



AGENDA
COMMUNITY DEVELOPMENT BOARD MEETING
November 12, 2025 AT 6:00 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

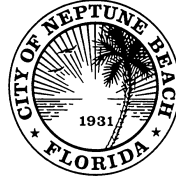
1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Approval of September 10, 2025 Minutes**
4. **Administrative Appeal Application and Response:** Application for administrative appeal as outlined in Chapter 27 Section-133 "Review of administrative decisions" of the Unified Land Development Code of Neptune Beach submitted by John Michalik 226 Magnolia Street, for building permit number 202500885 to build a 18' by 15" inground pool with travertine coping and no decking for the property 1015 2nd Street, Neptune Beach, Florida (RE Parcel 172880 0000).
5. **Subcommittee Reports**
6. **Open Discussion**
7. **Adjourn**

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

DD14

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

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



**MINUTES
COMMUNITY DEVELOPMENT BOARD
September 10, 2025, 6:00 P.M.
COUNCIL CHAMBERS
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266**

Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held in person on Wednesday September 10, 2025, at 6:00 p.m. in the Council Chambers.

Attendance Board members were in attendance:
Greg Swchwarzenberger, Chair
Rene Atayan, Vice-Chair
Charlie Miller, Member
Hillary Weatherhead, Member
Will Hilton, Member
Kathy Lahr-David, Alternate Member
Lynda Padrta, Member

Coral Messina, Alternate Member, was also in attendance.

The following staff members were present:
Heather Whitmore, Community Development Director
Paul Waters, City Attorney
Piper Turner, Code Compliance Supervisor
Dallas Alvarez, Administrative Assistant

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

Pledge Pledge of Allegiance.

Minutes Approval of Minutes for the August 13, 2025 meeting.

Made by Mr. Miller , seconded by Ms. Lahr-David

MOTION: TO APPROVE AUGUST 13, 2025 MINUTES, AS SUBMITTED.

Roll Call Vote:

Ayes: 7 - Weatherhead, Miller, Lahr-David, Padtra, Hilton, Atayan,
Schwarzenberger

Noes: 0

MOTION CARRIED

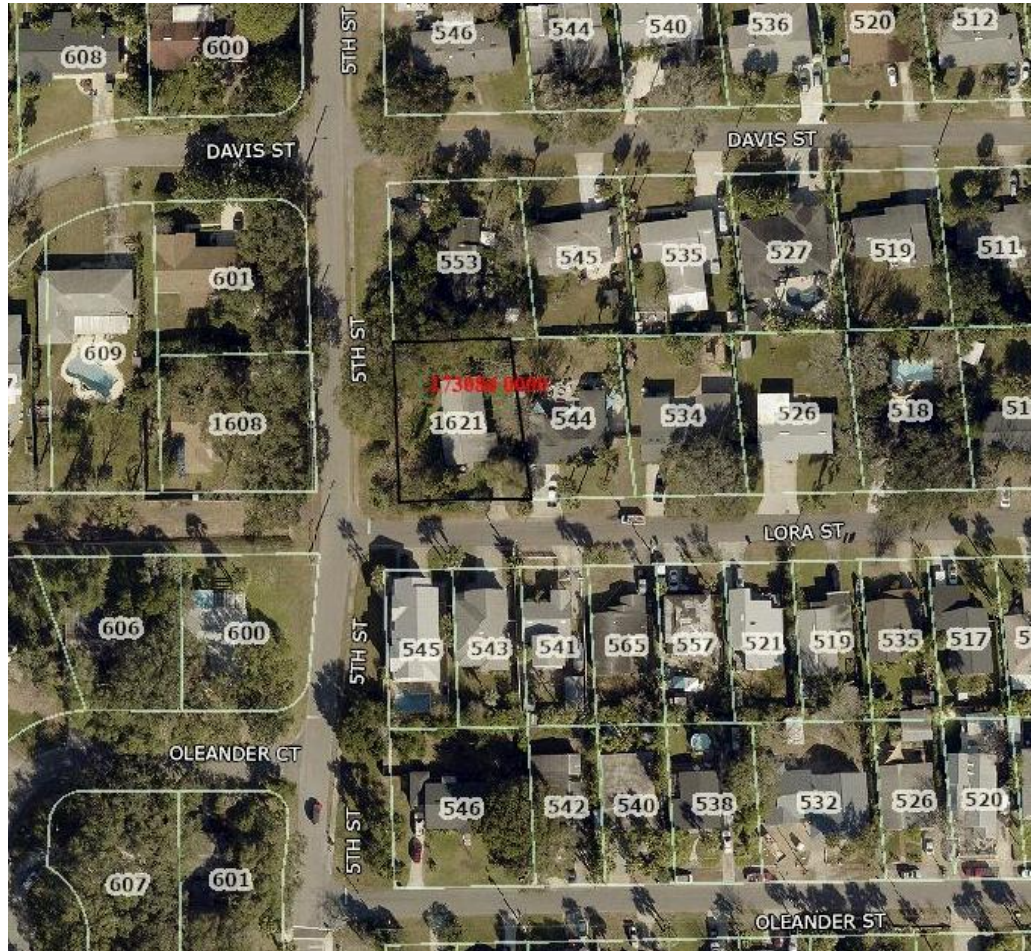
Swearing In City Attorney Waters asked anyone appearing before the board tonight to raise their right hand to be sworn in.

Ex Parte

V25-06 **V25-06** Application for variance as outlined in Chapter 27 Article III Division 8
Application for of the Unified Land Development Code of Neptune Beach for Linward
Variance Development Corp. for the property 1621 5th Street, Neptune Beach, Florida
1621 Fifth (northeastern corner of Lora Street and 5th Street - RE Parcel 173086-0000).
Street The applicant requests a variance from Table 27-239 R-3 interior side yard
 setback to permit the construction of a single-family residence with a four-foot
 interior side yard minimum setback in lieu of the required seven-foot interior
 side yard setback. The property is in the R-3 zoning district.

Background Application for variance as outlined in Chapter 27 Article III Division 8 of the
 Unified Land Development Code of Neptune Beach for Linward Development
 Corp. for the property 1621 5th Street, Neptune Beach, Florida (northeastern
 corner of Lora Street and 5th Street - RE Parcel 173086-0000). The applicant
 requests a variance from Table 27-239 R-3 interior side yard setback to permit
 the construction of a single-family residence with a four-foot interior side yard
 minimum setback in lieu of the required seven-foot interior side yard setback.
 The property is in the R-3 zoning district.

Discussion The property owner of 1621 5th Street requests a variance from Table 27-239
 for the east interior side yard to allow a four-foot setback rather than the
 required seven foot.
 The property is in the R-3 zoning district. The purpose of the request is to
 construct a single-family home.
 The existing 13,334 square foot "double lot" is 113 feet wide by 117 feet deep.
 The owner recently demolished the lot's original 1954 home to subdivide the
 property into two single-family 55' x 116' lots. Although the double lot has
 adequate area and dimensions to accommodate two single-family homes, the
 westernmost frontage along 5th Street contains a 25-foot City water main utility
 easement, thereby making 50% of the western lot unbuildable. The utility
 easement contains a water main located ten feet east of the western property
 line.
 The applicant has requested a five-foot vacation of the 25-foot easement but
 still needs to shift the home site eastward to accommodate a standard +/- 27'
 wide home. The applicant is therefore requesting a variance on the east
 interior side yard to allow a four-foot setback rather than the required seven
 foot. The five- foot easement vacation in conjunction with three-foot setback
 variance, will allow the owner to construct a standard-width home on the
 western lot.



FINDINGS

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

a. Applicant Response: On June 6, 1994, the City of Neptune Beach passed an ordinance vacating the Easterly 25 feet of 5th St. right of way between South St. and Lora St. They also in the same ordinance retained an easement right over the land being vacated. This easement creates hardship because it reduces the

buildable area on this lot to less than 25'

b. Staff Response: The property is unique in size or peculiar in circumstances. All

the homes in the R-3 district or along 5th Street do not have a 25-foot utility easement. This lot does have unique hardship.

2. The proposed variance is the minimum necessary to allow the reasonable use of the parcel of land.

a. Applicant Response: By reducing the side yard setback from 7' to 4' on the east side (side opposite the easement) it provides a better opportunity to build on the lot.

b. Staff Response: The requested variance for the side setbacks is the minimum necessary to allow for construction of a single-family home expansion. The easement conditions are unique.

3. The proposed variance would not adversely affect adjacent and nearby properties or the public in general.

a. Applicant Response: The lot is bordered by 5th St. on the West and by another lot owned by the applicant on the East so no adjacent property owners will be impacted.

b. Staff Response: It's unknown if the proposed variances to the side setbacks would negatively impact adjacent and nearby properties or the public in general. In staff's opinion, the variance is minimal to accommodate the hardship.

4. The proposed variance will not substantially diminish property values in, nor alter the essential character of the area surrounding the site.

a. Applicant Response: Property values will be enhanced. This property is currently occupied by a small house scheduled for demolition. The new home to be constructed will not only create more tax revenue for the City but increase market values for the other houses in the area.

b. Staff Response: It is unknown if the proposed variance would diminish property value. The new home would have a similar footprint as existing homes in the area.

5. The effect of the proposed variance is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area(s) of the ULDC.

a. Applicant Response: The Unified Land Development Code provides guidelines to ensure orderly development. A minor variance of the type being requested is still in harmony with the general intent of the code

b. Staff Response: The variance request is in harmony with the general intent of the LDC.

6. The need for the variance has not been created by the actions of the property owner or developer nor is the result of mere disregard for the provisions from which relief is sought.

a. Applicant Response: If there was a way to build on the lot without encroaching on the city easement, there would be no need for a variance. There is nothing the current owner did to create the need for the variance.

b. Staff Response: The variance request for side setbacks is not created through the actions of the property owner. The variance is minimal to accommodate the hardship presented by the easement.

7. Granting the variance will not confer upon the applicant any special privilege that is denied by the ULDC to other lands, buildings, or structures in the same zoning district.

a. Applicant Response:...

b. Staff Response: Granting the variance request for the side setback would not confer upon the applicant a special privilege not granted in the zoning district.

IV. CONCLUSION: Staff recommends approval of the variance request to allow a four-foot eastern interior side setback rather than the required seven foot as requested.

V. RECOMMENDED MOTION:

- a. I recommend approval of V25-06
- OR
- b. I recommend denial of V25-06

APPLICATION FOR ZONING VARIANCE

TO THE CITY OF NEPTUNE BEACH COMMUNITY DEVELOPMENT DEPARTMENT
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266-6140
PH: 270-2400 Email: CDD@NBFL.US



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

Date Filed: 08-25-2025	Zoning District: R-3	Real Estate Parcel Number: 173086-0000
Name & Address of Owner of Record: Linward Development Corp. <hr/> 3570 St. Augustine Rd., Jacksonville, Fl. 32207 <hr/> Contact phone number# 904-424-9333 <hr/> e-mail address: ed@linwardmortgage.com		Property Address: 1621 5 th St., Neptune Beach, Fl. 32266 <hr/> Number of units on property <u> one </u> <hr/> Have any previous applications for variance been filed concerning this property? <u> No </u> <hr/> If Yes, Give Date: _____
Section 27-15 of the Unified Land Development Code (ULDC) defines a variance as follows: <i>Grant of relief authorized by the board of appeals, or the city council upon recommendation by the planning and development review board, that relaxes specified provisions of the Code which will not be contrary to the public interest and that meets the requirements set forth in article III, division 8 of this Code.</i>		
1. Explain the proposed relief being sought from the code(s): Reduce the side yard setback on the East side of the corner lot from 7 feet to 4 feet. The current set back under Table 27-239 in zoning district R-3 is 7 feet.		
2. Explain the purpose of the variance (if granted)? The variance is needed in order to be able to fit a house on the lot while not encroaching on the City of Neptune Beach 25 foot easement on the West side of the lot.		
3. Based on the required findings needed to issue a variance in Section 27-147 explain the following (attach additional sheets as necessary):		

<p>A. How does your property have unique and peculiar circumstances, which create an exceptional and unique hardship? Unique hardship shall be unique to the parcel and not shared by other property owners. The hardship cannot be created by or be the result of the property owner's own action.</p> <p>On June 6, 1994, the City of Neptune Beach passed an ordinance vacating the Easterly 25 feet of 5th St. right of way between South St. and Lora St. They also in the same ordinance retained an easement right over the land being vacated. This easement creates a hardship because it reduces the buildable area on this lot to less than 25'</p>
<p>B. How is the proposed variance the minimum necessary to allow reasonable use of the property?</p> <p>By reducing the side yard setback from 7' to 4' on the east side (side opposite the easement) it provides a better opportunity to build on the lot</p>
<p>C. Indicate how the proposed variance will not adversely affect adjacent or nearby properties or the public in general.</p> <p>The lot is bordered by 5th St. on the West and by another lot owned by the applicant on the East so no adjacent property owners will be impacted</p>
<p>D. Indicate how the proposed variance will not diminish property values nor alter the character of the area.</p> <p>Property values will be enhanced. This property is currently occupied by a small house scheduled for demolition. The new home to be constructed will not only create more tax revenue for the City but increase market values for the other houses in the area.</p>
<p>E. Explain how the proposed variance is in harmony with the general intent of the Unified Land Development Code.</p> <p>The Unified Land Development Code provides guidelines to ensure orderly development. A minor variance of the type being requested is still in harmony with the general intent of the code</p>
<p>F. Explain how the need for the proposed variance has not been created by you or the developer?</p> <p>If there was a way to build on the lot without encroaching on the city easement, there would be no need for a variance. There is nothing the current owner did to create the need for the variance.</p>
<p>G. Indicate how granting of the proposed variance will not confer upon you any special privileges that is denied by the code to other lands, buildings or structures in the same zoning district.</p>

4. Required Attachments -Applicant must include the following: (INCOMPLETE PACKAGES WILL BE RETURNED)
A. 8 1/2" by 11" overhead site plan drawn to an appropriate scale showing the location of all existing and proposed improvements to the property and including all setback measurements from property lines. WHICH HAS NOT BEEN REDUCED.
B. Survey of the property certified by licensed surveyor and dated within one year of application date SURVEY MUST BE ORIGINAL SIZE AND CAN NOT BEEN REDUCED.
C. Copy of Deed
D. Pictures of the property as it currently exists
5. Letter of authorization for agent to make application (Required only if not made by owner)
6. NON-REFUNDABLE FEE: \$300.00 (Residentially zoning property) / \$1,000.00 (Commercially Zoned Property)

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

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

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

NAME (S) OF PROPERTY OWNER (S)	NAME OF AUTHORIZED AGENT
Linward Development Corp.	
ADDRESS OF PROPERTY OWNER	ADDRESS OF AUTHORIZED AGENT
3570 St. Augustine Rd., Jacksonville, Fl. 32207	

SIGNATURE OF OWNER OR AUTHORIZED AGENT:

OWNER'S AUTHORIZATION FOR AGENT/AFFIDAVIT OF ASSENT

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

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

BY: Edward B. Salem
 Signature of Owner
Edward B. Salem, President
 Print Name


Signature of Owner
 Print Name
 Daytime Telephone Number
 904-424-9333
 State of Florida
 County of Duval

Signed and sworn before me on this 25th day August of 2025.

By Edward B. Salem

Identification verified: FL DL Oath sworn: Yes No

Rosemary A. Marrero
 Notary Signature

My Commission expires: 

DOC # 2025185826, OK BK 21513 Page 1051, Number Pages: 2,
Recorded 08/11/2025 08:29 AM, JODY PHILLIPS CLERK CIRCUIT COURT DUVAL COUNTY
RECORDING \$18.50 DEED DOC ST \$5600.00

Prepared by and return to:
Maria Coutu
Atlantic Coast Title & Escrow
1525-B The Greens Way, Suite 100
Jacksonville Beach, FL 32250
(904) 372-4834
File Number: **2025-22938**
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 7th day of August, 2025 between **Malcolm Stone, a single person, Trustee of the Theodora B. Stone Living Trust and Malcom Stone, a single person** whose post office address is **1621 5th St, Neptune Beach, FL 32266**, grantor, and **Linward Development Corporation, a Florida Corporation** whose post office address is **7002 Epping Forest Terrace, Jacksonville, FL 32217**, 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 said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situated, lying and being in **Duval County, Florida** to-wit:

Lot Twelve (12) and the Westerly Seventeen (17) feet of Lot Thirteen (13), Block Thirty (30), Merimar, according to plat thereof recorded in Plat Book 8, page 30, current public records of Duval County, Florida.
TOGETHER WITH the adjacent portion of the easterly twenty-five (25) feet of Fifth Street which was closed by Ordinance recorded in O.R. Book 9104, Page 2196, City of Neptune Beach Ordinance #1994-10.

Parcel Number: 173086-0000

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; that the grantor hereby fully 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 **12/31/2024**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

M. Coutu
 Witness
 Printed Name: Maria Coutu
 P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

The Theodora B. Stone Living Trust, a Florida Trust

By: Malcolm Stone
 Malcolm Stone, Trustee

Malcolm Stone
 Witness
 Printed Name: Malcolm Stone
 P.O. Address: 1525B The Greens Way
Jax Beach, FL 32250

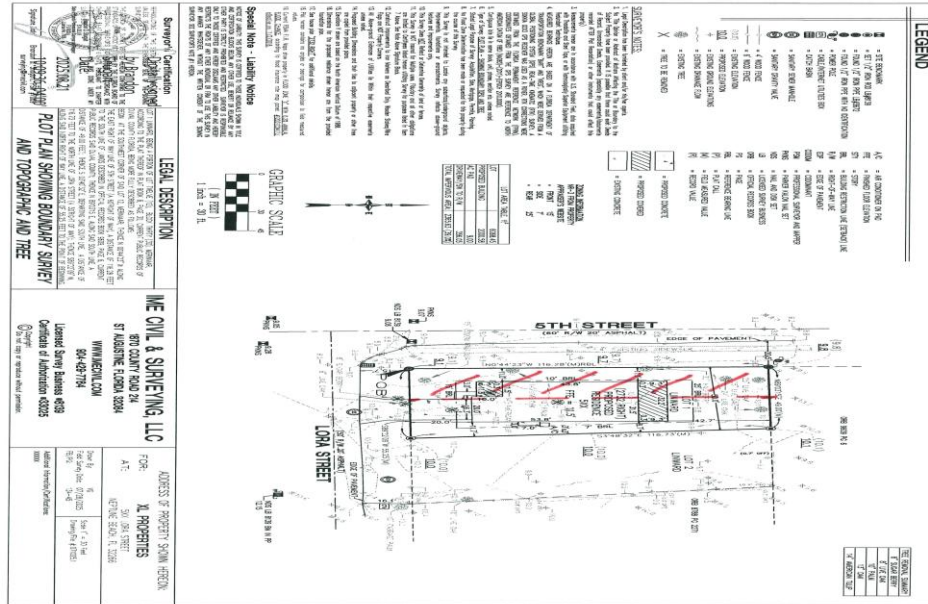
Malcolm Stone
 Malcom Stone

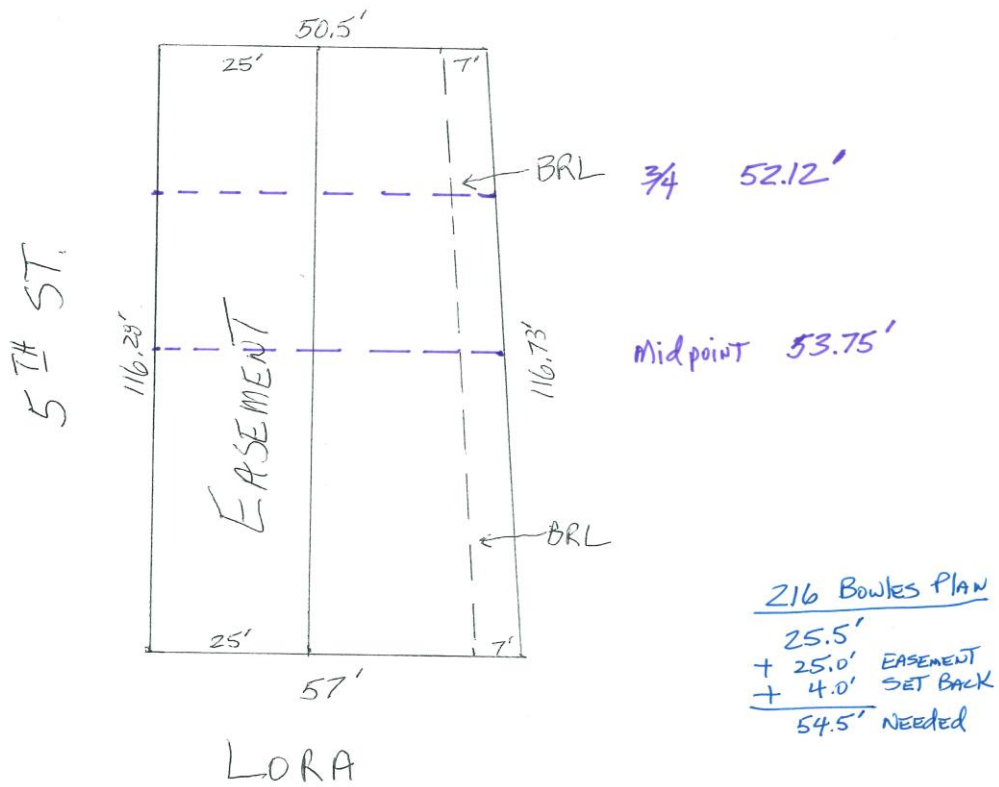
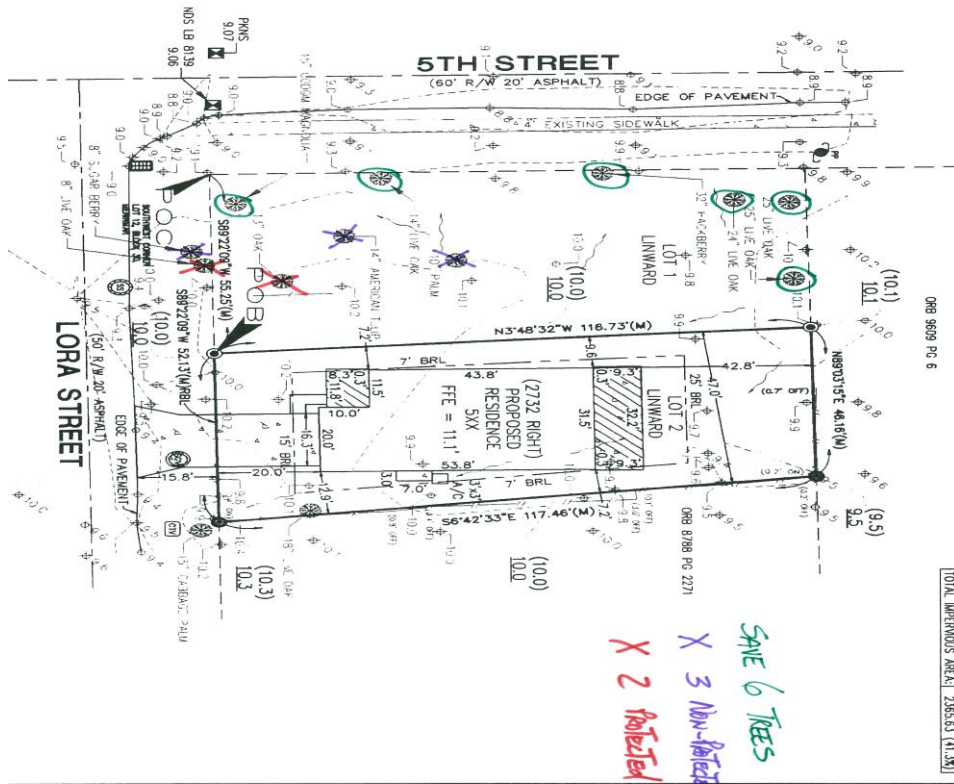
State of Florida
County of Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7th day of August, 2025 by Malcolm Stone, Trustee of the The Theodora B. Stone Living Trust and Malcolm Stone who are personally known or have produced drivers' licenses as identification

[Seal]

M. Coutu
 Notary Public
 Print Name: Maria DiMartino Coutu
 My Commission Expires: April 29 2026





Board's questions and comments for Staff:

Mr. Schwartzenberger asked about the watermain easement, overlap and correlation between city ROW.

Ms. Whitmore explained that the ROW is approximately 15-20 feet from property and approximately 40 ft to where you can build.

Mr. Schwartzenberger asked if this variance is planned for the council to approve.

Ms. Whitmore answered it is the hope for council to approve of the CDB findings.

Ms. Padrta asked if the easement runs down all of 5th St.

Ms. Whitmore responded that it runs approximately 1 block north of Davis St.

Ms. Padrta inquired about a survey with the easements notated being given at the time of purchase and wanted to know if there was a survey conducted when the lots were subdivided and the easements listed.

Ms. Whitmore answered that the 25 ft easement isn't represented on the deed in the traditional way. The easement is referenced by an ordinance which is unusual and the land hasn't been subdivided yet.

Ms. Weatherhead asked if today's determination will set a precedence for other properties sharing the same easement.

Ms. Atayan shared that the Land Development Code was discouraging in the past and now with this variance for 5th St that the land density will be affected.

Mr. Schwartzenberger acknowledged that multiple lots may be eligible for 2 homes.

Ms. Padrta interjected that the lots may not be buildable.

Ms. Atayan explained that the board has been trying to decrease lot density and asked about flooding in this neighborhood.

Ms. Whitmore answered that west of Davis experiences flooding but not this particular area.

Ms. Lahr-David expressed concerns that the CDB will be back to discuss the other 6 lots that have the same circumstance.

Mr. Miller stated that a lot of time was spent on defining ordinances and the 7 ft setback was set for a reason. If a variance is given, then the property would be non-conforming to the ordinance.

Mr. Salem responded to the CDB questions and states that the seller for this property did not disclose the easement. He also shared that the ordinance was sited in the legal description but not on the deed, title or survey. Mr. Salem shared his plans for building and selling 2 houses built on the property once divided. The buyers will be informed of the variances before purchase. He went on to explain the designs and sizes of the homes to match current neighborhood designs.

Mr. Hilton inquired if a title claim has been filed and if it was always the intent to subdivide the property.

Mr. Salem answered that a claim has not been filed yet and that he wouldn't have purchased the property if it had been known that it couldn't be split.

PUBLIC COMMENT:

Luara Callaway - 544 Lora St – is concerned about this situation setting a precedent and that allowing for more homes and more cars will change Neptune Beach into a smaller Atlantic Beach or Jacksonville Beach.

Bonnie Wagner – 465 Lora St – shared her concerns about putting 2 houses on one lot and it changing the face of the neighborhood and asked if there was a solution without having the variance. Such as building smaller houses.

Coral Messina – Questioned Heather Whitmore about the proposed vacation inhibiting the widening of streets and sidewalks in that area. She also worries that it may put CONB in a predicament regarding congestion in traffic. Recommends denial.

Board Comments and Questions:

Mr. Salem responded that this easement only exists for 3 blocks. 40.5 ft land area east of 5th and cannot be extended.

Attorney Paul Waters reported to everyone that granting or denying a variance does not set a precedent. It's not binding but could influence future decisions. Each variance is particular to each application and each property.

Mr. Schwartzenberger shared his concerns that this scenario will come back in the future with the other properties. He asked if this is a bigger issue that the City Council needs to address and what are the steps to get this truly fixed. He doesn't want the CDB to appear foolish by providing different answers.

Ms. Atayan concurred with Mr. Schwartzenberger. She feels this decision may be premature due to unanswered questions for Public Works and the City Council and doesn't want to rush without some variables being addressed by other departments.

Mr. Hilton explained that the board is being asked to review a variance and make a decision. The outcome should be based on what's been presented.

Ms. Messina said that she's wrestling with density in the area and has concerns with parking, garbage trucks and Amazon. She believes that the board will be creating a non-conforming property where there was not one before.

Ms. Weatherhead understands the real estate perspective and believes a single-family dwelling will be fine there.

Ms. Padrta stated that 6 other properties have the same issue, so this is not unique to that property. She shared her concerns about density and thinks the title company should be responsible.

Mr. Schwartzenberger reiterated that it would be a non-conforming new build which is what the CDB has worked hard to prevent.

Ms. Atayan shared how she has been strictly prohibited from doing things on her property, so she has sympathy for the applicant and suggests they seek relief from their title company.

Mr. Hilton didn't think the variance request is unique or exceptional. The property owners can build something that does conform. The property was purchased with the easement and feels special privilege would be granted by allowing a variance.

Ms. Lahr-David concurred with William that the property is not unique and can be subdivided according to CONB zoning laws.

The public hearing was closed.

Made by William Hilton, seconded by Charles Miller

MOTION TO DENY VARIANCE V25-06 .

Roll Call Vote:

Ayes: 7 -Miller, Lahr-David, Hilton, Padra, Atayan, Schwartzenberger,
Weatherhead

Noes: 0

MOTION CARRIED.

FLORIDA
SENATE BILL
180 LEGAL
DISCUSSION

Attorney Paul Waters explained Senate Bill 180 regarding relief after a hurricane disaster. Within 100 miles of ground zero local governments are restricted from putting certain conditions on building. The intent was to help people build after a hurricane. This is a controversial Bill. There shouldn't be a big impact on the CONB due to there not being much land that can be developed.

Ms. Whitmore gave updates on mutual aid agreements and portable offices in case of emergency.

Ms. Padrta asked the penalty for failing to comply.

Attorney Paul Waters answered that the penalty will be an injunction to force compliance plus attorney's fees.

Historical Subcommittee Vice-chair Atayan asked about new applicants for the Historical Committee. Currently there are 4 applicants for the historic review board and hoping for more.

Mr. Hilton asked if we could have interim members from other boards if needed.

Attorney Paul Waters explained the code and restrictions.

Ms. Atayan expressed her concerns about the sunset rule and perks of being a part of this committee. She stated that the Mayor should be made aware that we are seeking applicants.

Adjournment The meeting adjourned at 7:43p.m.

Greg Swartzenberger-Chairperson

ATTEST:

Dallas Alvarez, Board Secretary

City of Neptune Beach

116 First Street • Neptune Beach, Florida 32266-6140
(904) 270-2400 • FAX (904) 270-2432
Bldgclerk@nbfl.us



Application for Appeal Review of Administrative Decision

Please fill out the following in order to file your appeal within 30 days of the date that the decision was rendered. Return to the City Clerk to be placed on the next available Community Development Board agenda.

Date of Application: 10/21/2025 Date decision was made: 10/16/2025

Owner of Property: Nancy Wilson Kimberly Surrency	Name of Applicant (if different): John P. Michalik
Property Owner Address: 1015 2 nd Street Neptune Beach FL 32266	Address of Applicant: 226 Magnolia St Neptune Beach FL 32266
Phone #: 904-476-6204	Phone #: 404-200-1313
Email address:	Email address: jpmichalik@gmail.com

Section 27-133(b)

(1) Statement of decision to be reviewed: (Section of Code cited)



Chapter 27-238 - Exceeds Max lot coverage w/ pool application
Chapter 27-328(a)(2)d1 - mechanical equipment in
Chapter 27-445-6 -> Tree Damage Side yard
Chapter 27-449 ->

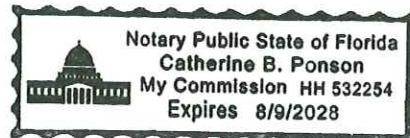
(2) Statement of the interest of the person seeking review: (relation of applicant to the event)

I live next door to 1015 2nd Street I am concerned
that the proposed pool will exceed the 50% max lot
coverage of the lot. The survey appears to be out of

- (3) Specific error alleged as the grounds of the appeal: (how you believe the city erred).
Attach additional sheets if needed.

date and inaccurate. The real coverage calculation will
exceed the 50% max allowed. Mechanical Equipment
will be too close to neighboring property line
without masonry wall. No tree protection.
Huge old live oak does not appear on
survey or part of the critical root zone calculation.
Pool placement will damage this trees
critical root zone.

Signature of Property Owner: <u>Applicant</u> 	State of Florida County of: <u>Duval</u>
Print Name: <u>JOHN P. MICHALIK</u>	Signed and sworn before me on this <u>21ST</u> day of <u>October</u> 20 <u>25</u>
	Identification Verified: <input checked="" type="checkbox"/>
	Oath sworn: <input checked="" type="radio"/> Yes or No
	Notary Signature: 
	My Commission expires: <u>08/09/2028</u>





Supplement #1, 10/21/2025

John Michalik <jpmichalik@gmail.com>

1015 2nd St Pool/ Live Oak Critical Root Zone

John Michalik <jpmichalik@gmail.com>

Fri, Oct 10, 2025 at 2:31 PM

To: Piper Turner <piperturner@nbfl.us>, Todd Stevens <tstevens@nbfl.us>, cpardee@teamues.com

Cc: Nia Livingston <nialivingston@nbfl.us>, Blake West <bwest@nbfl.us>

Bcc: Rene Atayan <rene@atayan.net>, Peter Michalik <peterjohnmichalik@gmail.com>

Hello and Good Afternoon,

Below is the email chain from the last couple weeks discussing my potential concerns with the pool my neighbor at 1015 2nd Street wants to construct. I only just received a copy of the approved plans this morning and it looks like construction may start any day now.

I like my neighbors but my main concern is the adverse impact the size of a pool, it's equipment and construction will have on the live oak tree on this same neighbor's property.

As mentioned in earlier communications it is a very old and large oak tree with a great big canopy. The Diameter @Breast Height is easily well above 50 inches. My guess is that it is actually probably closer to 100" but unfortunately this giant tree surprisingly does not appear on the pool application survey at this time. No impact on this tree's Critical Root Zone was calculated or protection mitigation mentioned in the plans I reviewed.

Unfortunately, what is just as surprising is that there is a long list of additional issues that appear to have been missed with application. I believe some issues might actually require a variance if the same sized pool and equipment location wants to move ahead.

Issues with the 1015 2nd Street Pool Application - Neptune Beach

1. Survey is NOT recent. (survey dated 1/20/2012- impervious surface calculation inaccurate).
2. No tree on Survey/ No Critical Root Zone calculation or tree protection mitigation listed.
3. Impervious Surface percentage is over 50% (52.6% by my calculations using the county assessor's website).
4. Hottub, Shed and Porches missings from property's current survey.
5. Pool equipment too close to the South East property corner (masonry wall required by code less than 5 feet from side property).

I've attached a sketch depicting the issues with this application. Just the outdated survey alone should be enough to pause this project.

Please consider this historic old tree and the damage the current layout will cause.

If they want to kill the tree that is their right unfortunately.

I would hopefully like to avoid that outcome.

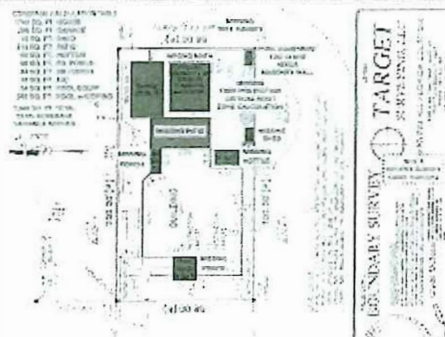
It all starts with a time-out and an accurate tree survey.

Please let me know of the outcome.

Extremely concerned,

John Michalik
next door neighbor
226 Magnolia St

[Quoted text hidden]



ISSUES WITH 1015 2nd POOL APPLICATION .png
1890K



John Michalik <jpmichalik@gmail.com>

1015 2nd St Pool/ Live Oak Critical Root Zone

John Michalik <jpmichalik@gmail.com>

Sun, Sep 28, 2025 at 10:53 AM

To: bwest@nbfl.us

Cc: Dallas Alvarez <dalvarez@nbfl.us>

Hello and Good Morning,

I reside at 226 Magnolia St. It is my understanding that my neighbor to the North (1015 2nd Street) is applying for a pool. They have a huge old live oak in their backyard but roughly 75% its canopy hanging over my property and my other neighbor's (224 Magnolia). My concern is that of the potential additional impact to this tree's critical root zone. I was wondering if an analysis of the this impact was available so that I do not have to worry about their tree falling on my home. Please let me know.

Thank you.
John Michalik



John Michalik <jpmichalik@gmail.com>

1015 2nd Street

5 messages

John Michalik <jpmichalik@gmail.com>

Thu, Sep 25, 2025 at 2:50 PM

To: Dallas Alvarez <dalvarez@nbfl.us>

Good Afternoon Dallas,

I hope all is well with you. I'm not sure if you are the right person to ask but would you happen to know if a pool was applied for 1015 2nd St? My concerns being the impact on their oak trees critical root zone.

Thanks so much and have a great day.

JP

Dallas Alvarez <dalvarez@nbfl.us>

Thu, Sep 25, 2025 at 3:02 PM

To: John Michalik <jpmichalik@gmail.com>

Hello there!

Our records show that there is an application in our system for a pool. A permit has not been approved or issued at this time. I'm unsure who you would need to speak with about the oaks. Let me see if I can get a little more info on this property and I'll be in touch tomorrow.

Dallas Alvarez

COMMUNITY DEVELOPMENT

ADMINISTRATIVE ASSISTANT

116 FIRST ST

NEPTUNE BEACH, FL 32266

904-270-2400 EX. 22



From: John Michalik <jpmichalik@gmail.com>
Sent: Thursday, September 25, 2025 2:50 PM
To: Dallas Alvarez <dalvarez@nbfl.us>
Subject: 1015 2nd Street

CAUTION This email originated from outside the organization. Do NOT click links or open attachments unless you recognize the sender and know the content is safe.

[Quoted text hidden]

John Michalik <jpmichalik@gmail.com>
To: Dallas Alvarez <dalvarez@nbfl.us>

Thu, Sep 25, 2025 at 4:35 PM

Thanks so much for getting back to me. My main concern is the health of the tree and any potential impact on its critical root zone. I believe there is way they calculate the % impacted by the disturbance. Not sure if there is a specific threshold for each species or a generic one that triggers the DDH if gone over.

Second concern is placement of pumps if up against shared property line. Not sure if I'm reading their survey correctly but I believe it says there is 4.9' on the Southern property line side yard... requiring a masonry wall if that's where they intend the mechanical equipment to live.

Thanks for your help!

[Quoted text hidden]



image001.png
136K

Dallas Alvarez <dalvarez@nbfl.us>
To: John Michalik <jpmichalik@gmail.com>

Fri, Sep 26, 2025 at 5:21 PM

I forwarded this email to our onsite Arborist this morning and asked him to respond to you about the critical root zone. If you did not receive a response then you can email your questions directly to him. bwest@nbfl.us

Have a fun weekend!

[Quoted text hidden]

John Michalik <jpmichalik@gmail.com>
To: Dallas Alvarez <dalvarez@nbfl.us>

Fri, Sep 26, 2025 at 5:36 PM

Thanks!

[Quoted text hidden]

2 attachments

COVERAGE CALCULATION TABLE

- 1745 SQ. FT. HOUSE
- 298 SQ. FT. GARAGE
- 15 SQ. FT. SHED
- 312 SQ. FT. PATIO
- 60 SQ. FT. HOTTUB
- 90 SQ. FT. FR. PORCH
- 44 SQ. FT. BK PORCH
- 18 SQ. FT. A/C
- 24 SQ. FT. POOL EQUIP
- 340 SQ. FT. POOL w/COPING

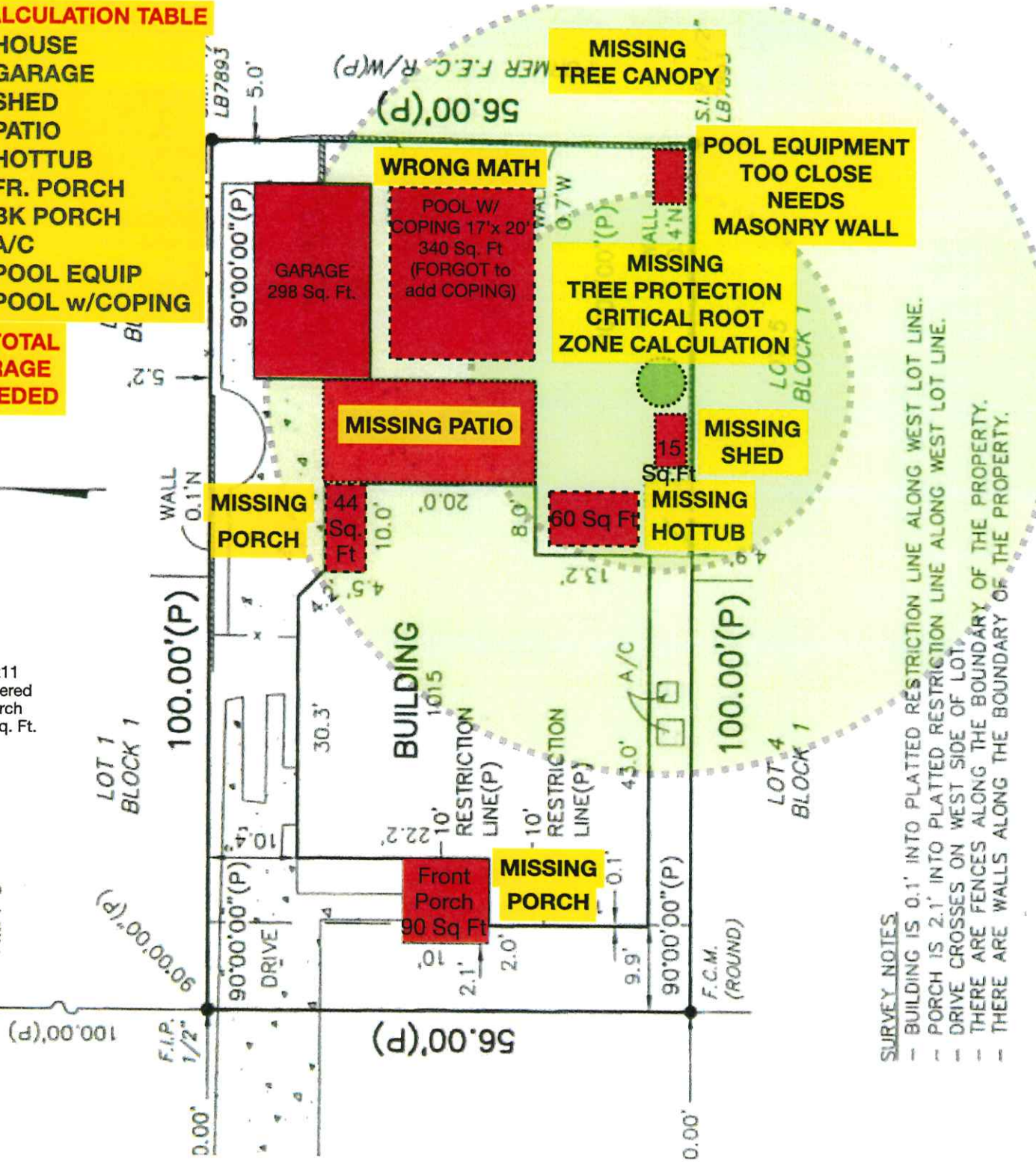
2,946 SQ. FT. TOTAL
52.6% COVERAGE
VARIANCE NEEDED

SCALE: 1" = 10'



4x11 Covered Porch
 44 Sq. Ft.

N.W. CORNER OF LOT 1, BLOCK 1
 F.I.P. 3"



MISSING TREE CANOPY

POOL EQUIPMENT TOO CLOSE NEEDS MASONRY WALL

MISSING TREE PROTECTION CRITICAL ROOT ZONE CALCULATION

WRONG MATH

POOL W/ COPING 17'x 20' 340 Sq. Ft (FORGOT to add COPING)

MISSING PATIO

MISSING SHED

MISSING HOTTUB

MISSING PORCH

MISSING PORCH

SURVEY NOTES
 - BUILDING IS 0.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
 - PORCH IS 2.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
 - DRIVE CROSSES ON WEST SIDE OF LOT.
 - THERE ARE FENCES ALONG THE BOUNDARY OF THE PROPERTY.
 - THERE ARE WALLS ALONG THE BOUNDARY OF THE PROPERTY.

PAGE 2 OF 2

BOUNDARY SURVEY



TARGET SURVEYING, LLC

NOT A RECENT SURVEY
 Dated 1/20/2012

SURVEYORS CERTIFICATE:
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.
 NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Digitally signed by Clyde McNeal
 DN: CN = Clyde McNeal, C = US
 O = Target Surveying, Inc.
 Date: 2012.01.20 14:12:02.

Clyde McNeal

SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL - SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE (561) 640-4800

LB7893

Supplement #2, 10/30/2025

OCT 30 25 8:00



DATE: 5/30/12

PLAN REVIEW CORRECTIONS REPORT

PAGE 1

CITY OF NEPTUNE BEACH
116 FIRST STREET
NEPT BCH FL 322666140

APPLICATION NBR . . . : 12-00000439
ADDRESS : 1015 ST SECOND
APPLICATION DATE . . : 5/30/12
APPLICATION TYPE . . . : NON-STRUCTURAL RES. ALTERATION

OWNER : WILSON, NANCY ET AL
KIMBERLY SURRENCY
1015 SECOND STREET
NEPT BCH FL 32266

CONTRACTOR : EXTREME HARDSCAPES OF JAX, LLC
DARRELL E BATEMAN
13834 SEVEN PINES DR
JAX FL 32224

AGENCY NAME: PERMIT PROCESSING

DATE ACTION ACTION BY

5/30/12 FORWARD FOR REVIEW PIPER TURNER
SENT TO CDD ALONG WITH ROW APPLICATION

5/31/12

See comments on
Survey. Will be at max.
lot coverage. No new
improvements.

AA

Building Permit Application
CITY OF NEPTUNE BEACH
 116 First Street • Neptune Beach, Florida 32266-6140
 (904) 270-2400 Ext 4 • FAX (904) 270-2432



Job Address: 1015 2nd Street Permit Number: 12-0000439
 Legal Description: Home RE Parcel Number: _____

Valuation of Work \$ _____

Class of Work (circle one): New Addition Alteration Repair Move Demolition
 Use of existing/proposed structure(s) (circle one): Commercial Residential
 If an existing structure, is a fire sprinkler system installed? (Circle one): Yes No N/A

Describe in detail the type of work to be performed: TEAR OUT EXISTING DRIVE, & ADD PERVIOUS PAVEMENT @ ADD 8x36 PARKING PAD WITH PERVIOUS PAVEMENT, OVER EXISTING CONCRETE WITH 1" PAVEMENT

Owner Information

Name: Nancy M Wilson Address: 1015 2nd Street
 City: Neptune Beach State: FL Zip: 32206 Phone: 904-476-6740

Contractor Information:

Name of Company: EXTREME LANDSCAPES OF FLA Qualifying Agent: DANNEU BAREMAN
 Address: 13834 SEVEN PINES DR City: JAX State: FLA Zip: 32224
 Office Phone: 545-7206 Fax Number: 212-0111 Job Site Contact/Number: _____
 State Certification/Registration #: _____
 Architect Name & Phone #: N/A
 Engineer's Name & Phone #: _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. This permit becomes null and void if work is not commenced within six (6) months, or if construction or work is suspended or abandoned for a period of six (6) months at any time after work is commenced. I understand that separate permits must be secured for Electrical Work, Plumbing, Signs, Wells, Pools, Furnaces, Boilers, Heaters, Tanks and Air Conditioners, etc.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY.

IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature of Owner: Nancy M Wilson X Signature of Contractor: [Signature]

Sworn to and subscribed before me this 23rd Day of May, 2012

Sworn to and subscribed before me this 30 Day of May, 2012

[Signature]
 Notary Public

[Signature]
 Notary Public

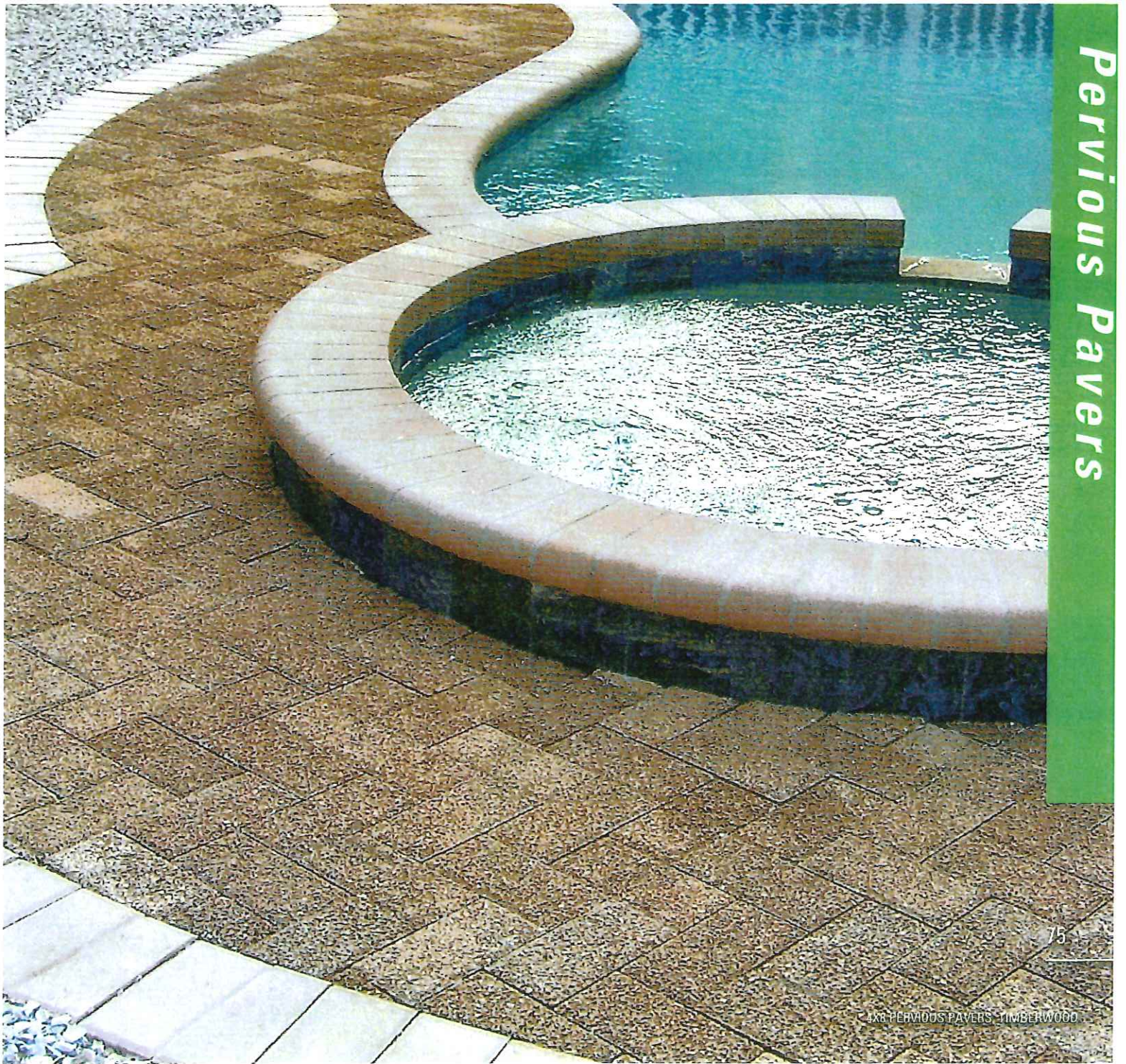


DO NOT WRITE BELOW THIS LINE: OFFICE USE ONLY

Review Result (circle one): Approved Disapproved Approved w/ Conditions Review Initials/Date: _____

Development Size
 Habitable Space _____ Non-Habitable _____ Impervious area _____ Total Area _____

Conditions/Comments: _____
 FEES: Bldg Permit 105⁰⁰ Plan Review 50⁵⁰ DSPL 230 Radon Gas 230
 Water tap _____ Sewer tap _____ Construction Water \$40.00 Meter _____



75

PERVIOUS PAVERS, TIMBERWOOD

Pervious Pavers

A classic and natural looking stone product, this paver is a permeable, environmentally-friendly interlocking product designed to allow water to flow through and be recaptured in the subsoil. The perfect solution for paths and walkways, Pervious Pavers are available in all standard colors and provide a natural texture and appeal to residential and commercial projects.



Thickness:

2 3/8" 

Available Dimensions:

Brick

4" x 8"

Old Towne

4 3/4" x 6 1/4"

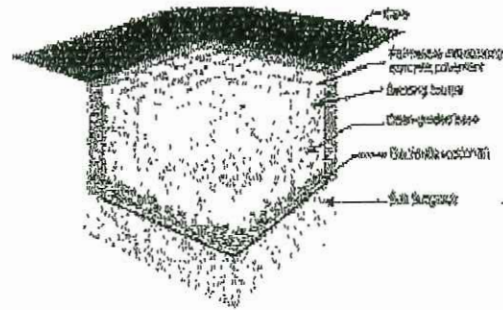
6 1/4" x 6 1/4"

6 1/4" x 9 1/2"

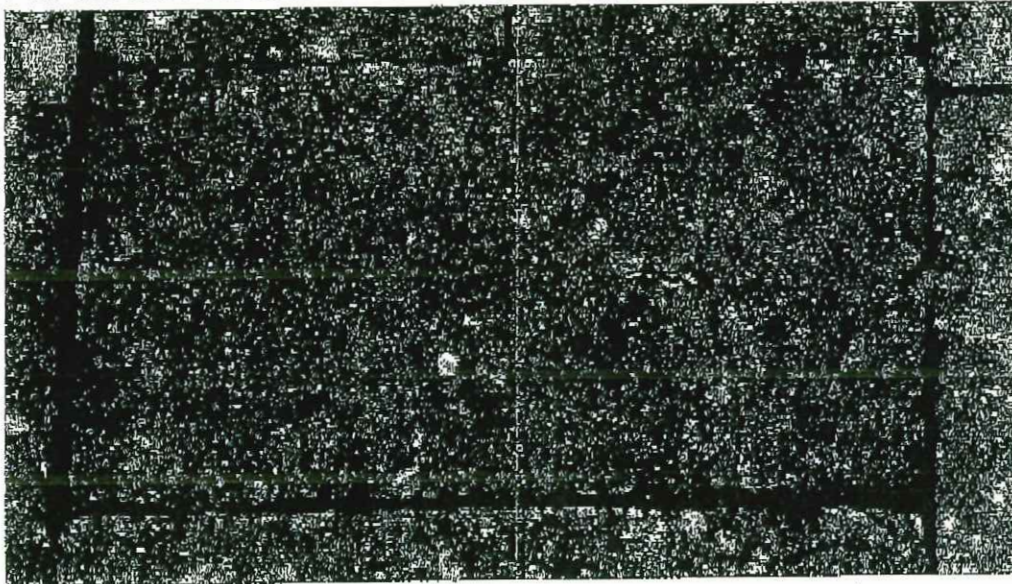
Refer to the Color Selections section on pages 92-96 for available colors.

Shade variation is inherent in all-natural materials. Colors may vary depending upon manufacturing location. Individual product measurements given are rounded. Contact your Tremron Sales Representative or visit our website for exact dimensions.

Tremiron
GROUP we make it easy



Pervious Pavers



The porous appearance of these units allows rainfall to directly enter and pass through because concrete has no fines. Like other pavers, the units are fitted together over bedding, pea gravel is recommended. Sanding the joints is not recommended as this could clog the pavers. Porous units do not meet the requirements of ASTM C 936; however, these units have strength of 4,000+ psi with a permeability of over 40 inches per hour.

The best use is for pedestrian areas, bicycle paths, and residential applications. We offer pervious pavers in our 4x8, Old Towne, 6x9, and 6x6 profiles and in all of our standard blends.

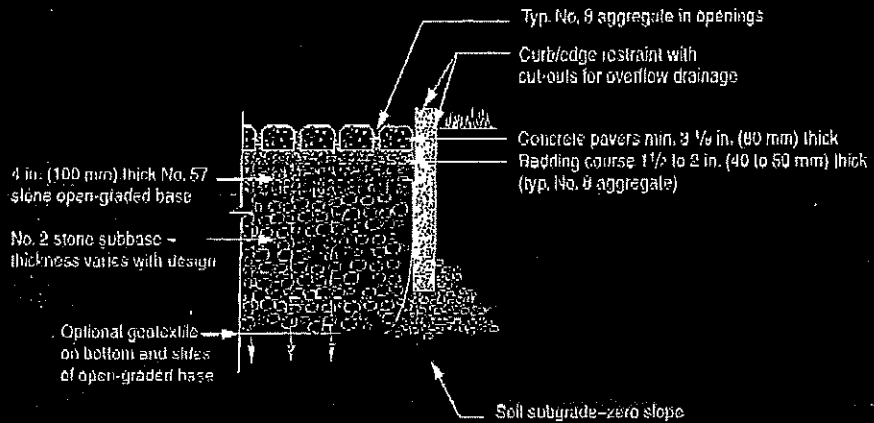
Some of the benefits;

- Reduction of runoff by as much as **100%** from frequent, low-intensity and short duration storms.
- Increased recharge of ground water.
- Eliminates flooding and puddling in parking lots
- Reduction or elimination of retention ponds
- Conservation of space on site and reduction of impervious cover

More info is available at ICPI website; http://www.icpi.org/design/permeable_pavers.cfm

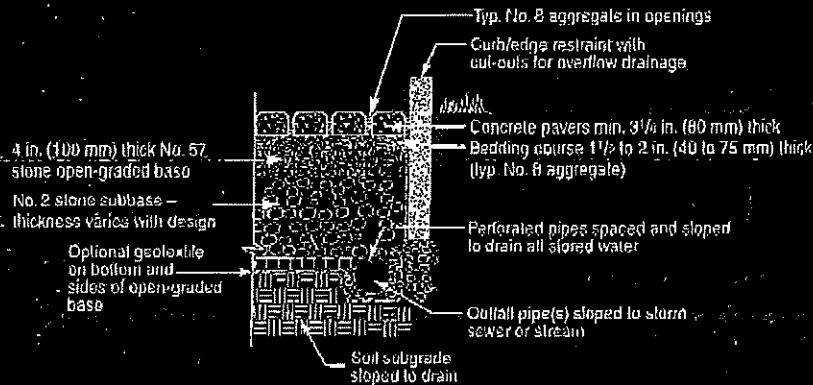
Full Exfiltration

Scale: 1" = 1'-0"



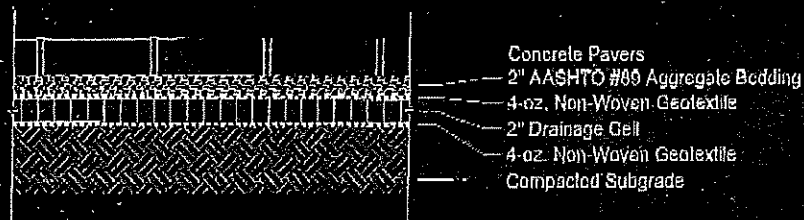
Partial Exfiltration

Scale: 1" = 1'-0"



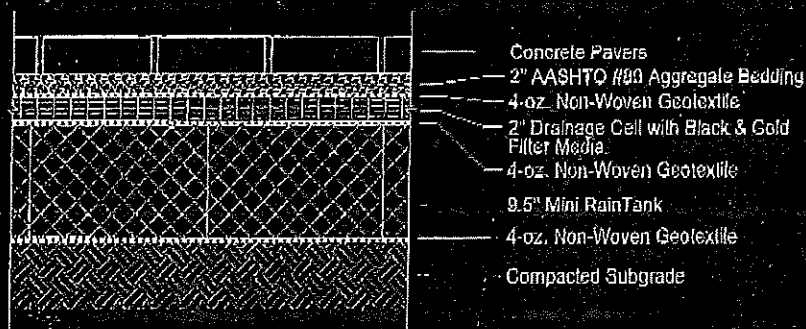
Basic Section

Scale: 1" = 1'-0"



Bold & Gold Media Above Rain Tank

Scale: 1" = 1'-0"



» Preliminary designs must be modified by an engineer to match site requirements.

» The cross sections on this page are currently being tested at the University of Central Florida's Storm water Management Academy under the supervision of Dr. Chopra.

Tremron
GROUP we make it easy



Plant: Tremron – Arcadia, Florida
 Client: Tremron
 Unit ID: Echo Stone Pervious Pavers, 7/9/07

Job No: 27772
 Report No: 347424
 Report Date: 7/24/07
 Received Date: 7/12/07

TESTING OF SOLID CONCRETE PAVING UNITS

Compressive Strength – test date 7/23/07 at 14 days of age

Unit No:	4A	4B	4C	Average
Received weight, lbs	9.17	9.29	9.53	9.33
Width, inches	6.26	6.32	6.32	6.30
Height, inches	2.40	2.37	2.40	2.39
Length, inches	9.42	9.42	9.43	9.42
Saw-cut length, inches	4.71	4.77	4.70	4.73
Net Area, in ²	29.48	30.15	29.70	29.78
Load, lbs	139,380	132,760	137,850	136,660
Compressive Strength, psi	4,730	4,400	4,640	4,590

Compression tests were performed in accordance with ASTM C140.

Unit No.	Permeability
4D	44.4 inches/hour (3.1 x 10 ⁻² cm/s)

Respectfully submitted,

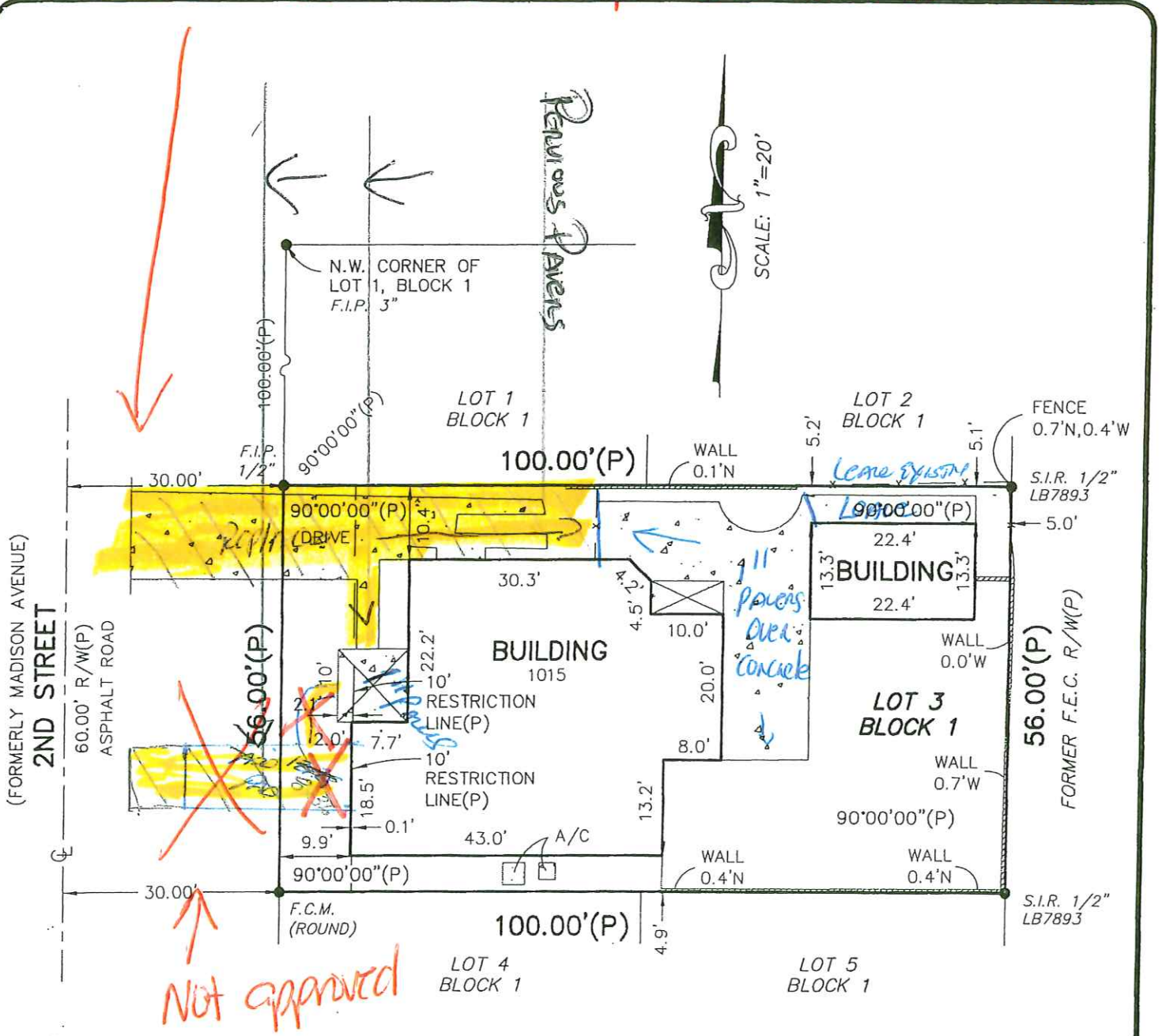
QORE, Inc.

 Russell Scribner
 Materials Laboratory Manager

Report Distribution:
 Tremron / Mr. Mike Somers

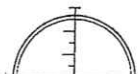
5/31/12

Remove existing concrete + replace ¹²⁻⁰⁰⁰⁰¹⁴¹
w/ 100% permeable pavers. Will be down to 50%
lot coverage. No new impervious surface areas can be
added unless other impervious area is removed



SURVEY NOTES

- BUILDING IS 0.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
- PORCH IS 2.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
- DRIVE CROSSES ON WEST SIDE OF LOT.
- THERE ARE FENCES ALONG THE BOUNDARY OF THE PROPERTY.
- THERE ARE WALLS ALONG THE BOUNDARY OF THE PROPERTY.



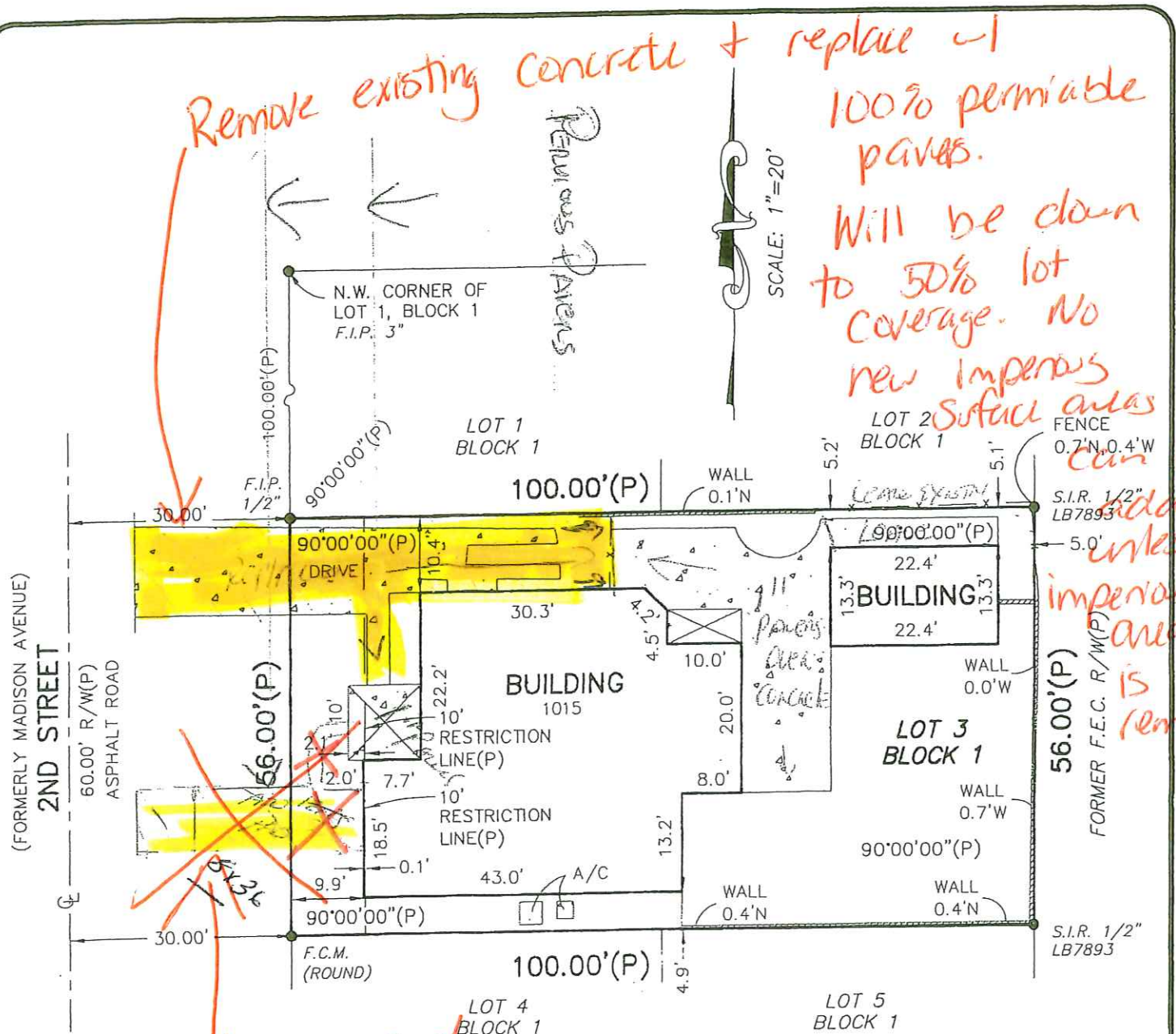
12-0000439

5/31/12

Remove existing concrete + replace w/ 100% permeable pavers. Will be down to 50% lot coverage. No new impervious surface areas

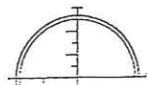
can be added unless other impervious area is removed

Not approved.



SURVEY NOTES

- BUILDING IS 0.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
- PORCH IS 2.1' INTO PLATTED RESTRICTION LINE ALONG WEST LOT LINE.
- DRIVE CROSSES ON WEST SIDE OF LOT.
- THERE ARE FENCES ALONG THE BOUNDARY OF THE PROPERTY.
- THERE ARE WALLS ALONG THE BOUNDARY OF THE PROPERTY.



COMMUNITY DEVELOPMENT BOARD OF THE CITY OF
NEPTUNE BEACH, FLORIDA

JOHN P. MICHALIK,

APPELLANT,

v.

PERMIT NO.: 202500885

CITY OF NEPTUNE BEACH, FLORIDA

APPELLEE.

**CITY OF NEPTUNE BEACH'S RESPONSE TO JOHN P.
MICHALIK'S APPEAL OF CITY'S ISSUANCE OF BUILDING
PERMIT NO. 202500885**

/s/ Paul Waters

PAUL WATERS, ESQ.

Florida Bar No.:817651

Vose Law Firm, LLP

324 W. Morse Blvd.

Winter Park, Florida 32789

Telephone (407) 645-3735

Facsimile (407) 628-5670

paul@voselaw.com

cdarcy@voselaw.com

City Attorney

The City of Neptune Beach (“City”) submits this response to the administrative appeal filed by John P. Michalik (“Appellant”), which challenges the City’s lawful issuance of a valid building permit for a residential swimming pool located at 1015 2nd Street, Neptune Beach, Florida 32266 (“Job Site” or “Subject Property”). The Appellant resides at 226 Magnolia Street, which abuts the Subject Property’s Southwest corner. Appellant’s administrative appeal is both procedurally and substantively improper and must be denied because (1) Appellant lacks standing to appeal this decision, as he does not own or reside at the Subject Property and is not otherwise impacted—let alone harmed—by the City’s action in any legally sufficient manner; and (2) even if Appellant had standing to appeal the City’s action, the merits of Appellant’s claims have no factual basis and are inappropriately speculative, unsubstantiated, and harassing.

FACTUAL BACKGROUND

On September 19, 2025, Premier Pools and Spas of Jacksonville (“Contractor”) submitted a building permit application to the City for construction of a residential swimming pool at the Subject Property. After several weeks of thorough analysis and

revisions to ensure the permit application’s compliance with the local governing Unified Land Development Regulations (“LDR”)—including with requirements for setbacks and impervious lot coverage—the City issued Contractor with pool permit number 202500885 (“Permit”) on October 6, 2025, a copy of which is attached hereto as **Exhibit “A.”** A copy of the timeline and database record pertaining to the initial Permit issuance is attached collectively as **Exhibit “B.”**

Just four days later, Appellant submitted the first of four complaints to the City, alleging that the Permit violated City LDR regarding tree protection, lot coverage, and screening of pool equipment. The internal analysis and planning conducted by the City—including review by the City’s certified professional arborist—demonstrated that Appellant’s complaints were groundless. Nevertheless, for the avoidance of doubt and in an abundance of caution, the Contractor submitted several revised site plans and documents to clarify the construction project’s compliance with all City LDR requirements. A comprehensive copy of the current project’s site plan for the Subject Property (“Site Plan”), expressly contradicting the Appellant’s complaints and reflecting the City

arborist's conditions of approval, is attached as **Exhibit "C."** In response, the City reissued the Permit on October 14, 2025. Despite the Site Plan and Permit's facial validity and legal compliance, Appellant filed this appeal on October 21, 2025, challenging the issuance of the Permit.

ARGUMENT

I. The Appellant Lacks Standing to Appeal the City's Administrative Decision.

Any person aggrieved by the decision of the Community Development Board may petition the Circuit Court for writ of certiorari. See Florida Statutes, Sec. 176.16. However, the definition of "aggrieved" is limited only to those persons who have a "**legally recognizable interest** which is or will be **affected by the action of the zoning authority** in question. . . An individual having standing must have a definite interest exceeding the general interest in community good share in common with all citizens. **So-called "spite suits" will not be tolerated in this area of the law any more than in any other.**" *Renard v. Dade County*, 261 So. 2d 832, 835 (Fla. 1972) (emphasis added).

Far from holding a heightened, legally recognizable interest in the outcome of the City's issuance of the Permit, Appellant's involvement meets the very definition of the "spite suits" long decried by the Florida Supreme Court. Indeed, since 2023, City staff has received over 140 complaints from the Appellant—more than any other resident. Of those, 55 have involved distinct and unique complaints targeting over 20 separate homes. In September 2025 alone, Appellant filed ten unique complaints regarding five separate properties; in October, he submitted ten complaints regarding four properties. By these metrics, Appellant seems poised to position himself as the most uniquely aggrieved resident in Neptune Beach.

However, *all* of Appellant's complaints have been systematically disposed of as unwarranted by the City, pursuant to a consistent, years-long pattern of determinations by three separate independent code enforcement officers that opening code enforcement actions into the complaints was not warranted. A complete chronological list of Appellant's 55 complaints is attached hereto as **Exhibit "D."** The present appeal is an invasive extenuation of Appellant's history of targeting his neighbors with unsupported, improper allegations.

In other words, Appellant has not demonstrated, and is unable to demonstrate, what non-speculative, *direct, substantial, and adverse* harm the City's permit issuance poses against himself or his property, as required under Florida law. *See Save the Homosassa River Alliance, Inc. v. Dep't of Env'tl. Prot.*, 915 So. 2d 715, 718 (Fla. 1st DCA 2005) (requiring an "injury in fact of sufficient immediacy and reality").

Appellant's invented residential concerns, predicated on nonexistent expertise, incorrect calculations, and misplaced grievances, do not rise to the level required to appeal the City's valid permit issuance. The appeal should be dismissed in its entirety.

II. Appellant's Claims are Substantively Meritless.

Even if Appellant possessed standing to bring this appeal, which he does not, the appeal still fails as substantively meritless. Appellant challenges the Permit's issuance in connection with three sections of the City's LDR:

(1) that the Permit improperly allows for an impervious surface upon the Subject Property which exceeds fifty percent of the gross site area;

(2) that the Permit improperly allows for equipment within two feet of a side lot line; and

(3) that the Permit improperly threatens certain protected heritage trees.

All three allegations are observably false, as demonstrated by the Site Plan itself, rendering Appellant's arguments frivolous and unsupported.

A. The Challenged Permit is Compliant with Impervious Coverage Requirements.

Sec. 27-238 of the Code of Ordinances of the City of Neptune Beach provides that:

“The impervious surface on any lot, or parcel of land, shall not exceed the maximum area as provided for below, and for purposes of calculation, shall include all impervious areas, such as pool areas[:]

(13) RC overlay: Fifty (50) percent of gross site area.”

The Site Plan transparently demonstrates a plan of 47.8% impervious coverage. See Exhibit C. This value is below the 50% impervious coverage limit prescribed by the City of Neptune Beach

LDR. Appellant's insistence that his own calculations result in a plan of 52.7% impervious coverage is baseless and unwarranted of consideration.

B. The Challenged Permit is Compliant with Setback and Enclosure Requirements.

Sec. 27-238 of the Code of Ordinances of the City of Neptune Beach provides:

“Air conditioning compressors serving central systems (other than window units) or other mechanical or electrical equipment designed to serve the principal structure may be located in any required rear yards, but not in any front yard, and not less than ten (10) feet from any side lot line, except in the following instances:

1. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line.
2. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a solid board

fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.”

As demonstrated on the Site Plan, the pool equipment and property line of the Subject Property will be separated by a two-foot margin, satisfying the LDR setback requirement. See Exhibit C. Furthermore, the LDR requires a hard-sided enclosure rather than a masonry enclosure for this manner of project, which is anticipated in the Permit documentation. Thus, Appellant’s complaints are again unfounded as pertaining to the City’s setback requirements.

C. The Challenged Permit is Compliant with Local Tree Preservation Requirements.

Sec. 27-449(d) of the Code of Ordinances of the City of Neptune Beach provides:

“Barriers shall be placed at the drip line, though never less than ten (10) feet from the trunk of a protected tree unless approved by an arborist and the city manager or designee, for all trees determined to remain and for relocated trees, both before and after relocation. Barriers for champion

and heritage trees shall extend to one and one-half (1.5) times the extents of the drip line.”

The City does not contest that the above-stated requirements must be met to ensure preservation of protected classes of trees. However, the City’s consultation with a certified professional arborist, whose notes and conditions—including requirements that excavation avoid roots exceeding a defined diameter and that a silt fence be placed at an appropriate distance from the trunk—are reflected in the Site Plan and approved Permit. Comparatively, Appellant’s layman opinion that the Permit risks damage to certain trees upon the Subject Property is purely speculative, based on no recognizable expertise or knowledge, and carries no legal weight. This argument, as the others, must be rejected.

CONCLUSION

Appellant has no legal right to pursue the claims represented in his appeal. Appellant has not and cannot demonstrate any interest in the Subject Property’s construction such that his involvement in review of the Permit’s issuance would be justified, and his baseless complaints regarding alleged violations of City code are, as per his

harassingly constant *modus operandi* in such matters, no more than inappropriate abuses of a legal process meant to provide relief for *actual* aggrieved property owners.

WHEREFORE, the City respectfully requests that Appellant's appeal be denied, and the City's issuance of the Permit to the Subject Property be affirmed.

Dated this 5th day of November 2025.

Respectfully Submitted,

/s/ Paul Waters

Paul Waters, Esq.

Florida Bar No. 817651

324 W. Morse Blvd.

Winter Park, FL 32789

Telephone (407) 645-3735

Facsimile (407) 628-5670

paul@voselaw.com

cdarcy@voselaw.com

mguidone@voselaw.com

Attorney for City of Neptune Beach

Permit

Neptune Beach

Building & Zoning Department

116 First Street, Neptune Beach, FL 32266-6140

Inspection Line: 904-270-2430

Building & Zoning: 904-270-2400 ext 3

Building Permit Number: 202500885



Job Location: 1015 SECOND STREET
NEPTUNE BEACH, FLORIDA 32266

Real Estate Number: 172880 0000

Construction Area (Sq.Ft): 270

Job Description: BUILD 18' BY 15" INGROUND POOL WITH TRAVERTINE COPING AND NO DECKING. REMOVING ALL OF THE CONCRETE PATIO BETWEEN NORTH SIDE OF THE HOUSE AND DETACHED GARAGE AND PAVER/CONCRETE DRIVEWAY FROM STREET TO NORTH SIDE FENCE. revised site plan to leave existing 475 sf paver driveway, replace 278 sf concrete driveway between detached garage and gate, demolish/remove 320sf concrete patio behind the house & 90sf pavers on the north side of the detached garage, install 24sf equipment & 294 sf pool. 10/14/2025 50% lot coverage to be verified at pool safety inspection stage per zoning director. 50% lot coverage approved to be verified inspection upon completion, When any mechanical or electrical equipment is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a solid board fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.

Permit Type: POOL - Swimming Pool

Permit #: 202500885

Permit Status: Issued

Date Issued: 10/06/2025

Total Valuation: \$72923

Owner:

NANCY WILSON ET AL & KIMBERLY SURRENCY R/S
1015 SECOND STREET
NEPTUNE BEACH,FLORIDA 32266
904-476-6740
KIMSURR@GMAIL.COM

Contractors:

Type	Name	Address	Phone
CP	PREMIER POOLS AND SPAS-JACKSONVILLE FL	430 MCLAWS CIRCLE STE 201	904-676-0076

Fees	Amount	Payments	Account Paid
Building Permit Fee	\$513.00	10/09/2025 -	\$1,164.94
State Surcharge - BCAIB	\$11.54	10/14/2025 -	\$32.00
State Surcharge - DBPR (FBC)	\$7.70		
Zoning and Planning Review Fee For Permits	\$205.20		
Plan Review	\$256.50		
Stormwater and Erosion Control 2nd reinspection	\$75.00		
ADDITION ZONING REVIEW FEE	\$96.00		
ADDITION ZONING REVIEW FEE	\$32.00		

Total Fee: \$1,196.94

Total Paid: \$1,196.94

Special Notes and Comments:

EXHIBIT "B"

Timeline: Pool Permit #202500885 for 1015 2nd St

Date	Action/Event	Comments
9/19/2025	Pool Permit #202500885 for 1015 2nd St submitted by Premier Pools	
9/19/2025	<i>Application rejected by building permit staff as incomplete, comments sent</i>	<i>ON-HOLD MISSING LOT COVERAGE AND SURVEY. CONTRACTOR NOTIFIED TO SUPPLY.</i>
9/23/2025	Revised plans submitted by applicant contractor in response to comments, with comments	<i>RECEIVED SURVEY AND REVISED PLAN TO REMOVE IMPERVIOUS SURFACE IN ORDER TO COMPLY WITH LOT COVERAGE REQUIREMENTS. 9/23/2025</i>
9/23/2025	Plans routed to review by staff zoning, building, and stormwater	
9/25/2025	<i>Application rejected by zoning as incomplete, comments sent</i>	<i>Site plan doesn't match survey. Please resubmitted revised site plan to match survey showing all structures, setbacks, surfaces, and matching lot coverage table.</i>
9/25/2025	Application approved by stormwater , comments sent	<i>Site soil and erosion control measures are required during construction. Erosion control inspections required. All stormwater must be discharged to approved facilities. Project is not greater than an acre, and does not require a FDEP NPDES Construction Generic Permit. Project does not require an FDEP or WMD Environmental Resource Permit.</i>
9/25/2025	Application approved building	
9/25/2025	Zoning (HW) emailed contractor and discussed with contractor project requirements regarding setbacks, lot coverage, and materials	

Timeline: Pool Permit #202500885 for 1015 2nd St

9/25/2025	Revised plans submitted by applicant contractor in response to comments, with comments	
9/26/2025	Plans routed to review by staff zoning	
9/29/2025	<i>Application rejected by zoning (HW) as incomplete, comments sent via email</i>	<i>Still waiting on a complete and up to date final site plan that matches the survey, The partial site plan doesn't match survey. Please resubmitted revised site plan to match survey showing all structures, surfaces, and matching lot coverage table</i>
9/29/2025	Applicant contractor asks by email "Can you let me know if permit will be issued today?" Building staff (PT) replies via email	<i>It has not been issued. The Community Development Director will be reaching out to you. She needs to have a complete site plan with lot coverage calculations showing what is staying, what is being removed and the what the property will look like once everything has been completed. The submitted survey does not reflect the current conditions of the property.</i>
9/29/2025	Revised plans submitted by applicant contractor via email in response to comments	
9/30/2025	<i>Application rejected by zoning (HW) as incomplete, comments sent via email</i>	<i>Honestly, I can't read this. Piper or Dallas, can you please work with Lindsay to get something legible.</i>
9/30/2025	Revised plans submitted by applicant contractor via email in response to comments	
10/2/2025	<i>Application rejected by zoning (HW) as incomplete, comments sent via phone</i>	<i>Still need a complete and up to date final site plan that matches the survey, The partial site plan doesn't match survey. Please resubmitted revised site plan to match survey showing all structures, surfaces, and matching lot coverage table</i>
10/3/2025	Revised plans submitted by applicant contractor via email in response to comments	
10/3/2025	Plans routed to review by staff zoning	

Timeline: Pool Permit #202500885 for 1015 2nd St

<p>10/3/2025</p>	<p>Plans conditionally approved by zoning (HW)</p>	<p><i>50% lot coverage approved to be verified inspection upon completion, When any mechanical or electrical equipment is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a solid board fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.</i></p>
<p>10/6/2025</p>	<p>Pool Permit #202500885 Issued for 1015 2nd St submitted by Premier Pools</p>	<p><i>50% lot coverage approved to be verified inspection upon completion, When any mechanical or electrical equipment is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a solid board fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.</i></p>
<p>10/10/2025</p>	<p>Complaint submitted by John Michalik regarding tree protection, lot coverage, and screening of mechanical equipment</p>	
<p>10/12/2025</p>	<p>Arborist (BW) asked to review and approve submitted plans</p>	
<p>10/13/2025</p>	<p>Revised plans submitted by applicant contractor via email in response to comments</p>	
<p>10/14/2025</p>	<p>Pool Permit #202500885 Reissued for 1015 2nd St submitted by Premier Pools</p>	<p><i>50% lot coverage approved to be verified inspection upon completion, When any mechanical or electrical equipment is proposed within a yard and is enclosed by a masonry wall at least four (4) feet high, it may be located within two (2) feet of any side lot line. When any mechanical or electrical equipment is proposed within a yard and is enclosed by a solid board fence at least four (4) feet high, it may be located within five (5) feet of any side lot line.</i></p>
<p>10/15/2025</p>	<p>Complaint submitted by John Michalik regarding tree protection, lot coverage, and screening of mechanical equipment</p>	

Timeline: Pool Permit #202500885 for 1015 2nd St

<p>10/15/2025</p>	<p>Arborist (BW) asked to review and approve submitted plans</p>	
<p>10/16/2025</p>	<p>Complaint submitted by John Michalik regarding tree protection, lot coverage, and screening of mechanical equipment</p>	
<p>10/16/2025</p>	<p>Zoning (HW) emailed contractor and discussed with contractor project requirements regarding setbacks, lot coverage, materials, and equipment screening</p>	
<p>10/17/2025</p>	<p>Applicant contractor submitted site plan details showing compliant setbacks, mechanical screening, lot coverage and tree protection in response to comments</p>	
<p>10/21/2025</p>	<p>Complaint submitted by John Michalik regarding tree protection, lot coverage, and screening of mechanical equipment</p>	
<p>10/21/2025</p>	<p>Admin Appeal on Pool Permit #202500885 submitted by John Michalik regarding tree protection, lot coverage, and screening of mechanical equipment</p>	

Timeline: Pool Permit #202500885 for 1015 2nd St

<p>10/23/2025</p>	<p>Code Enforcement (TS) and Arborist (BW) conduct site visit to verify compliance with permit conditions and tree protection barrier</p>	
<p>10/23/2025</p>	<p>Erosion Control and Tree Protection Inspection Passes: Code Enforcement (TS) and Arborist (BW) conduct site visit to verify compliance with permit conditions and tree protection barrier</p>	
<p>10/24/2025</p>	<p>Applicant contractor submitted site plan details showing compliant setbacks, mechanical screening, lot coverage and tree protection in response to comments</p>	
<p>10/28/2025</p>	<p>Applicant contractor submitted site plan details showing compliant setbacks, mechanical screening, lot coverage and tree protection detail in response to all comments</p>	

EXHIBIT “C”

ALL POOL SUCTION TO BE VGB COMPLIANT
AND MEET LOCAL CODES

PLOT PLAN

DRAINAGE IN REAR AND ALONG SIDES
OF RESIDENCE TO BE MAINTAINED

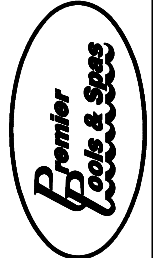
Any roots found that is 6" diameter the city arborist will be contacted

Make clean cuts to all roots to minimize damage

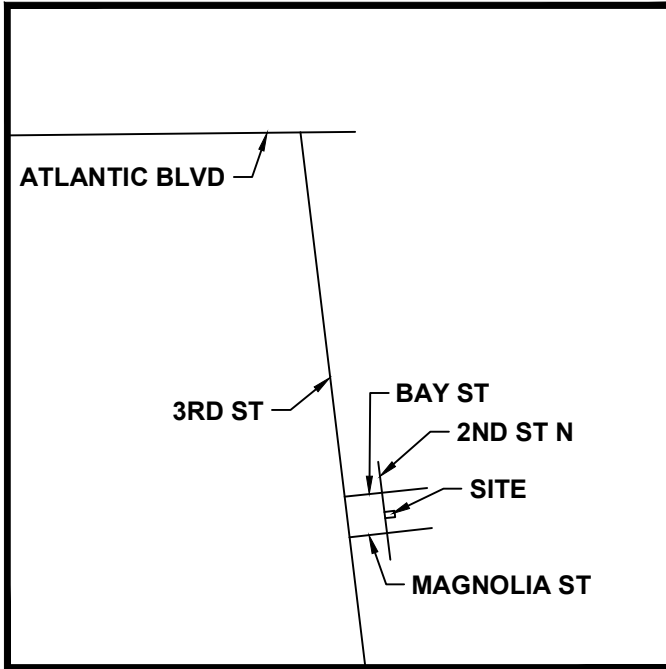
Minimize machine compaction to the root zone

Directionally bore the plumbing or install in such a way that does
not sever roots in that area

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Jacksonville, FL 32207
(904)204-3200





VICINITY MAP

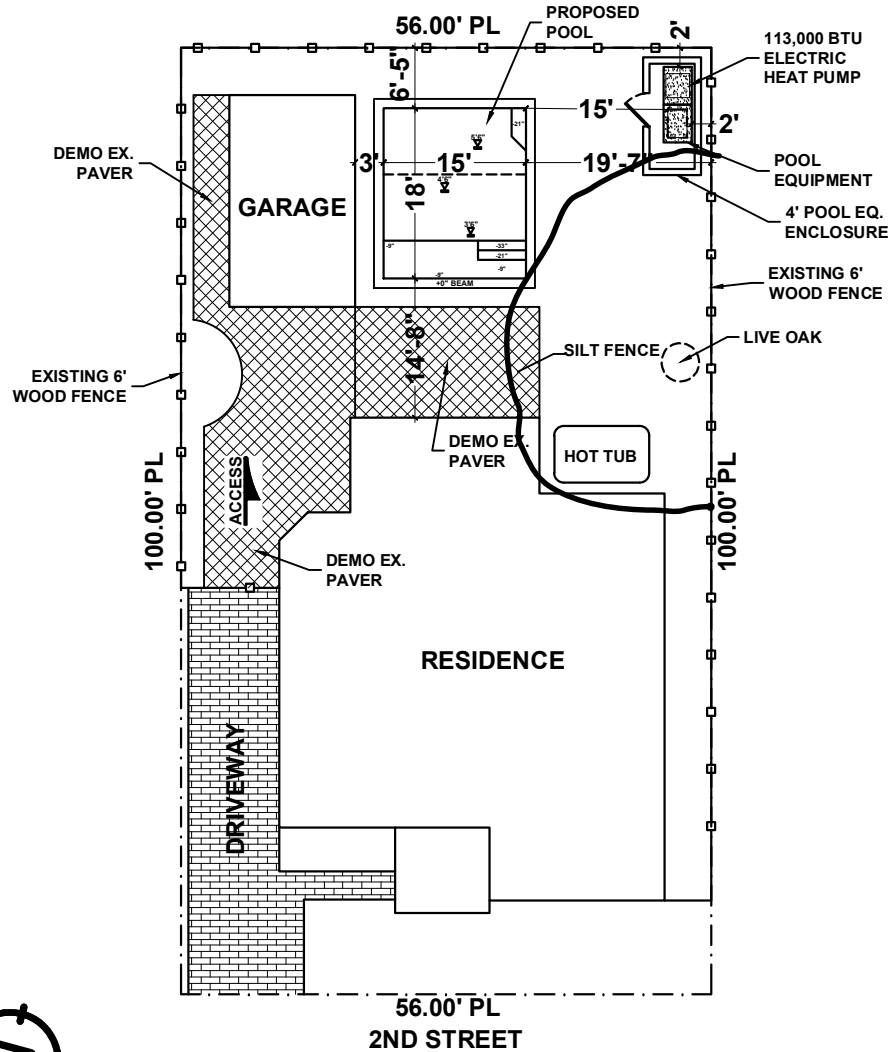


PROPERTY INFORMATION

APN: 172880-0000
SUBDIVISION: LONGINOS R/P PT OF NEPTUNE
LOT #: 3
JURISDICTION: NEPTUNE BEACH

-  EXISTING TO BE REMOVED
- 693 SF
-  PROPOSED EQ. PAD
- 24 SF

-  EXISTING PERVIOUS
DRIVEWAY/WALKWAY
- 475 SF



LOCATION		NEPTUNE BEACH	
TOTAL LOT AREA		5600	
EXISTING	TOTAL COVERAGE SF	TOTAL ACCOUNTED SF	
HOUSE	1720	1720	
DRIVEWAY	435	218	
SIDEWALK	40	20	
PORCH	90	90	
GARAGE	298	298	
SHEDS			
PATIO			
DECKING			
A/C	18	18	
OTHER			
TOTAL		2364	
NEW	TOTAL COVERAGE SF	TOTAL ACCOUNTED SF	
DECKING			
POOL & COPING	340	340	
EQUIP PAD	24	24	
TOTAL NEW		364	
GRAND TOTAL		2728	
TOTAL COVERAGE		48.7 %	
LOT LIMIT		50%	



****NOTE: PROPERTY LINE LENGTHS AND DIMENSIONS TO
PROPERTY LINES ARE APPROXIMATE.****

REVISED
ISSUE DATE:
10-24-25

JOB # 1302

NAME: SURRENCY, KIM
ADDRESS: 1015 2ND STREET
PHONE 1: 904-476-6204
CONSULTANT: MILLISA BODKIN
SUPERVISOR: JUSTIN WRIGHT
DRAFTSMAN: T.B.
CITY: NEPTUNE BEACH, FL 32266
PHONE 2:
PHONE: 904-676-5171
PHONE: 904-719-0607
CONTRACT DATE: 7-19-25
CUSTOMER SIGNATURE:

SITE PLAN

Any roots found that is 1.5" diameter the city arborist will be contacted

Make clean cuts to all roots to minimize damage

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(904)204-3200

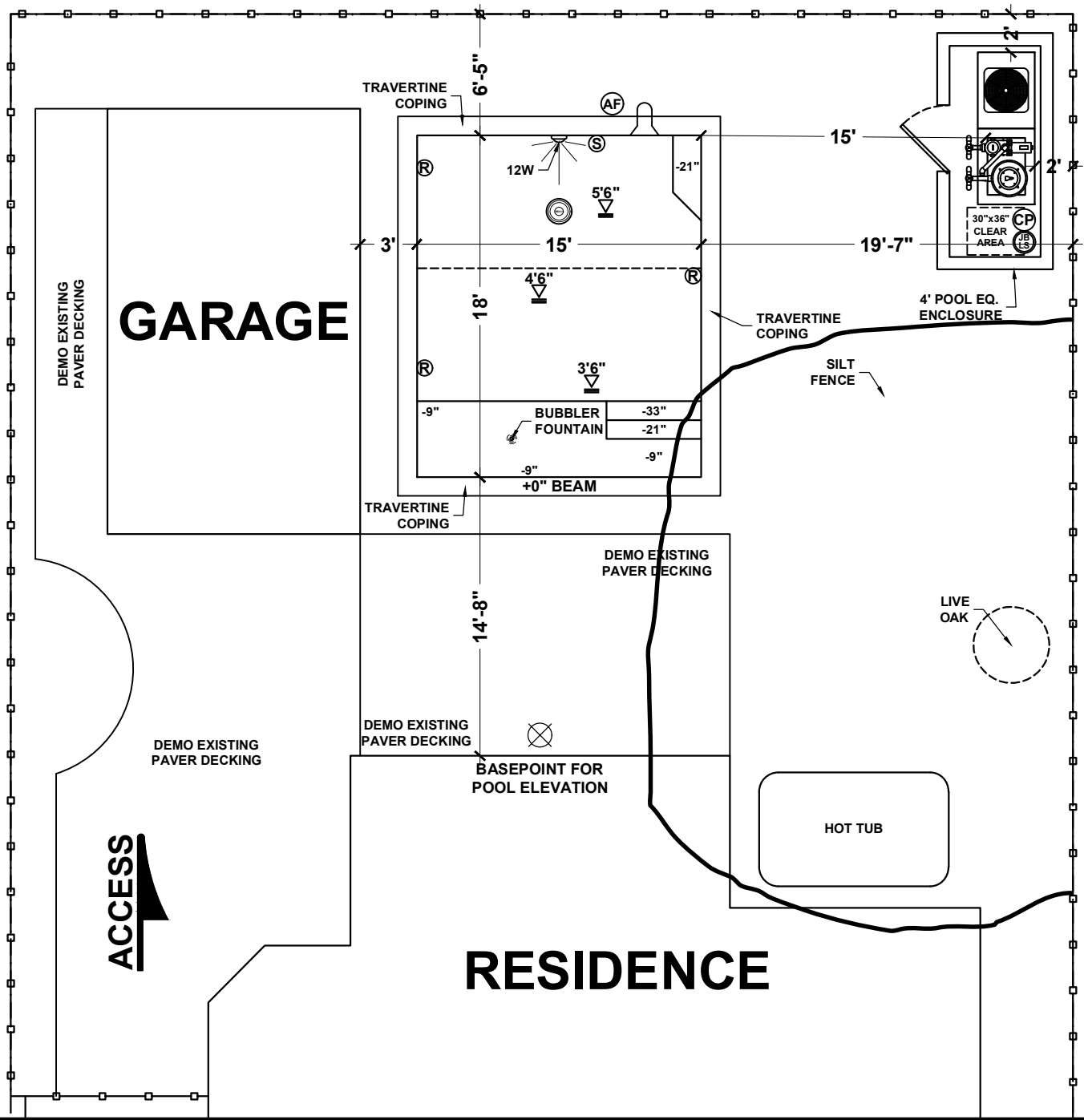


ELEVATIONS TO BE SET AT TIME OF EXCAVATION

ELECTRIC TO LIGHTS TO BE RUN THROUGH PLASTIC CONDUIT BURIED 12" MIN

POOL BARRIERS BY OWNER PER CODE
 * PRIOR TO FILLING POOL WITH WATER.
 * GATE IS TO OPEN AWAY FROM POOL.
 * LATCH TO BE 54" MIN. FROM GROUND
 * OPENINGS ON ANY BARRIER OR GATE MUST BE LESS THAN 3.99 INCHES.
 * FOR MORE COMPLIANCE INFO SEE CITY ORDINANCE HANDOUTS.

LEGEND	
(R)	RETURN
(T)	THERAPY JET
(M)	MAIN DRAIN
(S)	SIDE SUCTION
(SK)	SKIMMER
(BJ)	BUBBLER / DECK JET
(VC)	VAC / CLEANER PORT
(AF/OF)	AUTOFILL/OVERFLOW
(AS)	AUXILIARY SUCTION
(BS)	BASKETBALL SLEEVE
(VS)	VOLLEYBALL SLEEVE
(UMB)	UMBRELLA SLEEVE
(E)	ECOCLEAN RETURN
(IA)	INFLOOR ACTUATOR



ACCESS

REVISED
ISSUE DATE:
10-24-25

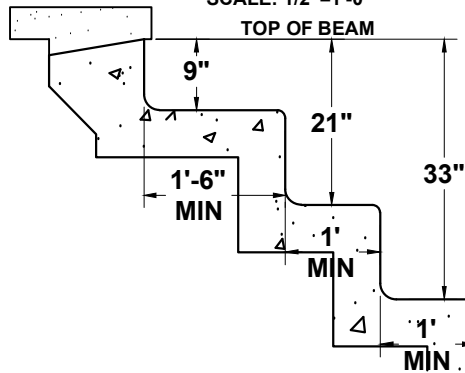
JOB # 1302

NAME: SURRENCY, KIM
 ADDRESS: 1015 2ND STREET
 PHONE 1: 904-476-6204
 CONSULTANT: MILLISA BODKIN
 SUPERVISOR: JUSTIN WRIGHT
 DRAFTSMAN: T.B.
 CITY: NEPTUNE BEACH, FL 32266
 PHONE 2:
 PHONE: 904-676-5171
 PHONE: 904-719-0607
 CONTRACT DATE: 7-19-25
 CUSTOMER SIGNATURE:

SPEC. & STEP DETAILS

STEP SIDE VIEW

SCALE: 1/2"=1'-0"



3'6"

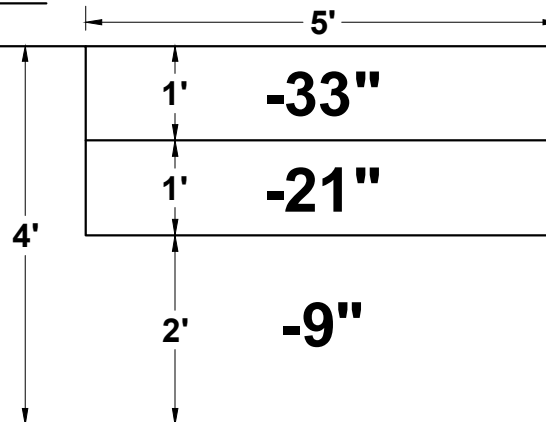


BUBBLER
FOUNTAIN



-9"

+0" BEAM



REVISED

ISSUE DATE:
10-24-25

JOB # 1302

POOL SPECIFICATIONS

POOL DIMENSIONS	18'-0" x 15'-0"
POOL DEPTHS	3'-6" x 4'-6" x 5'-6"
POOL SURFACE AREA	270 SF
POOL PERIMETER	66'
POOL INTERIOR AREA	584 SF
POOL VOLUME	9,593 GALLONS

SPA SPECIFICATIONS

SPA DIMENSIONS	-
SPA SURFACE AREA	-
SPA PERIMETER	-
SPA INTERIOR AREA	-
SPA VOLUME	-

EQUIPMENT

CIRCULATION PUMP	1.85 HP / VARIABLE / FLO PRO
AUX. PUMP 1	-
FILTER	200 CARTRIDGE
HEATER	113,000 BTU ELECTRIC HEAT PUMP
SANITATION	TRU CLEAR SALT / TRU GUARD MINERAL
CONTROLS	JANDY TCX
JVA	-
SPA BLOWER	-
POOL RETURNS	(3)
SPA THERAPIES	-

ELECTRIC

POOL LIGHT	(1) 12W COLOR LED
SPA LIGHT	-

STEEL & GUNITE

BENCHES & STEPS	32'
ROCK NOTCHES	-
6" RAISED BEAM	-
12" RAISED BEAM	-
18" RAISED BEAM	-
24" RAISED BEAM	-
RAISED SPA SLEEVES	-

WATER FEATURES

SHEER DESCENTS	-
FOUNTAINS	(1) BUBBLER
WATER BOWLS	-
WATERFALLS	-

DECK

DECK MATERIAL	-
DECK COLOR	-
COPING MATERIAL	TRAVERTINE COPING
COPING COLOR	SEE COLOR SELECTION SHEET
NEW DECK (CONTRACT)	-
NEW DECK (PLAN)	-
EXISTING DECK AREA	-
DECK SLEEVES	-

TILE

RAISED BEAM FACING	-
SPILLWAY TILE	-
TILE INSERTS	-

INTERIOR

INTERIOR FINISH TYPE	PLASTER
INTERIOR FINISH COLOR	SEE COLOR SELECTION SHEET

MISCELLANEOUS

MISC.	-
MISC.	-
MISC.	-

BARRIERS

BARRIERS	BY OWNERS
CLOSURES	BY OWNERS

START UP

TOTAL VOLUME	9,593 GALLONS
CLEANING SYSTEM	PARAMOUNT PV3 INFLOOR
POOL COVER	-
INTERIOR BRUSHING	BY OWNERS
POOL SERVICE	30 DAYS

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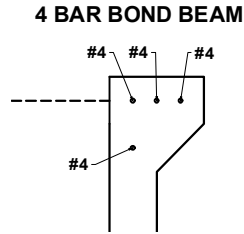


NAME: SURRENCY, KIM
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CROSS SECTION

STEEL:
BOND BEAM TO BE 4 BAR - (4) #4.

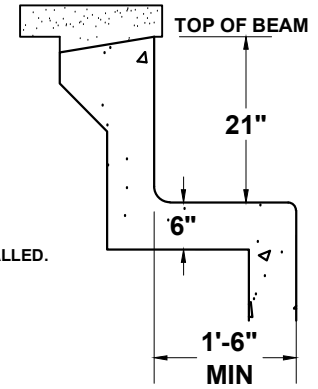
GUNITE: 6" SHELL MIN



NOTE TO FINISHING CREW:
ALL 1/2" PIPE LINES THROUGH GUNITE MUST
HAVE THREADED WALL RETURN FITTINGS INSTALLED.

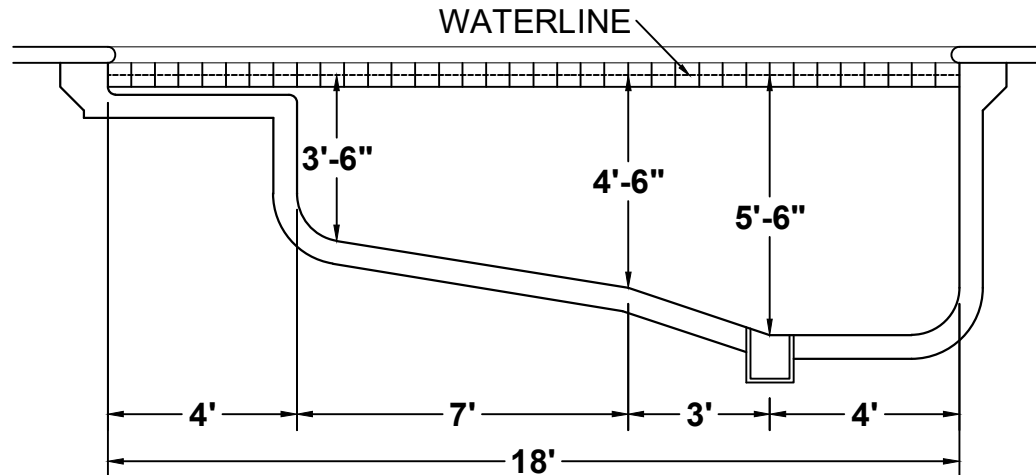
BENCH SIDE VIEW

SCALE: 1/2"=1'-0"



POOL SECTION

SCALE: 1/4"=1'-0"



NOTE TO EXCAVATOR:
EXCAVATE POOL 10" DEEPER THAN
FINISHED GUNITE ON INFLOOR POOLS ONLY

REVISED
ISSUE DATE:
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JOB # 1302

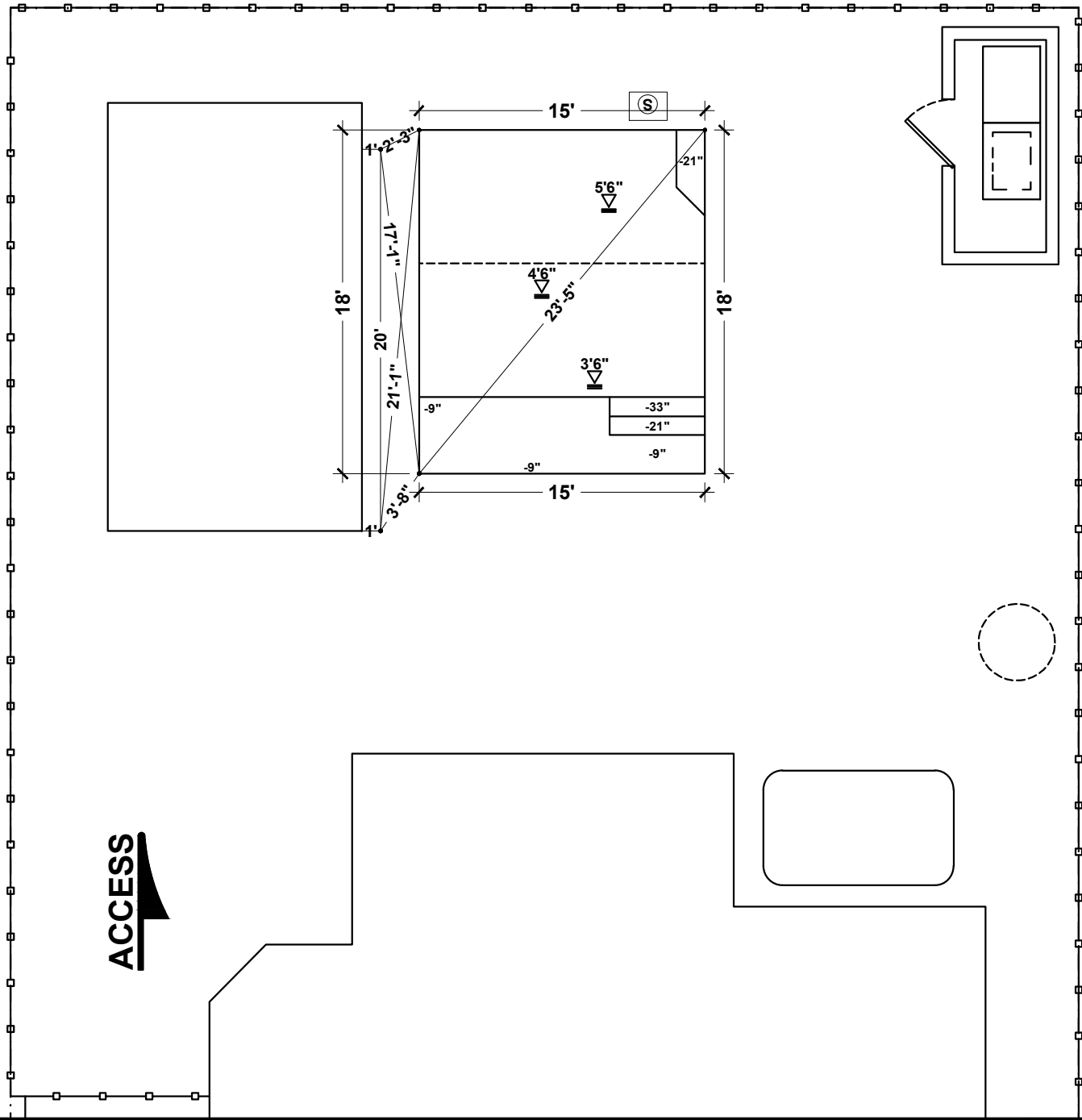
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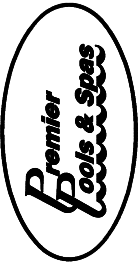
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LAYOUT PLAN

NOTE: LAYOUT DIMENSIONS
 ARE TO WATERLINE
 (DEPTHS ARE TO TOP OF BEAM)



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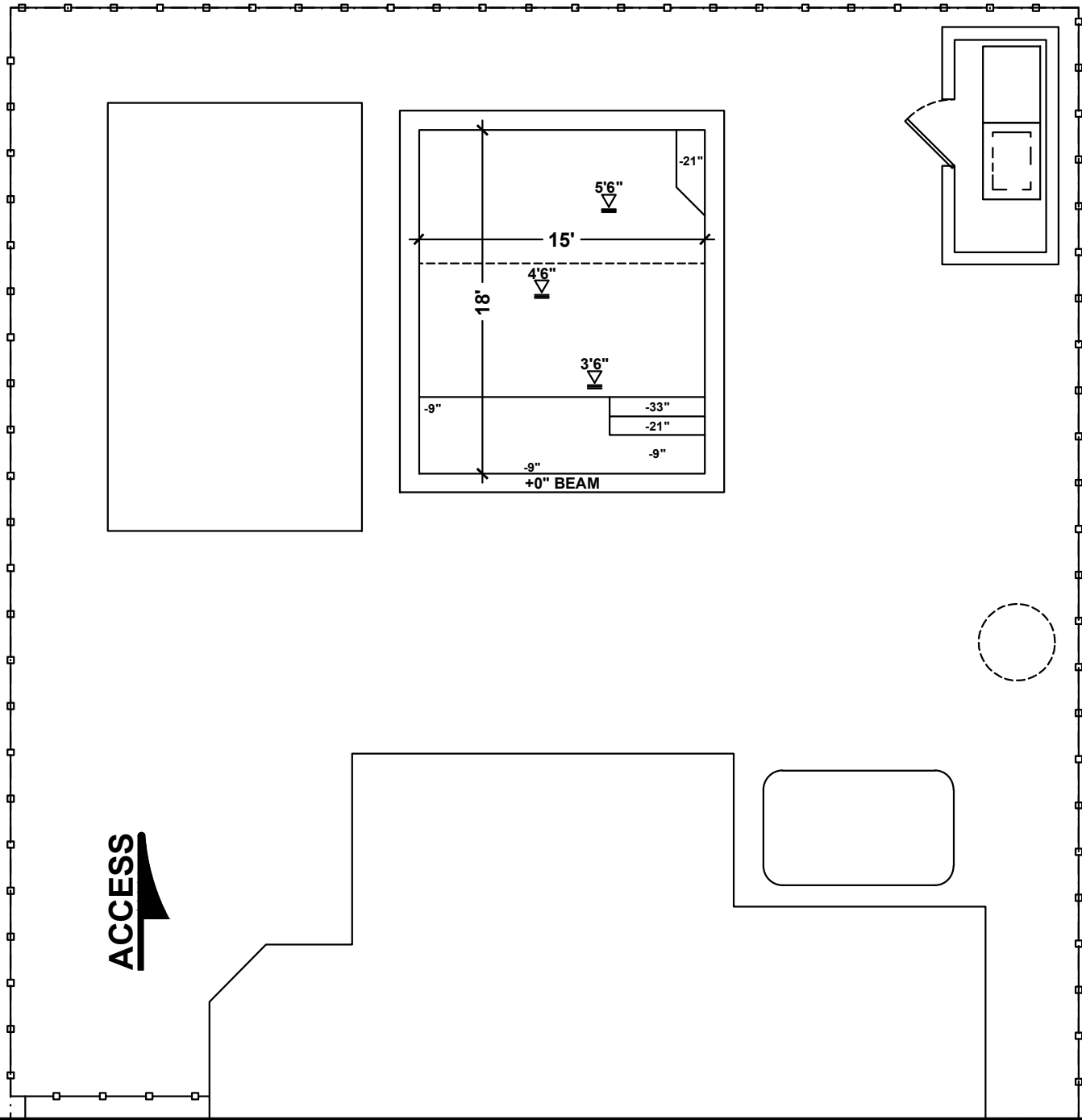


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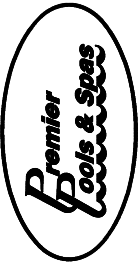
REVISED
 ISSUE DATE:
 10-24-25
 JOB # 1302

GUNITE DETAILS

NOTE TO FINISHING CREW:
 ALL 1½" PIPE LINES THROUGH GUNITE MUST
 HAVE THREADED WALL RETURN FITTINGS INSTALLED.



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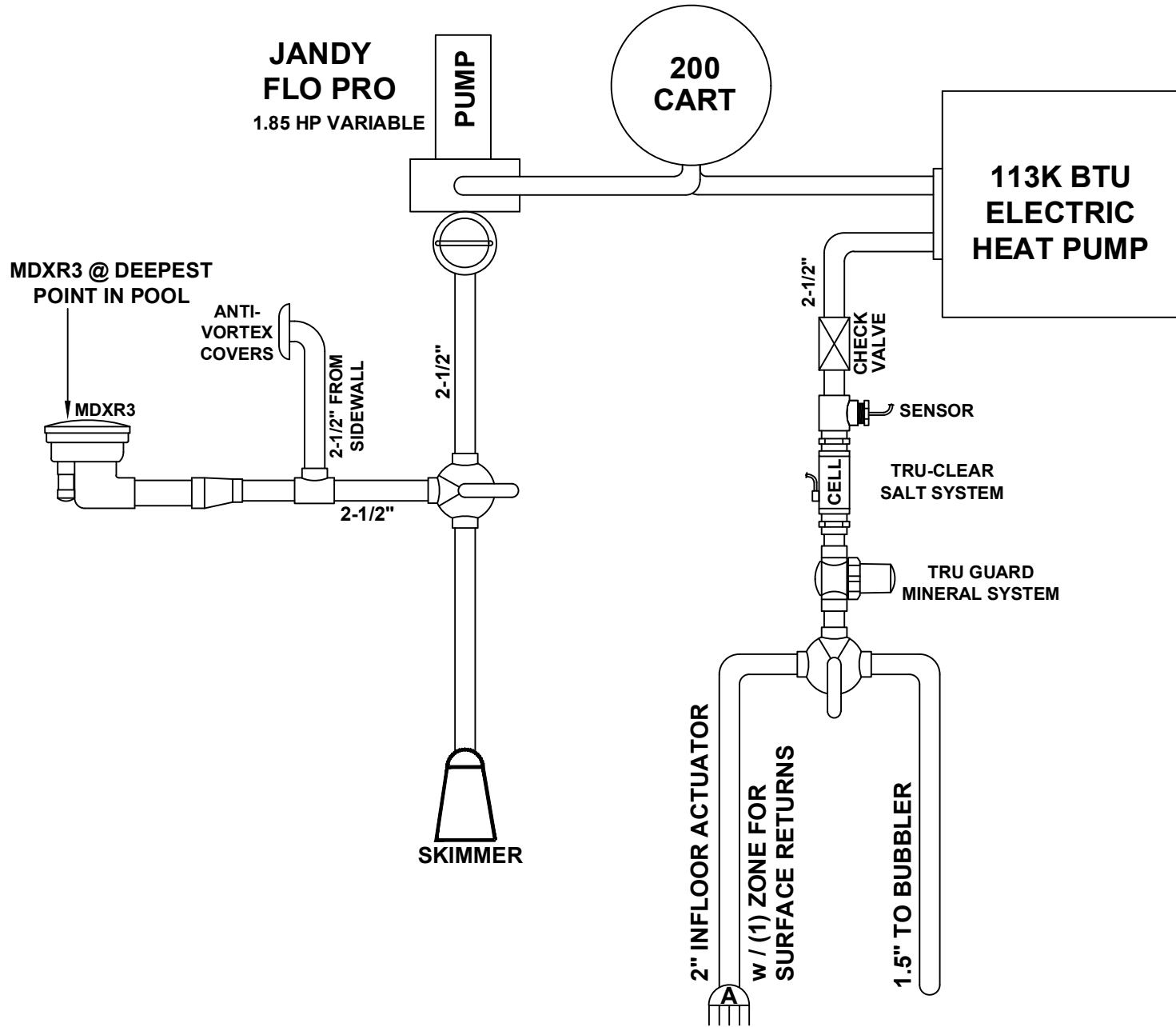
REVISED
 ISSUE DATE:
 10-24-25

JOB # 1302

ALL BYPASS RETURNS TO BE
-21" MINIMUM BELOW TOP OF BEAM

PLUMBING LAYOUT

PLUMBING: ALL PLUMBING IS REQUIRED
TO HAVE TRACER WIRE (BLUE 18AWG WIRE)



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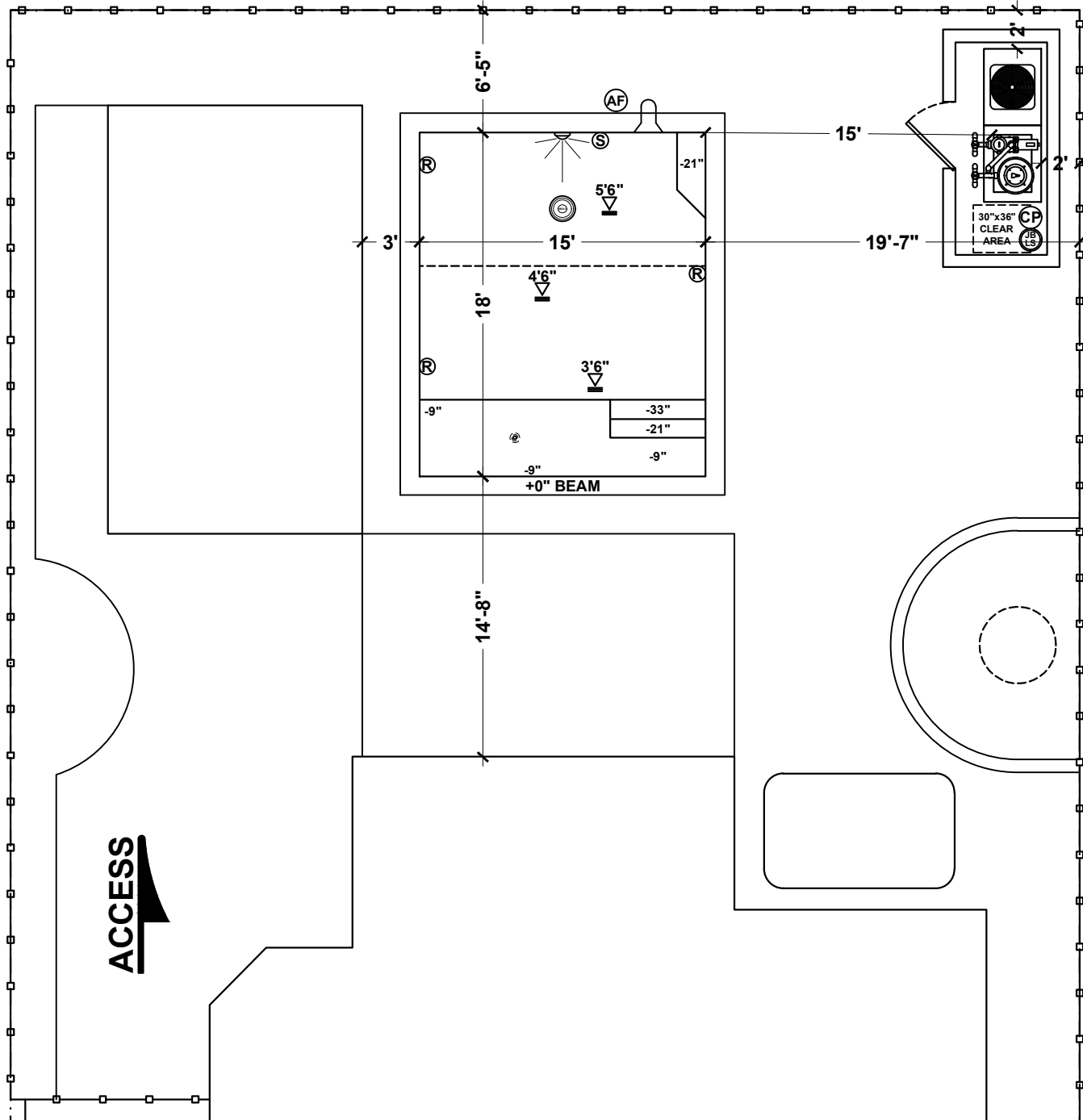


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REVISED
ISSUE DATE:
10-24-25
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NOTE TO FINISHING CREW:
ALL 1 1/2" PIPE LINES THROUGH GUNITE MUST
HAVE THREADED WALL RETURN FITTINGS INSTALLED.

SITE PLAN - NO NOTES



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 Jacksonville, FL 32207
 (904)204-3200



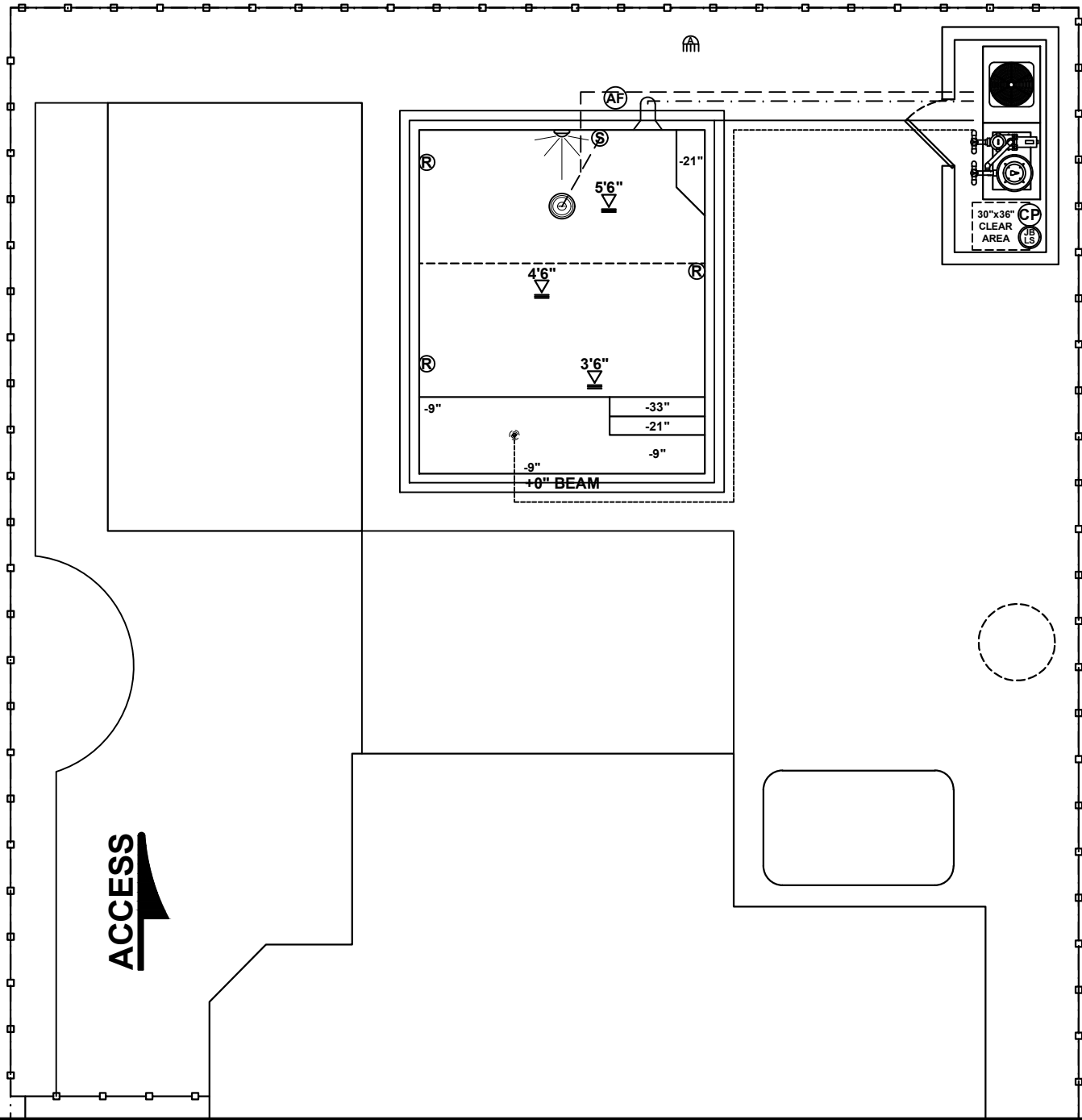
ACCESS →

REVISED
 ISSUE DATE:
 10-24-25

JOB # 1302

NAME: SURRENCY, KIM
 ADDRESS: 1015 2ND STREET
 CITY: NEPTUNE BEACH, FL 32266
 PHONE 1: 904-476-6204
 PHONE 2:
 CONSULTANT: MILLISSA BODKIN
 PHONE: 904-676-5171
 SUPERVISOR: JUSTIN WRIGHT
 PHONE: 904-719-0607
 DRAFTSMAN: T.B.
 CONTRACT DATE: 7-19-25
 CUSTOMER SIGNATURE: _____

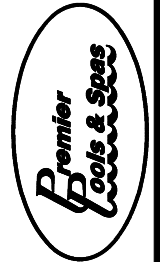
PLUMBING SITE PLAN



LEGEND	
(R)	RETURN
(T)	THERAPY JET
(M)	MAIN DRAIN
(S)	SIDE SUCTION
(SK)	SKIMMER
(B)	BUBBLER / DECK JET
(VC)	VAC / CLEANER PORT
(AF/OF)	AUTOFILL/OVERFLOW
(AS)	AUXILIARY SUCTION
—	RETURN LINE
- - -	MAIN DRAIN LINE
- . - . -	SKIMMER LINE
- - - - -	CLEANER LINE
- - - - -	FEATURE RETURN LINE

ACCESS

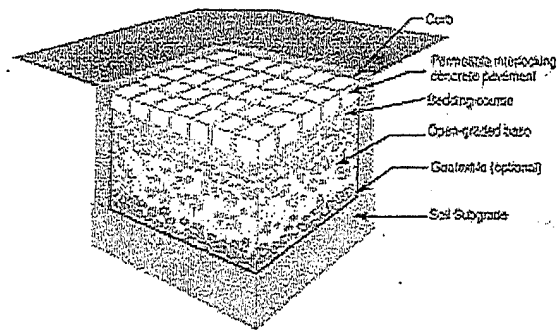
JACKSONVILLE
3728 Phillips Hwy, Suite 4
Jacksonville, FL 32207
(904)204-3200



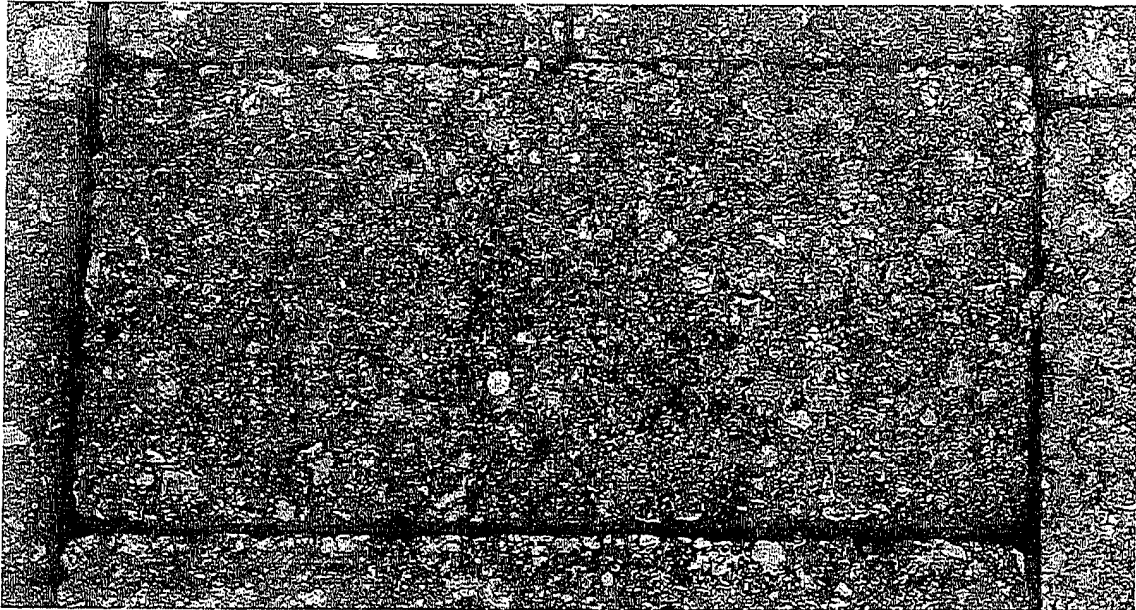
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Tremron
 GROUP *we make it easy*



Pervious Pavers



The porous appearance of these units allows rainfall to directly enter and pass through because concrete has no fines. Like other pavers, the units are fitted together over bedding, pea gravel is recommended. Sanding the joints is not recommended as this could clog the pavers. Porous units do not meet the requirements of ASTM C 936; however, these units have strength of 4,000+ psi with a permeability of over 40 inches per hour.

The best use is for pedestrian areas, bicycle paths, and residential applications. We offer pervious pavers in our 4x8, Old Towne, 6x9, and 6x6 profiles and in all of our standard blends.

Some of the benefits;

- Reduction of runoff by as much as 100% from frequent, low-intensity and short duration storms.
- Increased recharge of ground water.
- Eliminates flooding and puddling in parking lots
- Reduction or elimination of retention ponds
- Conservation of space on site and reduction of impervious cover

More info is available at ICPI website; http://www.icpi.org/design/permeable_pavers.cfm

Tremron Group, Arcadia (863) 491-0990 www.tremrongroup.com



Plant:	<u>Tremron – Arcadia, Florida</u>	Job No:	<u>27772</u>
Client:	<u>Tremron</u>	Report No:	<u>347424</u>
		Report Date:	<u>7/24/07</u>
Unit ID:	<u>Echo Stone Pervious Pavers, 7/9/07</u>	Received Date:	<u>7/12/07</u>

TESTING OF SOLID CONCRETE PAVING UNITS

Compressive Strength – test date 7/23/07 at 14 days of age

Unit No.	4A	4B	4C	Average
Received weight, lbs	9.17	9.29	9.53	9.33
Width, inches	6.26	6.32	6.32	6.30
Height, inches	2.40	2.37	2.40	2.39
Length, inches	9.42	9.42	9.43	9.42
Saw-cut length, inches	4.71	4.77	4.70	4.73
Net Area, in ²	29.48	30.15	29.70	29.78
Load, lbs	139,380	132,760	137,850	136,660
Compressive Strength, psi	4,730	4,400	4,640	4,590

Compression tests were performed in accordance with ASTM C140.

Unit No.	Permeability
4D	44.4 inches/hour (3.1 x 10 ⁻² cm/s)

Respectfully submitted,

QORE, Inc.

Russell Scribner
Materials Laboratory Manager

Report Distribution:
Tremron / Mr. Mike Somers

John Michalik Communication Log

	Date	Form of Communication	Subject Address	Subject Matter
1	9/15/2022	Email	1020 1st	Complaint RE grass
2	12/29/2022	Email	1006 1st	Complaint RE conditions
3	12/29/2022	In Person	226 Magnolia	Complaint RE dumping of trash
4	7/17/2023	Email	1205 1st	Complaint RE damaged street
5	7/2/2023	Email	1200 Strand	Complaint RE fence
6	7/17/2023	In Person	1205 1st	Complaint RE site conditions
7	11/23/2023	Email	222 Florida	Complaint RE contractor
8	11/27/2023	In Person	1001 1st	Complaint RE damaged street
9	11/27/2023	In Person	102 Magnolia	Complaint RE damaged street
10	11/27/2023	In Person	101 Florida	Complaint RE damaged street
11	11/27/2023	In Person	318 Florida	Complaint RE damaged street
12	12/1/2023	Email	226 Magnolia	Complaint Battery left on property
13	2/15/2024	Email	210 Magnolia	Complaint RE site conditions
14	2/15/2024	Email	1020 1st	Complaint RE grass
15	4/29/2024	Email	1205 1st	Complaint RE damaged street
16	5/13/2024	In person/Email	1020 1st	Complaint RE damage to street sign
17	5/20/2024	Email	1205 1st	Complaint RE site conditions
18	5/21/2024	Email	1206 1st	Complaint RE site conditions
19	10/3/2024	Email	1020 1st	Complaint RE pickleball
20	10/14/2024	Email	113 Florida	Complaint RE site conditions
21	10/25/2024	Email	317/319 Bay	Complaint RE storage unit
22	10/31/2024	Email	1020 1st	Complaint RE pool site conditions
23	11/6/2024	Email	1308 1st	Complaint RE demolition and silt fence
24	11/12/2024	Email	1020 1st	Complaint RE damage to street
25	11/12/2024	Email	210 Magnolia	Complaint RE site conditions
26	11/14/2024	Email	1020 1st	Complaint RE roof flashing
27	12/2/2024	Email	216 Walnut	Complaint RE storage unit
28	12/4/2024	Email	110 Magnolia	Complaint RE location and screening of AC
29	1/23/2024	Email	110 Magnolia	Complaint RE location and screening of AC
30	3/4/2025	Email	110 Magnolia	Complaint RE road damage
31	3/25/2025	Email	102 Pine	Complaint RE hazard in ROW
32	5/20/2025	Email	1020 1st	Complaint RE standing water
33	8/13/2025	Email	721 2nd	Complaint RE site conditions
34	8/20/2025	In person/Email	109 Florida	Complaint RE grass
35	8/28/2025	Email	1015 2nd	Complaint RE tree
36	9/10/2025	Email	102 North	Complaint RE building height
37	9/12/2025	Email	912 First	Complaint RE grass
38	9/13/2025	Email	301 Pine st	Complaint RE unpermitted work
39	9/15/2025	In person/Email	110 Magnolia	Complaint RE unpermitted pergola
40	9/23/2025	Email	102 North	Complaint RE DEP CCCL violations

John Michalik Communication Log

41	9/25/2025	Email	1015 2nd	Complaint RE pool permit and tree
42	9/27/2025	Email	102 North	Complaint RE no erosion control
43	9/28/2025	In person/Email	1015 2nd	Complaint RE tree
44	9/30/2025	Email	102 North	Complaint RE no erosion control
45	9/30/2025	Email	102 North	Complaint RE unpermitted work
46	10/3/2025	In person/Email	102 North	Complaint RE DEP CCCL violations
47	10/7/2025	in person/Email	102 North	Complaint RE public safety hazard
48	10/8/2025	Email	102 North	Complaint RE unpermitted work
49	10/10/2025	Email	217 Magnolia	Complaint RE unpermitted work
50	10/10/2025	Email	1015 2nd	Complaint RE unprotected tree Complaint RE Eric Pardee Building Inspector
51	10/13/2025	Email	102 North	
52	10/15/2025	Email	1015 2nd	Complaint RE unprotected tree
53	10/17/2025	Email	110 Magnolia	Complaint RE unpermitted pergola
54	10/21/2025	Email	102 North	Complaint RE public safety hazard
55	10/21/2025	Email	1015 2nd	Complaint RE permit appeal