY TUFF SHED.  
ANY OTHER USE IS  
FORBIDDEN BY BOTH TUFF  
SHED AND THE ENGINEER OF  
RECORD.

TUFF SHED, INC.  
ENGINEERING DEPARTMENT

RICHARD J. WILLS, P.E.  
RWILLS@TUFFSHED.COM  
1777 S. HARRISON STREET  
DENVER, COLORADO 80210  
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by Richard Wills, P.E. On the date shown using a  
Digital Signature.

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<b>TITLE</b>  TRUSS DETAILS  FBC, 5th EDITION (2014)  155C	DRAWING NO.
	FL-PPTRW-01
	REV. LEVEL 01
	SHEET <b>5</b>
	PAGE 5 OF 5

4 AUG 2017

Ms. Andrea Valdovinos, 212 Bowles St., addressed the board. The tree has been on her family's property for over 40 years. Believes some of what was cut was on her side. Feels damage was done and would like to stop this from happening in the future.

Swearing in

Mr. Roth asked anyone appearing before the board to raise their right hand and be sworn in.

**CDB 19-11 An  
application for a  
development permit  
Brewhound  
1848 Kings Circle S  
RE#173290-0000**

**CDB 19-11** Application for Development Permit review as outlined in Chapter 27, Article 2 of the Unified Land Development Code of Neptune Beach for Brewhound Coffee Bar Company for the property known as 1848 Kings Circle South (RE# 173290-0000). This property is in the C-2 zoning district. The applicant is proposing to build an 8' by 8' accessory structure to serve as a Kiosk for customer check-in and reception.

Staff stated the Brewhound Coffee Bar was requesting a development order to construct an 8' by 8' structure. The property is in the C-2 zoning district. The structure will replace a tent currently used for customer check-in and reception.

Lauren Wyckoff, applicant and property owner, addressed the board. Proposing to build a shed type building for check ins and out.

Chairperson Goodin opened the floor for public comments.

Randy Osborn, 117 Magnolia Street, spoke. He lives in Neptune Beach and also has a business south of the Brewhound property. Stated the request was reasonable but is concerned about public safety issues due to parking. There could be as many as 60 cars parking on the right-of-way during the weekends. The cars block the entrances to his and other businesses and access to the dumpster. If there was to be a fire, there are real safety concerns, no way for the fire truck to get through. Dog crap has to be picked up by the surrounding neighbors. He is against any new development until which time these items are addressed.

There being no comments, the public hearing was closed.

Board comments: The structure does not increase the parking demand. It is tactically a shed. Had concerns about the complaints and hoped the Brewhound would be a good neighbor. The issues need to be addressed by Code Enforcement and the Police Department.

Made by Livingston, seconded by Evens.

**MOTION: TO APPROVE THE PRELIMINARY DEVELOPMENT ORDER  
FOR CDB 19-11.**

Roll Call Vote:

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

Noes: 0

**MOTION APPROVED AND RECOMMEND APPROVAL OF THE FINAL  
DEVELOPMENT ORDER TO CITY COUNCIL.**

The applicant was informed that their request would be forwarded to the City Council for final review on December 2, 2019 at 6:00 pm and that



**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** CDB 19-12, Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for 324 Myrtle Street, LLC. The property is currently known as 324 Myrtle Street, (RE# 172976-0000). The subject property is located on the northeast corner of Third and Myrtle Streets. The applicants are requesting to demolish the existing duplex and subdivide the property into two conforming lots that will front on Myrtle Street.

**SUBMITTED BY:** 324 Myrtle Street, LLC/Charles V. Perniciano

**DATE:** November 27, 2019

**BACKGROUND:** The application is for replat/subdivision at 324 Myrtle Street. The applicant is requesting to demolish the existing structures and subdivide the property into two conforming lots that will front on Myrtle Street.

This property is not affected by the proposed moratorium on lot splitting.

**BUDGET:** N/A

**RECOMMENDATION:** The Community Development Board approved the replat unanimously on November 13, 2019.

**ATTACHMENT:** 1. CDB 19-12, 324 Myrtle Street

*City of*  
**Neptune Beach**

116 First Street • Neptune Beach, Florida 32266-6140  
(904) 270-2400 • FAX (904) 270-2432



**MEMORANDUM**

**TO: Community Development Board (CDB)**

**FROM: Staff**

**DATE: October 31, 2019**

**SUBJECT: CDB 19-12 / 324 Myrtle Street / RE# 172976-0000, (Replat)**

---

**Background**

The application for replat/subdivision is being made by 324 Myrtle Street, LLC (Charles V. Perniciaro) for the property known as 324 Myrtle Street. This property consists of a house and a garage apartment. It is located at the corner of Third and Myrtle Streets. The property consists of one (1) parcel of 106 feet wide by 108 feet deep and approximately 11664 square feet and is used as a two-family. The purpose of the replat is to divide one (1) parcel into two (2) lots and turning the new lots to face Myrtle Street instead of Third.

The subject properties are in the R-4 zoning district.

**Analysis:**

The R-4 zoning requires a min. lot size of 4356 square feet for a single-family home with a min. lot width of 40 feet. (Table 27-229-1). As defined in 27-15, lot width is "the distance measured in a straight line along the street right-of-way between the side lot lines as measured at the front building restriction line". Each of the proposed lot will be 5724 square feet (54 feet wide by 106 feet deep). The properties have all necessary utilities and access to public rights-of-way.

The application for replat meets all current zoning regulations. If approved, the applicant/property owner have been informed that the current two structures must be removed prior to the replat being recorded in the Duval County public records.



CDB14-12

# APPLICATION FOR DEVELOPMENT PLAN REVIEW



TO THE CITY OF NEPTUNE BEACH BUILDING DEPARTMENT  
116 FIRST STREET  
NEPTUNE BEACH, FLORIDA 32266-6140  
PH: 270-2400 Ext 4 FAX: 270-2417

**APPLICATION FEE: \$300 Residentially Zone Property**  
**\$500 Commercially Zone Property plus \$.005 (1/2 cent) for each square foot of land**  
**or \$1500 whichever is greater**

Date Filed:  <b>RECEIVED OCT 18 2010</b>		Name and address of the applicant requesting development review: (NOTE: If the applicant is other than all the legal owners of the property, notarized written consent signed by all the legal owners of the property shall be attached. In the case of corporation ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and the embossed with the corporate seal). The undersigned hereby applies for a development review as follows.	
Name & Mailing address of Owner of Record: <u>324 Myrtle St. #2</u> <u>Charles Pernicciaro</u> <u>10406 Seaside Way</u> <u>Tampa FL 33615</u>  Contact phone # <u>904-860-1929</u> e-mail address <u>C.pernicciaro@aol.com</u>		Property Address: <u>324 Myrtle St.</u> Neptune Beach, FL 32266 Real Estate ID # <u>1729760000</u> Lot <u>910</u> Block <u>11</u> Subdivision <u>Neptune Acres</u>  Zoning District: _____	
Name and Address of Agent/Applicant: <u>Mike Porter</u> <u>1340 Trailwood Dr</u> <u>Neptune Beach FL 32264</u>		Telephone #- <u>904-626-3430</u> Email: <u>mporter@SunshineStatePlumbing.com</u>	
Describe Request being made: <u>Replat 324 Myrtle single lot make 2 lots</u> <u>Facing MYRTLE ST</u>			
<p align="center"><b>PLEASE BE ADVISED THE COMMUNITY DEVELOPMENT BOARD CONDUCTS A PUBLIC HEARING TO CONSIDER CERTAIN FACTORS IN ORDER TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OR DISAPPROVAL OF THE DEVELOPMENT PLAN.</b></p>			

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 DEVELOPMENT REVIEW AS REQUESTED.

**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 324 Myrtle Street LLC, 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 development review:

<input type="checkbox"/> Development Order	<input type="checkbox"/> Special Exception
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Comp Plan Amendment
<input type="checkbox"/> Replat	<input type="checkbox"/> Concurrency
<input type="checkbox"/> Appeal	<input type="checkbox"/> Other

BY: Charles V. Perniciaro Charles V. Perniciaro, Manager  
Signature of Owner Print Name

\_\_\_\_\_  
Signature of Owner Print Name

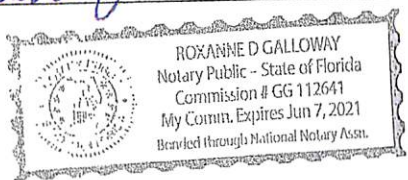
State of Florida  
County of Hillsborough

Signed and sworn before me on this 15 day of OCT, 2019.

By Charles Vincent Perniciaro

Identification verified: FLDL Oath sworn: ✓ Yes \_\_\_ No

Roxanne D Galloway  
Notary Signature



My Commission expires: 07 JUN 2021

10/16/2019

## Property Appraiser - Property Details

**324 MYRTLE STREET LLC**  
10406 SEASIDE WAY  
TAMPA, FL 33615

**Primary Site Address**  
324 MYRTLE ST  
Neptune Beach FL 32266

**Official Record Book/Page**  
15450-01626

**Title #**  
9421

**324 MYRTLE ST**  
**Property Detail**

<b>RE #</b>	172976-0000
<b>Tax District</b>	USD4
<b>Property Use</b>	0100 Single Family
<b># of Buildings</b>	2
<b>Legal Desc.</b>	For full legal description see Land & Legal section below
<b>Subdivision</b>	03159 HORNES S/D R/P PT HORNES
<b>Total Area</b>	11353

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

**Taxable Values and Exemptions - In Progress**

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

**County/Municipal Taxable Value**  
No applicable exemptions

**SJRWMD/FIND Taxable Value**  
No applicable exemptions

**School Taxable Value**  
No applicable exemptions

**Sales History**

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
15450-01626	12/1/2010	\$100.00	SW - Special Warranty	Unqualified	Improved
14939-02348	6/15/2009	\$282,500.00	WD - Warranty Deed	Unqualified	Improved
09774-00066	10/16/2000	\$100.00	MS - Miscellaneous	Unqualified	Improved
08855-01914	1/27/1998	\$100.00	WD - Warranty Deed	Unqualified	Improved
07634-01856	5/19/1993	\$100.00	QC - Quit Claim	Unqualified	Improved
04398-00404	6/1/1977	\$55,000.00	WD - Warranty Deed	Unqualified	Improved
03375-00182	7/6/1972	\$38,500.00	WD - Warranty Deed	Unqualified	Improved
03247-00282	6/25/1971	\$35,000.00	MS - Miscellaneous	Unqualified	Improved
03114-00207	6/8/1970	\$27,000.00	MS - Miscellaneous	Unqualified	Improved

**Extra Features**

No data found for this section

**Land & Legal**  
**Land**

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value
1	0101	RES MD 8-19 UNITS PER AC	NR-4	54.00	106.00	Common	54.00	Front Footage	\$179,820.00
2	0101	RES MD 8-19 UNITS PER AC	NR-4	54.00	106.00	Common	54.00	Front Footage	\$340,200.00

**Legal**

LN	Legal Description
1	15-84 21-25-29E
2	HORNES S/D A R/P OF PT HORNES
3	NEPTUNE ACRES
4	LOTS 9,10 BLK 11

**Buildings**

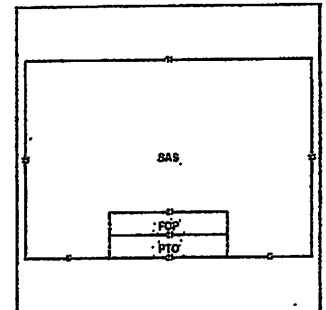
**Building 1**  
Building 1 Site Address  
324 MYRTLE ST Unit  
Neptune Beach FL 32266

<b>Building Type</b>	0101 - SFR 1 STORY
<b>Year Built</b>	1947
<b>Building Value</b>	\$1,677.00

Type	Gross Area	Heated Area	Effective Area
Base Area	1617	1617	1617
Finished Open Porch	84	0	25
Patio	84	0	4
Total	1785	1617	1646

Element	Code	Detail
Exterior Wall	19	19 Common Brick
Roof Struct	3	3 Gable or Hip
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	3	3 Plastered
Int Flooring	11	11 Cer Clay Tile
Int Flooring	12	12 Hardwood
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central

Element	Code	Detail
Stories	1.000	
Bedrooms	3.000	
Baths	2.000	
Rooms / Units	1.000	





Nov. 17. 2010 5:22PM  
Division of Corporations

L10000250114377  
P. 1134 Page 1 of 1

Florida Department of State  
Division of Corporations  
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From:

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Account Number : 076666002273  
Phone : (904) 398-3911  
Fax Number : (904) 396-0663

\*\*Enter the email address for this business entity to be used for future annual report mailings. Enter only one email address please.

Email Address: fcianflone@rhaw.com

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2010 NOV 18 AM 9:17  
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10 NOV 18 AM 7:00  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

FLORIDA LIMITED LIABILITY CO.  
324 MYRTLE STREET, LLC

Certificate of Status	1
Certified Copy	1
Page Count	03
Estimated Charge	\$160.00

J. SAULSBERRY  
EXAMINER

NOV 19 2010

Existing

# MAP SHOWING BOUNDARY SURVEY OF

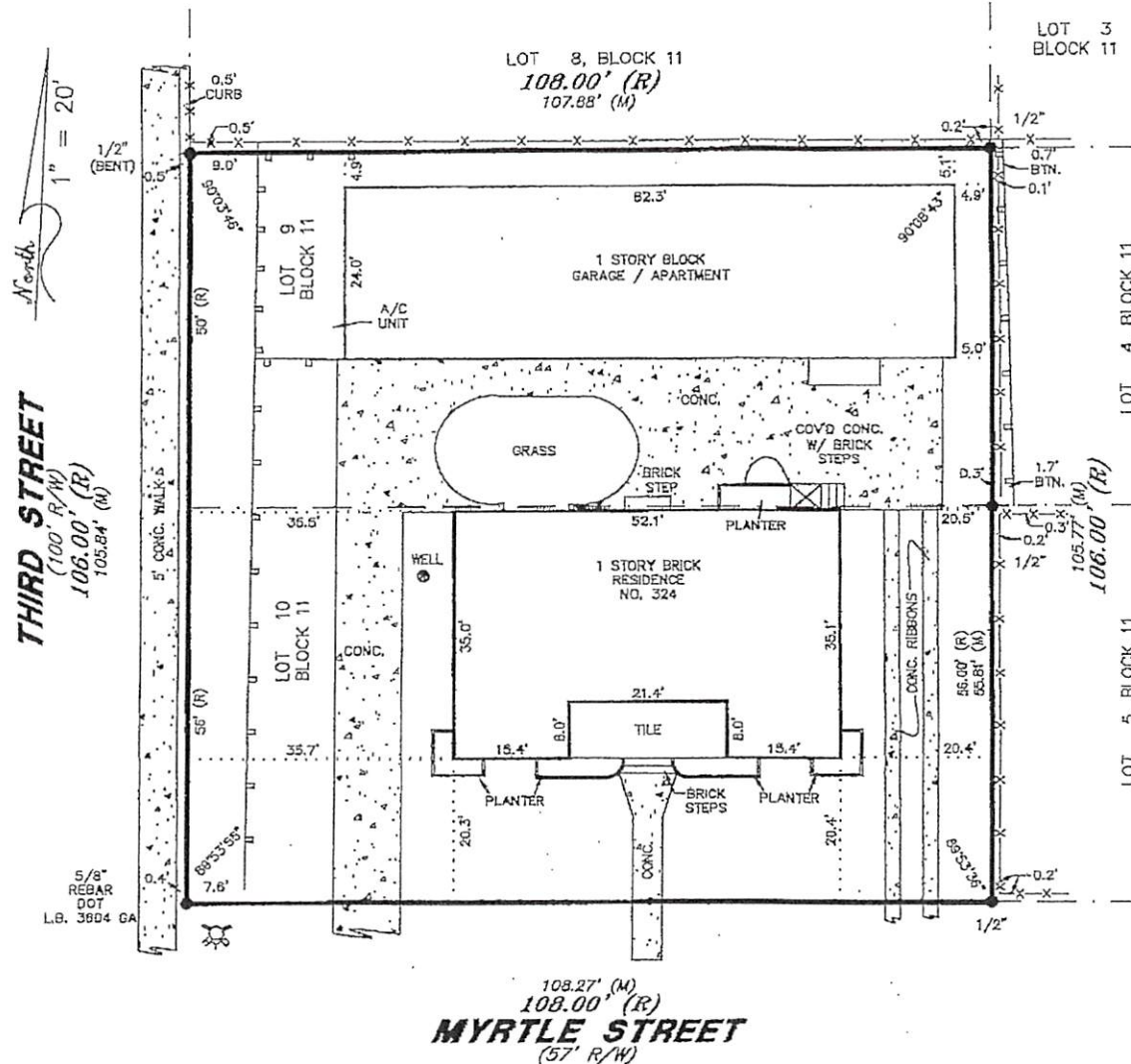
LOTS 9 AND 10, BLOCK 11 ACCORDING TO THE PLAT OF

## HORNE'S SUB-DIVISION

AS RECORDED IN PLAT BOOK 15, PAGE(S) 84 OF THE CURRENT  
PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:

CHARLES V. PERNICIARO,  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
AND KEITH WATSON TITLE SERVICES, INC.



108.27' (M)  
108.00' (R)  
**MYRTLE STREET**  
(57' R/W)

FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN / FLOOD ZONE "X (SHADED)" - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.



### ASSOCIATED SURVEYORS INC.

LAND & ENGINEERING SURVEYS

3846 BLANDING BOULEVARD  
JACKSONVILLE, FLORIDA 32210  
904-771-6468

CERTIFICATE OF AUTHORIZATION NO. LB 0005488

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE / CHAPTER 472, F.S.

BY: *Charles B. Hatcher*  
CHARLES B. HATCHER  
CHARLES L. STARLING  
RAYMOND J. SCHAEFER

FLORIDA CERTIFICATE NO. 3771  
FLORIDA CERTIFICATE NO. 4579  
FLORIDA CERTIFICATE NO. 6132

JOB NO. 56370  
SCALE: 1" = 20'  
DATE 06-09-2009  
DRAFTER J.M. Rockledge

- GENERAL NOTES:**
1. ANGLES ARE SHOWN ON THIS SURVEY.
  2. STRUCTURE NO. 324, SHOWN HEREON LIES WITHIN FLOOD ZONE X AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. 1 DATED 04-12-1989.
  3. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
  4. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
  5. THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE, COVENANTS, B.R.L.'S RESTRICTIONS, CLOSURES, TAKINGS OR ORDINANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
  6. UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

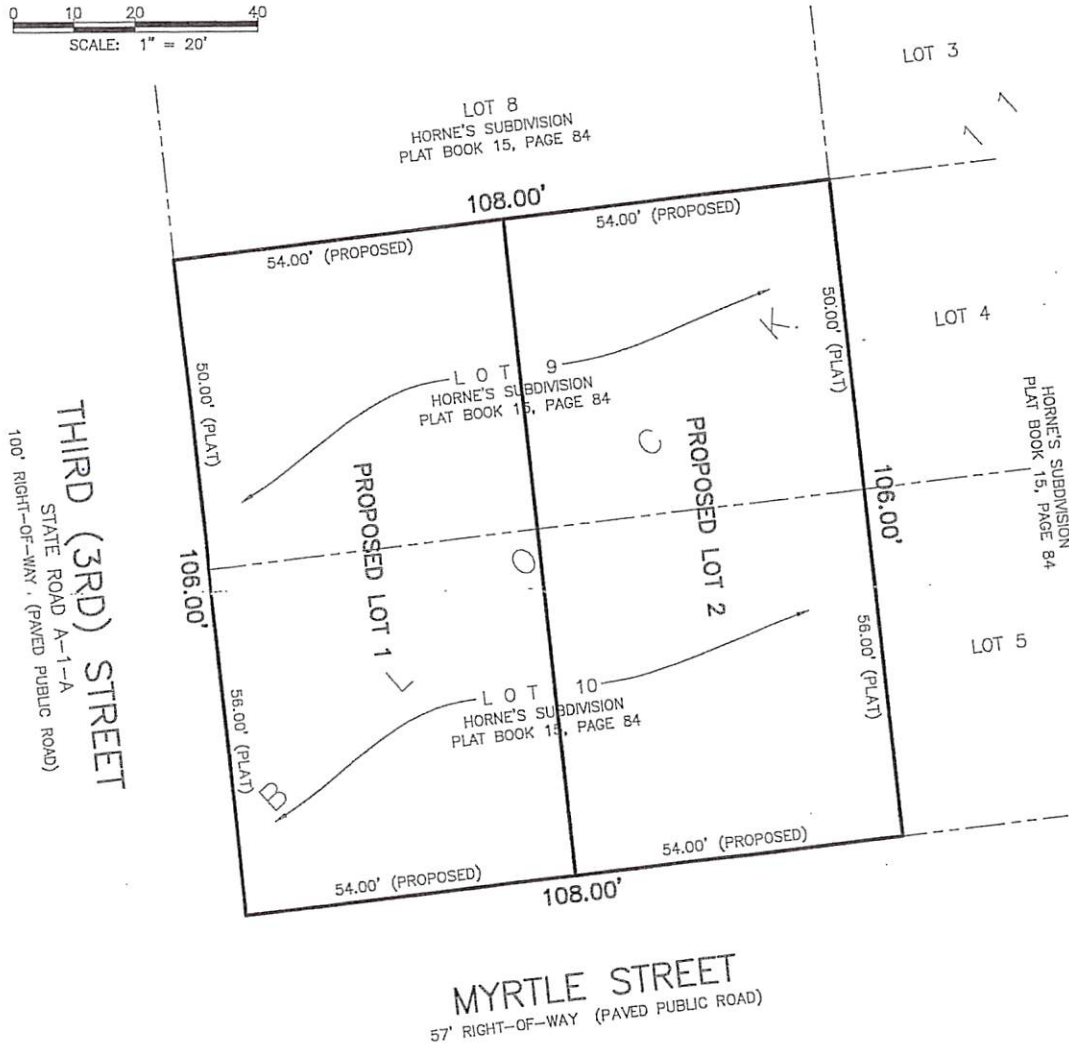
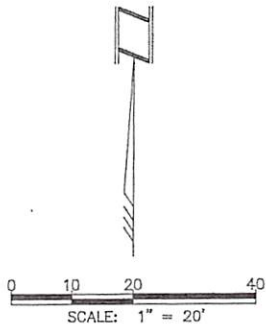
**LEGEND/ABBREVIATIONS**

○ SET IRON PIPE OR REBAR	P.C. = POINT OF CURVE	CH = CHORD
"ASSOC. SURVEY" OR L.B. 5488	P.T. = POINT OF TANGENCY	(R) = RECORD
● FOUND IRON PIN OR PIPE (IP)	O.U. = OVER HEAD UTILITIES	(M) = MEASURED
■ FOUND CONCRETE MONUMENT (C.M.)	○ = FIRE HYDRANT	(C) = COMPUTED DATA
X = CROSS CUT OR DRILL HOLE	CONC. = CONCRETE	R = RADIUS
O.R.B. = OFFICIAL RECORD BOOK	A/C = AIR CONDITIONER	L = ARC LENGTH
O.R.V. = OFFICIAL RECORD VOLUME	W = WATER METER	☐ = PHONE RISER
P.R.M. = PERMANENT REFERENCE MONUMENT	P.E.Q. = POOL EQUIPMENT	R/W = RIGHT OF WAY
B.R.L. = BUILDING RESTRICTION LINE	X = CHAIN LINK FENCE	B.T. = BUILDING TO
E.T. = ELECTRIC TRANSFORMER & PAD	W = WIRE FENCE	UT = UTILITY POLE
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY	U = WOOD FENCE	→ = GUY ANCHOR
C & R = COVENANTS & RESTRICTIONS	I = IRON FENCE	COVD = COVERED
P.C. = POINT OF CURVE	BTN. = BETWEEN	E.B. = ELECTRIC BOX
P.R.C. = POINT OF REVERSE CURVE	(E.T.) = EAVE TIE	

Proposed

# MAP OF

LOTS 9 AND 10, HORNE'S SUBDIVISION AS RECORDED IN PLAT BOOK 15,  
PAGE 84 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES:  
1. THIS IS A MAP ONLY.

THIS MAP WAS MADE FOR THE BENEFIT OF  
JASON'S REPLAT.

DONN W. BOATWRIGHT, P.S.M.  
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3295  
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

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

CHECKED BY: \_\_\_\_\_  
DRAWN BY: DAF  
FILE: 2019-1512

**BOATWRIGHT LAND SURVEYORS, INC.**

1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 241-8550

DATE:  
OCTOBER 24, 2019  
SHEET 1 OF 1

someone should attend that meeting.

**CDB 19-12  
Application for  
Replat for 324 Myrtle  
Street to face Myrtle  
instead of Third St**

**CDB 19-12** Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for 324 Myrtle Street, LLC. The property is currently known as 324 Myrtle Street, (RE# 172976-0000). The subject property is located on the northeast corner of Third and Myrtle Streets. The applicants are requesting to demolish the existing structures and subdivide the property into two conforming lots that will front on Myrtle Street.

Staff stated the property was in the R-4 zoning district. The property has a duplex sitting on lots 9 and 10 Block 11 of Homes/Neptune Acres. The original lots were platted to face Third Street. The existing lots are 50' by 106' and 54' by 106' deep. The applicant is requesting the turn the lots to face Myrtle making the new lots 54 feet by 106 feet each. If the applicant wanted to demolish the existing structures today, they could legally build a new single-family dwelling on each lot with frontage on Third Street without Board approval. The replat is being requested due to the orientation of the lots. The property does have all the necessary utilities available.

Mr. Jason Porter, 1340 Trailwood Drive, addressed the board. His father is going to be purchasing the duplex with the plans to demolish the existing structures and build two single-family homes.

Chairperson Goodin opened the floor for public comments, there being none, the public hearing was closed.

Mr. Roth, City Attorney, explained the proposed moratorium on lot splitting does not affect this property.

Made by Evens, seconded by Kelly.

**MOTION: TO RECOMMEND APPROVAL OF THE REPLAT FOR CDB 19-12 AS IT COMPLIES WITH SECTION 27-109.**

Roll Call Vote:

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

Noes: 0

**MOTION APPROVED.**

The applicant was informed that their request would be forwarded to the City Council for final review on December 2, 2019 at 6:00 pm and that someone should attend that meeting.

**Open Discussion**

Mr. Roth explained how Florida Statute 163.045 for tree cutting on residential property has changed the way the City can enforce its tree ordinance. The City cannot require a notice, application, approval, permit, fee or mitigation from pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist that the tree present a danger. Larger cities in the State are perusing and challenging the statute.

There are no applications scheduled for the December meeting instead Board training will be December 11<sup>th</sup> at 6:00 PM.





**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** Ordinance No. 2019-10, Chapter 27, Article III, Division 3, Sections 27-101-27-102; Division 4, Sections 27-105-27-109 and Sections 27-110, Second Reading and **Public Hearing**, An Ordinance of the City Of Neptune Beach, Florida, Enacting A Temporary Moratorium To Prohibit The Acceptance or Processing of any Application for a Development Order or Any Other Official Action of the City Having the Effect of Permitting or Allowing for the Application of a Plat or Replat in the R-4 Zoning District as set forth in Chapter 27, Unified Land Development Regulations, Division 3, Sections 27-101 through 27-102, Platting Requirements Chapter 27, Unified Land Development Regulations, Division 4 Section 27-105 through 27-109, Minor Replat Requirements, and 27-110 Temporary Moratorium; Providing for a Temporary Moratorium Term to be Extended if Necessary by the City Council; Providing for Early Termination; Providing for Conflicts; Providing for Severability; Providing an Effective Date.

**SUBMITTED BY:** Councilors Kerry Chin and Josh Messinger

**DATE:** November 27, 2019

**BACKGROUND:** Ordinance 2019-10 issues a moratorium on the platting or replatting of certain lots in the R-4 Zoning District during the revision of the Comprehensive Plan and Land Development Code.

The proposed ordinance was approved by the Community Development Board by a 5-1 vote on October 9, 2019.

Ordinance No. 2019-10 was approved on first read by a 4-1 vote on November 4, 2019.

**BUDGET:** N/A

**RECOMMENDATION:** Consider Ordinance No. 2019-10, Temporary Moratorium on Lot Splitting in the R-4 Zoning District

**ATTACHMENT:**

1. Ord. No 2019-10

SPONSORED BY:

COUNCILORS CHIN &  
MESSINGER



ORDINANCE NO. 2019-10

**A BILL TO BE ENTITLED**

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, ENACTING A TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE OR PROCESSING OF ~~ANY CERTAIN~~ APPLICATIONS FOR A DEVELOPMENT ORDER OR ANY OTHER OFFICIAL ACTION OF THE CITY HAVING THE EFFECT OF PERMITTING OR ALLOWING FOR THE APPLICATION OF A PLAT OR REPLAT IN THE R-4 ZONING DISTRICT AS SET FORTH IN CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, DIVISION 3 SECTION 27-101 THROUGH 27-102, PLATTING REQUIREMENTS CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, DIVISION 4 SECTION 27-105 THROUGH 27-109, MINOR REPLAT REQUIREMENTS, AND 27-110 TEMPORARY MORATORIUM; PROVIDING FOR A TEMPORARY MORATORIUM TERM TO BE EXTENDED IF NECESSARY BY THE CITY COUNCIL; PROVIDING FOR EARLY TERMINATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166 of the Florida Statutes, the City of Neptune Beach possesses the powers to enact ordinances in order to protect the health, safety, and welfare of the City's citizens and residents; and

**WHEREAS**, the City Council of the City of Neptune Beach, Florida determines that it is in the best interest of its residents, businesses and visitors to enact sufficient land use regulations and land use plans to ensure their health, safety and welfare; and

**WHEREAS**, to protect the public health, safety and welfare of its citizens, the City of Neptune Beach wants to review and discuss the platting and minor replat code regulations; and

**WHEREAS**, the City Council has noted the significant number of requested plats and replats of properties in the R-4 zoning district as established by Section 27-221 resulting in an increase in the number of lots in such district, as well as the significant number of potential future requests, and the potential effects of these activities on the unique character and environment of Neptune Beach and the R-4 zoning district, in particular, including but not limited to those effects caused by the impacts of high-tide

events, storm surge, flash floods, stormwater runoff, and sea-level rise as recognized by the Florida Legislature in sec. 163.3178, Fla. Stat.; and

**WHEREAS**, the City Council determines that additional time is required to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the City of Neptune Beach Unified Land Development Code and/or Code of Ordinances or comprehensive plan regarding platting and replatting of lots in the R-4 zoning district; and

**WHEREAS**, a temporary moratorium on the processing of applications for, and the issuance of approvals or any other official action of the City of Neptune Beach permitting or having the effect of allowing platting or replatting of lots in the R-4 zoning district will allow time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the City of Neptune Beach Unified Land Development Code and/or Code of Ordinances or comprehensive plan; and

**WHEREAS**, proper notice has been given of the public hearings of this proposed ordinance and of the public hearings in the City Council Chambers; and

**WHEREAS**, the public hearings were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard; and

**WHEREAS**, the City Council for the City of Neptune Beach, Florida finds and declares that this ordinance is in the best interest of the public health, safety and welfare of the citizens and residents of the City of Neptune Beach, Florida and that it advances a significant and important governmental interest;

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, THAT:**

### **ARTICLE III. – ADMINISTRATIVE AND ENFORCEMENT PROCEDURES**

#### **Sec. 27-110.**

##### **(a) Purpose.**

(1) The purpose of this ordinance is to enable the City of Neptune Beach sufficient time to review, hold public hearings and adopt an amendment or amendments to the City of Neptune Beach Unified Land Development Code and/or Code of Ordinances or comprehensive plan, relating to platting and replatting of lots which result in an increase in the number of lots on the platted or replatted property in the R-4 zoning district. The City will not accept any application or issue any approvals for land development or other approval authorizing the platting or replatting of any lots in the R-4 zoning district, except as provided in this ordinance, or as may otherwise be required by applicable law.



(2) It is further the purpose of this Ordinance to fulfill the City's constitutional charge and statutory obligations to protect and preserve the public health, safety and welfare of the citizens of the City of Neptune Beach, regarding platting and replatting regulations pertaining to the R-4 zoning district; and thus defer official government action until the City of Neptune Beach has properly held public hearings and adopted amendments to the City of Neptune Beach Unified Land Development Code and/or Code of Ordinances or comprehensive plan, as necessary.

**(b) Imposition of Temporary Moratorium.**

No application for approval of development or any other official action of the City having the effect of permitting or allowing the platting or replatting of lots within the R-4 zoning district may be accepted or processed or approved by the City, except as may be required by applicable law or as provided below. To the extent such an application is submitted, the City staff is authorized to take action to deny such application during the term of this moratorium. Notwithstanding the preceding, this moratorium shall not apply to applications for platting or replatting of lots within the R-4 zoning district that do not result in an increase in the total number of lots on the property subject to the application and, instead, are submitted for purposes of reorientation of lots or other similar changes that result in the same or less total lots on the property subject to the application as prior to the requested change, so long as such application otherwise complies with all other requirements of the Code.

**(c) Term.**

The moratorium imposed by this ordinance is temporary and, unless dissolved earlier by the City, shall automatically dissolve in three hundred and sixty-five (365) days from the effective date of this ordinance, unless extended in accordance with applicable law. This moratorium may be reasonably extended, if necessary, by ordinance of the City Council.

**(d) Early Termination.**

The moratorium imposed by this ordinance may terminate prior to its term upon the passage of an ordinance regulating, permitting, or allowing the platting or replatting of lots in the R-4 zoning district provided:

- (1) Specific language terminating the moratorium is contained within said enacted ordinance; or by
- (2) Passage of another ordinance providing for termination by the City Council.

**(e) Repeal of Laws in Conflict.**

All local laws and ordinances in conflict with any provision of this ordinance are hereby repealed to the extent of any conflict.

**(f) Effective Date.**

This ordinance shall take effect immediately upon passage after second reading/public hearing.

**VOTE RESULTS OF FIRST READING:**

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Josh Messinger	YES
Councilor Scott Wiley	NO

Passed on First Reading this 4<sup>th</sup> day of November, 2019.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Elaine Brown  
Vice Mayor Fred Jones  
Councilor Kerry Chin  
Councilor Josh Messinger  
Councilor Scott Wiley

Passed on Second and Final Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Elaine Brown, Mayor

ATTEST:

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved as to form and content:

\_\_\_\_\_  
Zachary Roth, City Attorney



**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** Ordinance No. 2019-11, Chapter 28, Nuisances, Article III, Sections 28-11-28-15, Second Reading and Public Hearing, An Ordinance of the City Of Neptune Beach, Florida, Amending Chapter 28, Nuisances, Amending Article III, Nuisance Lighting, Sections 28-11- 28-15; and Providing an Effective Date.

**SUBMITTED BY:** Councilor Josh Messinger

**DATE:** November 27, 2019

**BACKGROUND:** Ordinance No. 2019-11, Nuisance Lighting, adds definitions and clarity to the current regulations.

It was approved on first read by a 4-1 vote on November 4, 2019.

**BUDGET:** N/A

**RECOMMENDATION:** Consider Ordinance No. 2019-11, Nuisance Lighting amendments

**ATTACHMENT:** 1. Ord. No. 2019-11

SPONSORED BY:

COUNCILOR MESSINGER



ORDINANCE NO. 2019-11

## A BILL TO BE ENTITLED

**AN ORDINANCE AMENDING CHAPTER 28, NUISANCES, OF THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA BY AMENDING A NEW ARTICLE III, NUISANCE LIGHTING, SECTIONS 28-11—28-15; AND PROVIDING AN EFFECTIVE DATE.**

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to amend the following:

**Now, therefore**, be it ordained by the City Council of the City of Neptune Beach, Florida:

**Section 1.** Chapter 28, Article III, Sections 28-11—28-15, of the Code of Ordinances of the City of Neptune Beach is hereby amended as follows:

### ARTICLE III. NUISANCE LIGHTING

Sec. 28-11. Purpose, ~~and~~ intent, and definitions.

(a) The City of Neptune Beach recognizes that man-made lighting can have a negative impact on the environment and citizens' right to enjoy their property. Lighting should not unnecessarily illuminate or substantially interfere with the use or enjoyment of any other adjoining lot. Lighting and lighting fixtures shall be integrated into the surrounding landscape and designed to enhance the visual impact of the project on the community.

(b) Full Cutoff means a shielded light fixture that emits no light above a horizontal plane touching the lowest part of the fixture.

(c) Glare means light emitting from a luminaire that interferes with visibility.

(d) Light pollution means any adverse effect of man-made light.

(e) Light trespass means light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited.

(f) Luminaire means a complete lighting system, including a lamp or lamps

together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

(g) *Shielded Fixture.* Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e. "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy of other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this ordinance.

Sec. 28-12. ~~Light trespass and glare~~ Requirements and prohibitions.

(a) *Trespass and glare.* Any development shall not create light trespass. Directional luminaires such as floodlights, spotlights, sign lights and area lights associated with development, shall be installed and directed to illuminate only the area intended, with no direct lighting of neighboring properties. Lighting shall also be directed in such a way that it does not create safety concerns on roadways. Building facade 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 to prevent nuisance illumination or glare to any adjacent property or unreasonable interference with the lawful use and enjoyment of any adjacent property.

(b) *Exterior lighting.* Lighting which is provided for the security of exterior areas or for a permitted outdoor use of land shall be wall-mounted with full cut-off fixtures. All light fixtures shall have bulbs that are fully recessed within the fixture and may not emit light above horizontal plane, except for low voltage landscape lights

(c) *Height.* The maximum height of light fixtures, except as otherwise regulated by this section, shall not exceed 30 feet.

(d) *Light pollution.* All building lighting for security or aesthetics will be fully cut-off type, not allowing any upward distribution of light.

(e) *Municipal or government owned street and roadway lighting* is exempt from these regulations.

Sec. 28-13. 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 abated and removed within 30 days' receipt of written notice.

Sec. 28-14. Nonconforming lighting.

Existing lighting which creates light trespass to any adjacent property shall be

~~adjusted by the addition of all shielded fixtures or other means necessary to prevent light trespass. All other existing~~ Lighting fixtures in operation as of the effective date of this ordinance, shall be considered permitted non-conforming lighting and are not required to be removed or replaced. ~~provided the existing lighting does not create light trespass to any adjacent property or unreasonably interfere with the lawful use and enjoyment of any adjacent property as outlined in this ordinance.~~ Replacement and new lighting are not considered permitted non-conforming and must come into compliance with this article.

#### Sec. 28-15. Penalties.

Any person or persons, firm or corporation, or any agent thereof who violates any of the provisions of this section may upon conviction be guilty of a noncriminal violation punishable as provided for under F.S. Chapter 162, or by appearance before a county judge if a citation is issued by a police officer, code enforcement officer, animal control officer or others 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 costs, including, but not limited to any filing fees required by the clerk of court for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty imposed for violation of this section. For violations of this article, the civil penalty shall be assessed and paid in the following amounts:

First offense ..... Warning issued and 30 days to come into compliance

Second offense .....\$100.00

Third and any subsequent offense ..... \$500.00

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 ten (10) days of their violation. If the civil penalty is not paid by such time, the city shall proceed to enforce such violation as otherwise provided by law.

**Section 2.** This Ordinance shall become effective after passage by the City Council.

**VOTE RESULTS OF FIRST READING:**

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Josh Messinger	YES
Councilor Scott Wiley	NO

Passed on First Reading this 4<sup>th</sup> day of November, 2019.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Elaine Brown  
Vice Mayor Fred Jones  
Councilor Kerry Chin  
Councilor Josh Messinger  
Councilor Scott Wiley

Passed on Second and Final Reading this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Elaine Brown, Mayor

ATTEST:

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved as to form and content:

\_\_\_\_\_  
Zachary Roth, City Attorney



**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** Ordinance No. 2019-12, Chapter 2, Administration, Article VII, Division 2, Section 2-440, Second Reading and Public Hearing, An Ordinance of the City of Neptune Beach, Florida Amending Chapter 2, Administration, Amending Article VII, Boards and Commissions, Division 2, Code Enforcement Board, Section 2-440; and Providing an Effective Date.

**SUBMITTED BY:** Councilor Josh Messinger

**DATE:** November 27, 2019

**BACKGROUND:** City of Neptune Beach Code of Ordinances Section 2-440 regarding enforcement procedures, references Section 2-276, which as been deleted. This ordinance corrects that by referencing Section 2-446, the correct section.

This was approved on first read by a 5-0 vote on November 4, 2019.

**BUDGET:** N/A

**RECOMMENDATION:** Adopt Ordinance No. 2019-12, correcting Code Section 2-276 to Section 2-446.

**ATTACHMENT:** 1. Ord. No. 2019-12



**SPONSORED BY:**

**COUNCILOR MESSINGER**



**ORDINANCE NO. 2019-12**

**A BILL TO BE ENTITLED**

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 2, ADMINISTRATION, AMENDING ARTICLE VII, BOARDS AND COMMISSIONS, DIVISION 2, CODE ENFORCEMENT BOARD, SECTION 2-440; AND PROVIDING AN EFFECTIVE DATE.**

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to amend Chapter 2, Article VII, Division 2, Section 2-440 to clarify the notice requirements of such section;

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA THAT:**

Chapter 2, Article VII, Division 2, Section 2-440, of the Code of Ordinances of the City of Neptune Beach is hereby amended as follows:

**Sec. 2-440. - Enforcement procedure.**

(a) It shall be the duty of the city manager or his designee to serve as the code enforcement officer and to initiate enforcement proceedings of the various codes; however, neither the special magistrate, nor any member of a board shall have the power to initiate such enforcement proceedings.

(b) Except as provided in subsection (c), if a violation of the codes is found, the code enforcement officer shall notify the violator and give him a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code enforcement officer shall notify the special magistrate or the enforcement board and request a hearing. The special magistrate or code enforcement board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed as provided in section ~~2-276~~ 2-446 to the violator. At the option of the special magistrate or code enforcement board, notice may additionally be served by publication or posting as provided in section ~~2-276~~ 2-446. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code enforcement officer, the case may be presented to the special magistrate or code enforcement board even if the violation has been corrected prior to the board hearing, and the notice shall so state.

(c) If the code enforcement officer has reason to believe a violation presents a serious threat to the public health, safety and welfare or if the violation is irreparable or irreversible in nature, the code enforcement officer shall make a reasonable effort to notify the violator and may immediately notify the special magistrate or code enforcement board and request a hearing.

(d) If a repeat violation is found, the code enforcement officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. The city manager or his designee, upon notifying the violator of the repeat violation, shall notify the special magistrate or code enforcement board and request a hearing. The special magistrate or code enforcement board, through its clerical staff, shall schedule a hearing and shall provide notice, pursuant to section ~~2-276~~ 2-446, to the violator.

**Section 2.** This Ordinance shall become effective after passage by the City Council.

**VOTE RESULTS OF FIRST READING:**

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Josh Messinger	YES
Councilor Scott Wiley	YES

Passed on First Reading this 4<sup>th</sup> day of November, 2019.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Elaine Brown  
Vice Mayor Fred Jones  
Councilor Kerry Chin  
Councilor Josh Messinger  
Councilor Scott Wiley

Passed on Second and Final Reading this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Elaine Brown, Mayor

ATTEST:

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved as to form and contents

\_\_\_\_\_  
Zachary Roth, City Attorney



**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** Resolution No. 2019-13, A Resolution Expressing Approval and Support for the Development of United States Bike Route 1 (USBR 1)

**SUBMITTED BY:** Mary O'Brien, State Bicycle/Pedestrian Coordinator, FDOT Kerry Irons, Adventure Cycling Association

**DATE:** November 27, 2019

**BACKGROUND:** This project is part of a national effort through the American Association of State Highway and Transportation Officials (AASHTO) to build a US Bicycle Route system and is being led by FDOT, Bike Florida, the Florida Bicycle Association, and the Adventure Cycling Association. The proposed route on Neptune Beach streets is less than 5 miles coming into town from Atlantic Beach on Ocean Blvd., then onto 1st St., Costa Verde Blvd., 25th Ave S., onto Ocean Dr S (NB uses 1st St. S.).

This resolution was moved forward from the November 18, 2019 workshop

**BUDGET:** N/A

**RECOMMENDATION:** Consider Resolution No. 2019-13 approving and supporting USBR-1

**ATTACHMENT:** 1. Res. No. 2019-13

## FW: US Bicycle Route 1 through Neptune Beach

Leon Smith

Wed 10/23/2019 10:04 AM

To: Catherine Ponson <clerk@nbfl.us>

Catherine- Mr. Irons contacted me about this yesterday. Could we place on the agenda to see if Council would support this and to see if they would like to send a letter to FDOT or do a resolution.

Thanks,  
Leon

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

From: Kerry Irons <irons54vortex@gmail.com>

Sent: Tuesday, October 22, 2019 3:26 PM

To: Leon Smith <dpw@nbfl.us>

Cc: mary.obrien@dot.state.fl.us

Subject: US Bicycle Route 1 through Neptune Beach

Leon,

Thanks for talking to me today about USBR 1 through Neptune Beach. This project is part of a national effort (through AASHTO) to build a US Bicycle Route system and is being led by FDOT, Bike Florida, and the Florida Bicycle Association, and the Adventure Cycling Association.

Below is some background information and templates for a letter or resolution for your agency to endorse and send to the FDOT state bike/ped coordinator. Here are the addresses to which you can email or mail a letter or resolution of support from your agency. Feel free to edit the support letter/resolution as needed. FDOT is the agency that submits the USBR route approval application to AASHTO.

Mary O'Brien, AICP, CPH

State Bicycle/ Pedestrian Coordinator

Florida Department of Transportation, Central Office Roadway Design Office  
mary.obrien@dot.state.fl.us  
850-414-4283

Kerry Irons

Adventure Cycling Association

irons54vortex@gmail.com

989-513-7871

Here is a links to the draft map of the USBR 1 route: <https://ridewithgps.com/routes/17764763>. As you are probably aware, this is a popular bicycling route for traveling cyclists along the Florida Neptune Coast.

Just so you have it on paper, the proposed route on Neptune Beach streets is less than 5 miles coming

into town from Atlantic Beach on Ocean Blvd., then onto 1st St., Costa Verde Blvd., 25th Ave S., onto Ocean Dr S (NB Uses 1st St. S.).

The route proposal supplied is just that; a proposal. Local agencies will be the ones who determine the final route as they are the ones who have to assure support for the route to FDOT. We are in discussions with all of the cities and counties along the route.

The general route for USBR 1 in Florida is along the Neptune Coast. USBR 1 begins in Bar Harbor, ME and ends in Key West. ME, NH, MA, VA, and NC have already approved their portions of USBR 1 and we are actively working with GA, MD, PA, and DE on their segments.

You can find a huge amount of background information on the USBRS at [www.adventurecycling.org/routes-and-maps/us-bicycle-route-system](http://www.adventurecycling.org/routes-and-maps/us-bicycle-route-system) including a downloadable map for the entire proposed system.

As I hear from the agencies in your region, I will keep you informed about their progress. If you have any questions, please feel free to contact me.

Kerry Irons  
Adventure Cycling Association  
989-513-7871

=====  
Background information on USBR route designation:

There is no inherent liability for local agencies per the federal Transportation Research Board:  
[http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp\\_lrd\\_53.pdf](http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_lrd_53.pdf)

To view AASHTO information on the US Bicycle Route System: <https://route.transportation.org/us-bicycle-routes/>

Signage is nice, but not required. There are a number of ways a route can be designated including maps (paper or Internet), signs, pavement markings, downloadable GPS coordinates, etc.

The choice of roads for a US Bicycle Route is a tradeoff between low traffic, direct routing, access to services (bike shops, motels, campgrounds, etc.), access to points of interest, and scenic roads. The best route for a family weekend bike ride may not be the best route for someone on a multi-day long distance bicycle trip.

Long distance bicycle tourists are experienced road riders and used to varying quality of road surface, absence of paved shoulders, and car and truck traffic. The number of cyclists who might use a given route is difficult to predict, but five to ten riders per day (1,000-2,000 per season) would be considered a significant increase in usage once a route is designated.

A change in the route can be proposed to FDOT and they propose the change to AASHTO. AASHTO has accepted every new route and route change requested by state DOTs. Route changes can be made twice per year.

Designating a USBR does not impose any constraints or restrictions on the use of a road, street, trail or right-of-way. It's current or future status or use for any other purpose is not changed.

There is no requirement that roads for US Bicycle Routes meet the guidelines in the AASTHO Guide for Bicycle Facilities. This was explicitly considered and it has been written into the process that there are no specific requirements for road or trail standards. It is recognized that local "engineering judgment" will determine when a road is suitable for inclusion in a USBR designation.

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Letter of Support Template

U.S. Bicycle Route System  
Template Letter of Support

Organizational Letterhead  
Date

Dear Mary O'Brien,

Neptune Beach would like to offer our support for the designation of proposed U.S. Bicycle Route 1 (USBR 1) through Neptune Beach. We recognize that bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists. As a city, we stand to benefit from this opportunity both economically and from the health and environmental related benefits of encouraging bicycle travel in our region.

The American Association of State Highway and Transportation Officials (AASHTO) has designated a bicycle route corridor through Florida to be developed as USBR 1. Neptune Beach lies within that corridor and we have investigated the proposed route and found it to be suitable for bicycle tourists.

I am contacting you to indicate our support for designating USBR 1 through Neptune Beach.

The proposed route for USBR 1 will provide a benefit to our city and we endorse having the route mapped and signed, thereby promoting bicycle tourism in our area. Therefore, Neptune Beach hereby expresses its support for the designation USBR 1, and requests that the appropriate officials nominate the route for AASHTO designation as soon as this can be achieved.

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Sample Support Resolution

Whereas bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

Whereas the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor crossing Florida to be developed as United States Bike Route 1 (USBR 1), and

Whereas the Adventure Cycling Association , Bike Florida, and the Florida Bicycle Association, with the cooperation of FDOT, have proposed specific route to be designated as USBR 1, and

Whereas the proposed route for USBR 1 comes through Neptune Beach and can therefore provide benefits to our city, and

Whereas we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area,

Therefore be it resolved that Neptune Beach hereby expresses its approval and support for the development of USBR 1, and requests that FDOT get the route officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs within Neptune Beach right-of-way identifying the route through the city once the official designation has been made.





[Home \(/\)](#) / [Routes & Maps \(/routes-and-maps/\)](#) / [U.S. Bicycle Route System \(/routes-and-maps/us-bicycle-route-system/\)](#)

# U.S. Bicycle Route System



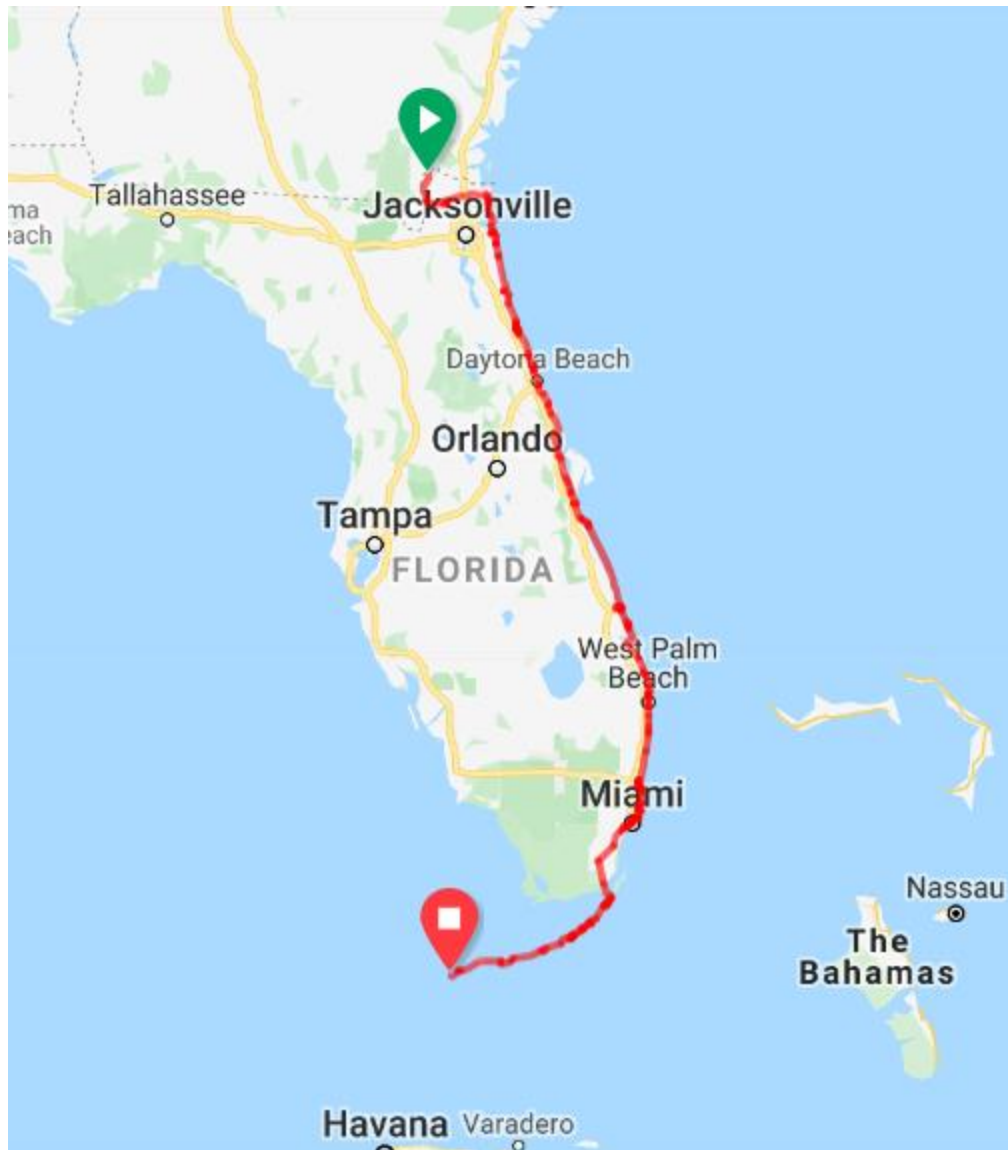
(<https://www.adventurecycling.org/campaigns/build-it-bike-it-be-a-part-of-it/>)

The U.S. Bicycle Route System (USBRS) is a developing national network of public bike travel routes. Over **14,000 miles** are rideable today – and many routes are signed.

- Explore free digital maps (</routes-and-maps/us-bicycle-route-system/maps-and-route-resources/>)
- Learn how routes are designated (</routes-and-maps/us-bicycle-route-system/implement-a-us-bicycle-route/>)
- Subscribe to the USBRS eNews (</routes-and-maps/us-bicycle-route-system/subscribe-to-usbrs-email-updates1/>)

Since 2005, Adventure Cycling has been proud to shepherd the growth of the USBRS. We provide technical support to partners across the country – so that you have more places to ride and the tools to get you there.

# USBR 1 FL





## RESOLUTION NO. 2019-13

### A RESOLUTION APPROVING AND SUPPORTING THE DEVELOPMENT OF UNITED STATES BIKE ROUTE 1 (USBR 1)

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**WHEREAS**, Bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

**WHEREAS**, The American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor crossing Florida to be developed as United States Bike Route 1 (USBR 1), and

**WHEREAS**, The Adventure Cycling Association, Bike Florida, and the Florida Bicycle Association, with the cooperation of FDOT, have proposed specific route to be designated as USBR 1, and

**WHEREAS**, The proposed route for USBR 1 comes through Neptune Beach and can therefore provide benefits to our City, and

**WHEREAS**, We have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area,

Therefore be it resolved that Neptune Beach hereby expresses its approval and support for the development of USBR 1, and requests that FDOT get the route officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs within Neptune Beach right-of-way identifying the route through the city once the official designation has been made.

This Resolution adopted by the City Council of Neptune Beach, Florida, at the Regular Council Meeting held this 2<sup>nd</sup> day of December, 2019.

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Elaine Brown, Mayor

ATTEST:

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Catherine Ponson, City Clerk



**CITY OF NEPTUNE BEACH  
CITY COUNCIL MEETING  
STAFF REPORT**

**AGENDA ITEM:** Resolution No. 2019-14, A Resolution of the City of Neptune Beach, Florida Authorizing the DONNA Marathon Weekend to be held February 7—9, 2020.

**SUBMITTED BY:** The DONNA Foundation

**DATE:** December 2, 2019

**BACKGROUND:** The 13th Annual DONNA Run is scheduled for February 7-9, 2020. The event will include a 5K, half marathon, ultramarathon and event challenges.

**BUDGET:** N/A

**RECOMMENDATION:** Approve Resolution No. 2019-14 supporting the DONNA Marathon Weekend.

**ATTACHMENT:** 1. Res. No., 2019-14, DONNA.



## RESOLUTION NO. 2019-14

### A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA AUTHORIZING THE DONNA MARATHON WEEKEND TO BE HELD FEBRUARY 7—9, 2020

**Whereas**, in 2020, the 13<sup>th</sup> Annual DONNA Marathon Weekend will start and finish in Neptune Beach; and

**Whereas**, from February 7—9, 2020, the DONNA Marathon Weekend will include a 5K, Half Marathon, Marathon, Ultramarathon and Event Challenges and will fill the Beaches of Northeast Florida with thousands of runners from all 50 states and many countries; and

**Whereas**, the residents of Neptune Beach look forward to the event taking place in our City, and the community will line the streets in support of the participants in the race, and

**Whereas**, many of our citizens benefit from the funds raised as a result of the marathon for breast cancer research which also helps pay for critical care needs of the underserved;

**Whereas**, the City recognizes the need to close some local and state streets during this event;

**Now, Therefore**, be it resolved by the City Council of Neptune Beach, Florida that it hereby authorizes the DONNA Marathon Weekend to be held February 7—9, 2020.

This Resolution adopted by the City Council of Neptune Beach, Florida, at the Special City Council Meeting held this 2<sup>nd</sup> day of December, 2019.

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Elaine Brown, Mayor

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Catherine Ponson, City Clerk