



City of Atlantic Beach

Agenda

Community Development Board (CDB) Meeting

Tuesday, June 16, 2026 - 6:00 p.m.

City Hall, Commission Chamber

800 Seminole Road, Atlantic Beach, FL 32233

Page(s)

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

- 2.A. Approve minutes of the May 19, 2026 regular meeting of the Community Development Board. 3 - 14
[CDB 05.19.2026 Minutes \(draft\)](#)

3. OLD BUSINESS

4. NEW BUSINESS

- 4.A. **1890 Beach Avenue ZVAR26-0010 (Gregory Rollings)** 15 - 22
Request for a variance to Section 24-162 for driveway width and Section 24-108(f) for lot coverage.
[1890 Beach Avenue ZVAR26-0010 Application](#)
[1890 Beach Avenue ZVAR26-0010 Staff Report](#)

5. REPORTS

- 5.A. Floodplain Ordinance 23 - 27
[Floodplain Ordinance Form Update 06.16.2026](#)

6. PUBLIC COMMENT

7. ADJOURNMENT

Community Development Board (CDB) - 16 Jun 2026

All information related to the item(s) included in this agenda is available for review online at www.coab.us and at the City of Atlantic Beach Community Development Department located at 800 Seminole Road, Atlantic Beach, Florida 32233. Interested parties may attend the meeting and make comments regarding agenda items or comments may be mailed to the address above. Any person wishing to speak to the Community Development Board on any matter at this meeting should submit a Comment Card located at the entrance to Commission Chamber prior to the start of the meeting.

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, visit www.coab.us/live.

If any person decides to appeal any decision made by the Community Development Board with respect to any matter considered at any meeting may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which any appeal is to be based.

In accordance with the American with Disabilities Act and Section 286.26 of the Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact City Clerk Donna Bartle at 247-5809 or at City Hall, 800 Seminole Road, Atlantic Beach, Florida not less than three (3) days prior to the date of this meeting.



MINUTES
Community Development Board (CDB) Meeting
Tuesday, May 19, 2026 - 6:00 PM
City Hall, Commission Chamber
800 Seminole Road, Atlantic Beach, FL 32233

Present: Doug Moody, Member
Kirk Hansen, Chair
Richard Arthur, Member
Ellen Golombek, Vice Chair
Jeff Haynie, Member
Nancy Staats, First Alternate Member

Absent: Gregory (Greg) Beliles, Member
Rick Ferrin, Member

Also Present: Amanda Askew, Neighborhoods Department Dir. (NDD)
Valerie Jones, Recording Clerk
Rob Graham, City Attorney (CA)

1. **CALL TO ORDER AND ROLL CALL**
The meeting was called to order at 6:00 p.m.
2. **APPROVAL OF MINUTES**
 - A. **Approve minutes of the April 21, 2026 regular meeting of the Community Development Board.**

MOTION: To **APPROVE** the April 21, 2026 minutes.

Motion: Jeff Haynie
Second: Doug Moody

<i>Doug Moody (Seconded By)</i>	<i>For</i>
<i>Kirk Hansen</i>	<i>For</i>
<i>Richard Arthur</i>	<i>For</i>
<i>Ellen Golombek</i>	<i>For</i>
<i>Jeff Haynie (Moved By)</i>	<i>For</i>
<i>Nancy Staats</i>	<i>For</i>

Motion passed 6 to 0.

3. **OLD BUSINESS**
There was no old business

4. **NEW BUSINESS**

A. **590 Jasmine Street REZN26-0001 (Hoose)**

Staff Presentation

Neighborhoods Department Director Amanda Askew began her presentation, explaining that this was a rezoning request with case number REZN26-0001, associated with ordinance number 90-26-261 for the property at 590 Jasmine Street. She described it as a request to rezone from the current Special Planned Area (SPA) designation to an updated Special Planned Area. Director Askew explained that SPAs are very similar to the old Planned Unit Developments (PUDs), which are zoning districts that allow developers to create their own zoning district standards including lot size standards, minimum setbacks, lot coverage, and other development standards.

Director Askew noted that SPAs are typically used in areas where redevelopment is being attempted or where there are special considerations for development, allowing the spelling out of specific development standards associated with the property. She indicated the property's location on the west side of Mayport Road, on the south side of 6th Street, and fronting on Jasmine Street as well.

History and Background

Director Askew explained that in 2019, the same property came in for an initial rezoning from Residential Single-Family 2 (RS-2) to SPA. The current request seeks to update the written description and site plan associated with this development. She noted that in 2019, the SPA took six lots and consolidated them into three developable lots. Prior to the first SPA, the six lots of record would have been developed fronting on Jasmine Street, but the 2019 and current SPA request has the new orientation development with 3 lots fronting on 6th Street.

The current land use remains SPA, and Director Askew noted that the developer did not formally replat the lots or begin construction following the 2019 approval. Therefore, there are still technically six lots today, though they have zoning approval to develop as three. The lots are currently vacant and located on a corner, with the Jasmine Street side being unpaved. She described the current 6 lot dimensions: the first lot is 70 feet by 102 feet, and the remaining lots are 50 feet by 102 feet, originally oriented towards Jasmine Street.

Environmental Concerns

Director Askew addressed significant environmental concerns on the property, noting that such issues are not unusual in this area of town, which has many historic old landfill sites. The property underwent Phase 1 and Phase 2 environmental assessments that identified recognized environmental conditions. The marsh area may have been a former dump, and the presence of unknown buried solid waste at the property is considered a moderate to high environmental risk.

The Phase 2 environmental study found used tires and solid waste on the property visible back to ground level. Director Askew explained the location of the buried waste was on

the southern part of the lots. The SPA adapts to these environmental limitations by calling for the problematic area to remain undeveloped, ensuring no disturbance of the buried trash.

Comparison: 2019 vs. 2026 Proposals

Director Askew presented a comparison between the original 2019 SPA regulations and the current 2026 proposal. The original SPA had very large lots with significant open space in the back area with environmental considerations and zero lot lines on the east side. The current proposal includes slight changes: the buildable area is decreasing as they are making a large portion of their property a conservation easement. The development will still consist of three single family homes, but they are now proposing a three-foot side yard setback on each side.

The new proposal specifies three different lot sizes with the key difference being three-foot side yard setbacks versus zero feet in the original plan. They are also specifying driveway design standards, and the rear yard—three-quarters of the lot—will be considered a conservation easement. While the 2019 plan had no indication regarding lot coverage, the current proposal, when not identified in PUD or SPA regulations, defaults to the 45 percent limit. However, given the significant conservation easement area, they are not at risk of approaching the 45 percent lot coverage limit.

Development Standards and Requirements

Director Askew outlined that City of Atlantic Beach tree regulations will apply, and the developers propose they do not have floodplain storage on the required properties. The property backs up immediately to the Intracoastal, making it similar to other properties the board has reviewed in relation to Intracoastal connections. They are providing positive drainage off-site rather than through the lots and will obtain Saint Johns River Water Management District permits and meet city requirements.

The proposed development standards include combining lots 1 through 6 into three single family homes. Lot 1 will be 38 feet wide by 90 feet deep, while lots 2 and 3 will be 32 feet by 90 feet. The rear lots closer to the trash and Intracoastal areas (lots 4, 5, and 6) will be provided as a conservation easement. They propose minimum three-foot side yards, minimum 20-foot front yard setbacks, and conservation areas in the rear of the property.

Director Askew showed a visual depiction of the large area that will be the conservation easement, with the developable area closer to West 6th Street. She noted that Jasmine Street remains unpaved as a dirt road, but the development orients along the paved street side with the proposed three-foot setbacks.

Benefits and Consistency Analysis

Director Askew outlined the benefits of the rezoning to an SPA in both 2019 and 2026, including less density than previously allowed in the RS-2 zoning district, preservation of more trees, and provision of sufficient area for stormwater to percolate through the site before entering the Intracoastal. She confirmed that the proposal is consistent with

the comprehensive plan, which is the primary consideration for rezonings. The density matches and actually reduces density compared to what would otherwise be allowed.

Director Askew reiterated that this was already an SPA in 2019, and they are only seeking to change the written description and site plan. The property has not been developed or platted, and if successful, plat lines would follow the lines shown in their site plan and written description. The proposal maintains three single family homes with density compliant with the comprehensive plan, smaller developable lots in the front area, improved setbacks, conservation easement in the rear, no floodplain storage, and clear drainage plans.

She noted that while not mentioned in her presentation, the SPA regulations propose an eight-foot fence, which staff supports. Part of this property is adjacent to a salvage yard, and while the city typically limits properties to six-foot fence heights, the SPA regulations seek an eight-foot fence in rear and side yards.

Rezoning Considerations

Askew concluded by outlining the standard rezoning considerations the board uses to review zoning requests: consistency with the comprehensive plan; consistency with the intent of land development regulations; consistency with professional planning principles and standards; whether the proposed amendment or development creates or contributes to urban sprawl; whether it will constitute spot zoning; whether uses will be consistent or compatible with existing and proposed land uses; whether it will deviate from established development patterns; whether it will result in significant adverse impacts on property values; and whether it will detract from the character and quality of life in the general neighborhood.

Board Questions for Staff

Jeff Haynie questioned Director Askew about the density reduction she mentioned. Director Askew explained that currently, as six lots of record, they could build six single family homes, but they are reducing development to three homes—a reduction by half. Haynie asked for clarification about buildable area versus conservation easement calculations, and Askew clarified that the buildable area refers to the area outside of the conservation easement, while the conservation easement is part of the lot but not included in the buildable square footage calculations.

Doug Moody asked about the original SPA, questioning whether someone could have built all six homes on each lot. Director Askew clarified that the original SPA was similar in orientation with three lots that were long and linear, like the current proposal. The major change was the distance between homes, they had zero-foot setbacks, and they didn't technically call out the rear area as a conservation easement. Staff appreciated the conservation easement designation because it ensures future owners know the area cannot be used for pools or other development if there is buried trash.

Chair Hansen inquired about sequestering the conservation easement area with moderate to high environmental risk, asking about fencing or barriers to prevent people from wandering into the area. Director Askew responded that she believed fencing was

proposed but suggested asking the applicant's representative for specifics. She confirmed they have fencing definitely adjacent to the automotive storage facility property.

Nancy Staats raised several concerns. She questioned calling the area a "conservation easement," comparing it to oceanfront or wetland conservation areas, noting she had observed visible cars in the area. She expressed concerns about potential danger to children and families, questioning the lack of protection. Staats also calculated that with effective lot sizes between 2,880 and 3,420 square feet and proposed home sizes of 1,900 square feet, the lot coverage would represent 66 percent of the buildable area, which seemed much higher than the 45 percent limit when considering only the truly buildable white area.

Director Askew responded that the applicant could address specific calculations, but noted that their written description specifies that former lots 4, 5, and 6 may only be used for undisturbed conservation purposes, defined as natural preserves, natural resource-based parks, and passive recreational uses. These areas remain part of the lot for lot coverage calculations, therefore lot coverage would not be an issue.

Ellen Golombek expressed understanding of the conservation designation but noted that given the current makeup of the area, it doesn't seem possible that any of the specified conservation uses would be feasible without major cleanup. She agreed with Staats' safety concerns, noting that while Jasmine Street is a dirt road with little travel, the whole area feels unsafe. She expressed interest in hearing from the applicant about plans for making the area safe for homeowners and others.

Richard Arthur asked about the zoning adjacent to the property, which Director Askew confirmed was also an SPA area serving as an automotive salvage yard with different SPA regulations. Arthur confirmed that lots were always oriented toward 6th Street rather than Jasmine Street, and asked about conservation easement recording. Director Askew confirmed that each lot would be recorded with its dimensions and show a conservation easement on surveys, becoming part of the parcel tax record for each lot.

Applicant Presentation by Zach Miller

Zach Miller, representing the applicant, addressed several points raised during the staff presentation and board questions. He clarified that while they listed 1,900 square feet as the total heated/cooled area for a potential second story, the actual site plan shows approximately 1,000 square feet. Regarding lot dimensions, the actual lots will be 320 feet deep, with the top lot being 38 feet wide and the other two being 32 feet wide. Both the site plan and plat will clearly indicate the conservation easement as an undeveloped area.

Miller confirmed with the property owner Jennifer Jorgensen, had confirmed there would be fencing in the backyard to prevent access to the conservation area. He noted that cars visible in the area are actually on property to the south, not on their property, though it's difficult to distinguish property lines when traveling down Jasmine Street.

Miller explained that there are essentially two scenarios: they could proceed with six lots of record, with each lot entitled to one home by right under city code and Florida law, or they could proceed under either the 2019 SPA or the proposed revised SPA. He shared a copy of the 2019 SPA site plan, noting that it approved three lots: 34 feet wide by 320 feet deep, with proposed homes of 23 feet by 70 feet, 27 feet by 45 feet, and 27 feet by 58 feet respectively.

The current proposal seeks to make the western lot larger at 38 feet, partly due to a drainage ditch and partly to distance residents from the automotive use to the west. The other two lots would decrease by two feet each, from 34 feet to 32 feet wide. Miller noted that a variance for floodplain storage was filed simultaneously in 2020 and approved, but staff now recommends including it in the SPA.

Miller explained they're changing lot sizes east to west and moving setbacks. The original 2019 approval had zero lot lines against the eastern property line. Regarding lot coverage, Miller clarified that city code uses impervious surface calculations, including buildings, AC pads, and driveways, capped at 45 percent. He calculated their proposal at approximately 18-20 percent impervious surface, well below the limit.

Miller introduced Chuck Kennedy, their engineer, available for engineering questions, and Jennifer Jorgensen for questions about home appearance and development details.

Board Questions for Applicant

Nancy Staats asked whether Miller knew about the Phase 1 and Phase 2 environmental results when the 2019 plan was approved. Miller responded that he was not aware of that information. Staats noted that knowing the Phase 2 results would significantly impact the developable area unless extensive and costly cleanup were undertaken, making the current proposal appear smaller left to right given the environmental constraints.

Miller acknowledged the surface contamination situation, noting that the Phase 2 results led to extending the conservation easement from originally covering lots 6, 5, and 4 to now covering all of lot 3 and part of lot 2, making the conservation easement area larger. However, he emphasized that the effective lot sizes remain the same in terms of ownership and impervious surface calculations. The area cannot be developed per the site plan, written description, and plat.

Miller noted that while cleanup would face hurdles, it wouldn't be impossible, as he had experience with other developments requiring solid waste cleanup and soil replacement. He suggested the bigger issue might actually be bringing Jasmine Street up to code with proper paving.

Public Comment

Chair Hansen opened the floor to public comment, asking each speaker to limit comments to three minutes.

Anna Nulk spoke in opposition to the proposed development and requested variances. She argued that the proposal attempts to place three oversized homes on extremely narrow lots with minimal separation between structures. Two proposed lots are only 32

feet wide with homes nearly filling the entire buildable area and side setbacks reduced to just three feet, which doesn't provide meaningful separation, privacy, light, or compatibility with the current neighborhood. She felt the design appeared driven primarily by maximizing building area and development intensity rather than creating appropriately scaled residential lots, creating an overcrowded and incompatible development pattern inconsistent with current neighborhood character.

Nulk expressed substantial concerns about the environmental review, noting that Phase 2 revealed moderate to high risks. While primarily associated with lots 4-6, she remained concerned about cars in adjacent salvage yards and found it hard to believe there was no further testing of subsurface soil and groundwater quality given the history of automotive use and trash disposal. She argued that approving dense residential development under these conditions raises serious questions about public health, groundwater safety, soil contamination, stormwater impacts, and long-term liability.

Regarding potential soil contamination, Nulk noted she hadn't seen testing results and expressed concerns about substantial oil leaks or other issues that could pose serious public health and safety concerns not only to residents but to the neighborhood as a whole. She requested that the board deny the proposal or require a significantly revised plan and further environmental evaluation before considering approval.

Tori McGill identified herself as a resident of 630 Begonia Street and noted she was six and a half months pregnant. Her primary concern was the environmental aspect, expressing concern for families, young children, and animals in the neighborhood. She questioned how building three homes on such a small area could be safe, especially for potential residents. She emphasized concerns about groundwater and soil safety raised by the previous speaker and expressed care for wildlife displacement. McGill respectfully asked the board to oppose the proposal.

Lorien Anderson spoke as a resident living around the corner from the proposed SPA, opposing the rezoning for several reasons. She noted that the impending stormwater study would likely demonstrate that their part of the neighborhood already grapples with regular flooding, with 6th Street flooding regularly and water typically remaining for at least two days after rain. Her concern was that having all homes face 6th Street with additional impervious surface would leave nowhere for water to go except onto 6th Street.

Anderson explained that water drains slowly through storm drains and even more slowly into marshland. While it's regularly discussed that marshes absorb water, she observed from living there that this doesn't happen effectively because of extensive fill, and fill doesn't percolate water like non-fill areas. Additional filling would cause more flooding, and since the development doesn't have floodplain storage requirements with only off-site positive drainage, she questioned whether developers understand the necessity of preventing additional stormwater from entering the street.

Anderson expressed alarm about environmental assessments, noting that the REC indicates the marsh on the southern half was filled in the 1970s after previously being

natural marsh. Allowing development would mean most land would be filled, and even though designated as conservation easement, it's already filled with materials that stop drainage. She noted their own reports call it hazardous with unknown buried materials from what they believe was a landfill.

Anderson expressed concerns about potential impacts on water quality if buried waste is disturbed, noting that neighborhood animals, including her dog, drink from roadside water. The land was purchased for \$10 per parcel by four LLCs, making it reasonable to ensure safety before building. She emphasized that wetlands naturally move inland with sea level rise, but if there's no available land due to filling, they cannot adjust accordingly, worsening flooding.

Anderson concluded by emphasizing the importance of wetlands for cleaning and filtering pollutants from surface waters, storing stormwater and runoff, preventing flood damage to developed lands, recharging groundwater, and serving as nurseries for saltwater and freshwater fish and habitat for birds. These features attract both tourists and new residents to Florida. She felt this type of hasty development would negatively impact the existing community, making it less attractive to future residents.

Charles Kennedy identified himself as the civil engineer on the project and addressed stormwater concerns. Their plan involves minimal grading on the site except for raising house pads out of base flood elevation on stem walls. For lot grading, the break will be as close to the front as possible, ensuring minimal water drains toward West 6th Street. Gutters will route stormwater to the rear, and the back area connects directly to the Intracoastal.

Kennedy explained that flooding in the area would be driven by Intracoastal rise rather than site runoff. From an engineering perspective, the Intracoastal is considered an infinite boundary body, meaning additional water sent to it doesn't matter because flooding comes from Intracoastal rising, not site contributions. He emphasized minimal fill placement with minimal water directed to 6th Street—only enough to prevent driveways from draining toward houses.

Sarah Boren of 388 8th Street raised questions about trees, noting the apparent presence of many trees on the lot and wondering about particularly large heritage trees over 30 inches. She wanted to understand details about the conservation easement, including any sunset provisions, length, exit options, and whether it could be sold to the city if resources became available for cleanup and conversion to a pocket park.

Boren noted she hadn't read the Phase 1 and Phase 2 reports but observed that such sites are typical for leaching, questioning whether the water table had been tested. Based on density and proposed build-out, she wanted to understand tree preservation plans. She noted that the Environmental and Scenic Committee was trying to encourage corner lots to include at least one shade tree on front and side if possible, to minimize heat island effects as development increases.

Board Discussion

Chair Hansen closed public comment and brought discussion to the board, emphasizing that their role was to make a recommendation to city commission regarding rezoning, not building requirements, which weren't part of the evening's discussion.

Jeff Haynie asked Director Askew about comments suggesting the current SPA already allows the proposed density. Director Askew confirmed that the existing SPA permits three lots with homes facing 6th Street in a relatively small developable area closer to 6th Street. The current SPA has zero setbacks on the eastern property lines for all three lots, with different lot widths but still equating to three lots.

Haynie asked about lot size differences shown on page 3 of the report. Director Askew clarified that the buildable area (white space on previous slides) was 3,420 square feet for one lot and 2,880 for another, though total lots were nearly 10,000 square feet. The buildable portion that could actually be developed was the smaller figure.

Doug Moody sought clarification that the difference between proposals was effectively the conservation easement area. Director Askew confirmed this was correct. Moody asked whether, if they denied the current proposal and council rejected the change, the developer could build under the original 2019 approval. Director Askew confirmed this was correct.

Moody framed the decision as determining whether the new proposal creates a better environment for the neighborhood than the old proposal. Chair Hansen agreed this was reasonable and suggested that one advantage for developers in changing the SPA was avoiding the need to pave Jasmine Street or run utilities there, taking everything from 6th Street instead, providing economic motivation for the change.

Moody confirmed with Director Askew that lots in both proposals run from Sixth Street back into the conservation easement, with Director Askew clarifying that the old SPA did originally come off Jasmine Street but they hadn't formally replatted. Under current regulations, they could replat for three lots facing 6th Street with slightly different distances than shown.

Richard Arthur asked about the 2019 SPA confirmation that it faced 6th Street, which Director Askew confirmed. Arthur asked whether the 2019 version included conservation designation, and Director Askew explained it wasn't specifically written in the written description as conservation, making the current proposal more protective by preventing potential future development.

Arthur asked about the expired 2020 floodplain storage variance, and Director Askew confirmed it had expired. The city's proposed legislation would eliminate the need for such variances in this situation. Arthur asked about stormwater in conservation easements, and Director Askew noted they wouldn't trigger on-site requirements because they're under 35 percent lot coverage. Arthur confirmed that the 2019 approval with zero setbacks could proceed with permits if nothing happened with the current proposal.

Ellen Golombek sought clarification about the denial scenario, confirming they could build under 2019 approval but with less conservation area. Director Askew confirmed this was correct—the current proposal increases the conservation easement and setbacks compared to the 2019 version, where they could go to zero setbacks and build slightly larger homes.

Nancy Staats asked about the expired variance, which Director Askew explained was for floodplain storage after the SPA approval. The variance expired after one year without commencing construction. Staats asked about the Saint Johns River Management District's likely future requirements.

Staats inquired about the city's obligation regarding Phase 1 and Phase 2 studies showing moderate to high environmental risk. Director Askew explained the city doesn't have authority unless they're pulling building permits or disturbing ground. If ground disturbance occurs, they work with applicants to ensure cleanup per DEP regulations through the Department of Environmental Protection.

Staats asked about ground disturbance from tree removal and site development. Director Askew explained the mapped environmental issues were in areas where development wouldn't occur—so no trash cleanup would be required. Staats asked about Phase 3 studies, and Director Askew confirmed deeper investigation was possible with additional testing points. Staats expressed personal concern about being at the edge of something with moderate to high environmental risk.

Jeff Haynie characterized the decision as choosing between "bad and worse" because of what had already been approved. He noted that functionally, the proposal would look and feel like medium to high density development that doesn't fit the area's character, but this had already been approved. Comparing the 2019 and 2026 proposals, he noted the old one had 6 feet 11 inches side yard setback on the western side, meaning houses would be almost 7 feet apart, while the new proposal would place houses only 6 feet apart. He didn't see the new proposal as an improvement in terms of density impact.

Ellen Golombek asked whether the 2019 version going further into the easement would require cleanup. Director Askew explained that without construction, DEP allows leaving contamination alone. Even placing a playset wouldn't require remediation, but building a pool would. Golombek confirmed that houses in the 2019 version go further back but not enough to disturb the contaminated area.

Doug Moody asked whether the original SPA would allow homeowners to use the contaminated area for lawns and children's play. Director Askew confirmed this was possible as long as soil wasn't disturbed. Moody noted that home ownership under the original plan would include part of the contaminated area, while the current proposal with conservation easement would potentially prevent new homeowners from having their backyard over a dump.

Golombek asked about tree removal details, noting information in the application. Applicant Miller confirmed only one tree over 30 inches, which would be preserved, and

that all development remained subject to current code requirements including tree replacement.

Nancy Staats noted that the original version appeared more aesthetically pleasing due to more perceived buildable space. She questioned whether environmental results were known during the original platting, suggesting they wouldn't have placed usable yard areas in contaminated zones if they had known, making it misleading to buyers. The effectively usable space for potential buyers would be quite different if the current proposal were denied, as Phase 2 problems extend to where previous development was planned, potentially not meeting required 20-foot setbacks.

Jeff Haynie asked about conservation easements and whether they depend on Atlantic Beach action. Director Askew confirmed they could be added during the platting process without city blessing. Haynie suggested they didn't need to feel compelled to recommend approval based on it being better than alternatives, since developers could voluntarily add conservation easements to unsafe areas regardless.

Applicant Rebuttal

Zach Miller requested rebuttal time, which Chair Hansen granted. Miller clarified that they have a permit to remove trash, so they could proceed under either six lots of record or the 2019 SPA. He reiterated that the question was really between the 2019 SPA versus the current SPA proposal, noting that one of the speakers actually lives in a house his client built on Begonia, representing the type of development they create in the area.

Final Board Discussion

Chair Hansen summarized that they would have small lots regardless-either 2019 small or 2026 small-with houses being built either way. Arthur confirmed there had been a Phase 2 environmental study conducted.

MOTION: To **RECOMMEND** that Commission DENY the application for the revised SPA.

Motion: *Nancy Staats*

Second: *Jeff Haynie*

Doug Moody

Against

Kirk Hansen

Against

Richard Arthur

Against

Ellen Golombek

For

Jeff Haynie (Seconded By)

For

Nancy Staats (Moved By)

For

Motion failed 3 to 3.

Chair Hansen announced that the motion did not carry, meaning the SPA was neither approved nor rejected, and would go to city commission with no recommendation from the board.

Director Askew confirmed the item would go before commission at the next step, tentatively scheduled for the second meeting in June (June 22nd), requiring two readings at city commission.

5. REPORTS

There were no reports.

6. PUBLIC COMMENT

There were no public comments.

7. ADJOURNMENT

There being no further discussion, Chair Hansen declared the meeting adjourned at 7:00 p.m.

Attest:

Amanda Askew

Kirk Hansen, Chair



VARIANCE APPLICATION
City of Atlantic Beach
Community Development Division
800 Seminole Road Atlantic Beach, FL 32233
(P) 904-247-5800

FOR INTERNAL OFFICE USE ONLY

PERMIT# ZVAR26-0010

\$500.00 Application Fee

You must submit this form at BSA Online

APPLICANT INFORMATION

NAME Gregory Rollings EMAIL greg_rollings@comcast.net

ADDRESS 1890 Beach Ave CITY Atlantic Beach STATE FL ZIP CODE 32233

PROPERTY LOCATION 1890 Beach Ave PHONE # 7708334778 CELL # 7708334778

RE# BLOCK # LOT #

LOT/PARCEL SIZE ZONING CODE UTILITY PROVIDER

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION

PROVISION FROM WHICH VARIANCE IS REQUESTED Would like to replace driveway with same size

We are asking for a Variance on the Width & length of Dr. Vachy. To Replace to same size. Using Brick Pavers.

Homeowner's Association or Architectural Review Committee approval required for the proposed construction

YES NO (if yes, this must be submitted with any application for a Building Permit)

Statement of facts and site plan related to requested Variance, which demonstrates compliance with Section 24-65 of the Zoning, Subdivision and Land Development Regulations, a copy of which is attached to this application. Statement and site plan must clearly describe and depict the Variance that is requested.

PROVIDE ALL OF THE FOLLOWING INFORMATION

(all information must be provided before an application is scheduled for any public hearing):

- 1. Accurate, to-scale boundary survey prepared by a registered land surveyor within one year of the date of submission that shows the location of all existing improvements.
2. Survey, plat or new site plan showing all proposed additions and/or improvements added to the drawing, to scale (on 11"x17" paper or smaller).
3. Proof of ownership (copy of deed or current property tax notification).
4. Copy of any previous variance and/or conditional use approval letters.
5. If applicant is not the owner, notarized written authorization from owner is required.

"In lieu of signed, sworn and notarized signatures of the property owner, agent and/or contractor, and under penalties of perjury, I declare that I have read and examined the foregoing application and that the facts stated in it are true and correct."

SIGNATURE OF APPLICANT

Gregory Rollings
PRINT OR TYPE NAME OF APPLICANT

4-26-2026
DATE

The following paragraph sets forth reasons for which a Variance may be approved, please check the circumstances that apply to your request and briefly describe them in the space provided.

Grounds for approval of a Variance: A Variance may be granted at the discretion of the Community Development Board, for the following reasons.

1. Exceptional topographic conditions of or near the property.

2. Surrounding conditions or circumstances impacting the property disparately from nearby properties.

3. Exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area.

If we reduce size of driveway we would not be able to Park our cars safely, We would like to replace as have others on our street - Variance to the 20 Ft. Width -

4. Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.

We have a three car garage and would like to be able to park and enter garages. As others on the street have done.

5. Irregular shape of the property warranting special consideration.

Replace to same size - To be able to access the 3rd Garage -

The Variance is related to width + length - Variance to the 20 Foot Width

6. Substandard size of a Lot or Record warranting a Variance in order to provide for the reasonable use of the property.

- a. Approval of a Variance. To approve an application for a Variance, the Community Development Board shall find that the request is in accordance with the preceding terms and provisions of this Section and that the granting of the Variance will be in harmony with the Purpose and Intent of this Chapter.
- b. Approval of Lesser Variances. The Community Development Board shall have the authority to approve a lesser Variance than requested if a lesser Variance shall be more appropriately in accord with the terms and provisions of this Section and with the Purpose and Intent of this Chapter.
- c. Nearby Nonconformity. Nonconforming characteristics of nearby Lands, Structures or Buildings shall not be grounds for approval of a Variance.
- d. Waiting period for re-submittal. If an application for a Variance is denied by the Community Development Board, no further action on Another application for substantially the same request on the same property shall be accepted for 365 days from the date of denial.
- e. Time period to implement Variance. Unless otherwise stipulated by the Community Development Board, the work to be performed pursuant to a Variance shall begin within six (6) months from the date of approval of the Variance. The Community Development Director, upon finding of good cause, may authorize a one-time extension not to exceed an additional six (6) months, beyond which time the Variance shall become null and void.
- f. A Variance, which involves the Development of Land, shall be transferable and shall run with the title to the Property unless otherwise stipulated by the Community Development Board.

ADDITIONAL COMMENTS:

We would like a variance to replace our driveway, which is old and needs replaced. However we dont have enough room to reduce the size of the driveway. To be able to park safely off the road we are asking for the same foot print just replace. As others on our street have done.

Thank YOU

This relates to the 20 Ft. width requirement.

We want to replace to same size, like other homes around us have done.

The current driveway is in bad repair & need to be replaced.



CITY OF ATLANTIC BEACH
COMMUNITY DEVELOPMENT BOARD
STAFF REPORT

AGENDA ITEM 4.A.
CASE NO. ZVAR26-0010
Request for a variance as permitted by Section 24-162(d), for allowable driveway width of 20 feet and Section 24.108(f) for allowable lot coverage.
LOCATION 1890 Beach Avenue (RE#169542-0602)
APPLICANT Gregory Rollings
DATE June 16th, 2026
STAFF Amanda Askew, Neighborhoods Department Director

STAFF COMMENTS

The applicant, Greg Rollins, is the owner of 1890 Beach Avenue. The lot is zoned Residential, multifamily (RG-M) and is 60 feet wide by 100 feet deep. There is an existing single-family home on the lot that was built in 1993. The applicant is seeking to replace an existing driveway with brick pavers. A variance is needed to permit the existing driveway width of 30.8 feet along Beach Avenue.



Section 24-162(d) of current code states *that the maximum width of a driveway at the property line and through the right-of-way shall be twenty (20) feet for single-family properties.* The existing driveway currently sits at 30.8 feet at the property line and through the right-of-way. Traditionally, driveways are governed by Chapter 19 of City Ordinance. In 2005, Ordinance 65-05-34 was approved to add a new section establishing requirements for constructing driveways within the city's rights-of-way in Chapter 19. Ordinance 65-05-34 stated *maximum driveway width at the property line and through the right-of-way shall be 20 feet.* The recent Chapter 24 update brought Chapter 19 and Chapter 24 in compliance with each other for 20-foot driveway width at the right-of-way. The home was built in 1993; therefore, the existing driveway is non-conforming. Section 24-85 of current code states that *any existing nonconforming structure that is encroaching into public right-of-way shall not be rebuilt, enlarged, or structurally altered unless such encroachment is removed.* The applicant is looking to rebuild an existing nonconforming driveway that encroaches city right-of-way by more than the allowable 20 feet, as established in Chapter 19 in 2005.

A survey from 1993 shows that the concrete driveway width at the right-of-way was larger in 1993 than in 2020. In 1993, the driveway width at the right-of-way was 48 feet. Today, the driveway width is 30.8 feet. Lot coverage for the property in 1993 was lower than the current lot coverage of 73.2%. A pool was added to the property in 2004, which increased lot coverage from 1993 records. The pool was properly permitted, however it does not support additional pavers in the rear of the property. In 2023, the applicant had their rear deck rebuilt to its same existing footprint. The deck was previously concrete, and overall lot coverage was not affected. Changes in lot coverage and driveway width suggest pavers have been added/

RG-M zoning limits lot coverage for single-family dwellings at 45%. Putting the nonconforming driveway back to its existing dimensions with brick pavers will keep the lot at 73.2% lot coverage, above the permitted 60.3% coverage and above the allowable 45% coverage in Land Development Code.

ANALYSIS

Section 24-65 states that “applications for a variance shall be considered on a case-by-case basis, and shall be approved only upon findings of fact that the application is consistent with the definition of a variance and consistent with the provisions of this section.” According to Section 24-17, Definitions, “[a] variance shall mean relief granted from certain terms of this chapter. The relief granted shall be only to the extent as expressly allowed by this chapter and may be either an allowable exemption from certain provision(s) or a relaxation of the strict, literal interpretation of certain provision(s). Any relief granted shall be in accordance with the provisions as set forth in Section 24-65 of this chapter, and such relief may be subject to conditions as set forth by the City of Atlantic Beach.”

Section 24-65(f) provides six distinct grounds for the approval of a variance:

- (1) *Exceptional topographic conditions of or near the property.*
- (2) *Surrounding conditions or circumstances impacting the property disparately from nearby properties.*
- (3) *Exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area.*
- (4) *Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.*
- (5) *Irregular shape of the property warranting special consideration.*
- (6) *Substandard size of a lot of record warranting a variance in order to provide for the reasonable use of the property.*

REQUIRED ACTION

The Community Development Board may consider a **motion to approve ZVAR26-0010**, request for a variance to Section 24-162(d) and 24-108(f) upon finding this request is consistent with the definition of a variance, and in accordance with the provisions of Section 24-65, specifically the grounds for approval delineated in Section 24-65(f) and as described below.

A variance may be granted, at the discretion of the Community Development Board, for the following reasons:

- (1) *Exceptional topographic conditions of or near the property.*
- (2) *Surrounding conditions or circumstances impacting the property disparately from nearby properties.*
- (3) *Exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area.*
- (4) *Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.*
- (5) *Irregular shape of the property warranting special consideration.*
- (6) *Substandard size of a lot of record warranting a variance in order to provide for the reasonable use of the property.*

Or, The Community Development Board may consider a **motion to deny ZVAR26-0010**, request for a variance to Section 24-162(d) and 24-108(f), finding this request is not consistent with the definition of a variance.

ORDINANCE NO. 90-26-260

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, HEREBY AMENDING THE LAND DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCE NUMBER 90-24-253, INCLUDING ALL AMENDMENTS THERETO; THIS ORDINANCE SPECIFICALLY AMENDING SECTION 24-89, STORMWATER, DRAINAGE, STORAGE AND TREATMENT REQUIREMENTS, PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 14, 2024 the City Commission of the City of Atlantic Beach enacted Ordinance No. 90-24-253 amending and restating the City of Atlantic Beach Land Development Regulations, Chapter 24 of the City's Code of Ordinances, and

WHEREAS, the City of Atlantic Beach recognizes that said Chapter 24, Land Development Regulations, requires comprehensive revisions periodically to meet the community's needs to update content, standards, and administrative guidance; and

WHEREAS, the City of Atlantic Beach desires to have Land Development Regulations that are clear, concise, and streamlined; and

WHEREAS, Section 163.3174(1), Florida Statutes, requires that the governing body of each local government in Florida shall designate and by ordinance establish a "local planning agency;" and

WHEREAS, the City of Atlantic Beach Community Development Board has been duly designated as the Local Planning Agency of the City; and

WHEREAS, Section 163.3174(4)(c), Florida Statutes, provides that the land planning agency shall review all proposed text amendments to land development regulations and make recommendations to the governing body as to the consistency of the proposed revisions with the adopted comprehensive plan; and

WHEREAS, the Community Development Board acting in its capacity as Local Planning Agency, held a duly advertised public hearing on June 16th, to receive public comments on the proposed amendment to Chapter 24, Land Development Regulations and, finding the proposed amendment to said Chapter 24 consistent with the City's adopted 2045 Comprehensive Plan, voted to recommend adoption of said update and revisions to Chapter 24, Land Development Regulations; and

WHEREAS, after due notice and publication, the City Commission held two (2) public hearings to receive public comments and receive the recommendation of the Community Development Board; and

WHEREAS, the City Commission has found and determined that the proposed update and revisions to Chapter 24, Land Development Regulations will foster and preserve the public health,
Ordinance No. 90-26-260

safety and welfare and aid in the harmonious, orderly and progress development of the City of Atlantic Beach and thus will serve a valid public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:

SECTION 1. Regulation Amended. Section 24-89 of Chapter 24, Land Development Regulations of the Code of Ordinances of the City of Atlantic Beach, Florida, is hereby revised, as more fully set forth and described in Exhibit A, attached hereto and made part hereof, and hereby adopted to read as shows in said Exhibit A

SECTION 2. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, as codified in the applicable portions of Chapter 163, Part II, Florida Statutes.

SECTION 3. Findings. The City Commission hereby finds and determines that:

- (a) The findings set forth in the recitals to this Ordinance are true and correct.
- (b) The Community Development Board, acting in its capacity as the Local Planning Agency for the City held a public hearing on August 26th, to consider the proposed amendment to Chapter 24, Land Development Regulations of the City's Code of Ordinances, and found them to be consistent with the Comprehensive Plan, and recommended that the City Commission adopt said amendment to Chapter 24, Land Development Regulations.
- (c) The amendment to Chapter 24, Land Development Regulations, of the City's Code of Ordinances, is consistent with the City's adopted 2045 Comprehensive Plan.

SECTION 4. Conflict. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are repealed to the extent inconsistent herewith.

SECTION 5. Codification and Scrivener's Errors. The publisher of the City of Atlantic Beach's Code of Ordinances, the Municipal Code Corporation, is hereby directed to incorporate the Land Development Regulations Update as Chapter 24 into the City's Code of Ordinances. Sections of the Land Development Regulations Update may be renumbered or re-lettered and scrivener's errors, formatting and typographical errors and other minor, inadvertent graphical errors in Chapter 24 which do not affect the intent may be authorized by the City Manager and City Attorney without the need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6. Applicability. The provisions of the Land Development Regulations amendment shall apply to all applications, decisions or controversies pending before the City of Atlantic Beach upon the effective date hereof or filed or initiated thereafter, provided that certain development, land use or construction, if qualified, may have vested rights to continue or be completed under the terms of the repealed ordinances or provisions therein.

SECTION 7. Severability. If any section, sentence, clause, or other provision of this Ordinance, or any provision of the Land Development Regulations amendment shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding of invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance, or of the Land Development Regulations Update.

SECTION 8. Effective Date. This Ordinance shall take effect upon final review and approval.

PASSED by the City Commission on first read.....

PASSED by the City Commission on second and final reading this.....

CITY OF ATLANTIC BEACH

Curtis Ford, Mayor

Attest:

Donna L. Bartle, City Clerk

Approved as to form and correctness:

Jason Gabriel, City Attorney

EXHIBIT A

Sec. 24-89. Stormwater, drainage, storage and treatment requirements.

- (a) Except as required to meet coastal construction codes as set forth within a valid permit from the Florida Department of Environmental Protection; or as required to meet applicable flood zone or stormwater regulations as set forth herein, the elevation or topography of a development or redevelopment site shall not be altered.
- (b) *Topography and grading.* All lots and development sites shall be constructed and graded in such a manner so that the stormwater drains to the adjacent street, an existing natural element used to convey stormwater, or a city drainage structure after meeting onsite storage requirements, as set forth within this section. The city shall be provided with a pre-construction topographical survey prior to the issuance of a development permit and a post-construction topographical survey prior to the issuance of a certificate of occupancy. Elevations in all topographic surveys will be referenced to NAVD 1988. Said surveys shall be signed and sealed by a licensed Florida surveyor. All new developments and redevelopments shall provide assurance that adjacent or nearby properties not owned or controlled by the applicant will not be adversely affected by drainage or flooding.
- (c) *Onsite storage.* Except as provided for herein, an applicant shall be required to provide onsite storage of stormwater in accordance with this section as follows:
 - (1) Projects which increase the impervious surface on the development parcel by more than four hundred (400) square feet shall provide onsite storage of stormwater for the increase in the impervious surface area only. The four hundred (400) square feet of impervious surface area shall be calculated cumulatively from the adoption date of this ordinance.
 - (2) Any modification or replacement of driveway and sidewalk areas only on a developed lot shall not be required to provide onsite storage improvements provided the modification or replacement does not alter the footprint of the existing driveway or sidewalk area.
 - (3) Applicants shall provide documentations and calculations to demonstrate compliance with submittal of applications for construction.
 - (4) Projects permitted by the St. Johns River Water Management District (SJRWMD), which have an in-compliance existing retention or detention areas that collect and control stormwater are exempt for further onsite storage requirements; provided, however, a copy of the engineer's certification of as-built construction to the SJRWMD must be submitted to the city before building permits for individual lot construction may be issued.
 - (5) When onsite storage is required, an as-built survey, signed and sealed by a licensed Florida surveyor, documenting proper construction and required volume of the storage system, must be submitted to and approved by the director of public works prior to permit closeout or issuance of a certificate of occupancy. For an under-ground system, a notarized letter from the general contractor, along with as-built plans and construction photographs will be sufficient to document proper construction.
 - (6) In addition, a declaration of restrictive covenant, in recordable form and approved by the city, identifying and describing the required on-site storage improvements to be maintained, shall be executed and recorded in the public records of Duval County, Florida, by the owner of the development parcel and shall be binding on successors and assigns, prior to permit closeouts or issuance of a certificate of occupancy.
 - (7) Volume calculations for any projects that require onsite storage shall be based on the following calculation:

$V = CAR/12$, where

V = volume of storage in cubic feet,

A = total impervious area,

R = 25-year and 24-hour rainfall depth (9.3 inches) over the lot area, and

C = runoff coefficient, which is the difference between impervious area (C=1.0) and undeveloped conditions (C=0.08).

This volume must be stored at least one (1) foot above the wet season water table and below the overflow point to offsite (in many cases this may be the adjacent road elevation). As an option, and as approved by the director

EXHIBIT A

of public works, an applicant may implement, at the applicant's cost, offsite storage and necessary conveyance to control existing flood stages offsite, provided documentation showing appropriate authorization for the off-site use and meeting the requirements of this section is submitted and approved by the city.

- (d) *Floodplain storage.* ~~There shall be no net loss of storage f~~For areas located within ~~in~~ a special flood hazard area (100-year floodplain), where a base flood elevation has been defined by the Federal Emergency Management Agency (FEMA) on flood insurance rate maps (FIRMs), there shall be no net loss of floodplain storage for development projects other than those discharging into the saltmarsh directly adjacent to the Intracoastal Waterway. Site grading shall ~~create storage onsite~~ provide compensatory storage onsite to offset any loss of flood storage volume resulting from fill placed onsite. ~~to mitigate for filling of volume onsite.~~ This storage can be combined with ~~is in addition to~~ the storage required for the increase in impervious surface area. The applicant shall provide signed and sealed engineering plans and calculations documenting that ~~this "no net loss"~~ of floodplain storage has been met. ~~requirement is met.~~
- (e) *Stormwater treatment.* For all new development or redevelopment of existing properties, excluding single- and two-family uses, where construction meets limits for requiring building code upgrades, stormwater treatment shall be provided for a volume equivalent to either retention or detention with filtration, of the runoff from the first one (1) inch of rainfall; or as an option, for facilities with a drainage area of less than one hundred (100) acres, the first one-half (½) inch of runoff pursuant to Chapter 62-330, Florida Administrative Code (FAC). No discharge from any stormwater facility shall cause or contribute to a violation of water quality standards as provided in Section 62-302, FAC. This treatment volume can be included as part of the onsite storage requirement in subsection (b) of this section.
- (f) *NPDES requirements.* All construction activities shall be in conformance with the city's National Pollutant Discharge Elimination Systems (NPDES) permit, in addition to the requirements of the St. Johns River Water Management District and the Florida Department of Environmental Protection. NPDES requirements include use of best management practices (BMPs) prior to discharge into natural or artificial drainage systems. All construction projects of one (1) acre or more require a stand-alone NPDES permit. Site clearing, demolition and construction on any size site may not commence until site inspection and approval of the proper installation of a required best management practices erosion and sediment control plan is completed.
- (g) *Enforcement.* Subsequent to approval of a property owner's final grading, including onsite and/or floodplain storage and stormwater treatment and closeout of the applicable permit or issuance of certificates of occupancy, the improvements shall be maintained by the property owner. In order to ensure compliance with the provisions of this section and the requirements to maintain onsite stormwater improvements over time, the city is authorized to conduct inspections of property, upon reasonable notice and at reasonable times, for the purpose of inspecting said property and/or onsite storage improvements for compliance with this section and with any applicable conditions of previously issued permits. Failure to maintain the improvements will require restoration upon notification by the director of public works, within a stipulated time frame. If restoration is not timely completed, the city shall have the right to complete the restoration, and the city's actual cost incurred, together with a charge of one hundred (100) percent of said costs to cover the city's administrative expenses, shall be charged to the then owner of the property.
- (h) *Variances to impervious surface area limits.* Variances to impervious surface limits shall be subject to the provisions in section 24-65. Impervious surface requirements shall not be eligible for relief via waivers from the city commission.

(Ord. No. 90-24-253, § 3(Exh. A), 10-14-24)