



AGENDA
HISTORIC REVIEW BOARD MEETING
JANUARY 21, 2026 AT 6:00 PM
116 FIRST STREET
NEPTUNE BEACH, FL 32266

1. Call to Order and Roll Call
2. Introductions
3. Pledge of Allegiance
4. **Board Training:** Sunshine Law, Public Records, Voting Conflicts, & Quasi-Judicial Hearing Training for Local Government Board Members
 - Paul Waters, City Attorney
5. **Board Training:** Part II - Code Of Ordinances, Chapter 2 – Administration, Article VII Boards, Commissions and Committees, Division 5: Historical Review Board
 - Heather Whitmore, AICP, Community Development Director
6. Discussion of next meeting: January 28, 2026
7. Open Discussion
8. Adjourn

Sunshine Law, Public Records, Voting Conflicts, & Quasi-Judicial Hearing Training for Local Government Board Members



Presented by:

**Paul Waters, Esq.
Partner, Vose Law Firm LLP**

Presentation Overview



Today, we'll be covering:

- **Government in the Sunshine (Open Meetings) Law**
- Public Records Law
- Voting Conflicts
- Quasi-Judicial Hearings

Government in the Sunshine (Open Meetings) Law



Scope of the Sunshine Law



- Provides right of access to governmental proceedings
- Applies to both elected and appointed boards
- General Rule – All meetings at which official acts are taken or public business is transacted or discussed shall be open and noticed to the public

Scope of the Sunshine Law



Sunshine Law applies to:

- Any meeting
- Between two or more members of the same board
- When discussing matters that may foreseeably come before that board

“Meeting” includes:

- City Commission meetings and workshops
- Telephone calls and text messages
- Emails and other written correspondence
- Informal discussions or deliberations

Scope of the Sunshine Law



There are three basic requirements :

- (1) Meetings of public boards or commissions must be open to the public
- (2) Reasonable notice of such meetings must be given
- (3) Minutes of the meetings must be taken, promptly recorded and open to public inspection

Scope of the Sunshine Law



- Advisory boards created pursuant to law or ordinance or otherwise established by public agencies are subject to the Sunshine Law, even though their recommendations are not binding upon the agencies that create them.

Scope of the Sunshine Law



- While a board member is not prohibited from discussing board business with staff or a nonboard member, these individuals cannot be used as a liaison to communicate information between board members.
- For example, a board member cannot ask staff to poll the other board members to determine their views on a board issue.

Meetings



Meetings must be open to public:

- Location accessible to the public
- Adequate size
- May not discriminate against or restrict access to public

So, meetings subject to the Sunshine Law generally should not be held in private homes, or restaurants where an attendee may feel compelled to order a meal.

Meetings



- While boards may adopt reasonable rules and policies to ensure orderly conduct of meetings, the Sunshine Law does not allow boards to ban non-disruptive videotaping, tape recording, or photography at public meetings.

Meetings – Right to Public Comment



Newer section of Sunshine Law enacted in 2013 - Sec. 286.0114, Fla. Stat.:

- Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission.

Meetings – Right to Public Comment



Newer section of Sunshine Law enacted in 2013 - Sec. 286.0114, Fla. Stat.:

- The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if:
 - The opportunity occurs at a meeting that is during the decision making process, and
 - is within reasonable proximity in time before the meeting at which the board or commission takes the official action.

Meetings – Right to Public Comment



Newer section of Sunshine Law enacted in 2013 - Sec. 286.0114, Fla. Stat.:

- This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting.

Meetings – Right to Public Comment



Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

- Provide time limits for individuals to address the board.
- Prescribe procedures for allowing representatives of groups or factions to address the board, rather than all members of such groups, at meetings in which a large number of individuals wish to be heard.
- Prescribe procedures or forms for an individual to use to inform the board of a desire to be heard.
- Designate a specified period of time for public comment.

Penalties



- Any member of a board or commission or of any state agency or authority of a county, municipal corporation, or political subdivision who knowingly violates the Sunshine Law is guilty of a misdemeanor of the second degree.
- An unintentional violation may be prosecuted as a noncriminal infraction resulting in a civil penalty up to \$500.

Penalties



- The Sunshine Law provides that no resolution, rule, regulation or formal action shall be considered binding except as taken or made at an open meeting.

Penalties



- Recognizing that the Sunshine Law should be construed so as to frustrate all evasive devices, the courts have held that action taken in violation of the law was void *ab initio*.

Public Records Law



Scope of the Public Records Act



- Florida's Public Records Act provides a right of access to records of state and local governments as well as to private entities acting on their behalf.
- A right of access is also recognized in Article I, section 24 of the Florida Constitution, which applies to virtually all state and governmental entities including the legislative, executive, and judicial branches of government. The only exceptions are those established by law or by the Constitution.

Scope of the Public Records Act



- Section 119.011(12), Florida Statutes, defines "public records" to include:

all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

Scope of the Public Records Act



- The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge.

Scope of the Public Records Act



- All such materials, **regardless of whether they are in final form**, are open for public inspection **unless the Legislature has exempted them from disclosure.**
- There is no **“This is Really Embarrassing!”** exemption from the Public Records Act.

Electronic Records



- Email messages made or received by public officers or employees in connection with official business are public records and subject to disclosure in the absence of a statutory exemption.
- The Attorney General has advised that materials placed on an agency's Facebook page presumably would be in connection with official business and thus subject to Chapter 119, Florida Statutes.

Providing Public Records



- Section 119.07(1)(a), Florida Statutes, provides that “[e]very person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of public records or the custodian’s designee.”

Penalties



- A person who has been denied the right to inspect and/or copy public records under the Public Records Act may bring a civil action against the agency to enforce the terms of Ch. 119.

Penalties



- In addition to judicial remedies, Section 119.10(1)(b), Florida Statutes, provides that a public officer who knowingly violates the provisions of section 119.07(1), Florida Statutes, is subject to suspension and removal or impeachment and is guilty of a misdemeanor of the first degree, punishable by possible criminal penalties of one year in prison, or \$1,000 fine, or both.

Voting Conflicts



Voting Conflicts



- Voting Conflicts Law codified in Section 112.3143

To Whom Does This Apply?



- “Public Officers,” that is, persons elected or appointed to hold office in an agency, including persons serving on an advisory body
- If you are a member of a collegial body, it applies to you.

What is a Voting Conflict?



Local elected or appointed officers may not vote on:

- Any measure which would inure to his or her special private gain or loss, or
- Any measure which a public officer *knows* would inure to the special private gain or loss of:
 - A principal by whom he/she is retained
 - A parent organization or subsidiary of a corporate principal by whom the officer is retained
 - A relative
 - A business associate

Who is a “Principal?”



- An employer
- A client of a legal, accounting, insurance, or other professional practice
- A corporation for which officer serves as a compensated director

Who is a “Relative?”



- Father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law
- Note: This definition is different than the similar definitions of “relative” in the anti-nepotism and gift laws

What is a “Business Associate?”



- A person or entity who is carrying on a business enterprise with the public officer, regardless of the form of the business
- Key Question #1– Are they engaging in a common commercial or entrepreneurial pursuit?
- Key Question #2 – Is this a current, ongoing business relationship?

“Special” Private Gain (or Loss)



- The voting conflicts law does not apply to all situations that might result in gain or loss to the official—the gain or loss must be “special”
- Requires an *economic* benefit or harm that will inure to the officer, his or her relative, business associate, or principal
- What should be considered?

Special Private Gain or Loss - Considerations



1. What is the size of the affected class?
2. What is the relative benefit or harm when compared to other members of affected class?
3. Is the gain or loss remote or speculative?
4. Is this merely a preliminary or procedural measure?

Size of the Affected Class



- “Special” gain will depend on size of class of persons who are similarly affected by measure
- ↓ class, ↑ chance of “special gain”
- ↑ class, ↓ chance of “special gain”



Remote or Speculative



- Is gain or loss so remote or speculative that the measure cannot be said to inure to officer's gain or loss?
- Will hinge on the facts of each individual case



Preliminary or Procedural



- Some measures are simply procedural or preliminary (to later actions that would result in actual gain or loss)
- Other measures, while procedural in nature, are substantive in effect and will inure to officer's gain or loss



If You Have a Voting Conflict, What Should You Do?



The officer must:

- (1) abstain from voting;
 - (2) disclose conflict orally prior to the vote; and
 - (3) file a memorandum (Form 8B) within 15 days.
-
- In addition, appointed local officers must publicly disclose the conflict before participating in discussion of the matter.

Exceptions



- If the “principal by whom you are retained” is a public agency, you may vote.
- If you are a commissioner of a community redevelopment agency or a one-acre, one-vote officer, you may vote.
- If measure affects your expenses and compensation *as provided by law*, you may vote.

Related Issues – Voting Requirement



- Section 286.012 requires members of a collegial body to vote when present at a meeting and prohibits abstaining, except when “there is, or appears to be, a possible conflict of interest”
- “If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.”

Quasi-Judicial Hearings



Quasi-Judicial Hearings



- Under Florida law, there are times when a board acts in a quasi-judicial manner. That is, the board acts similarly to how a judge might act when hearing a case.
- All matters that come before a board are either considered “legislative” or “quasi-judicial”. The County Attorney or County staff will typically mention that a particular matter is “quasi-judicial” since different rules apply as to those matters.

Quasi-Judicial vs. Legislative Matters



- Decisions that **set general policy** rather than implement or apply policy are **legislative**.
- Decisions that **apply an adopted policy** are **quasi-judicial**.

Examples of Quasi-Judicial Matters



- Variances
- Rezoning
- Site Plan approvals
- Special Exceptions
- Conditional Uses
- Development Approvals

Examples of Legislative Matters



- Amendments to the Comprehensive Plan
- Amendments to the Code of Ordinances
- Amendments to the Land Development Code
- Budget matters
- Many resolutions
- Purchasing decisions
- Vacation of rights of way
- Donations

Ex Parte Disclosures



- It is a best practice for board members to disclose ex parte communications at quasi-judicial hearings. At the beginning of a hearing, all board members should disclose any contacts or information the member has received prior to the hearing – including emails received, conversations had and site visits, or anything else which might have provided information outside of the meeting on the subject.
- Board members may NOT use information not disclosed at the hearing to be a basis for, or to effect, their vote at the hearing.

Overview of Quasi-Judicial Hearings



- Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than some other types of meetings and must follow basic standards of notice and due process.
- Decisions must be made based on **competent substantial evidence**.
- Only competent, substantial, fact-based testimony or evidence can be considered by the Board in its deliberation and voting on these items.
- You must apply the applicable law (comprehensive plan, LDRs) to the facts and evidence presented in the hearing.

What Can Be Considered in a Quasi-Judicial Hearing

- Pure speculation or mere opinion, not based on competent facts, cannot legally be considered by the board members in weighing their decision.
- Lay testimony with fact-based support may be considered competent and substantial evidence.
- **IMPORTANT** – A quasi-judicial hearing cannot be a “popularity contest”.
- The decision cannot be based on the number of people who are at the meeting (or who sent emails) who are either for or against a proposal.

If Contemplating Denial, State Reason on Record



- If the Board is contemplating a denial of a quasi-judicial matter, the maker of the motion, and others in support of denial, should state their reasons for denial on the record:
 - Competent substantial evidence presented in the hearing supporting denial.
 - Relevant law (comprehensive plan/LDR provisions) supporting denial.

Sunshine Law, Public Records, Voting Conflicts, & Quasi-Judicial Hearing Training for Local Government Board Members



QUESTIONS?

PART II - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

**ARTICLE VII
BOARDS, COMMISSIONS AND
COMMITTEES**

**DIVISION 5
HISTORICAL REVIEW BOARD**

Heather Whitmore, AICP,PTP
Community Development Director

Historical Review Board City of Neptune Beach
January 21, 2026



Historical Review Board City of Neptune Beach, Florida

Overview of Ordinance No. 2025 05



Purpose

- **Establish a Historical Review Board (HRB)**
- **Protect historically significant properties**
- **Review exterior modifications and site work**
- **Issue:**
 - o **Determinations of Historical Significance**
 - o **Certificates of Appropriateness**



Determination of Historic Significance

- **Structure is 50+ years old**
- **Retains original physical characteristics**
- **Meets at least one of the criteria in Sec. 2499(b)**



Certificate of Appropriateness

Certificate of appropriateness is a designation required to apply for a development permit for any new construction, alteration, relocation, or demolition on a property with a determination of historic significance.

- **Required for development permits on historically significant properties**
- **Nontransferable; void upon sale or ownership change**



Board Composition

- 5 members, all Neptune Beach residents
- Special consideration for professionals:

Architect/Engineer

Historian/Teacher

Planner/Urban Designer

Real Estate Professional

Attorney

Contractor



Board Composition

- **Must have no disciplinary history**
- **Disqualifications:**
 - Ethics violations**
 - Felony convictions**
 - Crimes of moral turpitude**



Terms & Requirements

- **Initial staggered terms:**
 - o **3 members → 3 years**
 - o **2 members → 2 years**
- **Reappointment rules allow up to two consecutive terms**
- **Members serve without compensation**
- **Must be residents for at least 1 year**
- **More than 3 unexcused absences in 12 months = removal**



Meetings & Procedures

- **Monthly meetings (or more as needed)**
- **Open to the public**
- **Minutes recorded and signed**
- **Quasi judicial hearings with due process**
- **Notice requirements follow city and state law**



Application: Historic Significance

Applicants must submit:

- Owner/agent info with notarized signatures
- Property description, deed, survey
- Description of historical significance
- Site plan
- Property ownership map
- Neighbor address list
- Photographs



Application: Certificate of Appropriateness

Includes:

- Owner/agent info
- Property description
- Description of proposed work
- Timeline estimate

Board evaluates based on:

- Impact on historic features
- Architectural integrity
- Feasibility
- Secretary of the Interior's Standards



Application: Certificate of Appropriateness

In considering an application for a certificate of appropriateness for alterations, new construction, demolition, or relocation, the historic preservation board shall be guided by the following general criteria:

- (1) The effect of the proposed work on the historically significant property upon which such work is to be done.
- (2) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected.
- (3) Whether the plans may be carried out by the applicant within a reasonable period of time.



Application: Certificate of Appropriateness

Applications for certificates of appropriateness for alterations shall be considered by the historic review board in accordance with the following additional criteria

- (1) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.**
- (2) The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.**
- (3) Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no historical basis and which seeks to create an earlier appearance shall be discouraged.**



Application: Certificate of Appropriateness

- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities.
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.
- (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.



Criteria for Historic Significance

A property must meet at least one (Sec. 2-499b):

1. Florida Heritage Landmark
2. National Register of Historic Places
3. Association with significant historical events
4. Regional architectural significance
5. Association with significant individuals
6. Distinctive construction or artistic value
7. Potential archaeological/historic information



Determination of Historic Significance

Upon a determination of historical significance, the historical review board may consider an application for the issue a certificate of appropriateness which the applicant may use to obtain a development permit which may allow exceptions to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations.



Criteria for Certificate Approval

Board must find:

- 1. Unique historic characteristics**
- 2. No adverse impact on neighbors or public**
- 3. No substantial reduction in surrounding property values**
- 4. Harmony with ULDC and city plans**



Appeals

- Appeals may be filed within 30 days
- Eligible appellants:
 - Applicant
 - Property owner
 - Substantially impacted residents within 300 feet
- City Council may affirm, reverse, or modify HRB decisions
- Further appeal may be made to circuit court



Enforcement

- **City may enforce via:
Code enforcement (F.S. Ch. 162)**

Civil or injunctive relief



Sunset Provision

- **Ordinance automatically repeals 18 months after adoption**
- **City Council may extend**
- **Pending applications continue to final action**



Attachments:

Chapter 2 - ARTICLE VII, DIVISION 5
HISTORICAL REVIEW BOARD

Application: Determinations of Historical
Significance

Application: Certificates of Appropriateness



DIVISION 5. HISTORICAL REVIEW BOARD

Sec. 2-492. Established.

A historical review board for the City of Neptune Beach, Florida, is hereby established. The historical review board may be dissolved by a majority vote of city council at any time, for any reason and members of the board serve at the will of the city council and may be removed with or without cause by a majority vote.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-493. Generally.

- (a) A certificate of appropriateness shall be submitted for review and approval for any development permit request for exterior modifications or site work performed on a historically significant property.
- (b) A certificate of appropriateness and a determination of historical significance is nontransferable. Both are unique to the applicant and shall be automatically void upon the sale or change of ownership of the subject property. The determination of historical significance shall not inure to the benefit of the subsequent property owners unless said future property owners apply for such designation as prescribed herein. The city may revoke a certificate of appropriateness or a determination of historical significance upon the change in characteristics of the subject property. For example, and not to be meant as an all-inclusive list of examples: changing the exterior historical character or aesthetics of the property, changing the footprint of the structures on the property, changing the use of the property, or violating any provision of the Code of Ordinances or of the elements that lead to the historical review board's final determination.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-494. Definitions.

Certificate of appropriateness is a designation required to apply for a development permit for any new construction, alteration, relocation, or demolition on a property with a determination of historic significance.

Crime of moral turpitude is any offense that violates the community standards of honesty and good morals including, but not limited to, fraud, theft, misrepresentation, and violence.

Determination of historic significance is a finding that a structure is at least fifty (50) years old and retains the physical characteristics for the time the structure was built and otherwise meets the requirements found in section 2-499.

Development permit has the same meaning as the definition found in chapter 27, section 27-15 of the Unified Land Development Code of the City of Neptune Beach.

Quasi-judicial hearing involves a process where the board acts in a capacity similar to that of a court. This type of hearing is characterized by the following elements: basic due process requirements such as notice and hearing and right to present testimony, evidence and cross examine witnesses; application of existing policies to specific facts, rather than creating new policies. This means the decision impacts a limited number of persons or property owners and is based on distinct alternatives presented at the hearing; public participation and

reviewability of final decisions by petition for writ of certiorari to the circuit court. The circuit court's review of quasi-judicial decisions is confined to: (1) whether procedural due process is accorded, (2) whether the essential requirements of law have been observed, and (3) whether the administrative findings and judgment are supported by competent substantial evidence.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-495. Composition, qualifications and terms of office.

- (a) The historical review board shall consist of five (5) members, all of whom shall be residents of the City of Neptune Beach. A quorum shall consist of three (3) members. All motions shall be approved by majority vote. Any interested and eligible citizen as provided for above, may be appointed to the board, but those with experience or interest in the field of historic preservation shall receive special consideration. Whenever possible, the board shall include individuals with following experience:
 - (1) An architect or engineer licensed under F.S. Chs. 471 or 481, with verifiable experience in rehabilitating historic residential or commercial structures;
 - (2) A teacher or professor with verifiable experience in the fields of history, architectural history, historic landscapes or art history;
 - (3) A planner or urban designer with a bachelor's degree in planning or closely related field, with course work or verifiable experience in historic preservation;
 - (4) A real estate sales professional licensed under F.S. Ch. 475, with verifiable experience in transactions involving historic properties;
 - (5) A licensed attorney in the State of Florida;
 - (6) A licensed contractor under F.S. Ch. 489, with verifiable experience rehabilitating historic residential or commercial structures; or
 - (7) Consideration will be given to any of the above professionals who holds an equivalent license in another state, or that has retired.
 - (8) Any licensed or retired professional selected for membership on the historical review board shall not have a history of discipline from the licensing agency.
- (b) Any current or prior violation of the code of ethics for public officers and employees found in F.S. Ch. 112, prior felony criminal conviction or prior conviction, or plea of nolo contendere, regardless of adjudication, of any crime involving moral turpitude shall disqualify any person from being appointed or serving as a member of the historical review board.
- (c) All members of the historical review board shall be appointed by the mayor and confirmed by the city council.
- (d) Members of the historical review board shall elect a chair and a vice-chair for a one-year term each. The chair shall preside at all meetings and shall have the right to vote. The vice-chair shall preside in the absence of the chair.
- (e) Initial members of the historical review board shall serve staggered terms. Three (3) of the initial board members shall be appointed for terms of three (3) years. Two (2) of the initial board members shall be appointed for terms of two (2) years. Members may be reappointed for one (1) additional consecutive two-year term. If reappointed, members may be eligible to reapply for the board after one (1) year and may serve an additional term of three (3) years. Subsequent members shall be appointed for terms of three (3) years. In the event the city is unable to appoint five (5) members, the board may conduct business with three (3) duly appointed members until such time as a full board is appointed.

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- (f) Members previously appointed shall continue to serve until such time as they are replaced or reappointed.
 - (g) All members of the historical review board shall serve without compensation.
 - (h) Whenever vacancies shall occur, a person qualified shall be appointed by the mayor and approved by the city council to fill such vacancies for the unexpired term.
 - (i) An employee of the city may not serve as a member of the historical review board.
 - (j) Members of the historical review board are expected to attend each committee meeting in person. More than three (3) unexcused absences in a rolling twelve-month period shall be grounds for removal for cause.
 - (k) All members of the historical review board shall have been a resident of the City of Neptune Beach for a period of at least one (1) year at the time of appointment.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-496. Meetings and board procedures.

- (a) The historical review board shall adopt rules of procedure to carry out its purposes. All rules must conform to this Code, other city ordinances, and state law and shall be filed in the office of the city clerk.
- (b) All meetings shall be conducted in a public building and shall be open to the public.
- (c) The historical review board shall meet each calendar month, unless cancelled by the board or its chair; and more often at the call of the chair, the board, or the city council.
- (d) Notice of meetings of the historical review board shall be given as provided for in this Code and by state statute.
- (e) The historical review board shall keep minutes of its proceedings, indicating the attendance of each member, and the decision of each member on every question. The minutes shall be signed by the chair, or in his absence the vice-chair and approved by the board at a future meeting.
- (f) Statement of the facts for determination of historical significance and issuance of certificate of appropriateness by the historical review board shall be included in the minutes of each case heard or considered by it.
- (g) The historical review board shall set a reasonable time for the hearing of administrative appeals and shall give notice thereof to the person making the appeal and to the officer from whom the appeal is taken.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-497. Application requirements for determination of historical significance.

- (a) The owner or developer of a property shall submit a completed application, as described below, to the office of the city manager or designee.
- (b) All applications for determination of historical significance shall be filed with the city using the forms approved and provided by the city staff.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the historical review board for consideration.

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- (d) The application shall be accompanied by payment of the official filing fee as set by resolution of the city council.
 - (e) The application shall include the following:
 - (1) Name and address of the owner and agent, along with notarized signatures of the same;
 - (2) Address and legal description of the property, a copy of the deed and an accurate survey;
 - (3) A description of the proposed historical significance of the property as more fully described in subsection 2-495(b);
 - (4) An eight and one-half (8½) inch by eleven (11) inch 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. The plot plan, as submitted or modified by the applicable board, shall be binding upon the applicant if the determination of historical significance is granted;
 - (5) An eight and one-half (8½) inch by eleven (11) inch copy of the relevant area of the Duval County Property Ownership Map, to be provided by the building official's office as part of the application packet. Said copy shall show the exact location of the land proposed for the determination of historical significance, along with all of the properties requiring notice as described in subsection 27-500(c)(2);
 - (6) A list of the addresses of all properties, as described in section 2-500(c)(2);
 - (7) Photographs of property as it exists.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-498. Application requirements for issuance of certificate of appropriateness.

- (a) Upon the determination of historical significance, the owner of such property may apply for a certificate of appropriateness from the historical review board subject to the requirements contained in this section.
- (b) The owner or developer of a property shall submit a completed application for certificate of appropriateness as described below, to the office of the city manager or designee.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the historical review board for consideration.
- (d) All applications for a certificate of appropriateness shall be filed with the city using the forms approved and provided by the city staff.
- (e) The application shall be accompanied by payment of the official filing fee as set by resolution of the city council.
- (f) The application shall include the following:
 - (1) Name and address of the owner and agent, along with notarized signatures of the same.
 - (2) Address and legal description of the property.
 - (3) A description of the proposed work to be performed on the historically significant property.
 - (4) An estimate of the timeline of the proposed work.
- (g) The applicant shall complete an application form provided by the city. The city shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

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(Supp. No. 19)

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- (h) In considering an application for a certificate of appropriateness for alterations, new construction, demolition, or relocation, the historic preservation board shall be guided by the following general criteria:
- (1) The effect of the proposed work on the historically significant property upon which such work is to be done.
 - (2) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected.
 - (3) Whether the plans may be carried out by the applicant within a reasonable period of time.
- (i) Applications for certificates of appropriateness for alterations shall be considered by the historic review board in accordance with the following additional criteria, which are based on the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:
- (1) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.
 - (2) The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.
 - (3) Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no historical basis and which seeks to create an earlier appearance shall be discouraged.
 - (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
 - (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. However, technologically advanced materials shall be considered and used as replacement alternatives. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
 - (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.
 - (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.
- (j) All work performed pursuant to the issuance of a certificate of appropriateness shall conform to the requirements of such certificate. It shall be the duty of the city to inspect from time to time any work being performed pursuant to such certificate to assure such compliance.
- (k) Any certificate of appropriateness which has been approved pursuant to the provisions of this section shall expire twelve (12) months from the date of issuance if the work authorized is not commenced within this period. Further, such certificate shall expire if the work authorized is not completed within five (5) years of the date of issuance, unless otherwise extended by the historical review board.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-499. Hearing procedures; powers and duties; determination of historical significance and issuance of certificate of appropriateness.

- (a) The historical review board shall consider applications for residential or commercial properties. Upon application and determination of historical significance, the historical review board may consider applications for the issuance of a certificate of appropriateness.
- (b) The historical review board may make a determination of historical significance for properties that are at least fifty (50) years old and retain the physical characteristics for the time the structure was built. The fifty-year old requirement may be waived if the property is determined to be a Florida Heritage Site as determined by the Florida Department of State's Historical Division of Historical Resources. In addition, the historical review board shall find at least one (1) of the following criteria for the historical designation:
 - (1) Have the Florida Heritage Landmark status as determined by the Florida Department of State's Historical Division of Historical Resources by being on the Division's Florida Register of Heritage Landmarks;
 - (2) Be listed on the National Register of Historic Places by the United States Department of the Interior's Nation Parks Service, Office of Cultural Resources;
 - (3) Have an association with a significant historical event that made a significant contribution to the broad patterns of our history;
 - (4) Have regional significance in areas like architecture, having retained those physical characteristics that were present during the period which the structure was built and that are unique to the City of Neptune Beach. Examples include, but are not limited to, the two-story homes located along First Street with sleeping porches or the mid-century modern homes west of Third Street that were constructed in a manner to capture ocean breezes;
 - (5) Have an association with the lives of people significant in our past. A non-exhaustive list of examples of significant people in our past includes those that contributed to an important historical event, or who were noted artists, actors, authors, performers, musicians, soldiers, professional athletes, politicians, scholars, religious figures, social activists or newsworthy persons;
 - (6) Embody distinctive characteristics of a type, period, or method of construction or design and represent the work of a master or notable or renowned architect or builder, or possessing high artistic values; or
 - (7) Have the potential to yield information important in prehistory or history.
- (c) Upon a determination of historical significance, the historical review board may consider an application for the issue a certificate of appropriateness which the applicant may use to obtain a development permit which may allow exceptions to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations.
- (d) No use shall be made of the property which is inconsistent with the historic qualities of the property. Any restoration or repair of the property deemed historically significant to the architectural features of the exterior shall be retained consistent with the historic qualities of the property. The property deemed historically significant shall not be permitted to deteriorate and shall be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.
- (e) The determination of historic significance shall only be for the purpose of applying for a certificate of appropriateness and shall convey no other rights, interests or title to the owner of the subject property from the city.
- (f) Issuance of a certificate of appropriateness shall only be used to apply for exception to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to

the RC Overlay of the Unified Land Development Regulations and shall be used for no other purpose nor shall it be binding upon the city for any other purpose or convey any rights or remedies not expressly enumerated herein.

- (g) The historic review board shall not recommend approval of, any certificate of appropriateness unless it makes a positive finding, based on substantial competent evidence presented at the public hearing, on each of the following criteria:
- (1) The property has unique and peculiar historic significance, which create exceptional and unique building characteristics.
 - (2) The proposed certificate of appropriateness would not adversely affect adjacent and nearby properties or the public in general.
 - (3) The proposed certificate of appropriateness will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
 - (4) The effect of the proposed certificate of appropriateness is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area(s) of the ULDC.
- (h) City staff shall prepare a written report outlining the historic review board's determination of historical significance, which shall address each of the criteria above and any other relevant evidence. The staff report shall become part of the record and shall be considered by the historic review board prior to the issuance of a certificate of appropriateness.
- (i) Neither determination of historical significance nor an issuance of a certificate of appropriateness shall guarantee that an exception to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations will be granted. Hearings for request for determination of historical significance and an issuance of a certificate of appropriateness shall be quasi-judicial in nature and the historical review board may make determinations based on other considerations such as compatibility with the City of Neptune Beach's Charter, Code of Ordinances, Unified Land Development Code and Comprehensive Plan. Any determination of historical significance and issuance of certificate of appropriateness must be to protect the unique historical qualities of the City of Neptune Beach.
- (j) Any final decision of the historical review board of historical significance and issuance of certificate of appropriateness may be appealed by an applicant, owner or substantially impacted person residing within three hundred-foot of the subject property to city council within thirty (30) days of its rendering or it shall be deemed final. Any decision of the city council may be appealed to by an applicant, owner or substantially impacted person residing within three hundred-foot of the subject property to a court with competent jurisdiction within thirty (30) days of its rendering or it shall be deemed final. After receiving notice of hearing, a substantially impacted person residing within three hundred (300) feet of the subject property lacks standing to appeal if such person was not present at the hearing.
- (k) The city may enforce any provision related to determinations of historical significance or issuance of a certificate of appropriateness through any means allowed by law including, but not limited to, those remedies found in F.S. Ch. 162, and any other available civil or injunctive relief.
- (l) *City council as reviewing authority.* The city council may act as a reviewing authority for any final decision of the historical review board of historical significance and issuance of certificate of appropriateness. City council may recommend an appeal, review the findings of the historical review board, and either affirm, reverse, or modify the decision. The appeal shall be made within thirty (30) days from the date the decision of the historical review board is rendered. When the council acts to appeal a final decision of the board, that action shall be deemed to be the final action of the city and shall be subjected to no further review by the city council.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-499.1. Notice requirements for hearings on applications to determine historical significance and issuance of certificates of appropriateness.

- (a) Notice indicating the time and place of the quasi-judicial public hearing shall be posted in two (2) places in the city, one (1) of which shall be in the front yard of the subject property, facing the street on which the property is addressed, and one (1) of which shall be at City Hall on the public notice board, for at least ten (10) days immediately prior to the quasi-judicial public hearing. Such notice shall contain the address or location of the property and the nature of the application.
- (b) The city shall ensure advertised notice is printed in a newspaper of general circulation within the City of Neptune Beach at least ten (10) days prior to the quasi-judicial public hearing before the historical review board. The advertised notice shall state the date, time, place of the quasi-judicial public hearing, case number, and shall contain the address of the property and the nature of the application.
- (c) At least ten (10) days prior to the quasi-judicial public hearing, the city shall give notice of the quasi-judicial public hearing before the historical review board by U.S. mail to the following:
 - (1) The property owner and the applicant if different from the owner; and
 - (2) The owner(s), as listed in the current Duval County Tax Assessor's records, of each property within a three hundred-foot radius of the boundary of the subject property.
- (d) If any person described in this section does not contest the issue of proper notice within thirty (30) days from the date the historical review board renders final action on a determination of historical significance or issuance of certificate of appropriateness, then notice shall be deemed to be in compliance with this section.

(Ord. No. 2025-05, § 1, 7-21-25)

Ord. No. 2025-05, set out the above provisions intended for use as § 2-500. Inasmuch as there were already provisions so designated, said section has been codified herein as § 2-499.1 at the discretion of the editor.

Sec. 2-499.2. Sunset provision.

The provisions of this part shall be automatically repealed on the last day of the eighteenth month after the final adoption date unless after review, the city council determines to extend its term. The repeal shall not affect any previous approvals or determinations described herein. Any applications that are pending at the time of repeal shall be allowed to proceed to final action.

(Ord. No. 2025-05, § 1, 7-21-25)

Ord. No. 2025-05, set out the above provisions intended for use as § 2-501. Inasmuch as there were already provisions so designated, said section has been codified herein as § 2-499.2 at the discretion of the editor.

APPLICATION FOR DETERMINATION OF HISTORICAL SIGNIFICANCE



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

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

Date Filed:	Zoning District:	Real Estate Parcel Number:
Name & Address of Owner of Record: _____ _____		Property Address: _____ _____
Contact phone number# _____		Number of units on property _____
e-mail address _____		Have any previous applications for variance been filed concerning this property? _____
		If Yes, Give Date: _____
<p>Section 2-494 defines Determination of Historic Significance as follows: <i>Determination of Historic Significance is a finding that a structure is at least fifty (50) years old and retains the physical characteristics for the time the structure was built and otherwise meets the requirements found in Section 2-499.</i></p> <p><i>The Historical Review Board may make a Determination of Historical Significance for properties that are at least fifty (50) years old and retain the physical characteristics for the time the structure was built. The fifty (50) year old requirement may be waived if the property is determined to be a Florida Heritage Site as determined by the Florida Department of State's Historical Division of Historical Resources. In addition, the Historical Review Board shall find at least one of the following criteria for the historical designation, please respond to 1-7 criteria listed below to provide a description of the proposed historical significance of the property as more fully described in 2-495 (b);(attach additional information as desired).</i></p>		
<p>1. Have the Florida Heritage Landmark status as determined by the Florida Department of State's Historical Division of Historical Resources by being on the Division's Florida Register of Heritage Landmarks;</p>		
<p>2. Be listed on the National Register of Historic Places by the United States Department of the Interior's Nation Parks Service, Office of Cultural Resources;</p>		

3. Have an association with a significant historical event that made a significant contribution to the broad patterns of our history;

4. Have regional significance in areas like architecture, having retained those physical characteristics that were present during the period which the structure was built and that are unique to the City of Neptune Beach. Examples include but are not limited to the two-story homes located along First Street with sleeping porches or the mid-century modern homes west of Third Street that were constructed in a manner to capture ocean breezes;

5. Have an association with the lives of people significant in our past. A non-exhaustive list of examples of significant people in our past includes those that contributed to an important historical event, or who were noted artists, actors, authors, performers, musicians, soldiers, professional athletes, politicians, scholars, religious figures, social activists or newsworthy persons;

6. Embody distinctive characteristics of a type, period, or method of construction or design and represent the work of a master or notable or renowned architect or builder, or possessing high artistic values; or

7. Have the potential to yield information important in prehistory or history.

No use shall be made of the property which is inconsistent with the historic qualities of the property. Any restoration or repair of the property deemed historically significant to the architectural features of the exterior shall be retained consistent with the historic qualities of the property. The property deemed historically significant shall not be permitted to deteriorate and shall be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.

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

E. Letter of authorization for agent to make application (Required only if not made by owner)

F. NON-REFUNDABLE FEE

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 HISTORICAL REVIEW 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.

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

ADDRESS OF PROPERTY OWNER

ADDRESS OF AUTHORIZED AGENT

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: _____
Signature of Owner

Print Name

Signature of Owner

Print Name

Daytime Telephone Number _____ State of Florida
County of _____

Signed and sworn before me on this _____ day _____ of 2025.

By _____

Identification verified: _____ Oath sworn: ___ Yes ___ No

Notary Signature

My Commission expires: _____

APPLICATION FOR CERTIFICATES OF APPROPRIATENESS



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

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

Date Filed:	Zoning District:	Real Estate Parcel Number:
Name & Address of Owner of Record: _____ _____ _____ Contact phone number# _____ e-mail address _____	Property Address: _____ _____ Number of units on property _____ Have any previous applications for variance been filed concerning this property? _____ If Yes, Give Date: _____	
<p>Section 2-494 defines Certificate of Appropriateness as follows: <i>Certificate of Appropriateness is a designation required to apply for a Development Permit for any new construction, alteration, relocation, or demolition on a property with a Determination of Historic Significance</i></p> <p><i>In considering an application for a Certificate of Appropriateness for alterations, new construction, demolition, or relocation, the Historic Preservation Board shall be guided by the following general criteria, please respond to 1-3 criteria listed below as more fully described in 2-498 (h) ;(attach additional information as desired).</i></p>		
1. The effect of the proposed work on the historically significant property upon which such work is to be done;		
2. The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected.		
3. Whether the plans may be carried out by the applicant within a reasonable period of time.		

Applications for Certificates of Appropriateness for alterations shall be considered by the Historic Review Board in accordance with the following additional criteria, which are based on the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, please respond to 1-8 criteria listed below as more fully described in 2-498 (i);(attach additional information as desired).

1. Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.
2. The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.
3. Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no historical basis and which seeks to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.

6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. However, technologically advanced materials shall be considered and used as replacement alternatives. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.
8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

All work performed pursuant to the issuance of a Certificate of Appropriateness shall conform to the requirements of such certificate. It shall be the duty of the City to inspect from time to time any work being performed pursuant to such certificate to assure such compliance.

Any Certificate of Appropriateness which has been approved pursuant to the provisions of this Section shall expire 12 months from the date of issuance if the work authorized is not commenced within this period. Further, such certificate shall expire if the work authorized is not completed within five years of the date of issuance, unless otherwise extended by the Historical Review Board.

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. 8 1/2" by 11" elevation of all building sides drawn to an appropriate scale showing the location of all existing and proposed improvements to the property.
WHICH HAS NOT BEEN REDUCED.

C. Detailed listing of all material types and colors to be used in proposed conditions.

D. 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.

E. Copy of Deed

F. Pictures of the property as it currently exists

G. Letter of authorization for agent to make application (Required only if not made by owner)

H. NON-REFUNDABLE FEE

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 HISTORICAL REVIEW 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.

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.

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NAME OF AUTHORIZED AGENT

ADDRESS OF PROPERTY OWNER

ADDRESS OF AUTHORIZED AGENT

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: _____
Signature of Owner

Print Name

Signature of Owner

Print Name
Daytime Telephone Number _____ State of Florida
County of _____

Signed and sworn before me on this _____ day _____ of 2025.

By _____

Identification verified: _____ Oath sworn: ___ Yes ___ No

Notary Signature My Commission expires: _____