



City of Atlantic Beach

# Agenda

## Community Development Board (CDB) Meeting

Tuesday, April 21, 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 March 17, 2026 regular meeting of the Community Development Board. 3 - 12  
[CDB 03.17.2026 Minutes \(draft\)](#)

### 3. OLD BUSINESS

### 4. NEW BUSINESS

- 4.A. **1554 Linkside Drive ZVAR26-0007 (Patricia Wallace)** 13 - 27  
Request for a variance to Selva Linkside PUD, which states *lot coverage shall not exceed the standards imposed by the City of Atlantic Beach (COAB)*. Current residential lot coverage is limited to 45% impervious area in C.O.A.B.  
[1554 Linkside Drive ZVAR26-0007 Application](#)  
[1554 Linkside Drive ZVAR26-0007 Staff Report](#)
- 4.B. **95 10th Street ZVAR26-0008 (Debra Taylor)** 28 - 46  
Request for a variance to Section 24-108(e) to reduce side yard setbacks from 7.5 feet to 0 feet and rear yard setback from 20 feet to 4 inches.  
[95 10th Street ZVAR26-0008 Application](#)  
[95 10th Street ZVAR26-0008 Staff Report](#)
- 4.C. **600 Begonia Street ZVAR26-0009 (BCEL 10C LLC)** 47 - 57  
Request for a variance to Section 24-89(d) for floodplain compensation storage.  
[600 Begonia Street ZVAR26-0009 Application](#)  
[600 Begonia Street ZVAR26-0009 Staff Report](#)

### 5. REPORTS

- 5.A. Floodplain Storage 58 - 59  
[Memo to CDB re floodplain storage - update for April 21st CBD meeting](#)

### 6. PUBLIC COMMENT

### 7. ADJOURNMENT

## Community Development Board (CDB) - 21 Apr 2026

All information related to the item(s) included in this agenda is available for review online at [www.coab.us](http://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](http://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, March 17, 2026 - 6:00 PM**  
**City Hall, Commission Chamber**  
**800 Seminole Road, Atlantic Beach, FL 32233**

**Present:** Kirk Hansen, Chair  
Gregory (Greg) Beliles, Member  
Ellen Golombek, Vice Chair  
Jeff Haynie, Member  
Doug Moody, First Alternate Member  
Rick Ferrin, Member

**Absent:** Richard Arthur, Member

**Also Present:** Valerie Jones, Recording Clerk  
Payton Jamieson, Principal Planner (PP)  
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 February 17, 2026 regular meeting of the Community Development Board.**

**MOTION:** To **APPROVE** the minutes of the February 17, 2026 Community Development Board meeting as amended.

***Motion: Jeff Haynie***  
***Second: Ellen Golombek***

<b><i>Kirk Hansen</i></b>	<b><i>For</i></b>
<b><i>Gregory (Greg) Beliles</i></b>	<b><i>For</i></b>
<b><i>Ellen Golombek (Seconded By)</i></b>	<b><i>For</i></b>
<b><i>Richard Arthur</i></b>	<b><i>For</i></b>
<b><i>Jeff Haynie (Moved By)</i></b>	<b><i>For</i></b>
<b><i>Doug Moody</i></b>	<b><i>For</i></b>
<b><i>Rick Ferrin</i></b>	<b><i>For</i></b>

***Motion passed 7 to 0.***

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

**4. NEW BUSINESS**

**A. 1067 Beach Avenue ZVAR26-0006 (Mandarin Emporium, Inc.)**

Request for a variance to Section 24-108 (e) and Section 24-85(b)(1) to allow for the expansion of a nonconforming structure and continue the expansion into the required side yard setbacks.

Principal Planner and Environmental Coordinator Payton Jamieson presented the variance application for 1067 Beach Avenue. She explained that this was a request for a variance to sections 24-108(e) and 24-85(b)(1) to allow for the expansion of a nonconforming structure and continue the expansion into the required yard setbacks.

Planner Jamieson provided detailed background information, noting that the property is located near the corner of Eleventh Street and Beach Avenue and is zoned residential general multifamily. The house was built in 1927, making it technically nonconforming, and the lot is also nonconforming at 30 feet in width when the zoning district requires 40 feet. She explained that both the lot and structure are nonconforming, with the existing structure not meeting the required side yard setback of 15 feet total, with neither side being 5 feet or more.

She described the existing deck on the structure that was permitted in 1993 for deck replacement, though city records indicated the original deck permit was unclear. The specific variance request related to a side yard deck expansion into the side yard. Prior to 1993, projections were not considered encroachments into required rear yards under zoning code requirements, including uncovered steps, balconies, and porches.

Planner Jamieson highlighted that there is currently unpermitted work on the property with an active code enforcement violation. The variance came to attention due to a request for a DEP (Department of Environmental Protection) letter, as they needed a zoning confirmation letter for their project that met zoning code requirements, which it did not based on setbacks.

She provided a detailed overview of the current conditions, showing that the south side violates setbacks at 2.5 feet from the property line and the north side at 5.2 feet from the property line. The applicant's proposal involves expanding the porch further into the rear yard and adding storage underneath the porch, changing it from an open porch to an enclosed structure.

Planner Jamieson explained why the variance was needed, describing it as "a classic condition of a change of not necessarily use, but of the current status of a nonconforming structure similar to the carport one we had previously." She noted that the porch constitutes a change from an open structure to an enclosed inhabitable structure, as they're not necessarily enclosing the porch but enclosing what's underneath it.

She presented various plans and elevations showing the proposed expansion, explaining that the existing porch currently violates side yard setbacks, therefore requiring a variance, and the expansion would follow the same wall plane, still extending into the

setbacks. The plans showed dimensions changing from 12 feet by 22 feet to include a 7-foot extension towards the rear yard.

Planner Jamieson showed photographs of the current structure provided by the applicant, noting the active stop work order on the property. She displayed images from various angles showing the tight distance constraints, particularly the 2.5-foot side setback on the south side.

She outlined the specific variance requests from two sections of the code: Section 24-85(b) relating to nonconforming structures, which states that no nonconforming structure shall be expanded unless the expansion complies with applicable provisions including building setbacks, and the specific request regarding required side setbacks of the zoning district.

Planner Jamieson quoted directly from the zoning code regarding the intent of the nonconforming section: "to recognize that the legal rights entitled to the property owners of existing nonconforming uses and structures and to permit such nonconformities to continue in accordance with such rights, but not to otherwise encourage their continued survival."

She concluded by outlining the grounds for decision, stating that the board must find one or more of the following conditions applicable to grant the variance: exceptional topographical conditions, surrounding conditions impacting the property differently from others, exceptional circumstances preventing reasonable use compared to other properties, onerous effect of regulations enacted after platting or development, irregular shape of the property, or substandard size of lot warranting the variance for reasonable use.

Chair Hansen asked for questions from staff. Board member Greg Beliles inquired about the side setbacks piece and the extension toward the ocean, asking if that would be an issue were it not for the side setbacks. Planner Jamieson confirmed that was correct, explaining that rear yard setbacks are quite large on oceanfront properties and they rarely have anyone who goes into the rear yard setbacks because of oceanfront regulations.

Ellen Golombek asked several clarifying questions. She first asked about the house being built in 1927, and Planner Jamieson confirmed that was according to the property appraiser, though city records don't necessarily go back that far. Regarding the decking structure, she explained they have records of an attempt to rebuild the decking in 1993, but can't go back further, so they assume the deck was part of the house sometime before 1993.

Ellen Golombek asked if a variance was approved to fix the decking in 1993, and Planner Jamieson clarified that no variance was needed because it was permitted. She explained that prior to 1993, projections were not considered encroachments into required rear yards, which included uncovered porches, and this stipulation took precedent over existing zoning code. Ellen Golombek then understood that the current issue was

triggered because they're enclosing the underneath area, changing the existing use of the structure from an area that's not enclosed to an enclosed area for storage use.

Chair Hansen sought clarification, asking if the structure had already been built without a permit. Planner Jamieson explained that part of the structure had been built, though she didn't know how far along they were in completing the whole project. She noted that staff was notified of the project occurring prior to receiving the variance request, conducted due diligence, and issued a stop work order because there was no active permit.

She detailed the process for oceanfront lots, explaining that they first need building permits from the state, but must get a zoning verification letter from the city confirming the project fits zoning requirements, which it currently does not. The variance is needed to address local level requirements, which would then allow for a DEP letter to go to the state for building plan approval, after which they could return to the city for a permit.

Chair Hansen asked if all the construction that had been done was violating the side yard setbacks, and Planner Jamieson confirmed this based on the plans submitted.

Ellen Golombek asked why they would have to come back to the city again, and Planner Jamieson explained that the DEP letter allows them to get state sign-off that their project meets zoning requirements, and while the state looks at oceanfront lot requirements and may approve the project for state requirements, that doesn't issue a permit to build - they still must return to the city for a full permit. She clarified this process is unique to oceanfront lots in Atlantic Beach.

Chair Hansen then called for the applicant's representative, Rich Trendel with Petra Contracting, who identified himself as representing the property owner and serving as the contractor called when they received the stop work order. He explained that he didn't know the whole front end of the situation, as the property owners initially thought they were "just enclosing under this thing" and didn't realize the full permitting requirements.

Rich Trendel described how he got involved, bringing in Kevin Bartle to handle state-level requirements and working with Planner Jamieson and Code Enforcement Officer Jose Gonzalez on the stop work order to "bring everybody together" and "get this taken care of correctly." He explained the project as basically trying to enclose underneath a porch, with the depth aspect toward the backside mimicking existing stairs for aesthetic appeal.

He provided background that the house renovation occurred in 2017-18, originally being the Lambert house owned by David Lambert, and that the current owners are a family of five in a four-bedroom house needing more storage room. He explained that the man living in the house works for a church on San Pablo, runs production for off-campus activities, and has equipment needing tempered space and security, which would be the primary use of the enclosed space.

Chair Hansen asked for questions for the applicant, and seeing none, thanked Rich Trendel. He then opened the floor for public comment, noting he saw two people in attendance.

Michael Sherrod, identifying himself as a resident of Atlantic Beach, spoke in favor of the variance. He acknowledged it was "obviously a very tough lot" with only 30 feet width and setbacks of 2.5 feet on one side and 5 on the other. He stated that he didn't think the proposed expansion would affect neighbors and that he would "personally like to see a family be able to expand their storage and help their growing family." He concluded that he thought "this is a ballpark win for them and the city."

Chair Hansen asked if anyone else wished to speak, and seeing no one, closed the public comment period and brought the matter to the board for discussion and motion.

Rick Ferrin raised a question about the application stating the space would be used for storage, asking if this had any zoning impact, particularly since they were installing "nice patio doors on the oceanfront" for storage use. He wondered if the space were used for something other than storage, whether that would matter. Planner Jamieson responded that it would only matter for potential code enforcement issues if they stored inappropriate items in specific areas, but she didn't see that being the case here. She explained that code enforcement would get involved if needed, and that the enclosure technically creates a room that can be used however the owners want.

Ellen Golombek performed calculations aloud, noting that a 30-foot wide lot with 15 feet required for setbacks would result in only a 15-foot wide house, which she considered small even by her standards. She stated that while she's typically not one to support reducing setbacks, given that the house was built in 1927 and applauding the owners for trying to preserve the original house rather than demolishing it, she didn't know what else they could do. She observed that none of the existing structure was conforming and concluded they should "just get it right as far as meeting variances and things like that and let them move forward with what they want to do."

Chair Hansen thought the request was actually to violate the 5-foot setback on the side at 2.5 feet, seeking clarification. Planner Jamieson clarified that they're trying to leave the existing porch structure as is, with the south side currently at 2.5 feet and north side at 5.2 feet - those setbacks wouldn't change. However, the issue was changing the existing use of the structure, requiring a variance because even if the structure dimensions stay the same, the use isn't staying the same. She compared it to the previous carport case where the structure wasn't changing dimensionally, but the use was changing from open to enclosed, which does change the use of the proposed structure, and nonconformity regulations address both uses and structures.

Chair Hansen asked if anyone else had questions or opinions. Jeff Haynie indicated he was ready to make a motion, and Chair Hansen gave him the opportunity after asking if others wanted to weigh in first.

**MOTION:** To **APPROVE ZVAR26-0006** on grounds #5 "Irregular shape of the property warranting special consideration" and #6 "Substandard size of a lot of record warranting a variance in order to provide for the reasonable use of the property."

**Motion:** *Jeff Haynie*

**Second:** *Ellen Golombek*

<i>Kirk Hansen</i>	<i>For</i>
<i>Gregory (Greg) Beliles</i>	<i>For</i>
<i>Ellen Golombek (Seconded By)</i>	<i>For</i>
<i>Richard Arthur</i>	<i>For</i>
<i>Jeff Haynie (Moved By)</i>	<i>For</i>
<i>Doug Moody</i>	<i>For</i>
<i>Rick Ferrin</i>	<i>For</i>

**Motion passed 7 to 0.**

## **B. Section 24-89 Floodplain Storage Code Discussion**

Chair Hansen introduced the discussion that the board had the previous week regarding floodplain storage, asking Planner Jamieson to introduce the topic.

Planner Jamieson explained that staff was tasked from previous meetings regarding variances concerning floodplain storage to develop a legislative change to the code, as it wasn't clearly indicating specific requirements for floodplain storage and how it could be amended, especially for areas subject to the intercoastal waterway system and the natural floodplain existing there.

She provided detailed technical background, explaining that in riverine floodplain areas, placement of fill below the base flood elevation level where floodwaters are expected to reach during a 100-year flood event reduces natural storage capacity for floodwaters. When this storage capacity is diminished, floodwaters can be displaced, potentially increasing flood elevations and exacerbating flooding in surrounding areas, which is why compensatory flood storage is typically required when fill is placed within riverine floodplains.

In contrast, she explained that properties adjacent to the intercoastal waterways are not subject to flooding caused by upstream riverine flow. Instead, flooding in these areas typically occurs through inundation as water levels in the intercoastal waterway change and expand outward due to tidal influence. Because the intercoastal represents a very large body of water with substantial storage capacity, the addition of relatively small amounts of fill associated with residential development along the shoreline does not measurably affect the elevation of the 100-year flood elevation.

Planner Jamieson summarized that compensatory storage is critical to riverine systems where fill placement can increase flood elevations by displacing floodwaters, but this is

not directly associated with large bodies of water such as the intercoastal waterway system or properties directly adjacent to the waterway system, because small-scale fill associated with single residential structures will not significantly or meaningfully affect those waterways.

She presented the proposed adjusted language for floodplain storage in the zoning code: "For areas located within the special flood hazard area by the hundred year flood plain, 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 occurring adjacent to waterways other than the intercoastal waterway system and for drainage ditches or canals that do not discharge into the intercoastal waterway. Site grading shall provide compensatory storage on-site to offset any loss of storage or any loss of flood storage volume resulting from the fill placed on-site."

She continued reading the proposed language: "This storage is in addition to the storage required for an increase in the impervious surface area. The applicant shall provide signed sealed engineering plans and calculations documenting that there's no net loss requirement is met."

Planner Jamieson explained that this language was specific to lot location, and from both zoning and public works perspectives, drainage matters because grading can change where waterways go. When adjacent to an intercoastal waterway system, no matter what is done to lot grading, it won't affect where water naturally goes, but everywhere else in Atlantic Beach, that can occur. She noted that ecologically and logically, it doesn't work that way because of tidal influence, especially from the St. Johns River, so it's not significant to hold applicants accountable for floodplain storage in these areas, though they still have both floodplain storage and stormwater storage requirements based on impervious ratios.

Chair Hansen asked for questions regarding the proposal. Jeff Haynie raised concerns about the language in the first paragraph, specifically the last clause "and for drainage ditches or canals that do not discharge to the intracoastal waterway." He sought clarification whether the intent was for those ditches and canals to be excluded from the no net loss requirement along with properties adjacent to the ICW.

Planner Jamieson read through the language again, confirming that there shall be no net loss of floodplain storage for development occurring adjacent to waterways other than the intercoastal waterway and for drainage ditches or canals that do not discharge into the intercoastal waterway.

Greg Beliles suggested that what the city was attempting to accomplish was ensuring that even if there was no net loss, water could still spill onto neighboring properties, and they were trying to preclude that from happening with this language, asking if this was based on property location. Planner Jamieson confirmed this was correct.

Jeff Haynie expressed concern that there were two things the language was trying to exclude from the no net loss requirement: properties adjacent to the ICW and those adjacent to drainage ditches or canals that don't discharge into the ICW. He found this potentially confusing.

Chair Hansen offered his interpretation that for drainage ditches and canals that do not discharge into the intercoastal waterway, the requirement applies to them if they do not discharge into the intercoastal waterway. Jeff Haynie acknowledged this reading but worried about the stacking of negatives making it unnecessarily confusing.

Jeff Haynie suggested separating this into two clear distinct sentences and restructuring so all requirements are together, then having exceptions listed separately, rather than having "requirement, exception, requirement" structure.

Planner Jamieson acknowledged they could clean up the language and highlighted that site grading requirements were directly related to storage requirements, noting they have both storage requirements and site grading for on-site stormwater, which is different from floodplain requirements. She suggested this was trying to highlight that there are additional storage considerations for waterway storage, whether stormwater or floodplain.

Chair Hansen stated that he had reviewed this with Amanda the previous week and told her he liked the simplicity of it, finding it very clear. He acknowledged Jeff Haynie's point about stacking negatives creating potential confusion but wouldn't want to change it significantly, though he understood it would need to be put in proper ordinance format with "wherefores and whereas." He maintained that in his "simple mind, it's not confusing."

Ellen Golombek agreed somewhat with Jeff Haynie, stating that while it was easier for committee members to understand after explanation and working on it the previous week, she found the last sentence in red in the first paragraph "just a tad confusing." She supported dividing that into two different sentences to make it easier to understand and read, though she wasn't sure about putting all requirements in one place and exceptions in another.

Rick Ferrin commented that he had to read it several times before understanding it, but did eventually understand what it was trying to say. He agreed that if they could clarify it so "you only have to read it once, that's maybe good."

Rick Ferrin noted that the first page explained riverine floodplain areas quite well, then contrasted properties adjacent to intercoastal waterways not being subject to flooding from upstream riverine flow. He agreed the explanation was clear but found the second page's first paragraph about floodplain storage requiring multiple readings, particularly the sentence starting with "there shall be no net loss of floodplain storage."

Chair Hansen concluded that there was consensus they were on the right track but needed to make changes so it would be understandable on first reading rather than requiring multiple readings to understand the negatives and double negatives.

Jeff Haynie raised another issue about the need for variance requests, referencing confusion from a particular case where an applicant submitted signed and sealed engineering plans showing no net loss, but the city still required a variance. He wondered if language was needed about city review and approval processes to avoid future confusion where applicants claim they submitted required documentation, but the city questions it.

Planner Jamieson explained that floodplain storage and no net loss are both required, going hand in hand. Even if plans are submitted, if they don't show no net loss, the city would still require floodplain storage because the plans aren't demonstrating no net loss. She clarified that no net loss is a requirement regardless, but applicants still must provide floodplain storage, and the goal of floodplain storage is no net loss, though this can be achieved in different ways.

Jeff Haynie suggested it might be helpful to clarify the engineering plan requirements and what happens if the city questions the calculations, referencing the previous case where the city appeared to not accept the submitted plans.

Rick Ferrin recalled that they were questioning the calculations regarding whether there was actually no net loss of storage capacity, and they wanted the city engineer to verify or validate the calculations made by the applicant's engineer.

Chair Hansen acknowledged they clearly understood what the board was trying to achieve and thanked staff for their work and quick action after the previous month's meeting. He noted they had received several similar cases and wanted to avoid confusion by clarifying the requirements.

**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 6:40 p.m.

Attest:

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Amanda Askew

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Kirk Hansen, Chair





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

Agenda Item #4.A  
 FOR INTERNAL OFFICE USE ONLY  
 PERMIT# ZVAR26-0007

\$500.00 Application Fee  
 \*\*Please submit form in person  
 or to building-dept@coab.us

**APPLICANT INFORMATION**

NAME Patricia A. Wallace EMAIL wallace.patricia@mayo.edu

ADDRESS 1554 Linkside Dr. CITY Atlantic Beach STATE FL ZIP CODE 32233

PROPERTY LOCATION 1554 Linkside Dr., Atlantic Beach FL 32233 PHONE # (904)662-7895 CELL # \_\_\_\_\_

RE# 172374-6340R BLOCK # \_\_\_\_\_ LOT # 148

LOT/PARCEL SIZE 5,663 sq ft ZONING CODE X UTILITY PROVIDER JEA  
.13 acre

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION \_\_\_\_\_

PROVISION FROM WHICH VARIANCE IS REQUESTED CoA Ordinance 90-19-238. Maximum impervious lot coverage.

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."

Patricia A. Wallace  
 SIGNATURE OF APPLICANT

Patricia A. Wallace  
 PRINT OR TYPE NAME OF APPLICANT

3-2-26  
 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. Agenda Item #4.A.  
21 Apr 2026

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.

Back yard completely paved by pri or owners. Unpermitted work causing serious hazard of flooding home.

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

Selva Linkside zero lot line creates runoff issue from 2-story house next door. Zero drainage caused wood rot and mold remediation on side of home.

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.

Hazardous driveway original to home (1993) and back paving done? prior to my purchase November 2025. No improvement/solution other than variance is available.

5. Irregular shape of the property warranting special consideration.

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.



# IMPERVIOUS SURFACE CALCULATION FORMULA

City of Atlantic Beach Building Division

800 Seminole Road, Atlantic Beach, FL 32233

Phone: (904) 247-5826 Email: [Building-Dept@coab.us](mailto:Building-Dept@coab.us)

## EXISTING IMPERVIOUS SURFACES:

Building footprint: 2,139 SQ. FT.

Parking and Drive areas: 1,087 SQ. FT.

Patio areas: 762 SQ. FT.

\*Pool areas: 0 SQ. FT.

Walkways: 120 SQ. FT.

Mechanical Equip Pads: 57 SQ. FT.

Other: 0 SQ. FT.

Total Existing Impervious Surface: 4,165 SQ. FT.

$$\frac{4,165}{5,663} = 73.5\%$$

Total Existing Impervious Surface      Lot Area      Existing Impervious Surface %

## PROPOSED IMPERVIOUS SURFACES:

Building footprint: 2,139 SQ. FT.

Parking and Drive areas: 544 SQ. FT.

Patio areas: 104 SQ. FT.

<sup>Spa</sup>  
\*Pool areas: 69\* SQ. FT.

Walkways: 0 SQ. FT.

Mechanical Equip Pads: 9 SQ. FT.

Other: 0 SQ. FT.

Total Proposed Impervious Surface: 2,865 SQ. FT.

$$\frac{2,865}{5,663} = 50.6\%$$

Total Proposed Impervious Surface      Lot Area      Proposed Impervious Surface %

\* The surface of the pool is considered 50% permeable.

**TO COMPUTE THE MAXIMUM SQUARE FOOTAGE OF IMPERVIOUS SURFACE ALLOWED ON A LOT, MULTIPLY THE PERCENTAGE ALLOWED IN YOUR ZONING DISTRICT (45% IN MOST RESIDENTIAL ZONING DISTRICTS) BY THE TOTAL SQUARE FOOTAGE OF THE LOT.**

**(\*\*EXAMPLE: A lot measuring 7,200 square feet with a 45% coverage would have a maximum allowable impervious surface coverage of 3,240 square feet)**

Section 24-89(c) of the Land Development Regulations requires on-site storage for increased run-off if adding 400 square feet or more impervious surface. Provide Delta volume calculations and on-site retention required per Section 24-89(c).

\* 10x7' Spa = 70 x .5 = 35 sq ft  
 Coping 34 sq ft  
69 sq ft

Permit Waiver Request

Agenda Item #4.A.  
21 Apr 2026

3-2-26

1554 Linkside Drive, Unit 148, Atlantic Beach, FL 32233

Property # 172374-6340R

Building Footprint 2,139 sq ft

Lot 5,663 sq ft (.13 acre)

Issue:

Previous owners violated code, paved over entire back yard and walkways, creating 4,165 sq ft total impervious surface (73.5%).

Details:

- Large gutter attached to back yard Florida Room has 4 downspouts. Rainwater pools on the back yard pavers with no place to go. Water will eventually enter Florida Room, as pavers go directly to back door with no transition.
- Back yard paved area has uneven areas and loose pavers, causing falling, tripping hazards.
- Rainwater from next door roof pours onto paved walkway between homes with no place to go. Issues with mold and rot have caused wood and stucco to be replaced.
- Front drive and parking area has large cracks and holes that pose a tripping hazard and neighborhood eyesore.

Solution (See attached):

Since purchasing this home in November of 2025, sought information from the City of Atlantic Beach, water remediation, landscaping, and paving companies. Suggestion: Permit waiver.

Details:

- Driveway/parking: Remove existing hard surface, install permeable pavers.
- Back patio: Remove majority of existing pavers, install 4 french drains, permeable gravel.
- Back yard, install small spa (7x10').
- Wide walkways: Remove existing pavers, install permeable gravel.

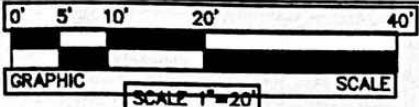
Your approval of this request will solve serious drainage problems and reduce impervious surface area. A total reduction of 22.9%, from the current 73.5% to 50.6%, is requested.

Thank you.

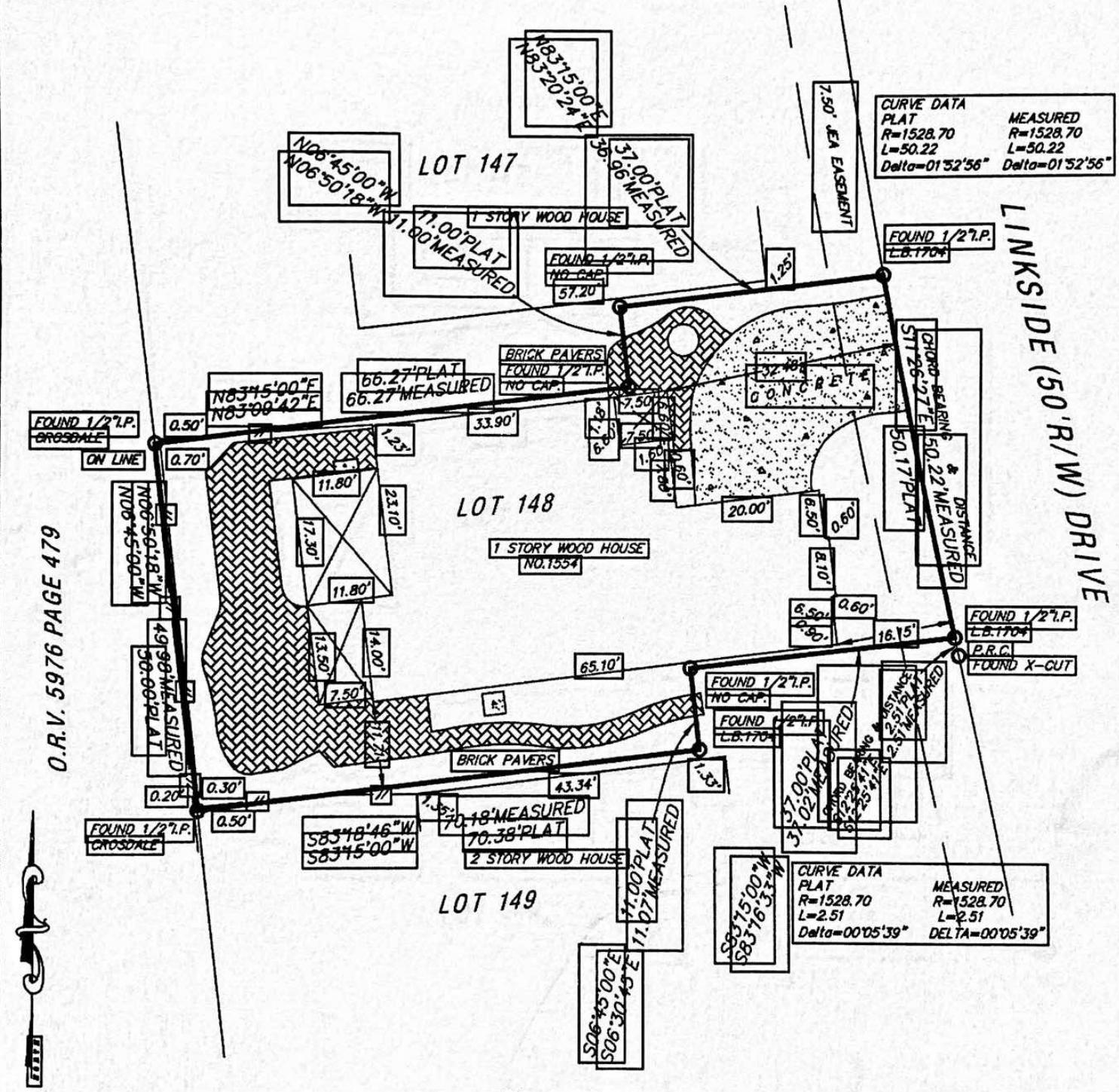
Patricia A. Wallace

(904)662-7895

# MAP SHOWING BOUNDARY SURVEY OF LOT 148, SELVA LINKSIDE UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 85, 85A AND 85B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES:  
 1. BEARINGS ESTABLISHED FROM PLAT BOOK 47 PAGE 85.  
 2. BEARING OF S 11°26'27"E OF LINKSIDE DRIVE HELD FIXED.  
 3. FIELD WORK 10-17-2025



O.R.V. 5976 PAGE 479

## KARL F. KUHN

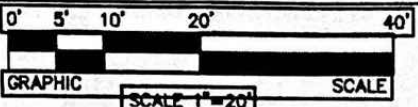
10448 ST AUGUSTINE ROAD  
 JACKSONVILLE, FLORIDA 32257  
 PHONE (904)-624-3399 ROONEYSONS@AOL.COM

I HEREBY CERTIFY TO : PATRICIA A WALLACE & PAUL ALLEN WALLACE III. NAVY FEDERAL CREDIT UNION

AMTRUS TITLE INSURANCE COMPANY TITLE AMERICA REAL ESTATE CLOSINGS INC.  
 THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 30-17.050-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

FEMA FLOOD INSURANCE RATE INFORMATION PERTAINING TO LANDS SHOWN HEREON:  
 ZONE 1A PANEL 12031C04083 DATE 11-02-18 / DUVAL COUNTY, FLORIDA.

# MAP SHOWING BOUNDARY SURVEY OF LOT 148, SELVA LINKSIDE UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 85, 85A AND 85B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

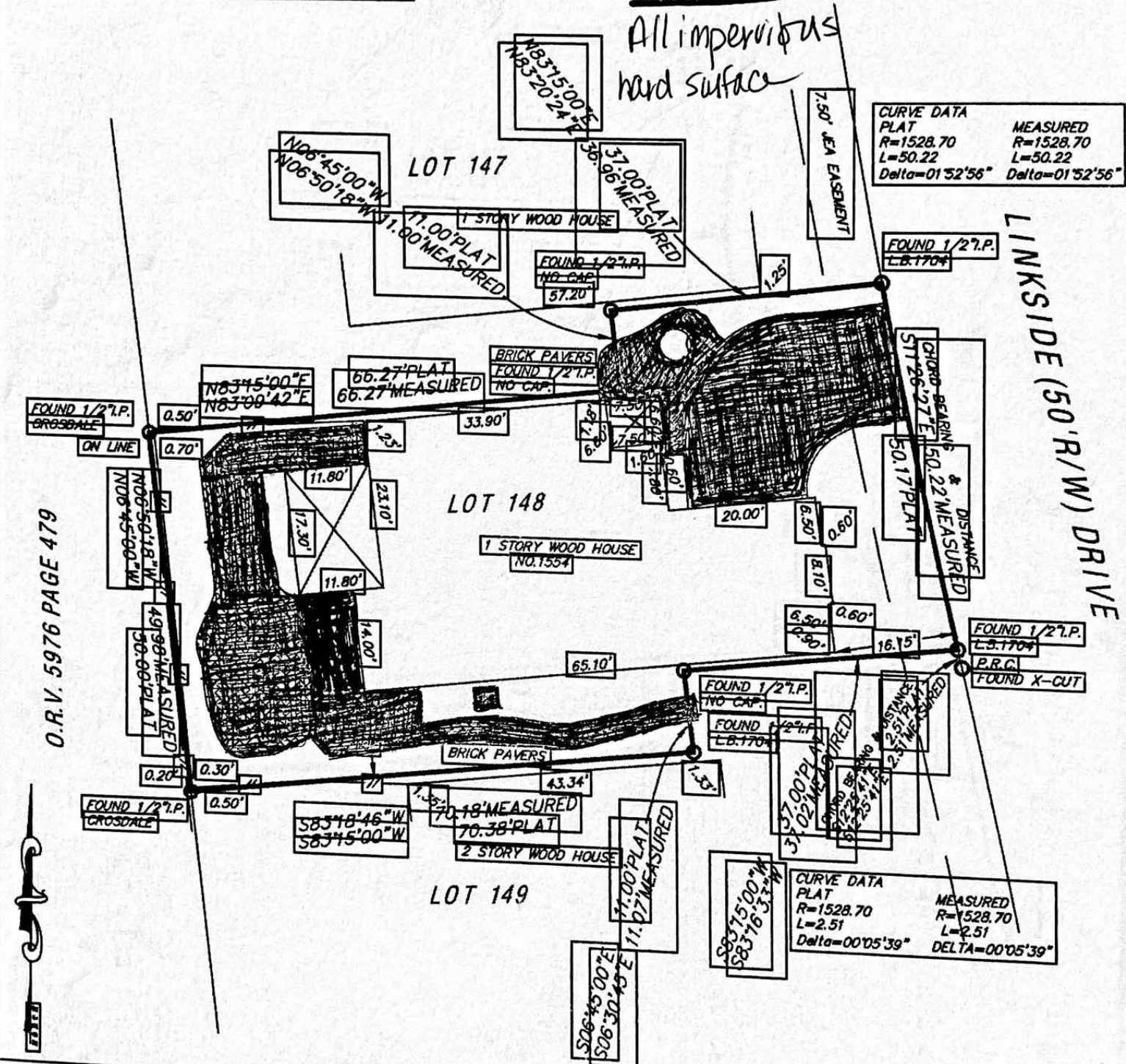


NOTES:  
 1. BEARINGS ESTABLISHED FROM PLAT BOOK 47 PAGE 85.  
 2. BEARING OF S 11°26'27"E OF LINKSIDE DRIVE HELD FIXED.  
 3. FIELD WORK 10-17-2025

**Current**

All impervious  
hard surface

CURVE DATA	MEASURED
PLAT	R=1528.70
R=1528.70	R=1528.70
L=50.22	L=50.22
Delta=01°52'56"	Delta=01°52'56"

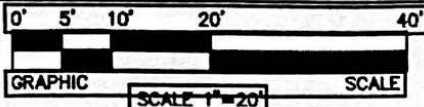


**KARL F. KUHN**

10448 ST AUGUSTINE ROAD  
 JACKSONVILLE, FLORIDA 32257  
 PHONE (904)-624-5399 ROONEYSONS@AOL.COM

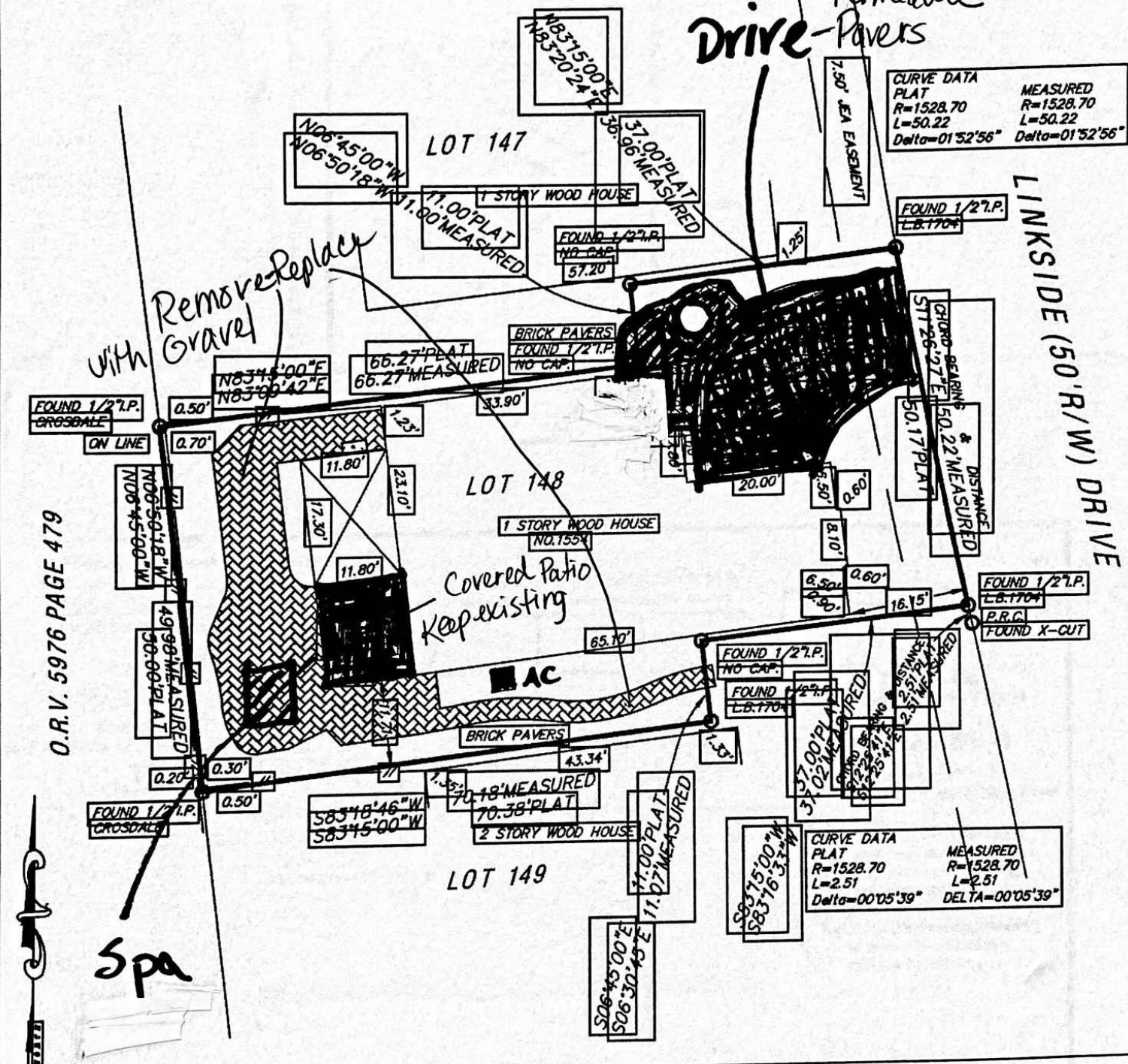
I HEREBY CERTIFY TO : PATRICIA A WALLACE & PAUL ALLEN WALLACE III. NAVY FEDERAL CREDIT UNION  
 AMTRUST TITLE INSURANCE COMPANY TITLE AMERICA REAL ESTATE CLOSINGS INC.  
 THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN  
 CHAPTER 50-17.050-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.  
 FEMA FLOOD INSURANCE RATE INFORMATION PERTAINING TO LANDS SHOWN HEREON;  
 ZONE  PANEL 12031C0408 DATE 11-02-10 / DUVAL

# MAP SHOWING BOUNDARY SURVEY OF LOT 148, SELVA LINKSIDE UNIT 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 85, 85A AND 85B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



NOTES:  
 1. BEARINGS ESTABLISHED FROM PLAT BOOK 47 PAGE 85.  
 2. BEARING OF S 11°26'27"E OF LINKSIDE DRIVE HELD FIXED.  
 3. FIELD WORK 10-17-2025

**New**  
 Drive-Pavers  
 Remove -  
 Replace with  
 Permeable  
 Pavers



CURVE DATA	MEASURED
PLAT	R=1528.70
R=1528.70	L=50.22
L=50.22	Delta=01°52'58"
Delta=01°52'58"	Delta=01°52'56"

FOUND 1/27.P.	L.B.1704
P.R.C.	FOUND X-CUT

CURVE DATA	MEASURED
PLAT	R=1528.70
R=1528.70	L=2.51
L=2.51	Delta=00°05'39"
Delta=00°05'39"	DELTA=00°05'39"

O.R.V. 5976 PAGE 479

Spa

## KARL F. KUHN

10448 ST AUGUSTINE ROAD  
 JACKSONVILLE, FLORIDA 32257  
 PHONE (904)-624-3399 ROONEYSONS@AOL.COM

I HEREBY CERTIFY TO : PATRICIA A WALLACE & PAUL ALLEN WALLACE III. NAVY FEDERAL CREDIT UNION  
 AMTRUST TITLE INSURANCE COMPANY TITLE AMERICA REAL ESTATE CLOSINGS INC.  
 THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN  
 CHAPTER 53-17.050-17.053 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 FLORIDA STATUTES.  
 FEMA FLOOD INSURANCE RATE INFORMATION PERTAINING TO LANDS SHOWN HEREON:  
 ZONE  PANEL 12031C04083 DATE 11-02-16 / DUVAL COUNTY, FLORIDA. Page 19 of 59



THIS INSTRUMENT PREPARED BY AND RETURN TO:

**John Gullett**  
**Title America Real Estate Closings**  
**10448 Old Saint Augustine Road**  
**Jacksonville, FL 32257**  
**904.262.6400w**  
**FILE: 50737**

Parcel ID#: 172374-6340  
SALE PRICE: \$719,000.00

SPACE ABOVE THIS LINE FOR RECORDING DATA

## **WARRANTY DEED**

THIS WARRANTY DEED, made the 4<sup>th</sup> day of November, 2025, by

**Jerry Batteh and Dawn Niermann, both conveying non-homestead property,**

whose post office addresses are **9072 Cotswold Way, Jacksonville, FL 32257** and **2148 Deer Run Trail, Jacksonville, FL 32246**, respectively, herein called the Grantor, to

**Patricia A. Wallace and Paul Allen Wallace, III, wife and husband,**

whose post office address is **1554 Linkside Drive, Atlantic Beach, FL 32233**, hereinafter called the Grantee:  
*(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

**W I T N E S S E T H:** That the Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in **DUVAL** County, State of Florida, viz.:

**Lot 148, Selva Linkside Unit Two, according to the Plat thereof, as recorded in Plat Book 47, Pages 85, 85A and 85B, of the Public Records of Duval County, Florida.**

**Subject to easements, restrictions and reservations of record and taxes for the year 2025 and thereafter.**

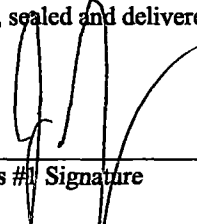
**TOGETHER,** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

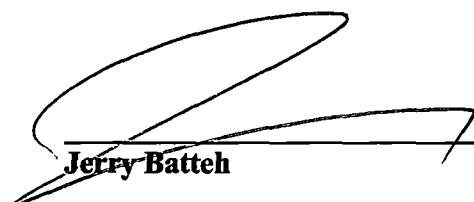
**TO HAVE AND TO HOLD,** the same in fee simple forever.

**AND,** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2024.**

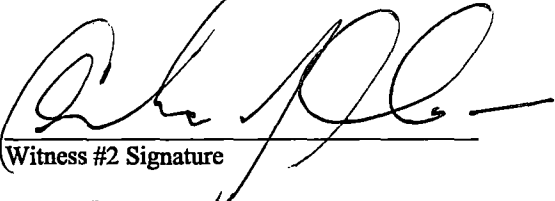
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Witness #1 Signature  
**John Gullett**  
\_\_\_\_\_  
Witness #1 Printed Name

  
\_\_\_\_\_  
Jerry Batteh

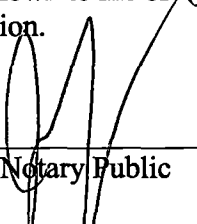
10448 Old Saint Augustine Road  
Jacksonville, FL 32257  
\_\_\_\_\_  
Witness #1 PO Address

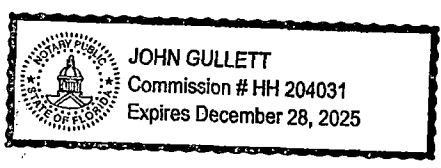
  
\_\_\_\_\_  
Witness #2 Signature  
**Clinton J. Anderson**  
\_\_\_\_\_  
Witness #2 Printed Name

10448 Old Saint Augustine Road  
Jacksonville, FL 32257  
\_\_\_\_\_  
Witness #2 PO Address

STATE OF FLORIDA  
COUNTY OF DUVAL

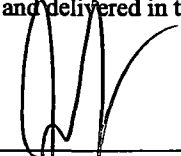
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 4<sup>th</sup> day of November, 2025, by Jerry Batteh,  who is/are personally known to me or  who has/have produced Driver License as identification.

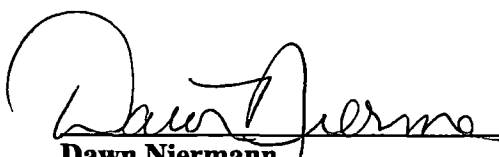
  
\_\_\_\_\_  
Signature of Notary Public  
**John Gullett**  
\_\_\_\_\_  
Print, Type/Stamp Name of Notary



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

Signed, sealed and delivered in the presence of:

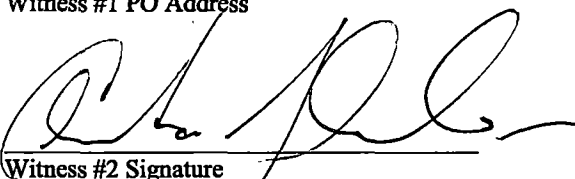
  
\_\_\_\_\_  
Witness #1 Signature  
**John Gullett**

  
\_\_\_\_\_  
Dawn Niermann

\_\_\_\_\_  
Witness #1 Printed Name

~~10448 Old Saint Augustine Road~~  
~~Jacksonville, FL 32257~~

\_\_\_\_\_  
Witness #1 PO Address

  
\_\_\_\_\_  
Witness #2 Signature  
**Clinton J. Anderson**

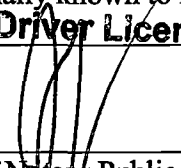
\_\_\_\_\_  
Witness #2 Printed Name

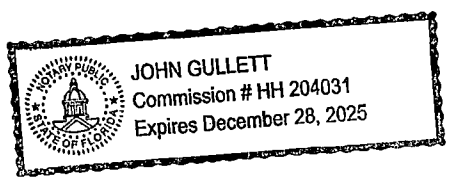
~~10448 Old Saint Augustine Road~~  
~~Jacksonville, FL 32257~~

\_\_\_\_\_  
Witness #2 PO Address

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of () physical presence or () online notarization, this 4<sup>th</sup> day of November, 2025, by Dawn Niermann, () who is/are personally known to me or () who has/have produced **Driver License** as identification.

  
\_\_\_\_\_  
Signature of Notary Public  
**John Gullett**  
\_\_\_\_\_  
Print, Type/Stamp Name of Notary





# PERMEABLE INTERLOCKING CONCRETE PAVERS

To qualify for 50% pervious area credit, only tab block or open grid pavers (Fig. 1) are acceptable and must be installed according to the following guidelines (Fig. 2).

Fig. 1

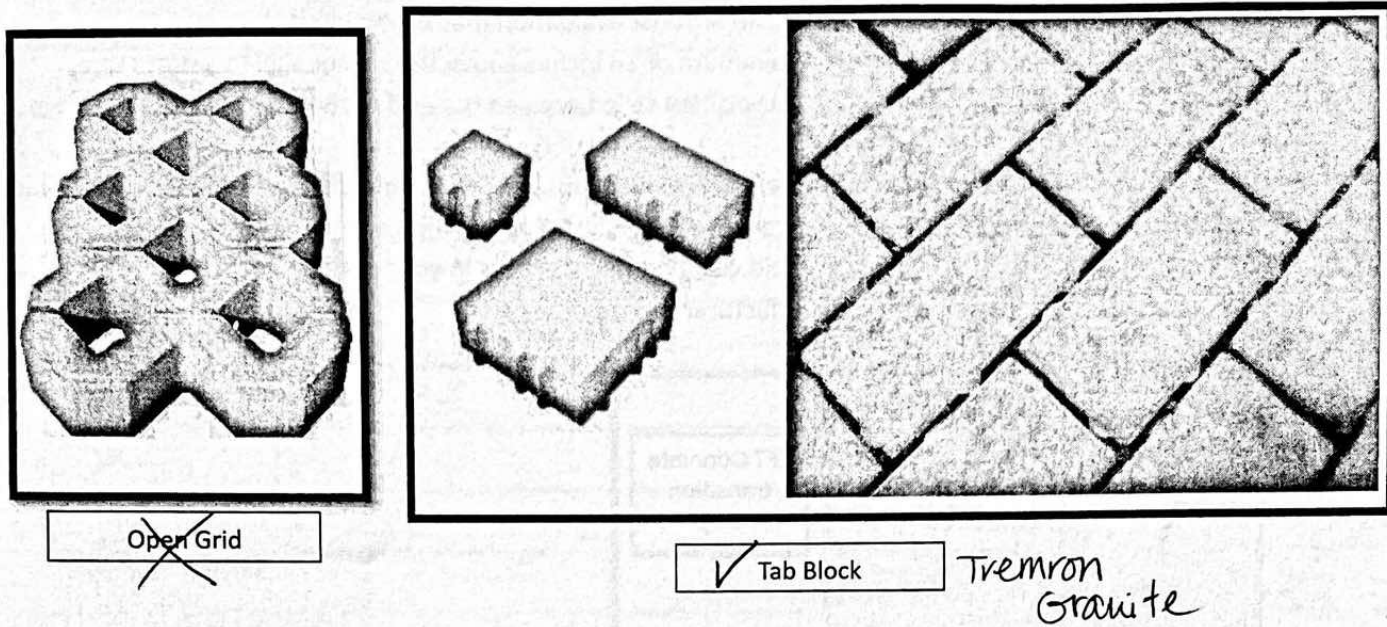
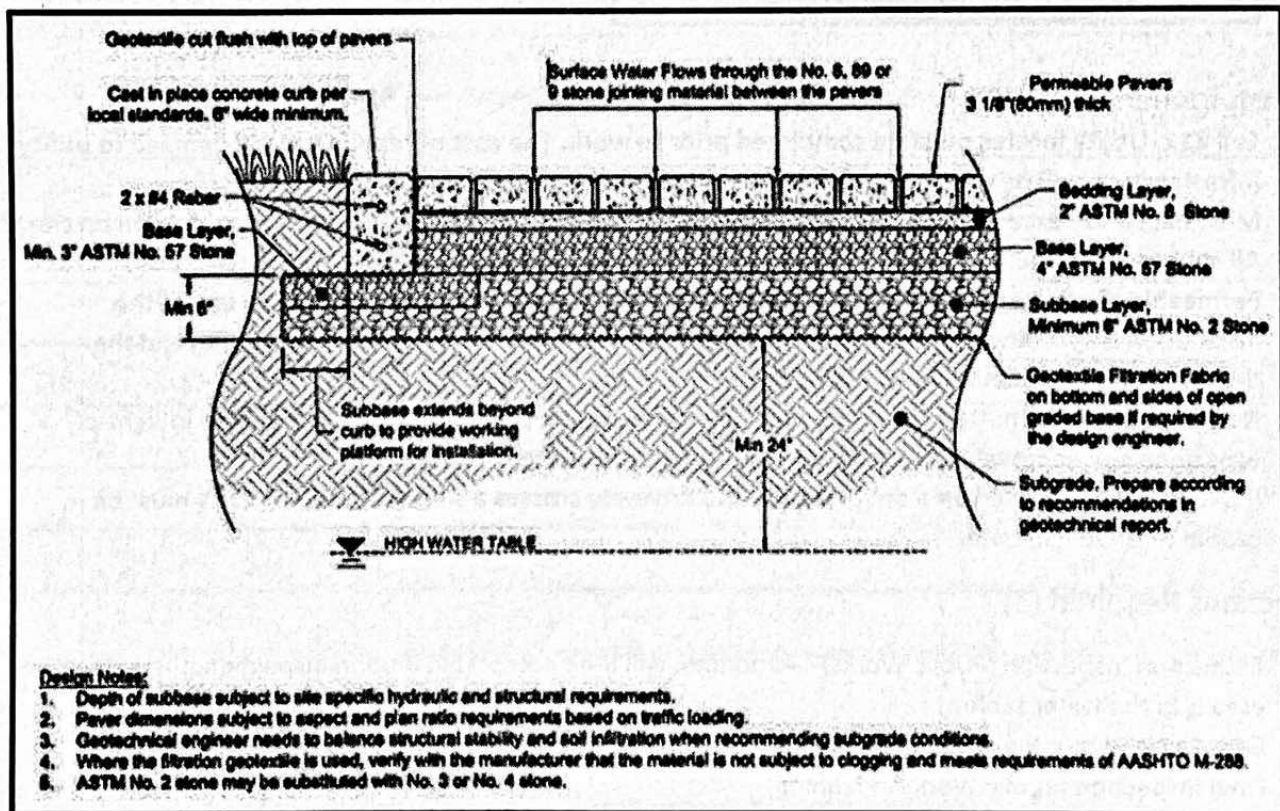


Fig. 2





**CITY OF ATLANTIC BEACH  
COMMUNITY DEVELOPMENT BOARD  
STAFF REPORT**

**AGENDA ITEM** 4.A.  
**CASE NO.** ZVAR26-0007  
*Request for a variance from Section 24-121 to exceed the maximum lot coverage at 1554 Linkside Drive.*  
**LOCATION** 1554 Linkside Dr.  
**APPLICANT** Patricia A. Wallace  
**DATE** April 21, 2026  
**STAFF** Payton Jamieson, Principal Planner

**STAFF COMMENTS**

The applicant, Patricia A Wallace, is the owner of 1554 Linkside Dr. The property is developed as a single-family home and backs up to the city’s Public Works facility; it is accessible via Plaza road and Sandpiper Lane. This property is 50 feet wide by 107 feet deep and is located within the Selva Linkside Planned Unit Development (PUD) zoning district.



This neighborhood was zoned and approved as a Planned Unit Development (PUD) in 1988. The home was originally developed in 1993. As part of the PUD designation, specific development regulations were established, such as building setbacks and distance between structures. The Selva Linkside Planned Unit Development does not establish a maximum lot coverage requirement, but explicitly states that *in any case, lot coverage shall not exceed the standards imposed by the City of Atlantic Beach.* Therefore, Section 24-121 of the City Code applies.

Section 24-121 states,

*“...Unless otherwise approved as part of the master site development plan, all applicable requirements of the land development regulations shall apply. Unless otherwise approved as part of the special planned area or planned unit development, the maximum impervious surface coverage shall be forty five (45) percent.”*

The applicant bought the home in November of 2025, and discovered the property had drainage problems. The previous owner violated land development code and paved the entire backyard and walkways without obtaining permits, creating an impervious surface ratio of 73.5%. Drainage issues on the property occur around the backyard and walkway areas. Pavers have also created a hazard due to poor installation. Excessive water on the property has resulted in problems with mold, wood rot, and stucco. The homeowner proposes to remove existing hardscapes, install permeable pavers in the driveway, replace most backyard pavers with four French drains and permeable gravel, replace the walkways with permeable gravel, and install a small spa in the backyard. The purposed removal and conversion of existing hardscape to permeable surfaces and the addition of a small spa on the property, will result in a 22.9% decrease in overall lot coverage to 50.6% As required by the PUD, The Selva Linkside Architectural Review Committee (ARC) has approved the applicants plans to reduce overall lot coverage to 50.6%.



### IMPERVIOUS SURFACE CALCULATION FORMULA

City of Atlantic Beach Building Division

800 Seminole Road, Atlantic Beach, FL 32233

Phone: (904) 247-5826 Email: [Building-Dept@coab.us](mailto:Building-Dept@coab.us)

#### EXISTING IMPERVIOUS SURFACES:

Building footprint:	<u>2,139</u>	SQ. FT.
Parking and Drive areas:	<u>1,087</u>	SQ. FT.
Patio areas:	<u>762</u>	SQ. FT.
*Pool areas:	<u>0</u>	SQ. FT.
Walkways:	<u>120</u>	SQ. FT.
Mechanical Equip Pads:	<u>57</u>	SQ. FT.
Other:	<u>0</u>	SQ. FT.
<b>Total Existing Impervious Surface:</b>	<b><u>4,165</u></b>	<b>SQ. FT.</b>
$\frac{4,165}{5,663} = 73.5\%$		
<b>Total Existing Impervious Surface</b>	<b>Lot Area</b>	<b>Existing Impervious Surface %</b>

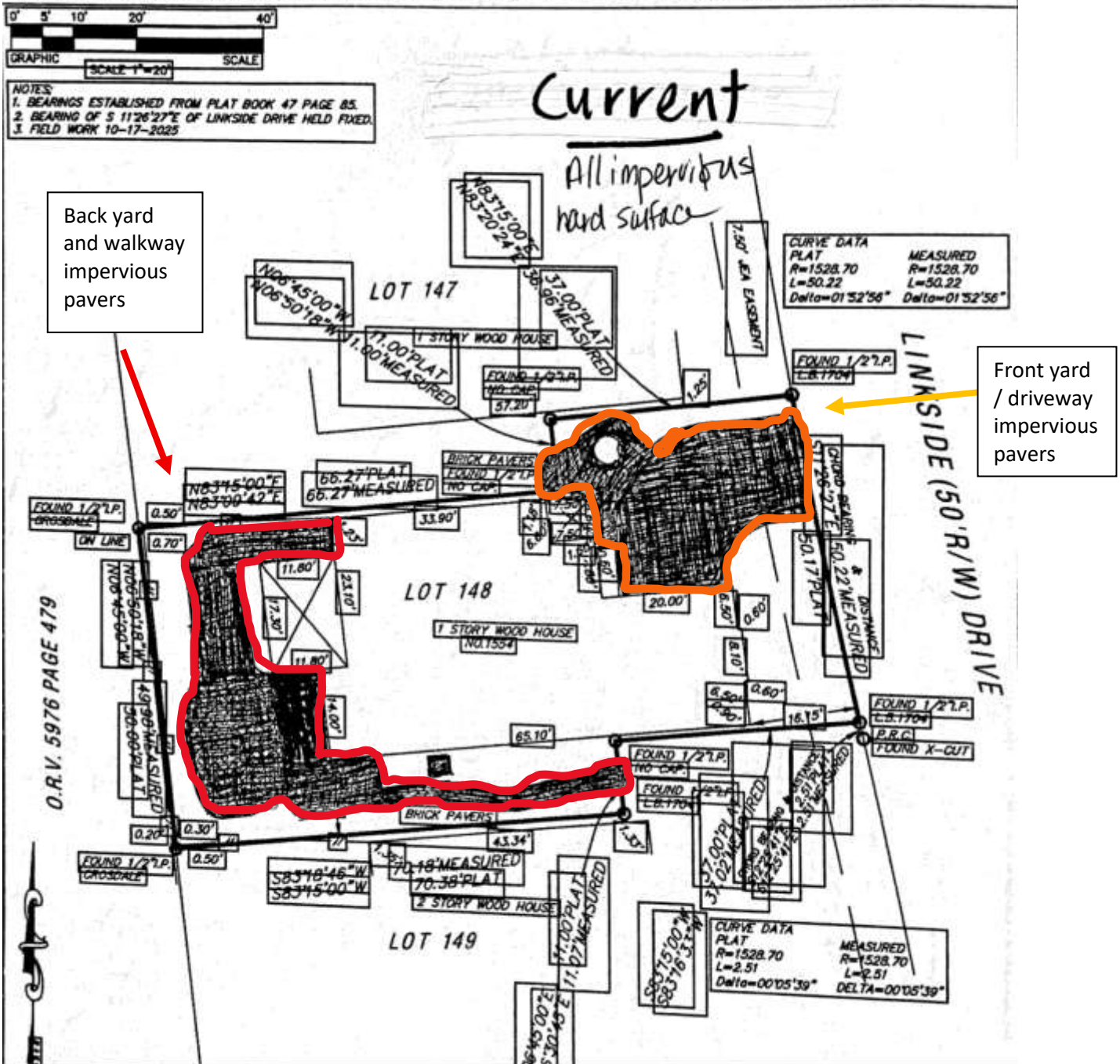
#### PROPOSED IMPERVIOUS SURFACES:

Building footprint:	<u>2,139</u>	SQ. FT.
Parking and Drive areas:	<u>544</u>	SQ. FT.
Patio areas:	<u>104</u>	SQ. FT.
<sup>Spa</sup> *Pool areas:	<u>69*</u>	SQ. FT.
Walkways:	<u>0</u>	SQ. FT.
Mechanical Equip Pads:	<u>9</u>	SQ. FT.
Other:	<u>0</u>	SQ. FT.
<b>Total Proposed Impervious Surface:</b>	<b><u>2,865</u></b>	<b>SQ. FT.</b>
$\frac{2,865}{5,663} = 50.6\%$		
<b>Total Proposed Impervious Surface</b>	<b>Lot Area</b>	<b>Proposed Impervious Surface %</b>

\* The surface of the pool is considered 50% permeable.

A variance is required because the applicant cannot meet 45% lot coverage maximum that is allowed by city code. Therefore the applicant is requesting a variance to exceed the maximum impervious surface area by 5.6%, to 50.6%.

47, PAGES 85, 85A AND 85B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



**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(c) 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.*  
The applicant identified this as a ground for approval. See the application for additional comments.
- (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 ZVAR26-0007**, request for a variance to Section 24-121 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(c) 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 ZVAR26-0007**, request for a variance to Section 24-121.



**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# ZVAR26-0008

\$500.00 Application Fee

**\*\*Please submit form in person  
or to [building-dept@coab.us](mailto:building-dept@coab.us)**

**APPLICANT INFORMATION**

NAME Debra Taylor EMAIL bstdwt@yahoo.com

ADDRESS PO Box 23613 CITY Jacksonville STATE FL ZIP CODE 32241

PROPERTY LOCATION 95 10th Street Atlantic Beach PHONE # n/a CELL # 9048602581

RE# 170263-0010 BLOCK # 41 LOT # PT LOTS 1,2 RECD O/R 5082-426

LOT/PARCEL SIZE 867 ZONING CODE 0102 UTILITY PROVIDER JEA

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION n/a

PROVISION FROM WHICH VARIANCE IS REQUESTED reduce yard setbacks on the property

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."

Debra Taylor  
SIGNATURE OF APPLICANT

DEBRA Taylor  
PRINT OR TYPE NAME OF APPLICANT

3-3-26  
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.

.Being the end unit, we do not have the the privacy that the other units have from the general public view. So use of the back porch area is in full public view. Other units have privacy walls separating their deck areas from the other units.

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

.Being the end unit, we do not have the the privacy that the other units have from the general public view. So use of the back porch area is in full public view. Other units have privacy walls separating their deck areas from the other units.

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

The back deck and porch roof were already in place. The fence was demolished and new wood slates were placed and anchored to the existing verticle roof supports and then we wrapped wood slates around the street side of the porch for privacy. Being the end unit, we do not have the the privacy that the other units have from the general public.

- 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 have kept the fence line along the back of the property the same as previous fence. Only change was to add fencing/slat siding on west side if the back porch area.

# MAP SHOWING BOUNDARY SURVEY OF

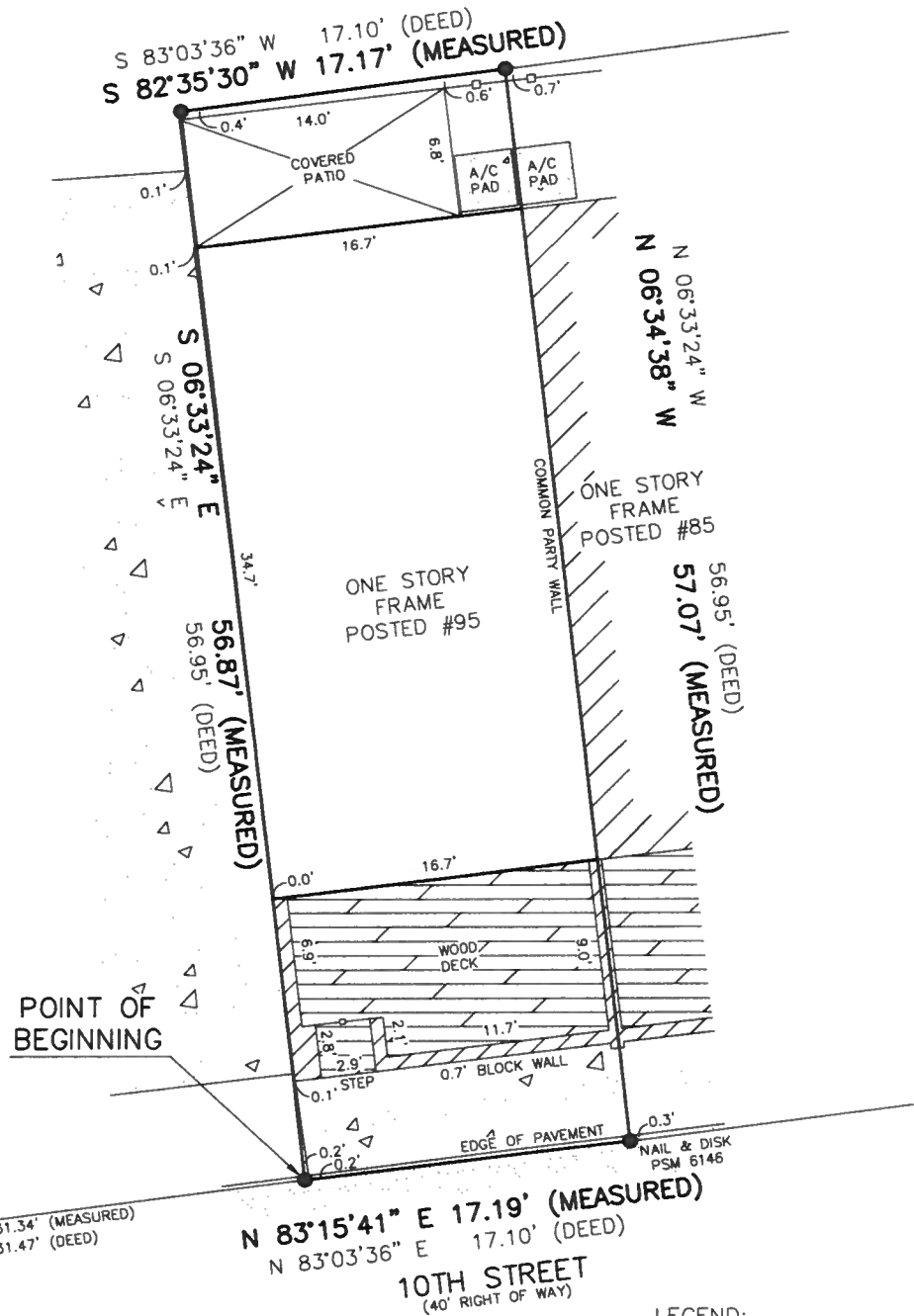
LEGAL PROVIDED BY CLIENT:

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING A PART OF THE SOUTH 47.0 FEET OF LOT 2 AND THE NORTH 10.0 FEET OF LOT 1, BLOCK 41, AS SHOWN ON THE PLAT OF ATLANTIC BEACH, AS RECORDED IN PLAT BOOK 6, PAGE 1, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF BEACH AVENUE, WITH THE NORTHERLY RIGHT OF WAY LINE OF 10<sup>TH</sup> STREET (BOTH BEING 40-FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 83 DEGREES 03 MINUTES 36 SECONDS EAST, ALONG SAID NORTHERLY RIGHT OF WAY LINE OF 10<sup>TH</sup> STREET, 31.47 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF 10<sup>TH</sup> STREET, 17.10 FEET; THENCE NORTH 6 DEGREES 33 MINUTES 24 SECONDS WEST, 56.95 FEET TO THE NORTHERLY LINE OF SAID SOUTH 47.0 FEET OF LOT 2; THENCE SOUTH 83 DEGREES 03 MINUTES 36 SECONDS WEST, ALONG SAID LAST MENTIONED LINE, 17.10 FEET; THENCE SOUTH 6 DEGREES 33 MINUTES 24 SECONDS EAST, 56.95 FEET TO THE POINT OF BEGINNING.



CERTIFIED TO:

BEACH AVENUE  
(40' RIGHT OF WAY)



**POINT OF COMMENCEMENT**

INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF BEACH AVENUE WITH THE NORTHERLY RIGHT OF WAY OF 10TH STREET

**LEGEND:**

- = BARB/HOG WIRE FENCE
- = VINYL/WOOD FENCE
- = METAL/CHAIN LINK FENCE
- = CONCRETE
- = SET 1/2" REBAR STAMPED PSM#6146
- = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER

**NOTES:**

1. BEARINGS ARE BASED ON THE DEED BEARING OF S 06°33'24" E ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2. BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP DATED NOVEMBER 2, 2018, COMMUNITY NUMBER 120077, PANEL 0409 J.
3. THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT, IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4. THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

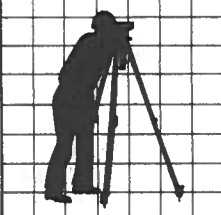
**REVISIONS**

DATE	DESCRIPTION

JOB # 46112

DATE OF FIELD SURVEY: 9-16-25

SCALE: 1" = 10'



**Ray Thompson SURVEYING, Inc.**

*Going the DISTANCE for You*

1825 University Boulevard West  
Jacksonville, Florida 32217  
(Phone) 904-448-5125  
(Fax) 904-448-5178

**CERTIFICATE**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 409.07, FLORIDA STATUTES.

*Raymond Thompson*

RAYMOND THOMPSON  
REGISTERED SURVEYOR AND MAPPER # 6146  
STATE OF FLORIDA LICENSE BUSINESS No. 7469

LAND SURVEYS

CONSTRUCTION SURVEYS

SUBDIVISIONS













BUILDING CHARACTERISTICS			
CATEGORY	TYPE	%	PTS
Exterior Wall	17 C.B. STUCCO	50	20.00
Exterior Wall	26 ALUM/VINYL	50	19.00
Roof Struct	3 GABLE OR HIP	100	6.00
Roofing Cover	3 ASPH/COMP SHNG	100	4.00
Interior Wall	5 DRYWALL	100	28.00
Int Flooring	11 CER CLAY TILE	25	4.00
Int Flooring	14 CARPET	75	8.00
Heating Fuel	4 ELECTRIC	100	1.00
Heating Type	4 FORCED-DUCTED	100	4.00
Air Cond	3 CENTRAL	100	7.00

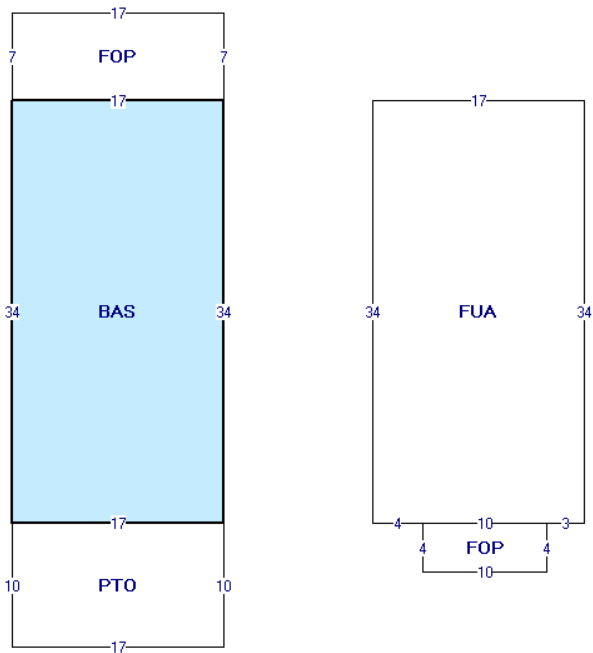
0100 Single Family

\*\* VALUE SUBJECT TO CHANGE \*\*

CATEGORY	UNITS	ADJ
Stories	2.00	0
Bedrooms	2.00	0
Baths	2.50	0
Rooms / Units	1.00	0

BASE RATE ADJ	ADJ
Quality Adjustment	1.4500
Mkt/Design Factor	1.0000
Size Adj.	1.0300
TOTAL ADJUSTED POINTS	172
DEPRECIATION ADJ	ADJ

TYPE	STYLE	CLS	QUA	HX %	NHX %	LOC	% COMP
0105	01	4	05	0.00	100.00	1.00	100
REPL. COST NEW	AYB	EYB	DT	NORM	% GOOD		
284,866	1959	1990	R2	20.00	80.00%		
SAR	AREA	B	H	P.of B.	EFF. AREA	DPR VALUE	
BAS	578		X	100	578	111,346	
FOP	159			30	48	9,247	
FUA	578		X	95	549	105,759	
PTO	170			5	8	1,541	



BUILDING: 1 AKA:  
 SITE ADDRESS: 95 10TH ST ATLANTIC BEACH 32233- 0105 TOWNHOUSE

L N	VOLUME / YEAR	PAGE / CLERK	DATE OF SALE	I N	Q U	V I	R E	SALES PRICE	NOTE AMOUNT	MAC	MAC AMOUNT	GRANTOR	GRANTEE	SALES NOTE
1	05082	00426	03/26/1980	WD	U	I	01	55000	0	N	0			KAY S LANIER DOD
1,485		1,156		1,183		\$227,893								
ACREAGE		0.00		PRICE/SF		192.64								

L N	OB/XF CODE	DESCRIPTION	BLD	HX %	NHX %	LENGTH	WIDTH	UNITS	GRADE	FACTOR	UNIT PRICE	ADJ UNIT PRICE	ORIG COND	ACTUAL YEAR	EFF YEAR	YEAR ON ROLL	% COND	OB/XF MKT VALUE	APPRaisal DATES	APPRAISED BY	

L T	L N	USE CODE	LAND USE DESCRIPTION	HX %	NHX %	R D	LOC ZONE	FRONT	DEPTH	SIZE FACTOR	UNITS	UNIT TYPE	D T	DPTH FACT	COND FACTOR	UNIT PRICE	ADJ UNIT PRICE	LAND VALUE
1	1	0102	RES HD 20-60 UNITS PER AC	0.00	100.00		ARG-M	16.00	57.00	100.00	16.00	F	1	0.68	1.25	15,000.00	12,750.00	204,000

DATE	BLD	USER ID	CD	PARCEL NOTES

Duval County Property Appraisers Office		Tax Dist USD3	
VALUE SUMMARY			
PRIMARY VALUATION METHOD	CAMA		
BUILDING VALUE	227,893		
EXTRA FEATURE VALUE	0		
TOTAL MARKET LAND VALUE	204,000		
MARKET VALUE OF AG LAND	0		
TOTAL LAND VALUE AG + COMMON	0		
MARKET VALUE	431,893		
ASSESSED VALUE	431,893		
CAP BASE YEAR	0		
TAXABLE VALUE	431,893		
EXEMPTIONS	None		
TOTAL EXEMPTIONS VALUE	0		
SENIOR EXEMPTION VALUE	0		
SR/HISTORIC TAXABLE VALUE	N/A		

PERMIT NO.	TP	ST.	DESCRIPTION	EST VALUE	ISSUE DATE
000004166	BLDG			20,000	09/28/1979

BUILDING DIMENSIONS  
 FOP:0,7:=N7 E17 S7 W17 \$ BAS:0,41:=N34 E17 S34 W1  
 7 \$ PTO2015:0,41:=S10 E17 N10 W17 \$ FUA:29,7:=E1  
 7 S34 W17 N34 \$ FOP:43,41:=S4 W10 N4 E10 \$ .

BUILDING NOTES	



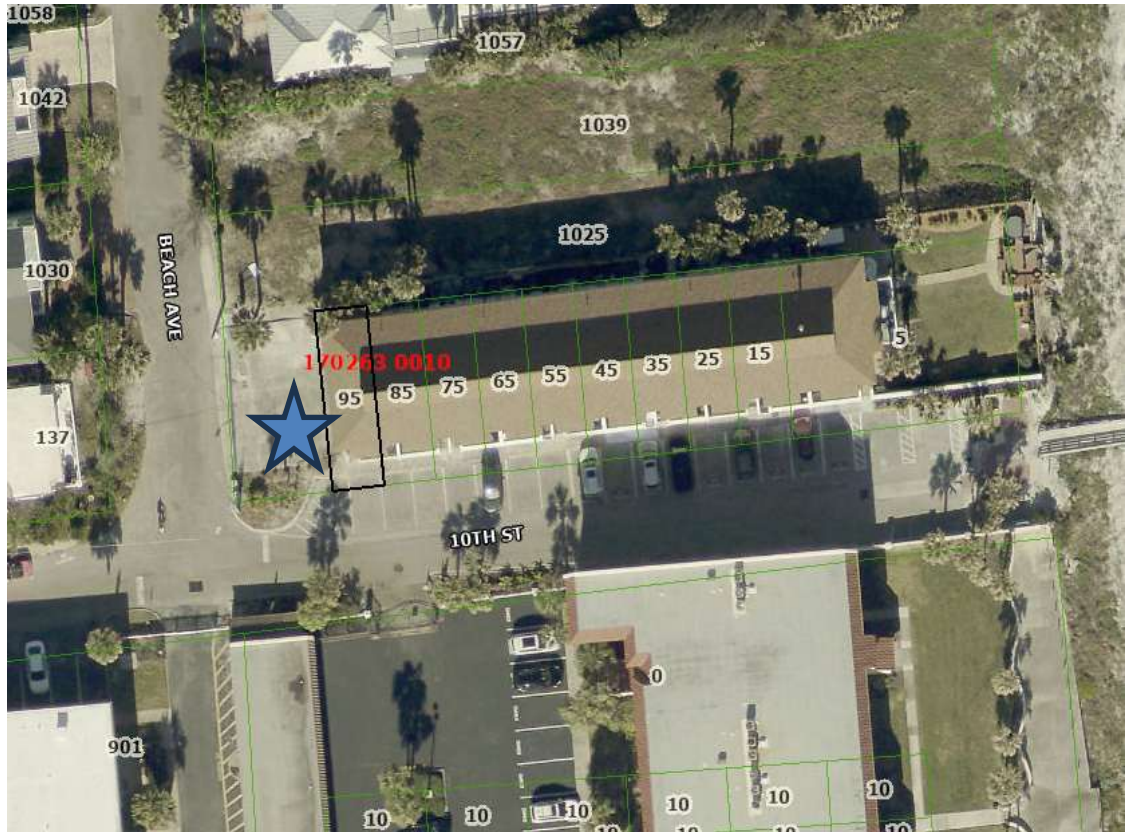
**CITY OF ATLANTIC BEACH  
COMMUNITY DEVELOPMENT BOARD  
STAFF REPORT**

**AGENDA ITEM** 4.B.  
**CASE NO.** ZVAR26-0008  
*Request for a variance to Section 24-151(h)(2) for attached accessory structure rear and side yard setbacks.*  
**LOCATION** 95 10<sup>th</sup> Street (RE# 170263-0010)  
**APPLICANT** Debra Worley  
**DATE** April 21<sup>th</sup>, 2026  
**STAFF** Amanda Askew, Neighborhoods Department Director

**STAFF COMMENTS**

The applicant, Debra Worley and her husband William Worley, are the owners of 95 10<sup>th</sup> Street, who acquired the property in the 80s. The property is located on the northeast corner of 10<sup>th</sup> Street and Beach Avenue, and is zoned Residential, Multifamily (RG-M). The property is part of townhome development that was built in 1959.

Zoning code for the City of Atlantic Beach was established in 1959 and the yard requirements for all residential builds were uniform. Given the size of the parcel, the rear yard requirement would've been 15-feet and the side yard requirement would've been 1/10<sup>th</sup> of the width of the 16-foot parcel. The townhome development



does not meet 1959 code requirements concluding the townhome development is nonconforming.

95 10<sup>th</sup> Street is the corner lot for the townhome development and has a covered porch. The porch roof is attached to the primary structure and extends into the primary structure setbacks. Like existing code, zoning code from 1959 would've classified this porch structure as an attached accessory structure. Current zoning code requires attached accessory structures to meet the setback requirements of the primary structure.

The applicant is seeking a variance for attached accessory structure (porch) rear yard and side yard setbacks. Section 24-151 (h)(2) of current zoning code states that for *accessory structures located closer than (5) feet to a principal structure, it shall be considered attached and comply with the yard requirements for the principal structure.*

In 2025, the applicant's husband, William Worley, pulled a fence permit, RFNCE25-0123. The fence permit plans were approved and construction for the fence was allowed to commence. When inspection for the fence permit occurred, the City Inspector noticed that the applicant did not follow the plans submitted and built more structure than what was permitted. Additional structures on the property included a porch remodel that connects to the fence and the primary structure. The inspector notified the homeowner that the section of the unpermitted fence (porch remodel) needed to be removed to pass inspection for the fence, or the applicant needed to submit a separate accessory structure permit for the porch remodel. Staff discovered that the project would need variance approval for the accessory structure permit to be approved because the attached porch remodel violates primary structure setbacks. The existing porch remodel also has stairs that violate the applicant's west property lines and go onto the neighbor's property. During this time, the homeowner did not remove the unpermitted structure, leading to an active code enforcement violation for an unpermitted structure.

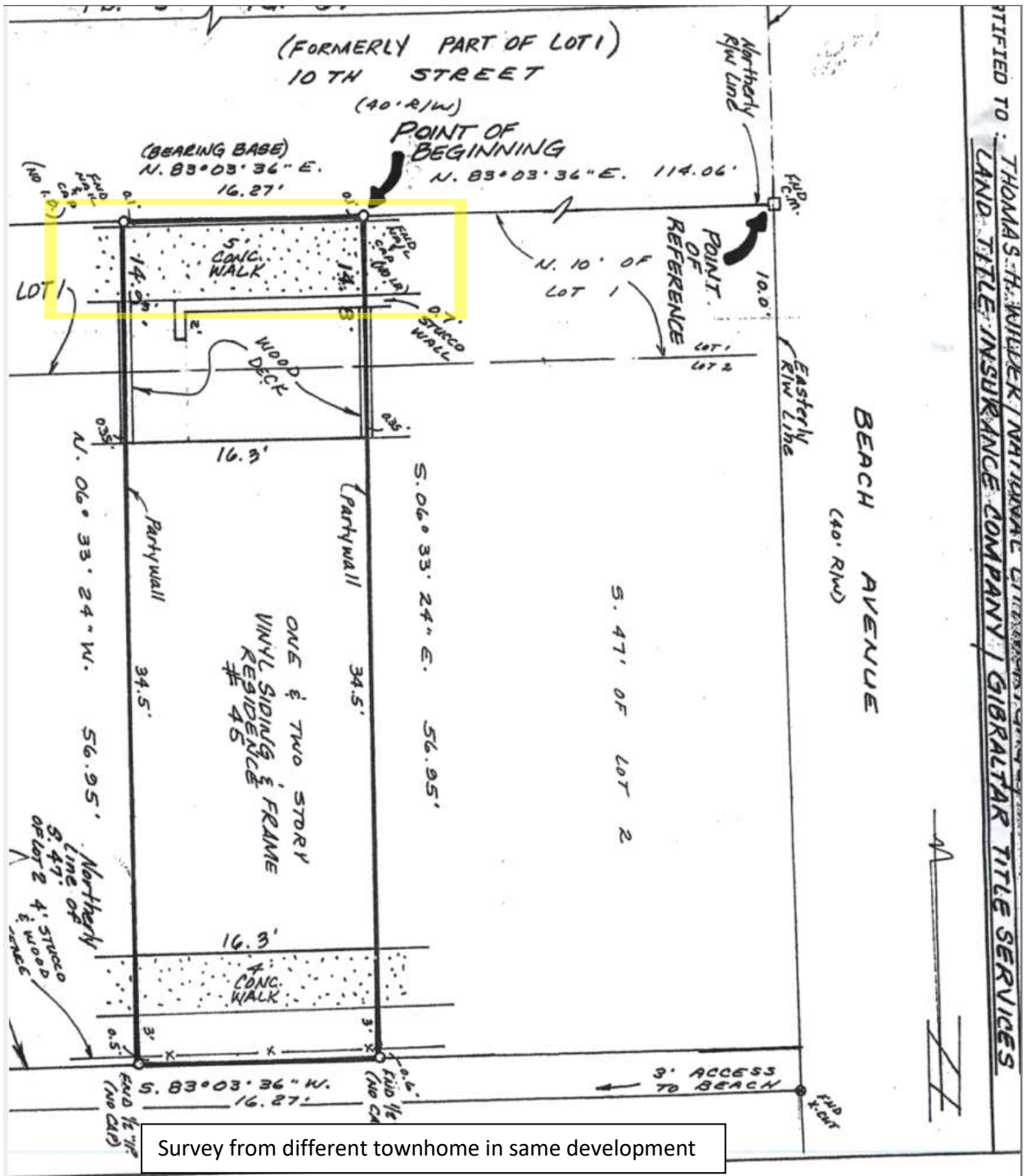


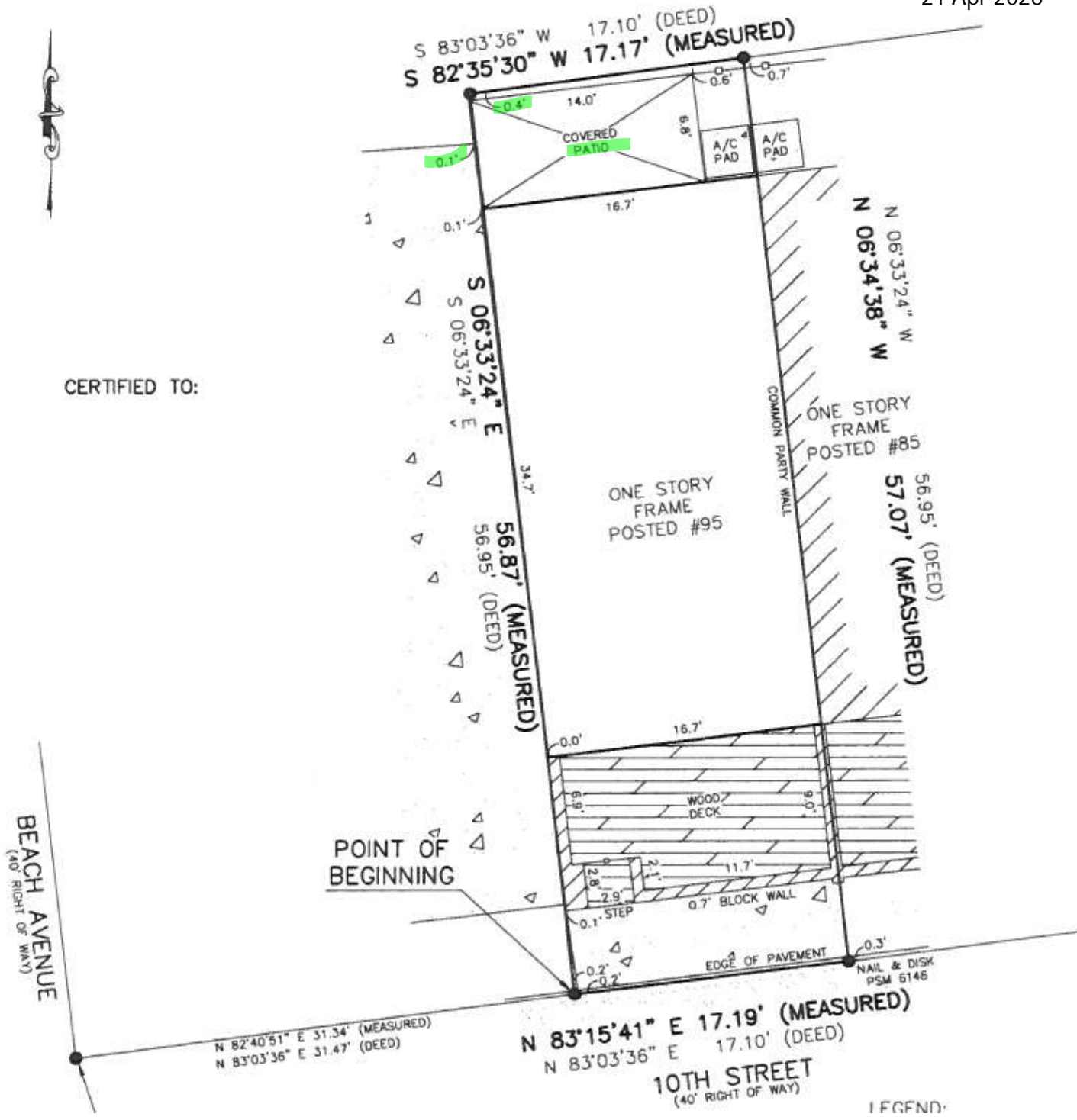
Google Street View of structure 2011



2026 Street View of structure

Previous surveys suggest there was a 4-foot concrete walkway that ran along the rear of the townhome development. Upon visiting the property, a concrete slab could be seen underneath the porch deck. However, current records do not indicate the presence of a porch structure on any of the townhome parcels and there is no permit record of porch construction on 95 10<sup>th</sup> Street. This suggests the porch structure was unpermitted. Street view confirms the porch has been on the property at least since 2011.





2025 survey taken on 09/16/2026, fence permit was filed on 09/29/2025

A current survey from 2025 shows the covered porch sitting at 0.4 feet from the rear property line (north) and 0.1 feet from the side property line (west). This survey was carried out prior to the fence permit being submitted. The unpermitted porch remodel does not extend past the previous porch roof outline because the existing porch roof was not altered. However, the applicant modified the porch's west property line and added exterior stairs that are not located within their property boundaries. The porch remodel includes

a deck and an outdoor shower. The applicant is seeking a variance to Section 24-151(h)(2) to allow an attached accessory structure into the required rear and side yard setbacks.



View of inside the porch structure



View down neighboring rear property lines



View of porch structure along rear property line

## Section 24.151 (h)(2)

*(2) If located closer than five (5) feet to a principal structure, it shall be considered attached and comply with the yard requirements for the principal structure.*

## 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 ZVAR26-0008**, request for a variance to Section 24-151(h)(2) 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 ZVAR26-0008**, request for a variance to Section 24-151(h)(2), finding this request is not consistent with the definition of a variance.



**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# **ZVAR26-0009**

\$500.00 Application Fee

**\*\*You must submit this form at BSA Online**

**APPLICANT INFORMATION**

NAME BCEL 10C LLC EMAIL mitch@jwbcompanies.com

ADDRESS 7563 Phillips Hwy CITY Jax STATE FL ZIP CODE 32256

PROPERTY LOCATION \_\_\_\_\_ PHONE # \_\_\_\_\_ CELL # \_\_\_\_\_

RE# 600 Begonia St-32233 BLOCK # 138 LOT # 6

LOT/PARCEL SIZE 70'x102' ZONING CODE ARS-2 UTILITY PROVIDER Atlantic Beach

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION \_\_\_\_\_

PROVISION FROM WHICH VARIANCE IS REQUESTED Floodplain compensation Storage

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

Adam Eisman  
PRINT OR TYPE NAME OF APPLICANT

04/06/26  
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.  
Stormwater Retention area located in rear of property

4. Onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property.  
The property was platted in 1944.

5. Irregular shape of the property warranting special consideration.

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:**

- 1.) We are requesting relief from flood plain compensation.
- 2.) The lot was platted and recorded in 1944 prior to these requirements being created.
- 3.) A previous variance was provided for relief for flood plain compensation storage but has expired. ZVAR19-0007.

# LEGEND

- = SITE BENCHMARK
- = FOUND UNNUMBERED 1/2" IRON PIPE
- = SET 1/2" IRON ROD #LB 8139
- = EXISTING GROUND ELEVATION
- = EXISTING TREE
- = EXISTING WATER METER
- = PROPOSED WATER METER
- = PROPOSED WATER MAIN
- = PROPOSED DRAINAGE FLOW
- = EXISTING DRAINAGE FLOW
- = EXISTING ELEVATION (100.0)
- = PROPOSED ELEVATION (100.0)
- = TREE TO BE REMOVED
- = PROPOSED CONCRETE
- = COVERED AREA

LINE IDENTIFICATION TABLE		
LINE	BEARING	DISTANCE
L1(P)	--	102.00'
L2(P)	--	70.00'
L3(P)	--	102.00'
L4(P)	--	70.00'
L1(M)	N 89°02'21" E	98.93'
L1(C)	N 89°02'21" E	3.07'
L2(M)	S01°15'06"E	69.73'
L3(M)	S89°07'22"W	102.02'
L4(C)	S 01°15'04" E	69.58'

TO FOUND REFERENCE

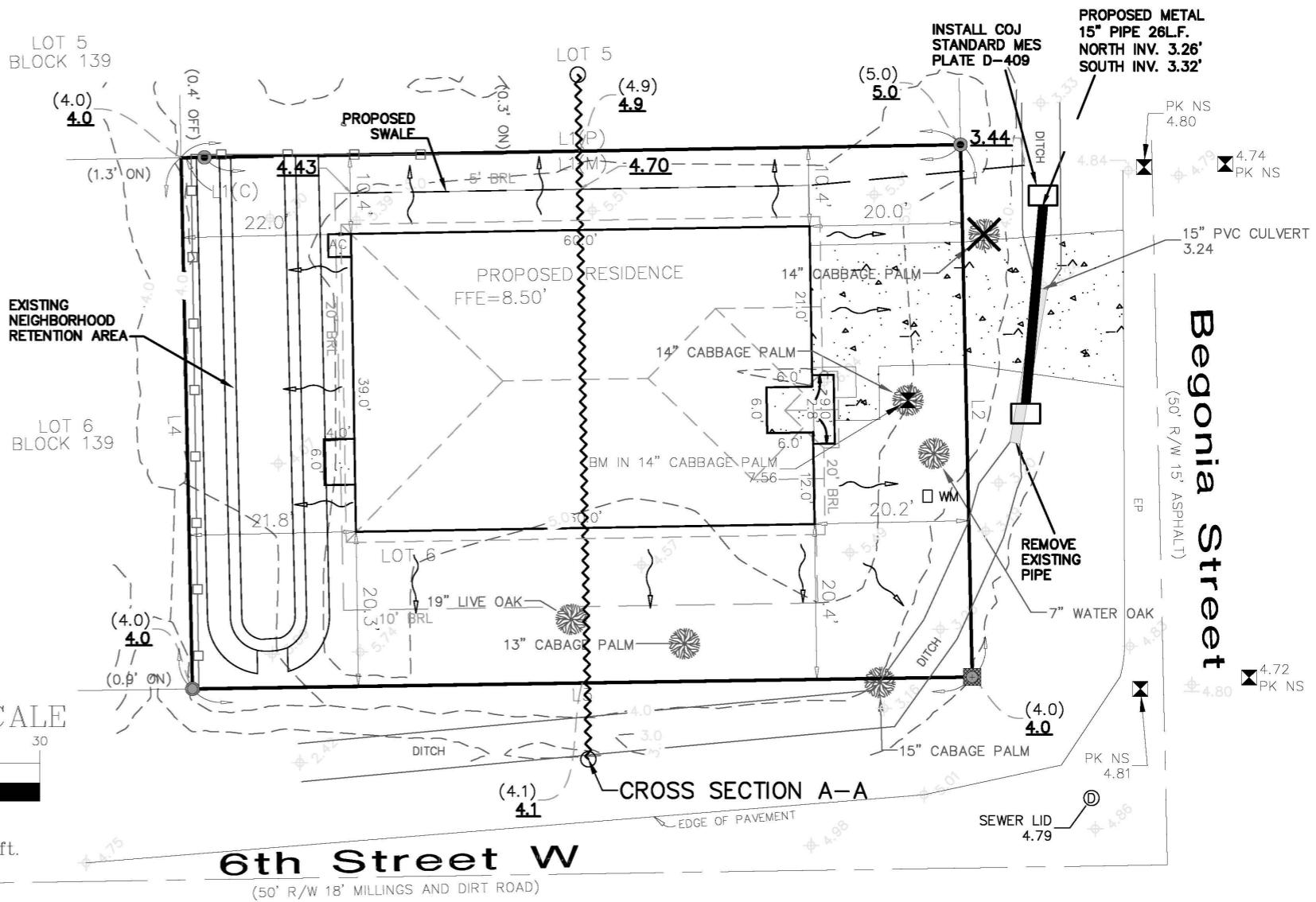
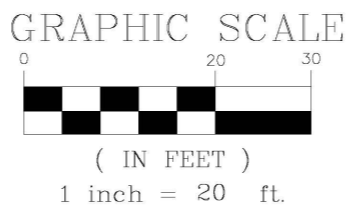
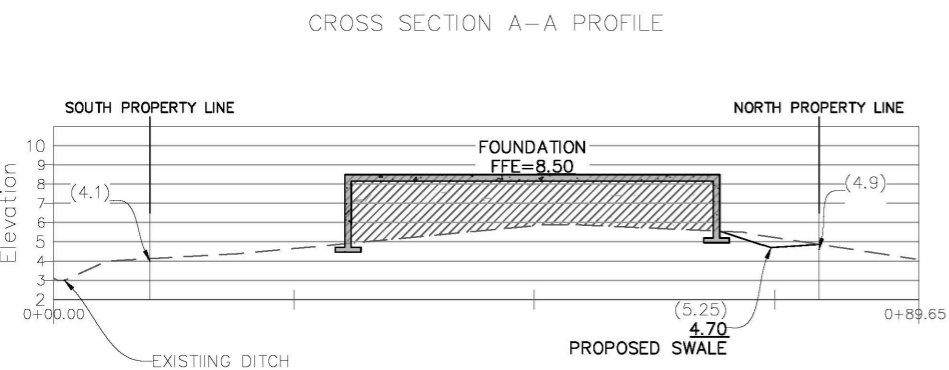
## DRAINAGE NOTES

- ALL STRUCTURES AND CONCRETE SLABS SHOWN ARE PROPOSED.
- DIRECTION AND INTENSITY OF STORMWATER CANNOT BE ALTERED DURING CONSTRUCTION.
- SILT FENCE TO BE INSTALLED ALONG PROJECT PERIMETER AND MAINTAINED THROUGHOUT THE DURATION OF CONSTRUCTION.
- TREES MARKED FOR REMOVAL SHALL BE REPLACED, IF NEEDED, IN ACCORDANCE TO CURRENT CITY OF ATLANTIC BEACH REGULATIONS.
- ANY GUTTERS SHALL BE INSTALLED IN THE SUCH A MANNER THAT FOLLOWS PREDEVELOPMENT STORMWATER DIRECTION.
- ANY COVERED PORCHES AND STOOPS SHALL BE SLOPED AT MIN. 1% AWAY FROM STRUCTURE. AT THE CONNECTION POINT OF THE PORCH AND STOOP, THE TYPICAL ELEVATION DROP SHALL BE 4 INCHES.
- GROUND ELEVATIONS AT FOUNDATION SHALL BE MIN. 6 INCHES BELOW FINISHED FLOOR ELEVATIONS.
- ELEVATIONS SHOWN REFERENCE NORTH AMERICAN VERTICAL DATUM (NAVD) 1988.
- FINISHED FLOOR TO BE MIN. 13" ABOVE MIDPOINT ELEVATION OF LOT PER COJ BULLETIN G-01-14.
- PROPOSED DWELLING TO BE CONNECTED TO MUNICIPAL WATER.
- Current FEMA F.I.R. Maps show property in FLOOD ZONE "ZONE AE/(EL 6)", according to flood insurance rate map panel: #X12031C0408J
- A/C PAD TO BE AT AN ELEVATION OF 8.5'
- GARAGE AT ELEVATION 6.0' (BFE) WILL REQUIRE FLOOD VENTS.
- FOR STORMWATER PLEASE REFER TO FDEP PERMIT FILE NO. 0377021001EG
- FILL MATERIAL IS LIMITED TO AREAS BENEATH THE STEM WALL FOUNDATION AND DRIVEWAY ONLY. FILL SHALL CONSIST OF CLEAN SAND, GRAVEL, OR CRUSHED STONE, COMPACTED IN MAXIMUM 8 INCH LIFTS TO AT LEAST 95% OF MAXIMUM DRY DENSITY (ASTM D1557). FILL MATERIAL SHALL BE OBTAINED FROM A LOCAL LICENSED SUPPLIER OF CLEAN, IMPORTED FILL. 238 CY OF FILL PROPOSED FOR THIS SITE.

LOT DIMENSION TABLE	
LOT SIZE	AREA (SQ.FT.)
PROPOSED BUILDING	7,105
AC PAD	2537.6
DRIVE TO R/W	9
WALKWAYS	319
PATIOS	30
TOTAL IMPERVIOUS AREA:	84
	2,979.6 (41.9%)

**ZONING INFORMATION**  
**RS-2 FROM PROPERTY**  
**APPRAISER'S WEBSITE**

- FRONT 20'
- SIDE 5'-MIN
- REAR 20'
- SIDE STREET 10'-MIN



Digitally signed by Brandon Shugart PE  
 86700 State of Florida  
 DN: cn=Brandon Shugart PE 86700 State of Florida, o=IME Civil and Surveying LLC, ou=This item has been electronically signed and sealed by Brandon D Shugart on the date adjacent to the seal using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.  
 Date: 2026.03.03 15:06:58 -05'00'

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY BRANDON D. SHUGART, PE ON THE DATE ADJACENT TO THE SEAL. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

**LEGAL DESCRIPTION**  
 LOT 6, BLOCK 138, SECTION "H" ATLANTIC BEACH, PLAT/MAP BOOK 18, PAGE 34  
 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

**SITE DRAINAGE PLAN**  
 \*THIS IS NOT A BOUNDARY SURVEY\*

**IME CIVIL & SURVEYING, LLC**  
 1870 COUNTY ROAD 214  
 ST AUGUSTINE, FLORIDA 32084  
 WWW.IMECIVIL.COM  
 904-429-7764

Licensed Survey Business #8139  
 Certificate of Authorization #33025

**DRAWING / CLIENT INFORMATION / CERTIFICATIONS**

ADDRESS OF PROPERTY SHOWN HEREON:  
 FOR: American Classic Homes  
 AT: 600 Begonia Street  
 Atlantic Beach, FL 32233

Drawn By: LR,DP  
 Field Survey Date: 09/27/2021  
 FB/PG: 73/10

Scale 1" = 20 Feet  
 Drawing/File #: 091721.4

Additional Information/  
 Certifications:

Prepared under the direction of and return to:

Ian McKillop  
McKillop Law Firm, PL  
7563 Philips Highway  
Building 500  
Jacksonville, FL 32256  
File Number: 21-1977  
Consideration: \$150,000.00

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**WARRANTY DEED**

This Warranty Deed made this 12th day of October, 2021 between **Holstar, LLC, a Florida Limited Liability Company**, whose post office address is 6685 Bowie Road, Jacksonville, FL 32219 (whether singular or plural, "Grantor"), and **BCEL 10C, LLC, a Florida Limited Liability Company**, whose post office address is 7563 Philips Highway, Suite 208, Jacksonville, FL 32256 (whether singular or plural, "Grantee"):

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts, and trustees)

WITNESSETH, that Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Duval, FL, (the "Property"):

**Lot 6, Block 138, Section "H" Atlantic Beach, according to the map or plat thereof, as recorded in Plat Book 18, Page(s) 34, of the Public Records of Duval County, Florida.**

**RE#: 170921-0030**

**Address: 600 Begonia Street, Atlantic Beach, FL 32233**

Together with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever. And Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple, that Grantor has good right and lawful authority to sell and convey said land, that Grantor hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons whomsoever, and that the Property is free of all encumbrances except taxes for 2021 and subsequent years and covenants, restrictions, easement and reservations of record, if any, without the intention of creating or reimposing same.

This Property is not the constitutional homestead of the Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witness Signature: [Signature]

Witness Name: Lesley Michelle Maso

Witness Signature: [Signature]

Witness Name: Kristen Barczak

**Holstar, LLC, a Florida Limited Liability Company**

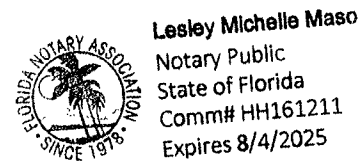
By: [Signature]  
**Stephen M. Starke, Managing Member**

By: [Signature]  
**Joseph Holton, Managing Member**

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of  physical presence or ( ) online notarization this 12th day of October, 2021 by Stephen M. Starke and Joseph Holton, Managing Members of Holstar, LLC, a FL Limited Liability Company, on behalf of the Limited Liability Company, who is personally known to me or who produced the identification set forth below.

[Signature]  
\_\_\_\_\_  
Signature of Notary Public  
Print, Type/Stamp Name of Notary



Personally known: \_\_\_\_\_  
OR Produced Identification:

Type of Identification Produced: FDI



**CITY OF ATLANTIC BEACH  
COMMUNITY DEVELOPMENT BOARD  
STAFF REPORT**

**AGENDA ITEM** 4.C.  
**CASE NO.** ZVAR26-0009  
*Request for two variances as permitted by Section 24-89(d), for relief to floodplain storage requirements for area in a special flood hazard area (100-year floodplain).*  
**LOCATION** 600 Begonia Street (RE#170921-0030)  
**APPLICANT** BCEL 10C LLC  
**DATE** April 21<sup>th</sup>, 2026  
**STAFF** Amanda Askew, Neighborhoods Department Director

**STAFF COMMENTS**

The applicant, BCEL 10C LLC, is the owner of a corner lot off West 6<sup>th</sup> Street and Begonia Street. The property was originally platted in 1944 and a single-family home is planned for this lot. The property is completely located within the floodplain and in the AE flood zone. Tidal canals surround the property and connect it to the Intracoastal Waterway (ICW) drainage system. The applicant is requesting a variance for floodplain storage.



Section 24-89 of current code states that *there shall be no net loss of storage for areas 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). Site grading shall create storage onsite to mitigate for filling of volume onsite. This storage 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" requirement is met.* Properties that are in the floodplain must submit signed and sealed engineering plans that demonstrate there is no net loss of water volume due to construction.

The project engineer has indicated there is a net loss of water volume and therefore the property does not meet the floodplain storage requirement of Section 24-89.

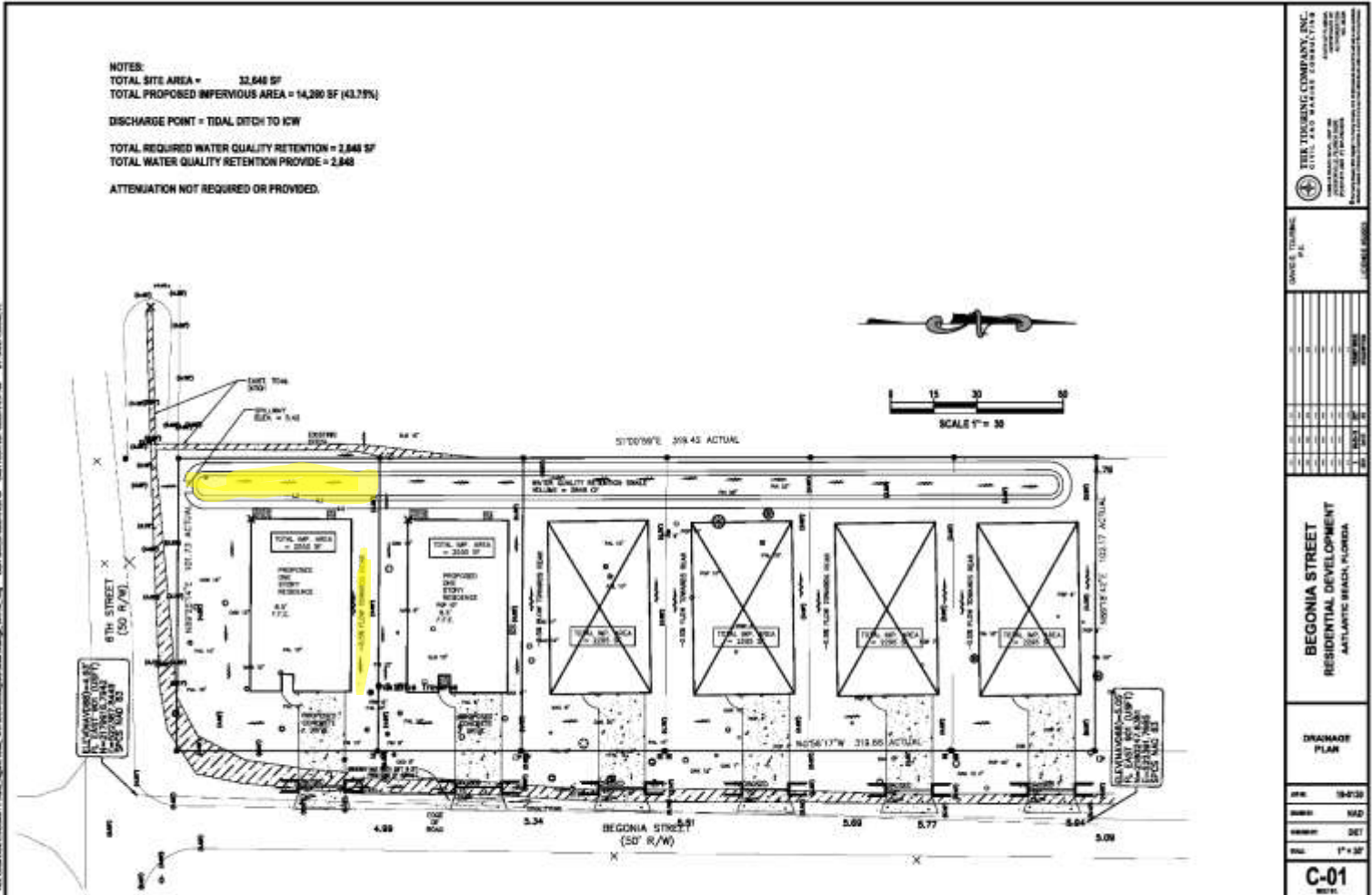
In 2019, this property was a part of previous variance application (ZVAR19-0007) for stormwater compensation and floodplain storage. The previous variance was for six individual lots, including the subject parcel. The board voted unanimously to deny the stormwater compensation request and with a 3-1 vote, to approve the floodplain storage request with conditions that the homes be built with smart foundation vents. Section 24-65(k) of current code states that *unless otherwise stipulated by the community development board, the work to be performed pursuant to a variance shall begin within twelve (12) months from the date of approval of the variance*. Five out of the six lots were developed before the variance expired. However, 600 Begonia Street did not meet the variance expiration date, and therefore this property is required to reapply for a floodplain storage variance.

City of Atlantic Beach City Engineer reviewed the plans and concluded that the stem wall for the house is proposed to be filled which is taking up floodplain storage. The garage, per building code, can get by with flood vents that will let the floodwater in and out of the structure. This project is exempt from City onsite stormwater storage requirements as it is covered under the St. Johns River Water Management District (SJWMD) permit. However, the site plans must be updated to show stormwater flow arrows correctly directed toward the swale behind the house to ensure full SJWMD compliance. If no net loss is shown on a signed and sealed engineering plan, then additional storage would not be required, however the submitted plans do not show that no net loss is achieved.

Providing compensating floodplain storage volume for areas that are filled below the Base Flood Elevation (100-year flood stage) is desirable in riverine Special Flood Hazard Area (SFHA). This is due to the fact that fill in *riverine* flood hazard areas take up floodplain storage capacity and can eventually result in higher flood waters. In this case, the property is located in a SFHA that would be flooded due to inundation from the ICW and not from *riverine* upstream drainage. Minor quantities of fill associated with residential development in the floodplain adjacent to the ICW will not affect the 100-year flood stage the area.



SJWMD required drainage plan



**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 ZVAR26-0009**, request for a variance to Section 24-89(d) 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 ZVAR26-0009**, request for a variance to Section 24-89(d), finding this request is not consistent with the definition of a variance.



**City of Atlantic Beach**  
Neighborhoods Department  
800 Seminole Road  
Atlantic Beach, FL 32233

## MEMO

**To:** Community Development Board

**From:** Amanda Askew, AICP, Neighborhood Department Direct

**Date:** April 21st, 2026

**Re:** Section 24-89. – Stormwater, drainage, storage and treatment requirements

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Following the most recent Community Development Board (CDB) meeting, the Board requested clarification and potential code language regarding a variance case that involved floodplain storage adjacent to the Intracoastal Waterway (ICW), which functions as an open and effectively infinite water body, as compared to areas located within riverine floodplains.

In riverine floodplain areas, the placement of fill below the Base Flood Elevation (BFE)—the level that floodwaters are expected to reach during a 100-year flood event—reduces the natural storage capacity available for floodwaters. When this storage capacity is diminished, floodwaters can be displaced, potentially increasing flood elevations and exacerbating flooding in surrounding areas. For this reason, compensatory flood storage is typically required when fill is placed within riverine floodplains.

In contrast, properties adjacent to the Intracoastal Waterway are not subject to flooding caused by upstream riverine flow. Instead, flooding in these areas typically occurs through inundation as water levels in the ICW rise and expand outward. Because the ICW represents a very large water body with substantial storage capacity, the addition of a relatively small amount of fill associated with residential development along its shoreline does not measurably affect the elevation of the 100-year flood level.

In summary, compensatory storage is critical in riverine systems where the placement of fill can increase flood elevations by displacing floodwaters. However, in areas directly connected to a large open water body such as the ICW, small-scale fill associated with a single residential structure does not meaningfully alter flood elevations.

As a result of this discussion, the CDB requested that staff develop proposed code language to address this distinction. The first reading of the new floodplain language occurred on March 12<sup>th</sup>, 2026, at the Community Development Board (CBD) meeting. The CBD recommended revisions to the proposed language. Staff is recommending the following based on feedback from the initial reading:

(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 occurring adjacent to waterways other than those discharging to the saltmarsh directly adjacent to the Intracoastal Waterway. and for drainage ditches or canals that do not discharge 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.