



TOWN OF MELBOURNE BEACH

BOARD OF ADJUSTMENT MEETING

JANUARY 18, 2024

AGENDA PACKET

Town of Melbourne Beach

PUBLIC NOTICE

**BOARD OF ADJUSTMENT MEETING
THURSDAY – JANUARY 18, 2024, 6:00 P.M.
COMMUNITY CENTER – 509 OCEAN AVENUE**

AGENDA

Board Members:

Chairman Robert Schaefer

Member Xochitl Ross

Member Charles Cain

Member Pete Peterson

Member James D. Simmons

Staff Members:

Town Manager Elizabeth Mascaro

Town Clerk Amber Brown

Town Planner Corey O’Gorman

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Old Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - A. November 14, 2023 draft minutes
4. PUBLIC HEARINGS
 - A. Coastal Construction Variance Application #PCCV23-0001, 315 Atlantic Street
5. NEW BUSINESS
 - A. Appointment of the 2024 Chairperson
6. OLD BUSINESS
7. ADJOURNMENT

Town of Melbourne Beach

**BOARD OF ADJUSTMENT MEETING
TUESDAY, NOVEMBER 14, 2023
COMMUNITY CENTER, 509 OCEAN AVENUE**

MINUTES

Board Members:

Chairman Robert Schaefer
Vice Chair Xochitl Ross
Member Charles Cain
Member James D. Simmons
Member Peter Peterson

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Amber Brown
Building Official Robert Bitgood
Town Attorney Clifford Repperger
Town Planner Corey O’Gorman

I. Call to Order

Chairman Robert Schaefer called the meeting to order at 6:01 p.m.

II. Roll Call

Town Clerk Amber Brown led the roll call.

Members Present:

Chairman Robert Schaefer
 Vice Chairperson Xochitl Ross
 Member Charles Cain
 Member James D. Simmons
 Member Peter Peterson

Staff Present:

Town Manager Elizabeth Mascaro
 Town Attorney Clifford Repperger
 Town Planner Corey O’Gorman
 Building Official Robert Bitgood
 Town Clerk Amber Brown

III. Approval of Minutes

A. February 16, 2023 Minutes

Vice Chairperson Xochitl Ross moved to approve the minutes; Member James D. Simmons seconded; Motion carried 5-0.

IV. Public Hearing

A. Special Exception Application PSE23-0002, 315 Ocean Avenue

Chairman Robert Schaefer spoke about this being a Special Exception Application at 315 Ocean Avenue for a restaurant and swore in applicant Andrew Hahn.

Applicant Andrew Hahn – 10 Anchor Drive, Indian Harbour Beach
 Andrew Hahn spoke about wanting a café style restaurant. The hours would range from 7 am-4 pm. Family-style concept with full kitchen capabilities.

James Simmons spoke about not being happy about receiving ex parte communication from Commissioner Corey Runte who sent an email to staff and several board members. In summary, Commissioner Runte is in favor of the special exception.

Vice Chairperson Xochitl Ross spoke about her dismay at receiving the email from the Commissioner using a Town email and she thought it was not proper.

Town Attorney Clifford Repperger spoke about Commissioner Runte being allowed to voice his opinion like any other resident. Being a Commissioner does not give up their right to voice their support for something.

Chairman Robert Schaefer agreed with Vice Chairperson Xochitl Ross and then reviewed the details of the application.

Member James Simmons spoke about the code requiring a wall separating commercial businesses from residential, would this require the property to be brought up to code, is it code compliant with lighting and signage?

Building Official Robert Bitgood spoke about how there currently is a fence, but that would be addressed during the permitting process. The property owner would have to bring the property up to date with the code. He has met with the applicant and discussed lighting and signage. The lighting and signage are up to code. The fence/wall is not, but it would be brought up to code.

Chairman Robert Schaefer reviewed the details of Town Planner Corey O’Gorman’s staff report and analysis.

Vice Chairperson Xochitl Ross asked about the seating area in relation to the amount of parking as it is not addressed anywhere.

Town Planner Corey O’Gorman spoke about that being addressed by the building department during the permitting process.

Member Charles Cain asked about the capacity also being part of that process.

Member James Simmons asked if there would be any outdoor seating.

Andrew Hahn spoke about not wanting to change the outdoor seating, but it depends on the relation between parking, capacity, and seating in order to meet the code.

Member James Simmons asked if any codes had changed.

Town Manager Elizabeth Mascaro spoke about how no codes have changed.

Building Official Robert Bitgood spoke about an AC unit that was permitted and replaced already.

Member Charles Cain asked if the special exception would need to come back the following year.

Chairman Robert Schaefer spoke about that being a requirement of the previous special exception only because the property had never been a restaurant before.

Vice Chairperson Xochitl Ross spoke about adding the hours of operation 7 am-4 pm, no outdoor speakers or live music, and the rear of the lot should not be used for public people, asking for a full kitchen but the application does not state that. Full kitchens will make smells and require more than what a café would.

Andrew Hahn spoke about needing a kitchen for example if he made donuts they would need a commercial hood. He requested a 6-foot hood.

Building Official Robert Bitgood spoke about if there is any means of cooking then it would be required to have a hood.

Member James Simmons spoke about vent systems nowadays having smell strippers to prevent smells. Make sure lighting on adjacent properties is addressed with shields or directional lights.

Chairman Robert Chairman spoke about the vent, lighting, noise in the rear, and hours of operation 7 am-4 pm.

Town Attorney Clifford Repperger spoke about how the code does not prohibit the sale of alcohol. A restaurant is allowed to sell alcohol up to the threshold unless the Board restricts it further.

Member James Simmons spoke about allowing beer and wine only.

Vice Chairperson Xochitl Ross spoke about the 4 pm closing time and the part that says holidays may have exceptions.

Andrew Hahn spoke about not realizing the 4 pm time would be set in stone, so maybe put 6 pm at the latest. Kids' sports end and maybe they want ice cream or a smoothie. The holiday exception was for closures meaning the business might not be open on Christmas.

Chairman Robert Schaefer spoke about changing the hours of operation to 7 am to 6 pm., wall, lighting, beer and wine, and noise.

Member James Simmons spoke about how the noise was related to outside dining, speakers, and live music.

Town Attorney Clifford Repperger asked if the Board would like to leave the same conditions that were in the Robburritos special exception. He reviewed the conditions one through six from the 2008 final order.

Town Manager Elizabeth Mascaro spoke about condition four would change from fence to wall.

Member James Simmons spoke about being good with all of those.

Jennifer Ottomanelli
510 Avenue A

Jennifer Ottomenelli spoke about coming to the meeting because she heard so many rumors about what this was for, so she wanted the correct information.

Heather Barlow
210 Elm Ave

Heather Barlow spoke about parking being in 7A-50. Is it still going to comply with that code?

Chairman Robert Schaefer stated yes. He spoke about including the original six conditions, limiting alcohol to beer and wine, hours 7 am to 6 pm, and the wall.

Vice Chairperson Xochitl Ross asked if the Board could review the draft order prior to it being executed.

Town Clerk Amber Brown spoke about the draft can be sent to the Board and if anyone has an issue they can say something, but if it is not reflected in the recording then it would have to come back to the Board.

Vice Chairperson Xochitl Ross moved to accept the special exception with all of the conditions attached and be notified of the draft prior to it being signed; Member James Simmons seconded; Motion carried 5-0

V. New Business

VI. Adjournment

Vice Chairperson Xochitl Ross moved to adjourn; Member James Simmons seconded; Motion carried 5-0.

The meeting adjourned at 6:54 p.m.

ATTEST:

 Robert Schaefer, Chairman

 Amber Brown, Town Clerk

**Bennett Engineering & Consulting**

Clayton Bennett, PE ~ Managing Member
4940 Ranchland Road Melbourne, FL 32934

Phone/Fax (321) 622-4462

November 9, 2023

Building Department
Town of Melbourne Beach
507 Ocean Ave.
Melbourne Beach, FL 32951

Re: Coastal Variance Application
315 Atlantic Street, Melbourne Beach
BEC No. 23.250

Dear Staff:

On behalf of our client, we here by submit the following for your review and processing:

1. Development Application
2. Processing Fee
3. Mailing Labels for addresses within 500 feet of the subject property
4. Deed
5. Boundary and Topographic Survey (12 copies)
6. Civil Drawings consisting of Sheets C-1, C-2, & L-1 (12 copies)

We trust this meets your needs at this time. Should you have any questions or need additional information, please contact me directly.

Bennett Engineering & Consulting, LLC.

Clayton A. Bennett, P.E.
Managing Member





TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. REQUEST:

- | | |
|--|--|
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Special Exception | <input checked="" type="checkbox"/> Coastal Construction Variance |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input checked="" type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO) |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I) | <input type="checkbox"/> Amendment to the Land Development Code |
| | <input type="checkbox"/> Other (specify) _____ |

III. PROPERTY INFORMATION:

General Location: The subject site is located toward the north end of Atlantic St.

Address: 315 Atlantic Street, Melbourne Beach, FL 32951

Parcel Number(s): 28-38-05-FV-1-15

Area (in acreage): +/- 0.70 Area (in square feet): +/- 30,380

Current Zoning: 1-RS Proposed Zoning: 1-RS

Current Future Land Use: Single-Family Proposed Future Land Use: Single-Family

Brief Description of Application: Both a Coastal Construction Line Variance and a Site Plan review is requested to allow for a non-substantial building addition to the existing single-family residence located on the subject lot.

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): _____

IV. APPLICANT INFORMATION:

Property Owner

Name: 315 Atlantic St, INC - Jason & Heather Davidson

Phone: 619-867-6916

Address: 460 Shinn Avenue

Fax: _____

W Melbourne, FL 32904

Email: DRJAYDAVIDSON@GMAIL.COM

Applicant (if other than property owner)

Name: Clayton Bennett, P.E.

Phone: (321) 622-4462

Address: 4940 Ranchland Rd

Fax: (321) 633-4462

Melbourne, FL 32934

Email: ClaytonABennett@gmail.com

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
2. That I/we have read and understands the entire application and concurs with the request.
3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: *Jason Davidson*

Date: 10/31/2023

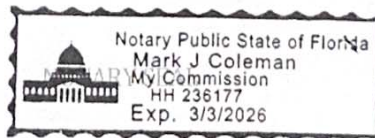
Print Name: Jason Davidson OR Heather Davidson Title: Managing Member - 315 Atlantic St, INC

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me
this 10th day of October, 2023, by Jason Davidson
who is/are personally known to me, or who has/have produced _____
as identification.

Mark J. Coleman
Signature of Notary Public, State of Florida



VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

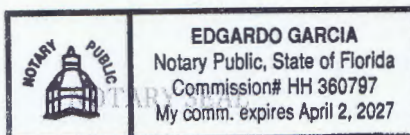
Signature: [Handwritten Signature] Date: 11/9/2023
Print Name: Clayton Bennett Title: Managing member

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 9th day of November 2023, by Clayton Bennett who is/are personally known to me, or who has/have produced FL Driver's License as identification.

[Handwritten Signature]
Signature of Notary Public, State of Florida



VII. PROJECT DESCRIPTION:

Describe Application: Both a Coastal Construction Control Line Variance and a site Plan review are requested to allow for a non-substantial building addition to an existing single-family residence located on the subject lot.

Provide attachment if more space is needed.
single-family residence.

Describe Existing Conditions: The subject site is currently developed as an existing single family residence.

Provide attachment if more space is needed.

A. Variance to Coastal Construction Line Restrictions*

Applications for variance to the Coastal Construction restrictions shall provide a statement describing the proposed work, activity, and construction seaward of the coastal setback line.

A Coastal Construction Control Line variance of 177 feet is requested to allow for a building addition on the landward side of the existing single family residence. The proposed work will include a building addition, site grading, partial removal and replacement of the driveway and brick pavers, and other site related items.

Provide attachment if more space is needed.

Applications shall also include a topographic survey of the subject property with the following specific information:

- The location of the contour line corresponding to elevation zero feet NGVD;
- The location of any existing vegetation line on the subject property;
- The location of the established State Department of Environmental Protection Coastal Construction Control Line and the mean high water line, for the full width of the subject property, including the location and number of the two nearest State Department of Environmental Protection's baseline monuments;
- The location of all proposed development to be constructed as a result of the proposed variance;
- The location of all existing development to remain on-site as a part of the development or redevelopment of the site;
- The location seaward of the coastal construction control line of all portions of all existing, and planned development, depicting the number of feet seaward of the coastal construction control line of the development;
- The location for the full width of the subject property of: the line of continuous construction; the top of the coastal dune system; the toe of the coastal dune system on or adjacent to the property at the time of application to the point at the dune, as it existed in September, 1972; and the location of the East side of the A-1-A right-of-way; the location of any principal structure to the North and South of the proposed project property and located within 100 feet of the proposed project property. As used in this subsection, the term ***LINE OF CONTINUOUS CONSTRUCTION*** is a line drawn from the most seaward edge of any principal structure to the North, and within 100 feet of the proposed project to the most seaward edge of any principal structure to the South, and within 100 feet, of the proposed project; and
- A certification as to the maximum number of feet seaward of the coastal construction control line for which the variance is requested for the full width of the subject property.

The applicant shall also provide detailed final construction plans and specifications for all structures proposed to be constructed seaward of the coastal setback line. These documents shall be signed and sealed by a professional engineer or architect, as appropriate, who must be registered in the state.

The Applicant must provide documentation and narrative demonstrating the following:

That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time of application to the point at the dune as it existed in September, 1972, which corresponds to the same elevation as the toe of the dune as it exists at the time of application;

The enclosed Special Purpose Survey prepared by Kane Surveying, Inc. (project no. 42320) demonstrates that the subject site has experienced less than 25 feet of beach dune erosion since 1972.

Provide attachment if more space is needed.

That the granting of the variance will not be injurious to adjacent properties, nor contrary to the public interest

The proposed improvements shall be designed to comply with the requirements of the Florida Building Code. In addition, the proposed improvements are to be located on the landward side of the existing single-family residence. Furthermore, the proposed project will require a coastal construction permit by the Florida Department of Environmental Protection.

Provide attachment if more space is needed.

That the granting of the variance will not jeopardize the stability of the beach-dune system. In granting any variance, the Board of Adjustment will when reasonable to do so require that new development on the property subject to the variance be no further seaward than existing development to the North or South of the subject property.

No improvements are proposed on the beach dune, nor any vegetation proposed to be removed from the beach dune. Furthermore, the existing structure will serve as a buffer between the proposed improvements and the beach dune.

Provide attachment if more space is needed.

A notice containing the aforementioned information shall be posted by the applicant on the affected property at least 15 days prior to the public hearing. If the property abuts a public road right-of-way, the notice shall be posted in such a manner as to be visible from the road right-of-way. An affidavit signed by the owner or applicant evidencing posting of the affected real property shall be received by the Town Board of Adjustment, prior to the public hearing.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500' radius. The applicant must also provide self-addressed envelopes with the Town's return address for each property owner within that 500' radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

*** Provide twelve (12) copies of the completed application and all supporting documentation.**

Public Notification Radius Map (Buffer 500ft)



Parcel Property Layer68

Block Text

Address Point Layer

Address Points

Parcel Information Layers

Parcel Property

Parcels

Subdivisions

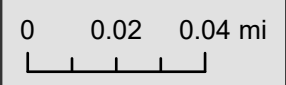
Buffer Boundary in GREEN

Notify Properties in BLUE

Disclaimer: This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Scale: 1:2,400

1 inch equals 200 feet



<p>Tax Account ID: 2846463 MOLINA OAK LLC 400 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847144 REOLA, MICHAEL P 316 OAK STREET MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847140 BOYLAN, KEVIN BOYLAN, LORRAINE 676 WOODLAND AVE MORRISTOWN, NJ 07960</p>
<p>Tax Account ID: 2846464 ANDRUS, LOUIS ANDRUS, LOUIS C 407 OAK ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2846440 ERWIN, RYAN LEEDHAM, BRANDI 3070 REVERENCE HEIGHTS LN LAS VEGAS, NV 89138</p>	<p>Tax Account ID: 2846434 WILLIAM S HARTLEY GST EXEMPT TRUST 307 OAK ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2847201 DAVIS, CLINTON D 404 COLONY STREET MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2846437 ABRAHAO, PAULA 302 ATLANTIC ST MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847147 WIRICHS, LAURI 304 OAK ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2847205 KLOTZ, DANIEL J KLOTZ, DAWN R 317 HIBISCUS TRL MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847142 BAUGHER, PAUL E 311 HIBISCUS TRL MELBOURNE, FL 32951</p>	<p>Tax Account ID: 2847139 MC CABE, GREGORY M MC CABE, LAURA 305 HIBISCUS TRL MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2847202 HUSKEY, JEFFREY DARRYL HUMPHREY, ELIZABETH A 402 COLONY ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2846436 HUSTON, ROBERT ANDREW 300 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847148 MAGRINO, MARK MAGRINO, TIFFANY 300 OAK ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 3016297 ACKLEY, S ACKLEY, SHANNON 401 OAK ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847145 SANTANGELO, JAMES 312 OAK ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2846433 BELEFANT FAMILY TRUST 305 OAK ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2847204 UGRYUMOV, VLADIMIR 315 HIBISCUS TRL MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2846438 AROCENA, FEDERICO J BIENER, VALERIE 927 E NEW HAVEN AVE, STE 215 MELBOURNE, FL 32901</p>	<p>Tax Account ID: 2846432 OCEAN TRAIL HOMEOWNERS INC 206 OAK ST MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2847203 BANKS, IRENE 400 COLONY ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847141 SMITH, CAROLYN S 309 HIBISCUS TRL MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847149 DE WITT, BEN N DE WITT, SHARON 206 OAK ST MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2846455 MOLINA, RAFAEL F MOLINA, ERICA A 400 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847146 HOOVER, WYATT MARSHALL, LILIANA 308 OAK ST MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2846431 BOCA COVE HIGHLAND BEACH LLC 835 NE 35TH ST BOCA RATON, FL 33431</p>
<p>Tax Account ID: 2847143 KESHISHIAN, CHRISTINA STRICKLAN, CHRISTOPHER 313 HIBISCUS TR MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2846435 SERENE BLUE LLC 927 E NEW HAVEN AVE STE 309 MELBOURNE, FL 32901</p>	<p>Tax Account ID: 2846456 BALISE, MARYELLEN 404 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>

Tax Account ID: 2846458 ZIMMERMAN, ALEX ZIMMERMAN, LOURDES 410 ATLANTIC ST MELBOURNE BEACH, FL 32951		
Tax Account ID: 2846446 SCHWEITZER, TODD J 1002 S FRANKLAND RD TAMPA, FL 33629		
Tax Account ID: 2846457 WEST, MICHAEL K SAUERMAN, GRETCHEN A 406 ATLANTIC ST MELBOURNE BCH, FL 32951		
Tax Account ID: 2846444 KORETSKY, PETER A 411 ATLANTIC ST MELBOURNE BCH, FL 32951		
Tax Account ID: 2846442 DWYER, JOHN W DWYER, NANCY E 405 ATLANTIC ST MELBOURNE BCH, FL 32951		
Tax Account ID: 2846441 O JOHN ALPIZAR TRUST 401 ATLANTIC ST MELBOURNE BEACH, FL 32951		
Tax Account ID: 2846439 315 ATLANTIC ST INC 460 SHINN AVE MELBOURNE, FL 32904		
Tax Account ID: 2846445 OCEAN PATHS CORP C/O TAMARA M HAMILTON 311 SUNSET BLVD MELBOURNE BCH, FL 32951		
Tax Account ID: 2847151 MELBOURNE BEACH, TOWN OF 507 OCEAN AVE MELBOURNE BCH, FL 32951		

Warranty Deed

This Indenture, made, April 19, 2022 A.D.

Between

Serene Blue LLC whose post office address is: S1 - 1900 S. Harbor City Boulevard, Suite 105, Melbourne, Florida 32901, Melbourne, Florida 32901 a limited liability company existing under the laws of the State of Florida, Grantor and **315 Atlantic St, INC**, a corporation existing under the laws of the State of Florida, whose post office address is: 460 Shinn Avenue, West Melbourne, Florida 32904, Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of \$4,610,000.00, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee forever, the following described land, situate, lying and being in the County of Brevard, State of Florida, to wit:

Lot 15, Block 1, and the West 20 feet of the North 80 feet of Lot 16, Block 1, REPLAT OF LOTS 15, 16, AND 17 OF REPLAT OF BLOCKS 1 AND 3 AND A PART-OF ATLANTIC STREET AND HARLAND AVENUE IN BEAUJEAN PLAT OF MELBOURNE BEACH, according to the Plat thereof, as recorded in Plat Book 13, Page 122, Public Records of Brevard County, Florida.

Subject to taxes for the current year, covenants, restrictions and easements of record, if any.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly authorized officer and caused its corporate seal to be affixed the day and year first above written.

Serene Blue LLC

By: [Signature]
Federico Arocena
Its Manager

Signed and Sealed in Our Presence:

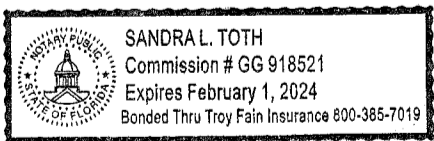
[Signature]
Witness Print Name: Sandra L Toth

[Signature]
Witness Print Name: David Settgast

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this April 19, 2022, by Federico Arocena, the Manager of **Serene Blue LLC** A limited liability company existing under the laws of the State of Florida, on behalf of the company.
He is personally has produced a driver's license as identification.

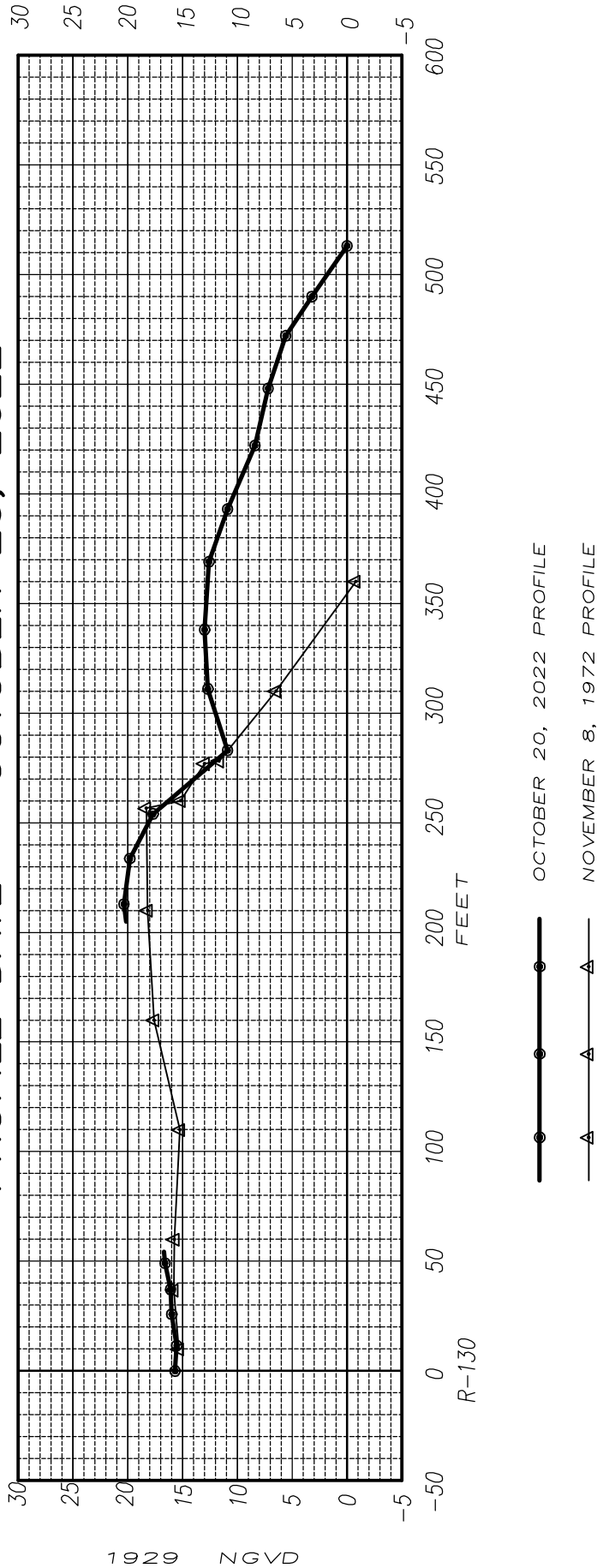
[Signature]
Notary Public
Notary Printed Name: Sandra L Toth
My Commission Expires:
(Seal)



Prepared by:
Christine Williams, an employee of
State Title Partners LLP,
300 West Fee Avenue Suite B
Melbourne, Florida 32901
File Number: STP-32255

SPECIAL PURPOSE SURVEY
BREVARD RANGE MONUMENT R-130

PROFILE DATE = OCTOBER 20, 2022



- NOTES:**
- SOLE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE EXISTING BEACH PROFILE FROM DEPARTMENT OF NATURAL RESOURCES MONUMENT R-130 NORTHEASTERLY TO THE 0 FOOT CONTOUR LINE ALONG A LINE N80°E FROM R-130
 - ELEVATIONS BASED ON NGVD 1929 AND NATURAL RESOURCES MONUMENT R-130 BEING AT AN ELEVATION OF 15.71 FEET NGVD 1929.
 - NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - R-130 = N-1359936.85/E-641762.49 NORTH AMERICAN DATUM 1927
 - R-130 WAS RECOVERED AND WAS FOUND IN GOOD CONDITION



10/26/2022 | 8:56 AM PDT

SPECIAL PURPOSE SURVEY	DATE: 10/20/22	JOB No. 42320
		PROFILE/R130

CERTIFICATION:

I HEREBY CERTIFY: THAT THE ATTACHED SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Joel Seymour

DATE: 10/25/22

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA NO. LS 6133

DRAWN BY: JED

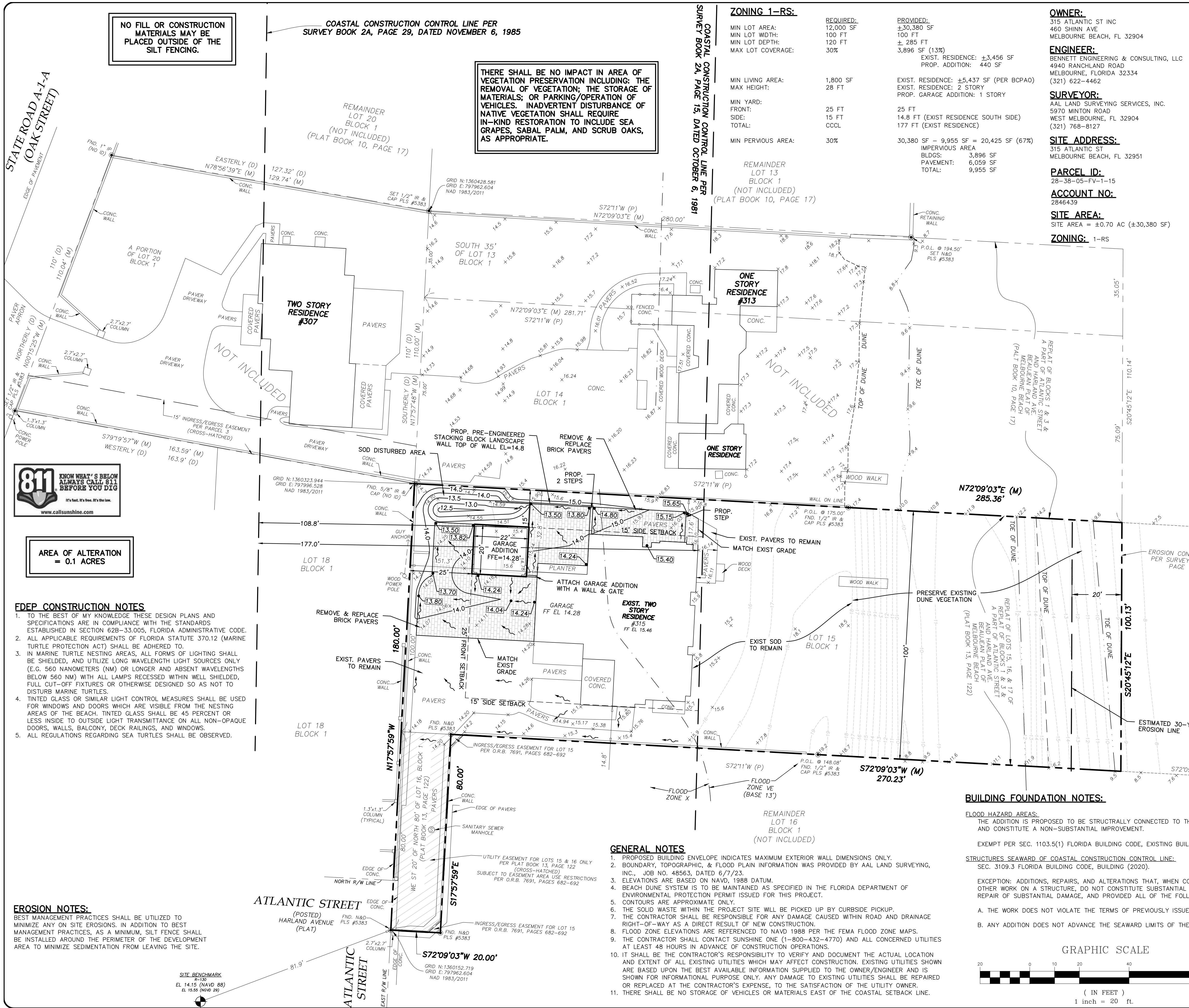
SCALE 1 INCH = 30 FEET

LEGEND

NGVD = NATIONAL GEODETIC VERTICAL DATUM

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448



NO FILL OR CONSTRUCTION MATERIALS MAY BE PLACED OUTSIDE OF THE SILT FENCING.

THERE SHALL BE NO IMPACT IN AREA OF VEGETATION PRESERVATION INCLUDING THE REMOVAL OF VEGETATION; THE STORAGE OF MATERIALS; OR PARKING/OPERATION OF VEHICLES. INADVERTENT DISTURBANCE OF NATIVE VEGETATION SHALL REQUIRE IN-KIND RESTORATION TO INCLUDE SEA GRAPES, SABAL PALM, AND SCRUB OAKS, AS APPROPRIATE.

ZONING 1-RS:

MIN LOT AREA:	12,000 SF	REQUIRED:	±30,380 SF	PROVIDED:	±30,380 SF
MIN LOT WIDTH:	100 FT		100 FT		100 FT
MIN LOT DEPTH:	120 FT		± 285 FT		± 285 FT
MAX LOT COVERAGE:	30%		3,896 SF (13%)		3,896 SF (13%)
			EXIST. RESIDENCE: ±3,456 SF		EXIST. RESIDENCE: ±3,456 SF
			PROP. ADDITION: 440 SF		PROP. ADDITION: 440 SF
MIN LIVING AREA:	1,800 SF		EXIST. RESIDENCE: ±5,437 SF (PER BCPAO)		EXIST. RESIDENCE: ±5,437 SF (PER BCPAO)
MAX HEIGHT:	28 FT		EXIST. RESIDENCE: 2 STORY		EXIST. RESIDENCE: 2 STORY
			PROP. GARAGE ADDITION: 1 STORY		PROP. GARAGE ADDITION: 1 STORY
MIN YARD:	25 FT		25 FT		25 FT
FRONT:	15 FT		14.8 FT (EXIST RESIDENCE SOUTH SIDE)		14.8 FT (EXIST RESIDENCE SOUTH SIDE)
SIDE:	CCOL		177 FT (EXIST RESIDENCE)		177 FT (EXIST RESIDENCE)
TOTAL:					
MIN PERVIOUS AREA:	30%		30,380 SF - 9,955 SF = 20,425 SF (67%)		30,380 SF - 9,955 SF = 20,425 SF (67%)
			BLDG: 3,896 SF		BLDG: 3,896 SF
			PAVEMENT: 6,059 SF		PAVEMENT: 6,059 SF
			TOTAL: 9,955 SF		TOTAL: 9,955 SF

OWNER:
315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32904

ENGINEER:
BENNETT ENGINEERING & CONSULTING, LLC
4940 RANCHLAND ROAD
MELBOURNE, FLORIDA 32934
(321) 622-4462

SURVEYOR:
AAL LAND SURVEYING SERVICES, INC.
5970 MINTON ROAD
WEST MELBOURNE, FL 32904
(321) 768-8127

SITE ADDRESS:
315 ATLANTIC ST
MELBOURNE BEACH, FL 32951

PARCEL ID:
28-38-05-FV-1-15

ACCOUNT NO:
2846439

SITE AREA:
SITE AREA = ±0.70 AC (±30,380 SF)

ZONING: 1-RS



TOWNSHIP 28S, RANGE 38E, SECTION 5
VICINITY MAP
NTS

GENERAL STATEMENT:
THIS PLOT PLAN HAS BEEN PREPARED FOR A NON-SUBSTANTIAL IMPROVEMENT TO THE EXIST RESIDENCE.

LEGAL DESCRIPTION: (BY SURVEYOR)
LOT 15, BLOCK 1, AND THE WEST 20 FEET OF THE NORTH 80 FEET OF LOT 16, BLOCK 1, REPLAT OF LOTS 15, 16, AND 17 OF REPLAT OF BLOCKS 1 AND 3 AND A PART OF ATLANTIC STREET AND HARLAND AVENUE IN BEAUJEAN PLAT OF MELBOURNE BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 122, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

NATIONAL FLOOD INSURANCE INFORMATION:
(AS PROVIDED ON THE SURVEY)
MAP NO. 012009C0608H
FIRM INDEX DATE: JANUARY 29, 2021
FLOOD ZONES: "X" & "VE"

LANDSCAPE NOTES:
1. ANY NEW LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF MELBOURNE BEACH LANDSCAPE REGULATIONS.
2. SOD ALL DISTURBED AREAS.

- FDEP CONSTRUCTION NOTES**
1. TO THE BEST OF MY KNOWLEDGE THESE DESIGN PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE STANDARDS ESTABLISHED IN SECTION 62B-33.005, FLORIDA ADMINISTRATIVE CODE.
 2. ALL APPLICABLE REQUIREMENTS OF FLORIDA STATUTE 370.12 (MARINE TURTLE PROTECTION ACT) SHALL BE ADHERED TO.
 3. IN MARINE TURTLE NESTING AREAS, ALL FORMS OF LIGHTING SHALL BE SHIELDED, AND UTILIZE LONG WAVELENGTH LIGHT SOURCES ONLY (E.G. 560 NANOMETERS (NM) OR LONGER AND ABSENT WAVELENGTHS BELOW 560 NM) WITH ALL LAMPS RECESSED WITHIN WELL SHIELDED, FULL CUT-OFF FIXTURES OR OTHERWISE DESIGNED SO AS NOT TO DISTURB MARINE TURTLES.
 4. TINTED GLASS OR SIMILAR LIGHT CONTROL MEASURES SHALL BE USED FOR WINDOWS AND DOORS WHICH ARE VISIBLE FROM THE NESTING AREAS OF THE BEACH. TINTED GLASS SHALL BE 45 PERCENT OR LESS INSIDE TO OUTSIDE LIGHT TRANSMITTANCE ON ALL NON-OPAQUE DOORS, WALLS, BALCONY, DECK RAILINGS, AND WINDOWS.
 5. ALL REGULATIONS REGARDING SEA TURTLES SHALL BE OBSERVED.

EROSION NOTES:
BEST MANAGEMENT PRACTICES SHALL BE UTILIZED TO MINIMIZE ANY ON SITE EROSIONS. IN ADDITION TO BEST MANAGEMENT PRACTICES, AS A MINIMUM, SILT FENCE SHALL BE INSTALLED AROUND THE PERIMETER OF THE DEVELOPMENT AREA TO MINIMIZE SEDIMENTATION FROM LEAVING THE SITE.

- GENERAL NOTES**
1. PROPOSED BUILDING ENVELOPE INDICATES MAXIMUM EXTERIOR WALL DIMENSIONS ONLY.
 2. BOUNDARY, TOPOGRAPHIC, & FLOOD PLAIN INFORMATION WAS PROVIDED BY AAL LAND SURVEYING, INC., JOB NO. 48563, DATED 6/7/23.
 3. ELEVATIONS ARE BASED ON NAVD, 1988 DATUM.
 4. BEACH DUNE SYSTEM IS TO BE MAINTAINED AS SPECIFIED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT ISSUED FOR THIS PROJECT.
 5. CONTOURS ARE APPROXIMATE ONLY.
 6. THE SOLID WASTE WITHIN THE PROJECT SITE WILL BE PICKED UP BY CURBSIDE PICKUP.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED WITHIN ROAD AND DRAINAGE RIGHT-OF-WAY AS A DIRECT RESULT OF NEW CONSTRUCTION.
 8. FLOOD ZONE ELEVATIONS ARE REFERENCED TO NAVD 1988 PER THE FEMA FLOOD ZONE MAPS.
 9. THE CONTRACTOR SHALL CONTACT SUNSHINE ONE (1-800-432-4770) AND ALL CONCERNED UTILITIES AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.
 10. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND DOCUMENT THE ACTUAL LOCATION AND EXTENT OF ALL EXISTING UTILITIES WHICH MAY AFFECT CONSTRUCTION. EXISTING UTILITIES SHOWN ARE BASED UPON THE BEST AVAILABLE INFORMATION SUPPLIED TO THE OWNER/ENGINEER AND IS SHOWN FOR INFORMATIONAL PURPOSE ONLY. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE UTILITY OWNER.
 11. THERE SHALL BE NO STORAGE OF VEHICLES OR MATERIALS EAST OF THE COASTAL SETBACK LINE.

BUILDING FOUNDATION NOTES:

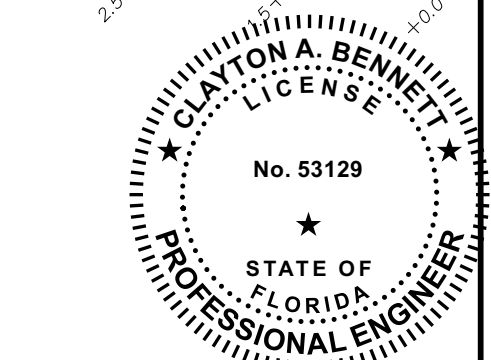
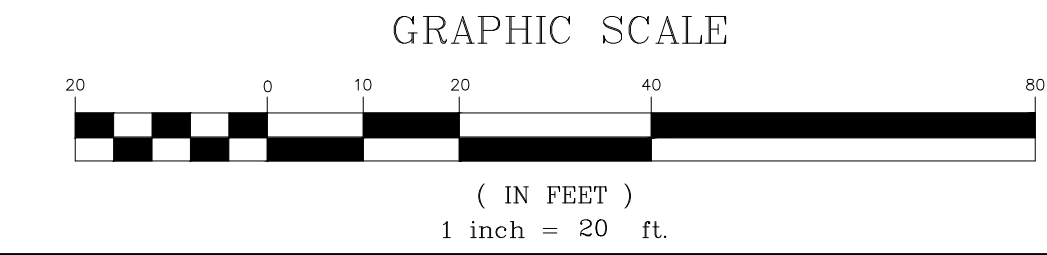
FLOOD HAZARD AREAS:
THE ADDITION IS PROPOSED TO BE STRUCTURALLY CONNECTED TO THE EXISTING BUILDING AND CONSTITUTE A NON-SUBSTANTIAL IMPROVEMENT.

EXEMPT PER SEC. 1103.5(1) FLORIDA BUILDING CODE, EXISTING BUILDING (2020):

STRUCTURES SEAWARD OF COASTAL CONSTRUCTION CONTROL LINE:
SEC. 3109.3 FLORIDA BUILDING CODE, BUILDING (2020).

EXCEPTION: ADDITIONS, REPAIRS, AND ALTERATIONS THAT, WHEN COMBINED WITH ALL OTHER WORK ON A STRUCTURE, DO NOT CONSTITUTE SUBSTANTIAL IMPROVEMENT OR REPAIR OF SUBSTANTIAL DAMAGE, AND PROVIDED ALL OF THE FOLLOWING APPLY:

- A. THE WORK DOES NOT VIOLATE THE TERMS OF PREVIOUSLY ISSUED PERMITS.
- B. ANY ADDITION DOES NOT ADVANCE THE SEAWARD LIMITS OF THE EXISTING STRUCTURE.



This item has been digitally signed and sealed by Clayton A. Bennett, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

SHEET INDEX:

C-1	FLOT PLAN
C-2	SITE SECTION AND DETAILS
L-1	LANDSCAPE PLAN

NORTH

SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		

BEC Bennett Engineering & Consulting

4940 RANCHLAND ROAD
MELBOURNE, FL 32934
CLAYTON A. BENNETT
P.E. NO. 53129

(321) 622-4462
FAX (321) 622-4462
CA# 28236

DATE _____
© 2023 BENNETT ENGINEERING & CONSULTING, LLC.

THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED HERE: _____ DATE _____

DESIGNED: CAB	DATE 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

PLOT PLAN

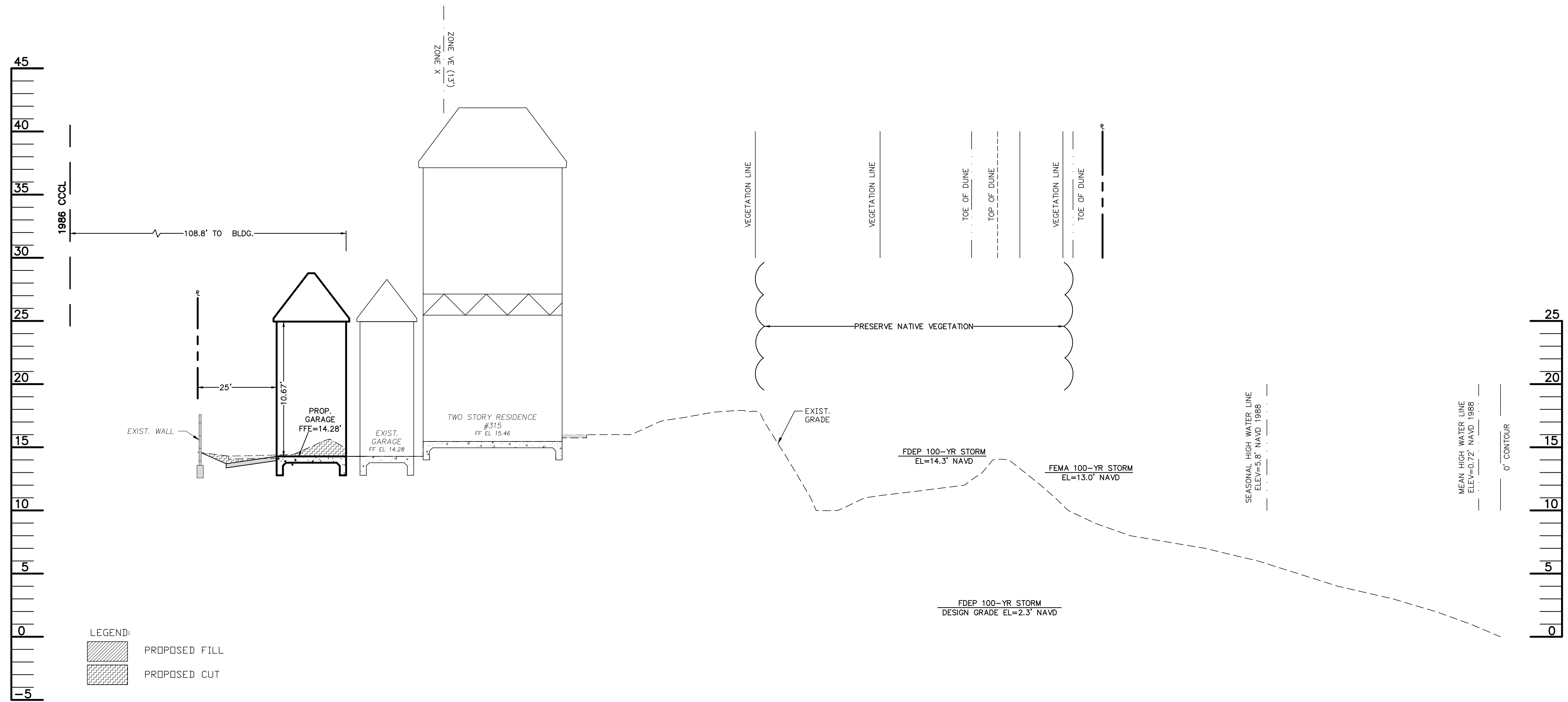
C-1

SHEET 1 OF 2

IMPORT FILL NOTES

ONLY BEACH COMPATIBLE FILL SHALL BE PLACED ON THE BEACH OR IN ANY ASSOCIATED DUNE SYSTEM. ALL FILL MATERIAL PLACED SEAWARD OF THE CCCL SHALL BE SAND WHICH IS SIMILAR TO THAT ALREADY EXISTING IN THE SAME FIXED COASTAL CELL IN COLORATION, GRAIN SIZE, AND COMPOSITION. BEACH COMPATIBLE FILL IS MATERIAL THAT MAINTAINS THE GENERAL CHARACTER AND FUNCTIONALITY OF THE MATERIAL OCCURRING ON THE BEACH AND IN THE ADJACENT DUNE AND COASTAL SYSTEM. SUCH MATERIAL SHALL BE PREDOMINATELY OF CARBONATE, QUARTZ OR SIMILAR MATERIAL WITH A PARTICLE SIZE DISTRIBUTION RANGING BETWEEN 0.062MM (4.0) AND 4.76MM (-2.25) (CLASSIFIED AS SAND BY EITHER THE UNIFIED SOILS OR THE WENTWORTH CLASSIFICATION), SHALL BE SIMILAR IN COLOR AND GRAIN SIZE DISTRIBUTION (SAND GRAIN FREQUENCY, MEAN AND MEDIAN GRAIN SIZE AND SORTING COEFFICIENT) TO THE MATERIAL IN THE EXISTING COASTAL SYSTEM AT THE PLACEMENT AREA AND SHALL NOT CONTAIN:

- (A) GREATER THAN 5 PERCENT, BY WEIGHT, SILT, CLAY OR COLLOIDS PASSING THE #230 SIEVE (4.0);
- (B) GREATER THAN 5 PERCENT, BY WEIGHT, FINE GRAVEL RETAINED ON THE #4 SIEVE (-2.25);
- (C) COARSE GRAVEL, COBBLES OR MATERIAL RETAINED ON THE 3/4 INCH SIEVE IN A PERCENTAGE OR SIZE GREATER THAN FOUND AT THE PLACEMENT AREA;
- (D) CONSTRUCTION DEBRIS, CLAY BALLS OR FOREIGN MATTER; OR,
- (E) MATERIAL THAT RESULTS IN CEMENTATION OF THE BEACH.



PROPOSED EARTHWORK SEAWARD OF 1985 CCCL

ITEM	EXCAVATION (CY)	FILL (CY)
PILES	0	0
UNDER BUILDING	10	0
DRIVEWAY & OPEN AREA	90	0
TOTAL	100	0

EXCESS EXCAVATED SAND TO BE PLACED ON AN APPROVED RECIPIENT SITE LOCATED SEAWARD OF THE CCCL.

LEGEND:

	PROPOSED FILL
	PROPOSED CUT

SECTION A-A

SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		

BEC Bennett Engineering & Consulting

4940 RANCHLAND ROAD
MELBOURNE, FL 32954
CLAYTON A. BENNETT
P.E. NO. 53129
(321) 622-4462
FAX (321) 622-4462
DATE _____ CA# 28236

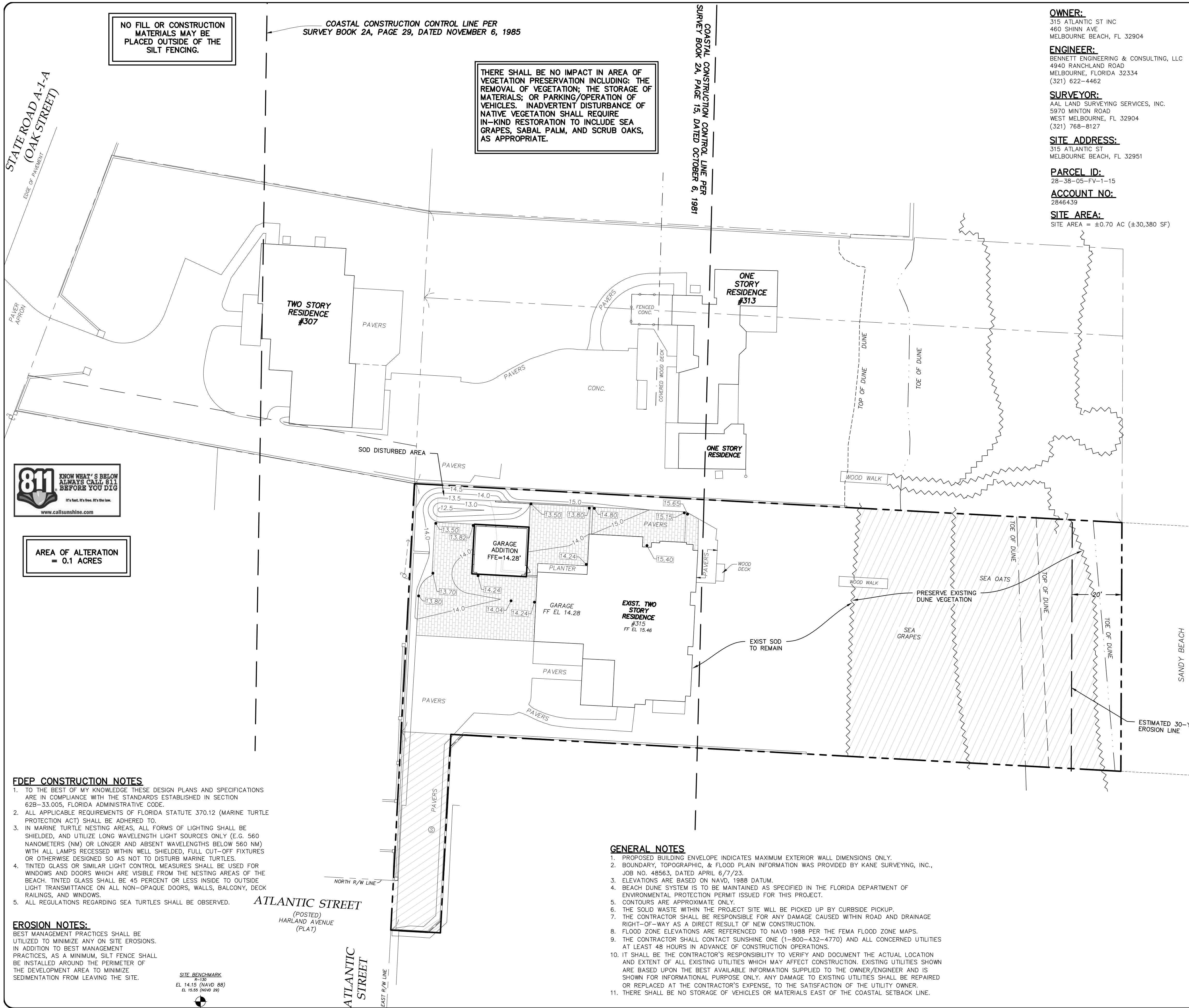
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DATE _____

DESIGNED: CAB	DATE 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

SITE SECTION AND DETAILS

C-2
SHEET 2 OF 2



NO FILL OR CONSTRUCTION MATERIALS MAY BE PLACED OUTSIDE OF THE SILT FENCING.

COASTAL CONSTRUCTION CONTROL LINE PER SURVEY BOOK 2A, PAGE 29, DATED NOVEMBER 6, 1985

THERE SHALL BE NO IMPACT IN AREA OF VEGETATION PRESERVATION INCLUDING: THE REMOVAL OF VEGETATION; THE STORAGE OF MATERIALS; OR PARKING/OPERATION OF VEHICLES. INADVERTENT DISTURBANCE OF NATIVE VEGETATION SHALL REQUIRE IN-KIND RESTORATION TO INCLUDE SEA GRAPES, SABAL PALM, AND SCRUB OAKS, AS APPROPRIATE.

COASTAL CONSTRUCTION CONTROL LINE PER SURVEY BOOK 2A, PAGE 15, DATED OCTOBER 6, 1981

STATE ROAD A-1-A (OAK STREET)



AREA OF ALTERATION = 0.1 ACRES

FDEP CONSTRUCTION NOTES

- TO THE BEST OF MY KNOWLEDGE THESE DESIGN PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE STANDARDS ESTABLISHED IN SECTION 62B-33.005, FLORIDA ADMINISTRATIVE CODE.
- ALL APPLICABLE REQUIREMENTS OF FLORIDA STATUTE 370.12 (MARINE TURTLE PROTECTION ACT) SHALL BE ADHERED TO.
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SITE BENCHMARK
#232
EL. 14.15 (NAVD 88)
EL. 15.55 (NGD 29)

GENERAL NOTES

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- BOUNDARY, TOPOGRAPHIC, & FLOOD PLAIN INFORMATION WAS PROVIDED BY KANE SURVEYING, INC., JOB NO. 48563, DATED APRIL 6/7/23.
- ELEVATIONS ARE BASED ON NAVD, 1988 DATUM.
- BEACH DUNE SYSTEM IS TO BE MAINTAINED AS SPECIFIED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT ISSUED FOR THIS PROJECT.
- CONTOURS ARE APPROXIMATE ONLY.
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- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND DOCUMENT THE ACTUAL LOCATION AND EXTENT OF ALL EXISTING UTILITIES WHICH MAY AFFECT CONSTRUCTION. EXISTING UTILITIES SHOWN ARE BASED UPON THE BEST AVAILABLE INFORMATION SUPPLIED TO THE OWNER/ENGINEER AND IS SHOWN FOR INFORMATIONAL PURPOSE ONLY. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE UTILITY OWNER.
- THERE SHALL BE NO STORAGE OF VEHICLES OR MATERIALS EAST OF THE COASTAL SETBACK LINE.

OWNER:
315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32904

ENGINEER:
BENNETT ENGINEERING & CONSULTING, LLC
4940 RANCLAND ROAD
MELBOURNE, FLORIDA 32334
(321) 622-4462

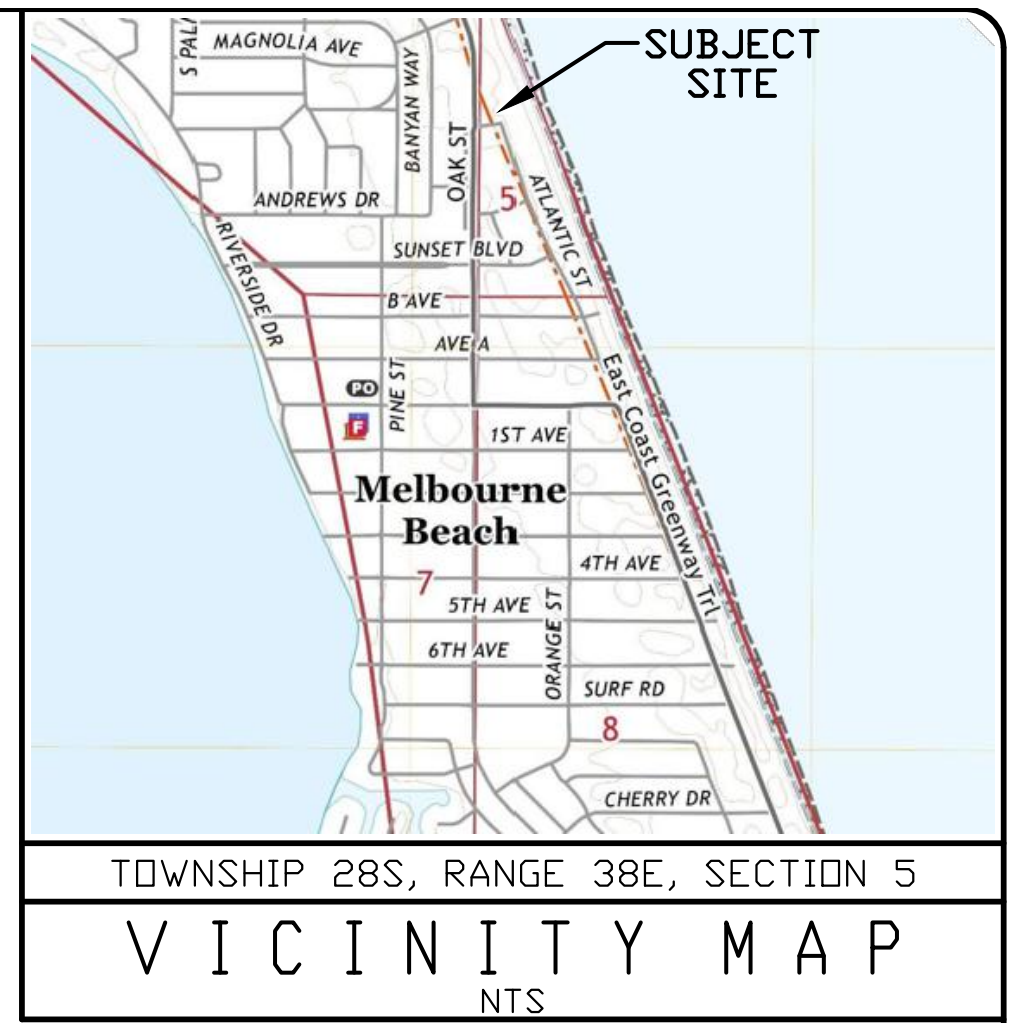
SURVEYOR:
AAL LAND SURVEYING SERVICES, INC.
5970 MINTON ROAD
WEST MELBOURNE, FL 32904
(321) 768-8127

SITE ADDRESS:
315 ATLANTIC ST
MELBOURNE BEACH, FL 32951

PARCEL ID:
28-38-05-FV-1-15

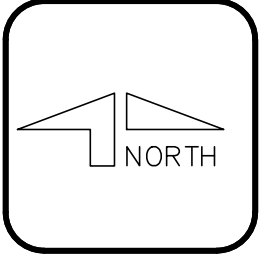
ACCOUNT NO:
2846439

SITE AREA:
SITE AREA = ±0.70 AC (±30,380 SF)



GENERAL STATEMENT:
THIS LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROPOSED ADDITION TO THE EXISTING SINGLE-FAMILY RESIDENCE ON THE SUBJECT LOT.

LANDSCAPE NOTES:
1. ANY NEW LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF MELBOURNE BEACH LANDSCAPE REGULATIONS.
2. SOD ALL DISTURBED AREAS.



SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		

BEC Bennett Engineering & Consulting
4940 RANCLAND ROAD
MELBOURNE, FL 32934
CLAYTON A. BENNETT
P.E. NO. 53129

(321) 622-4462
FAX (321) 622-4462
CA# 28236

DATE _____
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THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED HERE:

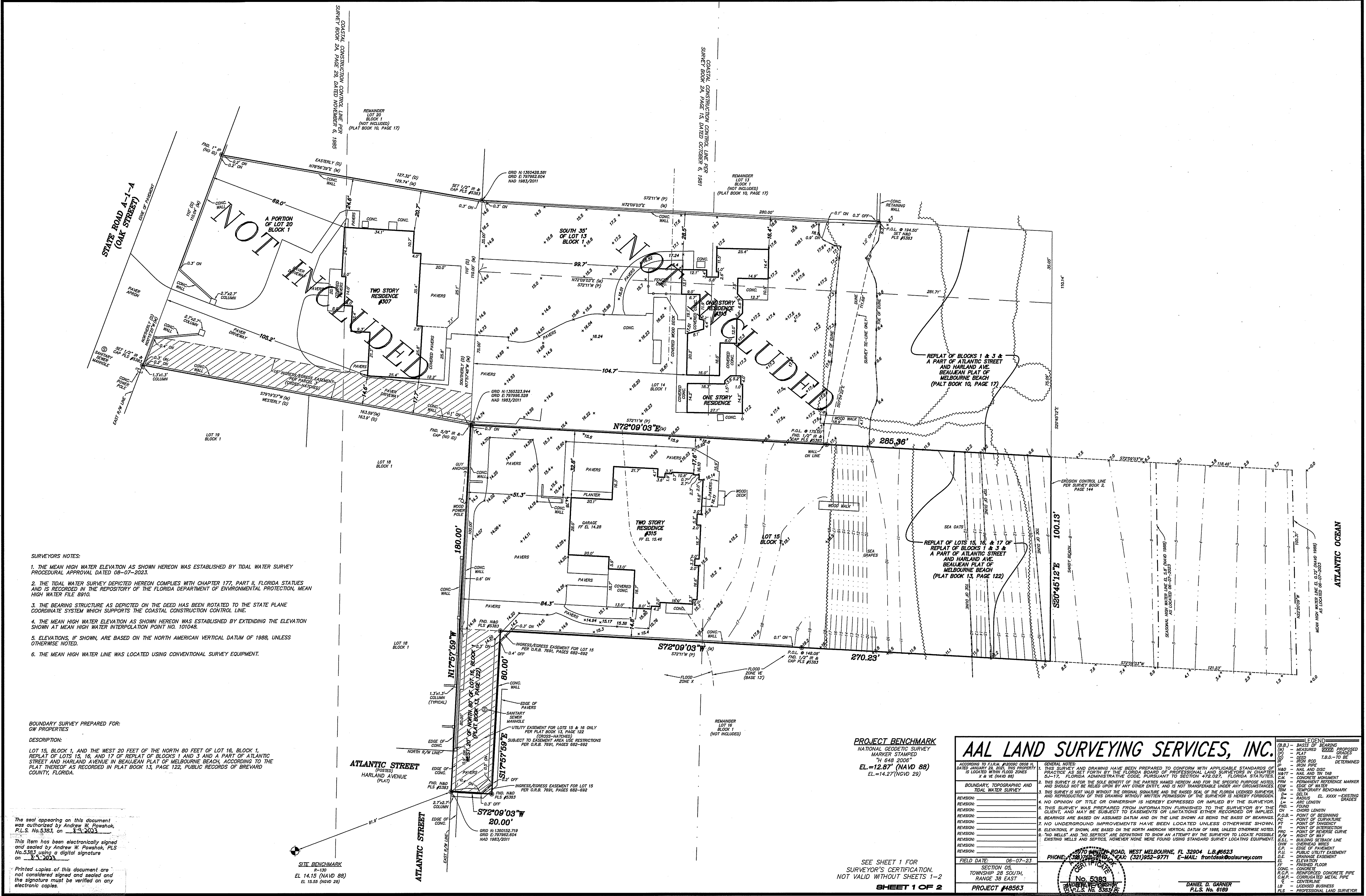
DATE _____

DESIGNED BY: CAB	DATE: 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

LANDSCAPE PLAN

L-1

SHEET 1 OF 1



- SURVEYOR'S NOTES:**
1. THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY TIDAL WATER SURVEY PROCEDURAL APPROVAL DATED 08-07-2023.
 2. THE TIDAL WATER SURVEY DEPICTED HEREON COMPLIES WITH CHAPTER 177, PART II, FLORIDA STATUTES AND IS RECORDED IN THE REPOSITORY OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, MEAN HIGH WATER FILE 8910.
 3. THE BEARING STRUCTURE AS DEPICTED ON THE DEED HAS BEEN ROTATED TO THE STATE PLANE COORDINATE SYSTEM WHICH SUPPORTS THE COASTAL CONSTRUCTION CONTROL LINE.
 4. THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS ESTABLISHED BY EXTENDING THE ELEVATION SHOWN AT MEAN HIGH WATER INTERPOLATION POINT NO. 101048.
 5. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.
 6. THE MEAN HIGH WATER LINE WAS LOCATED USING CONVENTIONAL SURVEY EQUIPMENT.

BOUNDARY SURVEY PREPARED FOR:
GW PROPERTIES

DESCRIPTION:
LOT 15, BLOCK 1, AND THE WEST 20 FEET OF THE NORTH 80 FEET OF LOT 16, BLOCK 1, REPLAT OF LOTS 15, 16, AND 17 OF REPLAT OF BLOCKS 1 AND 3 AND A PART OF ATLANTIC STREET AND HARLAND AVENUE IN BEAUJEAN PLAT OF MELBOURNE BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 122, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

The seal appearing on this document was authorized by Andrew W. Powasick, P.L.S. No. 5383, on 8-5-2023.

This item has been electronically signed and sealed by Andrew W. Powasick, P.L.S. No. 5383 using a digital signature on 8-5-2023.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

SITE BENCHMARK
R-130
EL. 14.15 (NAVD 88)
EL. 15.55 (NGVD 29)

PROJECT BENCHMARK
NATIONAL GEODETIC SURVEY
MARKER STAMPED
"H 648 2006"
EL.=12.87' (NAVD 88)
EL.=14.27' (NGVD 29)

AAL LAND SURVEYING SERVICES, INC.

10000 W. STATE ROAD, WEST MELBOURNE, FL 32904 L.B.#6823
PHONE: (386) 768-1160 FAX: (321) 952-9771 E-MAIL: frontdesk@aalsurvey.com

SECTION 05,
TOWNSHIP 28 SOUTH,
RANGE 38 EAST
PROJECT #18563

DATE: 06-07-23

SEE SHEET 1 FOR SURVEYOR'S CERTIFICATION. NOT VALID WITHOUT SHEETS 1-2
SHEET 1 OF 2

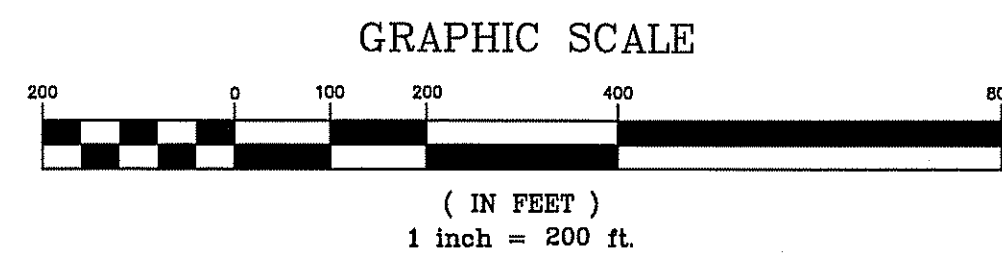
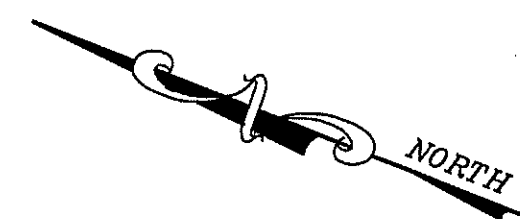
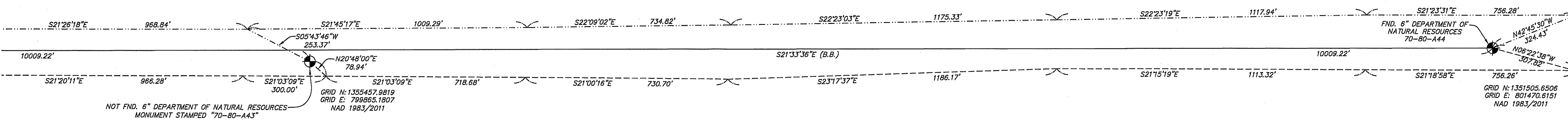
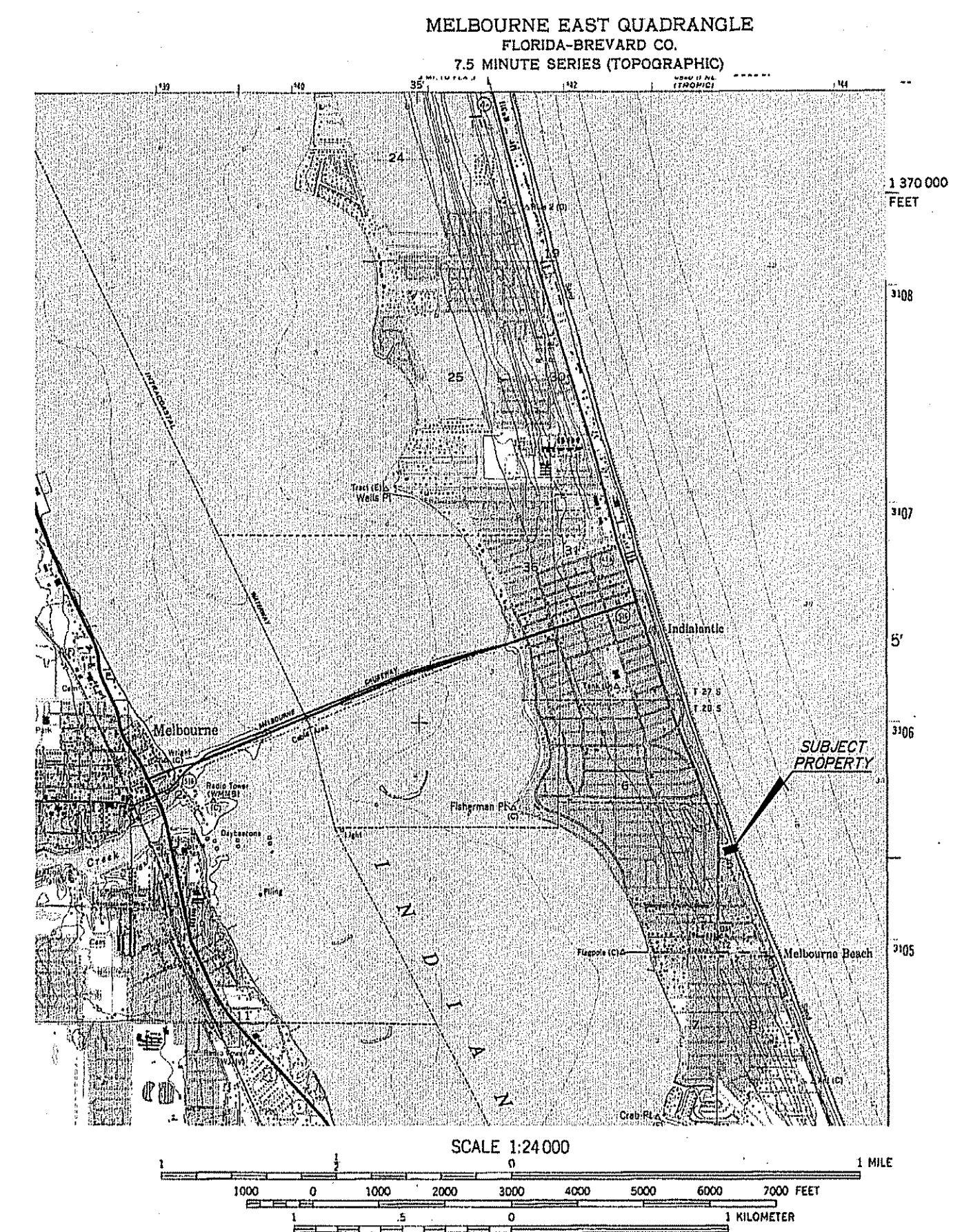
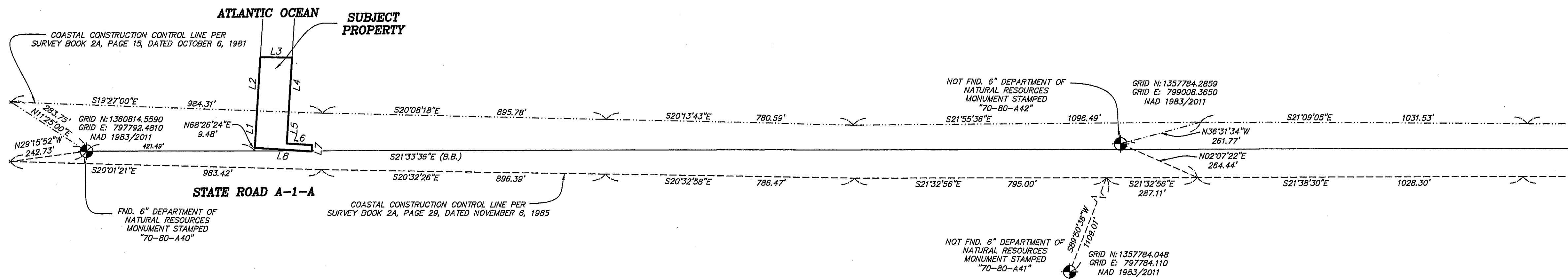
LEGEND

(B.M.)	BASIS OF BEARING
(M)	MEASURED
(P)	PROPOSED
(D)	DEED
(T.D.)	T.B.D.-TO BE DETERMINED
(R)	ROAD
(I)	IRON PIPE
(N&D)	NAIL AND DISC
(N&T)	NAIL AND TIN TAB
(C.M.)	CONCRETE MONUMENT
(P.M.)	PERMANENT REFERENCE MARKER
(T.M.)	TEMPORARY BENCHMARK
(R.W.)	RIGHT OF WAY
(R.A.)	RADIUS
(L)	LENGTH
(F.N.D.)	FOUND
(C.H.)	CHORD LENGTH
(P.C.B.)	POINT OF BEGINNING
(P.T.)	POINT OF TANGENCY
(P.C.)	POINT OF CURVATURE
(P.I.)	POINT OF INTERSECTION
(R.C.)	REINFORCED CONCRETE PIPE
(C.M.P.)	CORRUGATED METAL PIPE
(C)	CENTERLINE
(L.B.)	LICENSED BUSINESS
(P.L.S.)	PROFESSIONAL LAND SURVEYOR

GENERAL NOTES:

1. THIS SURVEY AND DRAWING HAVE BEEN PREPARED TO CONFORM WITH APPLICABLE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 476.027, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 476.027, FLORIDA STATUTES.
2. THIS SURVEY IS FOR THE SOLE BENEFIT OF THE PARTIES NAMED HEREON AND FOR THE SPECIFIC PURPOSE NOTED.
3. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR, AND REPRODUCTION OF THIS DRAWING WITHOUT WRITTEN PERMISSION OF THE SURVEYOR IS HEREBY FORBIDDEN.
4. NO OPINION OF TITLE OR OWNERSHIP IS HEREBY EXPRESSED OR IMPLIED BY THE SURVEYOR.
5. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR BY THE CLIENT, AND MAY BE SUBJECT TO EASEMENTS OR LIMITATIONS EITHER RECORDED OR IMPLIED.
6. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BEING THE BASIS OF BEARINGS.
7. ALL UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
8. ELEVATIONS, IF SHOWN, ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, UNLESS OTHERWISE NOTED.
9. "NO WELLS" AND "NO SEPTICS" ARE DEFINITIONS TO SHOW AN ATTEMPT BY THE SURVEYOR TO LOCATE POSSIBLE EXISTING WELLS AND SEPTICS; HOWEVER NONE WERE FOUND USING STANDARD SURVEY LOCATING EQUIPMENT.

LINE	BEARING	LENGTH
L1	N72°09'03"E	116.59'
L2	N72°09'03"E	168.77'
L3	S20°45'12"E	100.13'
L4	S72°09'03"W	171.05'
L5	S72°09'03"W	99.18'
L6	S17°57'59"E	80.00'
L7	S72°09'03"W	20.00'
L8	N17°57'59"W	180.00'



PROJECT BENCHMARK
NATIONAL GEODETIC SURVEY
MARKER STAMPED
"H 648 2006"
EL.=12.87' (NAVD 88)
EL.=14.27' (NGVD 29)

SEE SHEET 1 FOR SURVEYOR'S CERTIFICATION.
NOT VALID WITHOUT SHEETS 1-2

SHEET 2 OF 2

JOB # 48563 FIELD SURVEY DATE: 06-07-23 REVISION: _____ REVISION: _____ REVISION: _____	AAL LAND SURVEYING SERVICES, INC. 3970 MINTON ROAD, WEST MELBOURNE, FL 32904 PHONE: (321)768-8110 FAX: (321)852-9771 E-MAIL: frontdesk@aalsurvey.com	L.B. #8623
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TOWN OF MELBOURNE BEACH

Board of Adjustment

Staff Report – Board of Adjustment Public Hearing- 1.18.2024

1. PETITION DESCRIPTION

APPLICANT: Clayton A. Bennett, PE

OWNER: Heather and Jason Davidson

ADDRESS: 315 Atlantic Street

ZONING

DISTRICT: 1-RS Single Family Residential District

REQUEST: The applicant is requesting a Coastal Construction Variance for construction of a building addition to the existing single-family residence from the Town of Melbourne Beach Code Section 5A-4 "Certain Structures Prohibited". This code section prohibits construction of any major structures or excavation of any material seaward of the coast construction setback line. In accordance with the application this is a request for a variance of 177 feet to allow for a building addition on the landward side of the existing single-family residence (see complete application in **Exhibit "A"**). The proposed work will include a building addition, site grading, removal and replacement of the driveway and brick pavers, and other associated site related items.

2. BACKGROUND

The "Plot Plan" prepared by Bennett Engineering & Consulting (Sheet C-1 of the civil engineering plans provided in **Exhibit "B"**) shows the existing building and proposed building addition, including a new garage, pavers and other site improvements landward of the existing structure. The "Plot Plan" also shows the location of the Coastal Construction Control Line (CCCL), the subject property and proposed improvements, and the easterly limits of the proposed improvements at 177 feet seaward of the CCCL. The special purpose survey of FDEP R-130, prepared by Kane Surveying, Inc., and dated 10/20/22 shows the dune profile from the date of the survey as compared to the dune profile from November 8, 1972 (**Exhibit "C"**).

Chapter 5A, Coastal Setback Regulations, of the Melbourne Beach Code of Ordinances prohibits construction seaward of the 1986 Coastal Construction Control Line without a variance. The application in Exhibit "A" addresses the criteria specified in the application for variance as follows:

1. The enclosed Special Purpose Survey at R-130, prepared by Kane Surveying, Inc., Job No. 42320, dated October 20, 2022 demonstrates that the subject site has experienced less than 25 feet of beach-dune erosion since 1972.
2. The proposed improvements will be designed to comply with the Florida Building Code. In addition, the improvements are to be located on the landward side of the existing single-family home. Furthermore, the proposed project will require a coastal construction permit by the Florida Department of Environmental protection.

3. No improvements are proposed on the beach dune, nor any vegetation is proposed to be removed from the beach dune. Furthermore, the existing residence will serve as a buffer between the proposed improvements and the beach dune.

3. STAFF ANALYSIS.

The subject request includes a completed Town of Melbourne Beach application for a Variance to the Coastal Setback/Excavation, and required supporting information including a plot plan, written description of proposed variance, special purpose survey, and written description of compliance with standards in Section 5A-6(d).

Section 5A-2 establishes the coastal construction setback line as the “Florida Coastal Construction Line” as adopted on December 4, 1986. **Section 5A-4** states that no structures shall be constructed nor any excavation conducted seaward of the coastal setback line; and, **Section 5A-1** defines major structures as including single-family homes, swimming pools, etc., and minor structures including dune and beach walkover structures, beach access ramps and walkways, etc. **Section 5A-6(a)** allows the Board of Adjustment to grant variances to Sections 5A-2 and 5A-4 and **Section 5A-6(d)** allows the Board of Adjustment to grant the requested variance “where the facts presented at the public hearing demonstrate the following:”

1. **That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time of application to the point at the dune as it existed in September, 1972, which corresponds to the same elevation as the toe of the dune as it exists at the time of application;**

As evidenced by the Special Purpose Survey by Kane Surveying, Inc., dated 10-20-2022, accretion rather than erosion has occurred in this area, and the application complies with this requirement.

2. **That the granting of the variance will not be injurious to adjacent properties, nor contrary to the public interest; and,**

Granting the variance would allow construction of a building addition which will be subject to compliance with applicable federal state and local building codes, and complies with this requirement.

In making a decision regarding coastal setback variances, **Section 5A-6** specifies general conditions of granting a variance including: (1) with regard to any variance granted pursuant to this section after August 1, 2012, if the rights authorized by a variance are not exercised within 730 days of the date of grant of such variance, they shall lapse and may be reestablished only after notice, a new hearing, and an evaluation pursuant to this section; (2) all variances issued pursuant to this section are conditioned upon the development depicted on the survey submitted pursuant to this subsection and will not be applicable to or permit other development; (3) in compliance with 44 CFR 60.3(a)(2), all other applicable state or federal permits must be obtained before the commencement of development. In addition, all new construction must comply with the provisions of Sections 7A-31, 1-RS Single-family Residential District as appropriate, and per **Section 5A-6(c)** the applicant is required to submit detailed final construction plans and specifications to the Town for review and approval.



TOWN OF MELBOURNE BEACH

Board of Adjustment

EXHIBIT "A"

Application



TOWN OF MELBOURNE BEACH DEVELOPMENT APPLICATION

I. SUBMITTAL REQUIREMENTS:

1. Fees per current schedule.
2. Deed to property.
3. Pre-Application meeting is mandatory. Contact the Building Official or Building Clerk to submit information required and to schedule a pre-application meeting.
4. Application deadlines are determined annually by the Boards and will be provided at the pre-application meeting.
5. All applicants must complete pages 1-3 and the section(s) as applicable to the request (refer to section II. below). All materials listed in the applicable sections must be provided, and fees paid.

II. REQUEST:

- | | |
|--|--|
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Special Exception | <input checked="" type="checkbox"/> Coastal Construction Variance |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Appeal (Application must be filed within 30 days) |
| <input checked="" type="checkbox"/> Site Plan Review Single Family (1RS, 2RS, 3RS) | <input type="checkbox"/> Site Plan Review Multifamily (4RM, 5RMO) |
| <input type="checkbox"/> Site Plan Review Commercial (6B, 7C, 8B, 9I) | <input type="checkbox"/> Amendment to the Land Development Code |
| | <input type="checkbox"/> Other (specify) _____ |

III. PROPERTY INFORMATION:

General Location: The subject site is located toward the north end of Atlantic St.

Address: 315 Atlantic Street, Melbourne Beach, FL 32951

Parcel Number(s): 28-38-05-FV-1-15

Area (in acreage): +/- 0.70 Area (in square feet): +/- 30,380

Current Zoning: 1-RS Proposed Zoning: 1-RS

Current Future Land Use: Single-Family Proposed Future Land Use: Single-Family

Brief Description of Application: Both a Coastal Construction Line Variance and a Site Plan review is requested to allow for a non-substantial building addition to the existing single-family residence located on the subject lot.

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): _____

IV. APPLICANT INFORMATION:

Property Owner

Name: 315 Atlantic St, INC - Jason & Heather Davidson

Phone: 619-867-6916

Address: 460 Shinn Avenue

Fax: _____

W Melbourne, FL 32904

Email: DRJAYDAVIDSON@GMAIL.COM

Applicant (if other than property owner)

Name: Clayton Bennett, P.E.

Phone: (321) 622-4462

Address: 4940 Ranchland Rd

Fax: (321) 633-4462

Melbourne, FL 32934

Email: ClaytonABennett@gmail.com

V. OWNER AUTHORIZATION:*

The undersigned hereby affirms the following:

1. That I/we are the fee simple title owner/contract purchaser (circle one) of the property described in this application.
2. That I/we have read and understands the entire application and concurs with the request.
3. That I/we have appointed the Applicant to represent the application, and empowers the Applicant to accept any and all conditions of approval imposed by the Town of Melbourne Beach.

Signature: *Jason Davidson*

Date: 10/31/2023

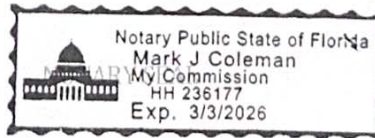
Print Name: Jason Davidson OR Heather Davidson Title: Managing Member - 315 Atlantic St, INC

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me
this 10th day of October, 2023, by Jason Davidson
who is/are personally known to me, or who has/have produced _____
as identification.

Mark J. Coleman
Signature of Notary Public, State of Florida



VI. APPLICANT CERTIFICATION:*

I/we affirm and certify that I/we understand and will comply with the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the application and support documents are fully complete and comply with the requirements of the land development regulations of the Town of Melbourne Beach, Florida. I/we further certify that the statements and/or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief that this application, attachments and application filing fees become part of the official public record of the Town of Melbourne Beach, Florida and are not returnable or refundable.

Under penalties of perjury, I/we declare that I/we have read the foregoing application and that to the best of my/our knowledge and belief the facts stated in the application are true.

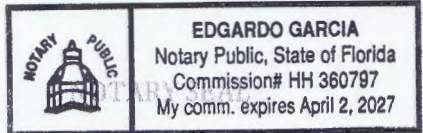
Signature: [Signature] Date: 11/9/2023
Print Name: Clayton Bennett Title: Managing member

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 9th day of November 2023, by Clayton Bennett who is/are personally known to me, or who has/have produced FL Driver's License as identification.

[Signature]
Signature of Notary Public, State of Florida



VII. PROJECT DESCRIPTION:

Describe Application: Both a Coastal Construction Control Line Variance and a site Plan review are requested to allow for a non-substantial building addition to an existing single-family residence located on the subject lot.

Provide attachment if more space is needed.
single-family residence.

Describe Existing Conditions: The subject site is currently developed as an existing single family residence.

Provide attachment if more space is needed.

A. Variance to Coastal Construction Line Restrictions*

Applications for variance to the Coastal Construction restrictions shall provide a statement describing the proposed work, activity, and construction seaward of the coastal setback line.

A Coastal Construction Control Line variance of 177 feet is requested to allow for a building addition on the landward side of the existing single family residence. The proposed work will include a building addition, site grading, partial removal and replacement of the driveway and brick pavers, and other site related items.

Provide attachment if more space is needed.

Applications shall also include a topographic survey of the subject property with the following specific information:

- The location of the contour line corresponding to elevation zero feet NGVD;
- The location of any existing vegetation line on the subject property;
- The location of the established State Department of Environmental Protection Coastal Construction Control Line and the mean high water line, for the full width of the subject property, including the location and number of the two nearest State Department of Environmental Protection's baseline monuments;
- The location of all proposed development to be constructed as a result of the proposed variance;
- The location of all existing development to remain on-site as a part of the development or redevelopment of the site;
- The location seaward of the coastal construction control line of all portions of all existing, and planned development, depicting the number of feet seaward of the coastal construction control line of the development;
- The location for the full width of the subject property of: the line of continuous construction; the top of the coastal dune system; the toe of the coastal dune system on or adjacent to the property at the time of application to the point at the dune, as it existed in September, 1972; and the location of the East side of the A-1-A right-of-way; the location of any principal structure to the North and South of the proposed project property and located within 100 feet of the proposed project property. As used in this subsection, the term ***LINE OF CONTINUOUS CONSTRUCTION*** is a line drawn from the most seaward edge of any principal structure to the North, and within 100 feet of the proposed project to the most seaward edge of any principal structure to the South, and within 100 feet, of the proposed project; and
- A certification as to the maximum number of feet seaward of the coastal construction control line for which the variance is requested for the full width of the subject property.

The applicant shall also provide detailed final construction plans and specifications for all structures proposed to be constructed seaward of the coastal setback line. These documents shall be signed and sealed by a professional engineer or architect, as appropriate, who must be registered in the state.

The Applicant must provide documentation and narrative demonstrating the following:

That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time of application to the point at the dune as it existed in September, 1972, which corresponds to the same elevation as the toe of the dune as it exists at the time of application;

The enclosed Special Purpose Survey prepared by Kane Surveying, Inc. (project no. 42320) demonstrates that the subject site has experienced less than 25 feet of beach dune erosion since 1972.

Provide attachment if more space is needed.

That the granting of the variance will not be injurious to adjacent properties, nor contrary to the public interest

The proposed improvements shall be designed to comply with the requirements of the Florida Building Code. In addition, the proposed improvements are to be located on the landward side of the existing single-family residence. Furthermore, the proposed project will require a coastal construction permit by the Florida Department of Environmental Protection.

Provide attachment if more space is needed.

That the granting of the variance will not jeopardize the stability of the beach-dune system. In granting any variance, the Board of Adjustment will when reasonable to do so require that new development on the property subject to the variance be no further seaward than existing development to the North or South of the subject property.

No improvements are proposed on the beach dune, nor any vegetation proposed to be removed from the beach dune. Furthermore, the existing structure will serve as a buffer between the proposed improvements and the beach dune.

Provide attachment if more space is needed.

A notice containing the aforementioned information shall be posted by the applicant on the affected property at least 15 days prior to the public hearing. If the property abuts a public road right-of-way, the notice shall be posted in such a manner as to be visible from the road right-of-way. An affidavit signed by the owner or applicant evidencing posting of the affected real property shall be received by the Town Board of Adjustment, prior to the public hearing.

Public notification – As required by code for the respective applications, the applicant must provide a map showing the subject site and all properties within a 500' radius. The applicant must also provide self-addressed envelopes with the Town's return address for each property owner within that 500' radius for purposes of providing notice to property owners of record. A sign must also be posted on the property within the timeframes required to provide additional public notification as required by Code.

*** Provide twelve (12) copies of the completed application and all supporting documentation.**

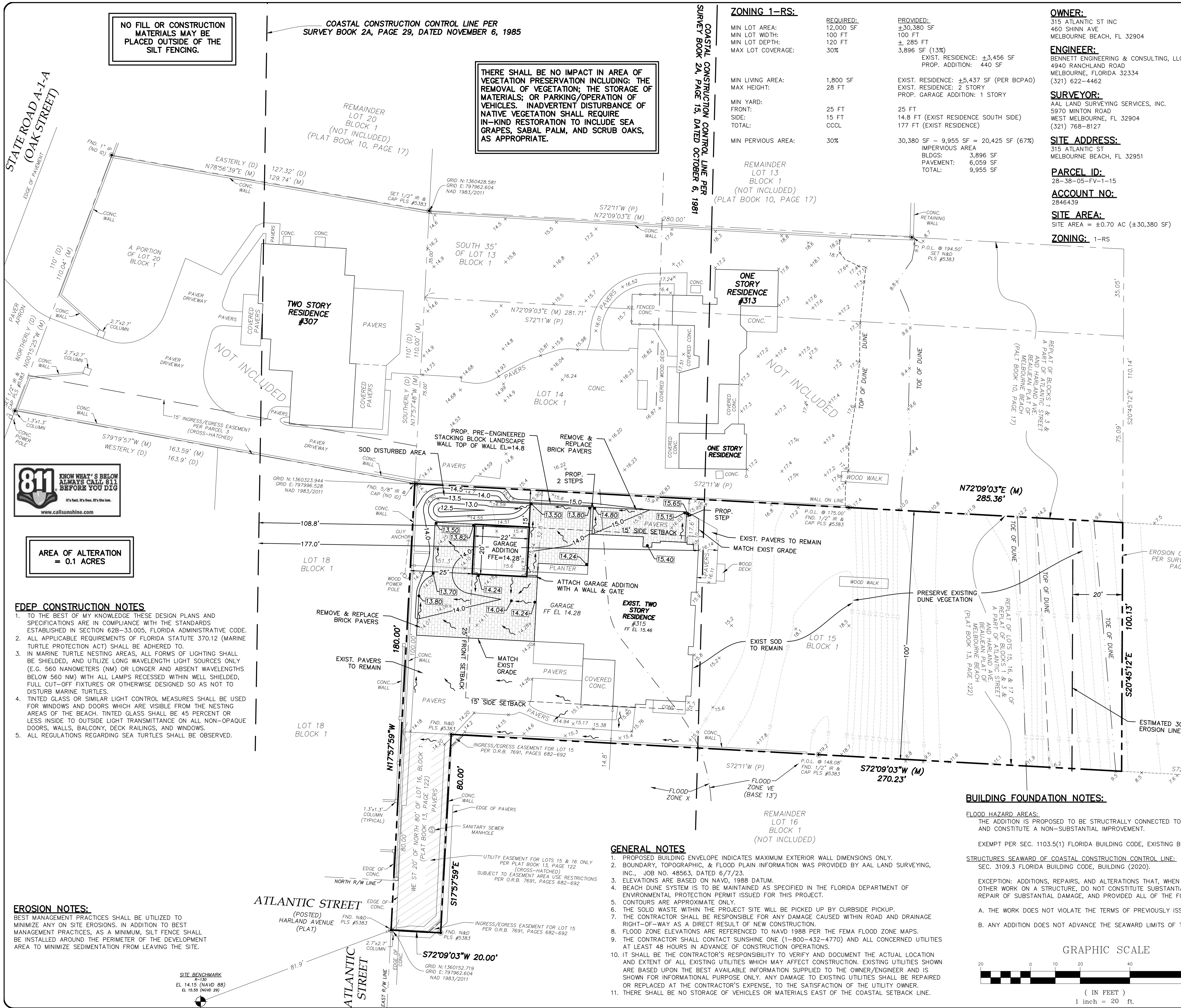


TOWN OF MELBOURNE BEACH

Board of Adjustment

EXHIBIT "B"

Plot Plan



NO FILL OR CONSTRUCTION MATERIALS MAY BE PLACED OUTSIDE OF THE SILT FENCING.

COASTAL CONSTRUCTION CONTROL LINE PER SURVEY BOOK 2A, PAGE 29, DATED NOVEMBER 6, 1985

THERE SHALL BE NO IMPACT IN AREA OF VEGETATION PRESERVATION INCLUDING THE REMOVAL OF VEGETATION; THE STORAGE OF MATERIALS; OR PARKING/OPERATION OF VEHICLES. INADVERTENT DISTURBANCE OF NATIVE VEGETATION SHALL REQUIRE IN-KIND RESTORATION TO INCLUDE SEA GRAPES, SABAL PALM, AND SCRUB OAKS, AS APPROPRIATE.

ZONING 1-RS:

MIN LOT AREA:	12,000 SF	PROVIDED:	±30,380 SF
MIN LOT WIDTH:	100 FT	EXIST. RESIDENCE:	±3,456 SF
MIN LOT DEPTH:	120 FT	PROP. ADDITION:	440 SF
MAX LOT COVERAGE:	30%	EXIST. RESIDENCE:	±5,437 SF (PER BCPAO)
MIN LIVING AREA:	1,800 SF	EXIST. RESIDENCE:	2 STORY
MAX HEIGHT:	28 FT	PROP. GARAGE ADDITION:	1 STORY
MIN YARD:	25 FT	EXIST. RESIDENCE:	14.8 FT (EXIST RESIDENCE SOUTH SIDE)
FRONT:	15 FT	EXIST. RESIDENCE:	177 FT (EXIST RESIDENCE)
SIDE:	CCOL	PERVIOUS AREA:	30%
TOTAL:		IMPERVIOUS AREA:	30,380 SF - 9,955 SF = 20,425 SF (67%)
MIN PERVIOUS AREA:	30%	BLDGS:	3,896 SF
		PAVEMENT:	6,059 SF
		TOTAL:	9,955 SF

OWNER:
315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32904

ENGINEER:
BENNETT ENGINEERING & CONSULTING, LLC
4940 RANGLAND ROAD
MELBOURNE, FLORIDA 32934
(321) 622-4462

SURVEYOR:
AAL LAND SURVEYING SERVICES, INC.
5970 MINTON ROAD
WEST MELBOURNE, FL 32904
(321) 768-8127

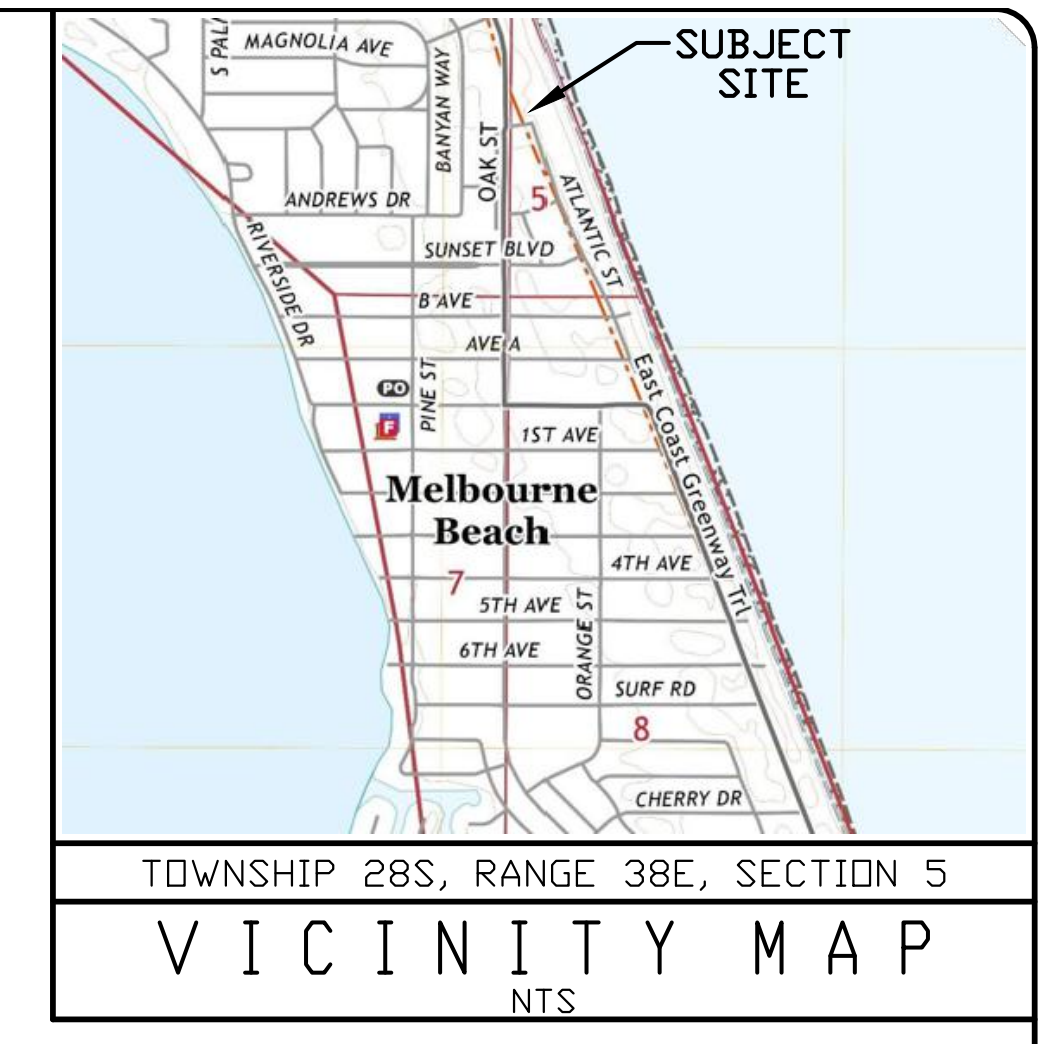
SITE ADDRESS:
315 ATLANTIC ST
MELBOURNE BEACH, FL 32951

PARCEL ID:
28-38-05-FV-1-15

ACCOUNT NO:
2846439

SITE AREA:
SITE AREA = ±0.70 AC (±30,380 SF)

ZONING: 1-RS



TOWNSHIP 28S, RANGE 38E, SECTION 5

GENERAL STATEMENT:
THIS PLOT PLAN HAS BEEN PREPARED FOR A NON-SUBSTANTIAL IMPROVEMENT TO THE EXIST RESIDENCE.

LEGAL DESCRIPTION: (BY SURVEYOR)
LOT 15, BLOCK 1, AND THE WEST 20 FEET OF THE NORTH 80 FEET OF LOT 16, BLOCK 1, REPLAT OF LOTS 15, 16, AND 17 OF REPLAT OF BLOCKS 1 AND 3 AND A PART OF ATLANTIC STREET AND HARLAND AVENUE IN BEAUJEAN PLAT OF MELBOURNE BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 122, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

NATIONAL FLOOD INSURANCE INFORMATION:
(AS PROVIDED ON THE SURVEY)
MAP NO. 012009C0608H
FIRM INDEX DATE: JANUARY 29, 2021
FLOOD ZONES: "X" & "VE"

LANDSCAPE NOTES:
1. ANY NEW LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF MELBOURNE BEACH LANDSCAPE REGULATIONS.
2. SOD ALL DISTURBED AREAS.



AREA OF ALTERATION = 0.1 ACRES

- FDEP CONSTRUCTION NOTES**
1. TO THE BEST OF MY KNOWLEDGE THESE DESIGN PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE STANDARDS ESTABLISHED IN SECTION 62B-33.005, FLORIDA ADMINISTRATIVE CODE.
 2. ALL APPLICABLE REQUIREMENTS OF FLORIDA STATUTE 370.12 (MARINE TURTLE PROTECTION ACT) SHALL BE ADHERED TO.
 3. IN MARINE TURTLE NESTING AREAS, ALL FORMS OF LIGHTING SHALL BE SHIELDED, AND UTILIZE LONG WAVELENGTH LIGHT SOURCES ONLY (E.G. 560 NANOMETERS (NM) OR LONGER AND ABSENT WAVELENGTHS BELOW 560 NM) WITH ALL LAMPS RECESSED WITHIN WELL SHIELDED, FULL CUT-OFF FIXTURES OR OTHERWISE DESIGNED SO AS NOT TO DISTURB MARINE TURTLES.
 4. TINTED GLASS OR SIMILAR LIGHT CONTROL MEASURES SHALL BE USED FOR WINDOWS AND DOORS WHICH ARE VISIBLE FROM THE NESTING AREAS OF THE BEACH. TINTED GLASS SHALL BE 45 PERCENT OR LESS INSIDE TO OUTSIDE LIGHT TRANSMITTANCE ON ALL NON-OPAQUE DOORS, WALLS, BALCONY, DECK RAILINGS, AND WINDOWS.
 5. ALL REGULATIONS REGARDING SEA TURTLES SHALL BE OBSERVED.

EROSION NOTES:
BEST MANAGEMENT PRACTICES SHALL BE UTILIZED TO MINIMIZE ANY ON SITE EROSIONS. IN ADDITION TO BEST MANAGEMENT PRACTICES, AS A MINIMUM, SILT FENCE SHALL BE INSTALLED AROUND THE PERIMETER OF THE DEVELOPMENT AREA TO MINIMIZE SEDIMENTATION FROM LEAVING THE SITE.

- GENERAL NOTES**
1. PROPOSED BUILDING ENVELOPE INDICATES MAXIMUM EXTERIOR WALL DIMENSIONS ONLY.
 2. BOUNDARY, TOPOGRAPHIC, & FLOOD PLAIN INFORMATION WAS PROVIDED BY AAL LAND SURVEYING, INC., JOB NO. 48563, DATED 6/7/23.
 3. ELEVATIONS ARE BASED ON NAVD, 1988 DATUM.
 4. BEACH DUNE SYSTEM IS TO BE MAINTAINED AS SPECIFIED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT ISSUED FOR THIS PROJECT.
 5. CONTOURS ARE APPROXIMATE ONLY.
 6. THE SOLID WASTE WITHIN THE PROJECT SITE WILL BE PICKED UP BY CURBSIDE PICKUP.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED WITHIN ROAD AND DRAINAGE RIGHT-OF-WAY AS A DIRECT RESULT OF NEW CONSTRUCTION.
 8. FLOOD ZONE ELEVATIONS ARE REFERENCED TO NAVD 1988 PER THE FEMA FLOOD ZONE MAPS.
 9. THE CONTRACTOR SHALL CONTACT SUNSHINE ONE (1-800-432-4770) AND ALL CONCERNED UTILITIES AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.
 10. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND DOCUMENT THE ACTUAL LOCATION AND EXTENT OF ALL EXISTING UTILITIES WHICH MAY AFFECT CONSTRUCTION. EXISTING UTILITIES SHOWN ARE BASED UPON THE BEST AVAILABLE INFORMATION SUPPLIED TO THE OWNER/ENGINEER AND IS SHOWN FOR INFORMATIONAL PURPOSE ONLY. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE UTILITY OWNER.
 11. THERE SHALL BE NO STORAGE OF VEHICLES OR MATERIALS EAST OF THE COASTAL SETBACK LINE.

BUILDING FOUNDATION NOTES:

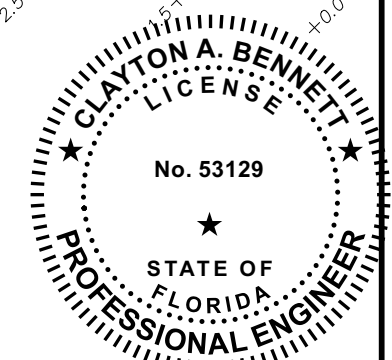
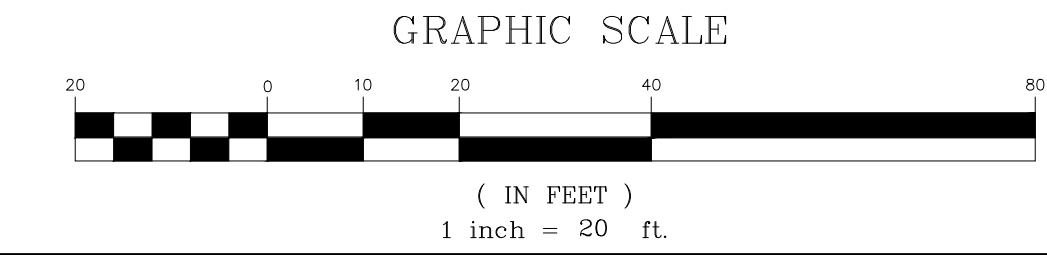
FLOOD HAZARD AREAS:
THE ADDITION IS PROPOSED TO BE STRUCTURALLY CONNECTED TO THE EXISTING BUILDING AND CONSTITUTE A NON-SUBSTANTIAL IMPROVEMENT.

EXEMPT PER SEC. 1103.5(1) FLORIDA BUILDING CODE, EXISTING BUILDING (2020):

STRUCTURES SEAWARD OF COASTAL CONSTRUCTION CONTROL LINE:
SEC. 3109.3 FLORIDA BUILDING CODE, BUILDING (2020).

EXCEPTION: ADDITIONS, REPAIRS, AND ALTERATIONS THAT, WHEN COMBINED WITH ALL OTHER WORK ON A STRUCTURE, DO NOT CONSTITUTE SUBSTANTIAL IMPROVEMENT OR REPAIR OF SUBSTANTIAL DAMAGE, AND PROVIDED ALL OF THE FOLLOWING APPLY:

- A. THE WORK DOES NOT VIOLATE THE TERMS OF PREVIOUSLY ISSUED PERMITS.
- B. ANY ADDITION DOES NOT ADVANCE THE SEAWARD LIMITS OF THE EXISTING STRUCTURE.



This item has been digitally signed and sealed by Clayton A. Bennett, PE on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

SHEET INDEX:

C-1	FLOT PLAN
C-2	SITE SECTION AND DETAILS
L-1	LANDSCAPE PLAN

NORTH

SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		

BEC Bennett Engineering & Consulting

4940 RANGLAND ROAD
MELBOURNE, FL 32934
CLAYTON A. BENNETT
P.E. NO. 53129

(321) 622-4462
FAX (321) 622-4462
CA# 28236

DATE _____
© 2023 BENNETT ENGINEERING & CONSULTING, LLC.

THIS DOCUMENT IS NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED HERE: _____ DATE _____

DESIGNED: CAB	DATE 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

PLAT PLAN

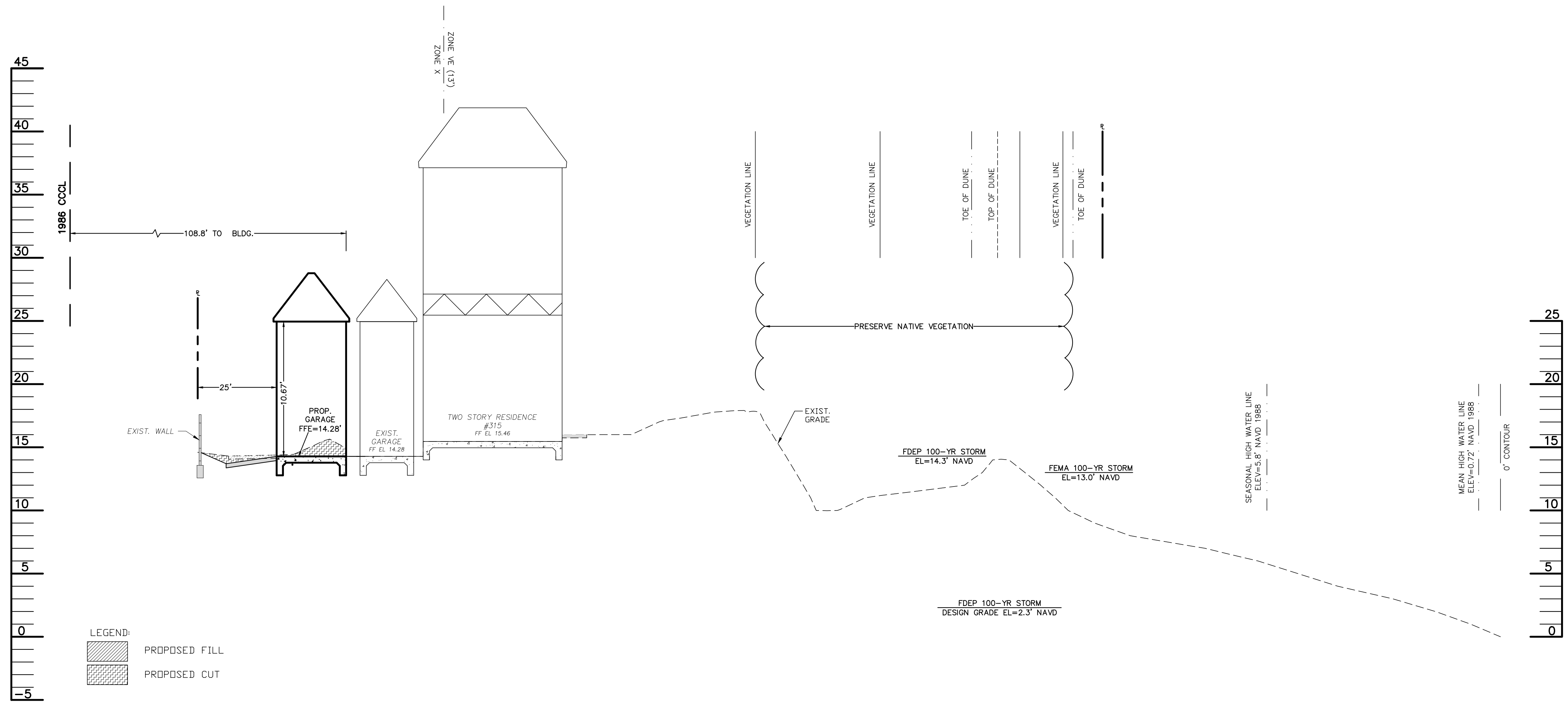
C-1

SHEET 1 OF 2

IMPORT FILL NOTES

ONLY BEACH COMPATIBLE FILL SHALL BE PLACED ON THE BEACH OR IN ANY ASSOCIATED DUNE SYSTEM. ALL FILL MATERIAL PLACED SEAWARD OF THE CCCL SHALL BE SAND WHICH IS SIMILAR TO THAT ALREADY EXISTING IN THE SAME FIXED COASTAL CELL IN COLORATION, GRAIN SIZE, AND COMPOSITION. BEACH COMPATIBLE FILL IS MATERIAL THAT MAINTAINS THE GENERAL CHARACTER AND FUNCTIONALITY OF THE MATERIAL OCCURRING ON THE BEACH AND IN THE ADJACENT DUNE AND COASTAL SYSTEM. SUCH MATERIAL SHALL BE PREDOMINATELY OF CARBONATE, QUARTZ OR SIMILAR MATERIAL WITH A PARTICLE SIZE DISTRIBUTION RANGING BETWEEN 0.062MM (4.0) AND 4.76MM (-2.25) (CLASSIFIED AS SAND BY EITHER THE UNIFIED SOILS OR THE WENTWORTH CLASSIFICATION), SHALL BE SIMILAR IN COLOR AND GRAIN SIZE DISTRIBUTION (SAND GRAIN FREQUENCY, MEAN AND MEDIAN GRAIN SIZE AND SORTING COEFFICIENT) TO THE MATERIAL IN THE EXISTING COASTAL SYSTEM AT THE PLACEMENT AREA AND SHALL NOT CONTAIN:

- (A) GREATER THAN 5 PERCENT, BY WEIGHT, SILT, CLAY OR COLLOIDS PASSING THE #230 SIEVE (4.0);
- (B) GREATER THAN 5 PERCENT, BY WEIGHT, FINE GRAVEL RETAINED ON THE #4 SIEVE (-2.25);
- (C) COARSE GRAVEL, COBBLES OR MATERIAL RETAINED ON THE 3/4 INCH SIEVE IN A PERCENTAGE OR SIZE GREATER THAN FOUND AT THE PLACEMENT AREA;
- (D) CONSTRUCTION DEBRIS, CLAY BALLS OR FOREIGN MATTER; OR,
- (E) MATERIAL THAT RESULTS IN CEMENTATION OF THE BEACH.



PROPOSED EARTHWORK SEAWARD OF 1985 CCCL

ITEM	EXCAVATION (CY)	FILL (CY)
PILES	0	0
UNDER BUILDING	10	0
DRIVEWAY & OPEN AREA	90	0
TOTAL	100	0

EXCESS EXCAVATED SAND TO BE PLACED ON AN APPROVED RECIPIENT SITE LOCATED SEAWARD OF THE CCCL.

LEGEND:

	PROPOSED FILL
	PROPOSED CUT

SECTION A-A

SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		

BEC Bennett Engineering & Consulting

4940 RANCHLAND ROAD
MELBOURNE, FL 32954
(321) 622-4462
FAX (321) 622-4462
CA# 28236

CLAYTON A. BENNETT
P.E. NO. 53129

DATE _____

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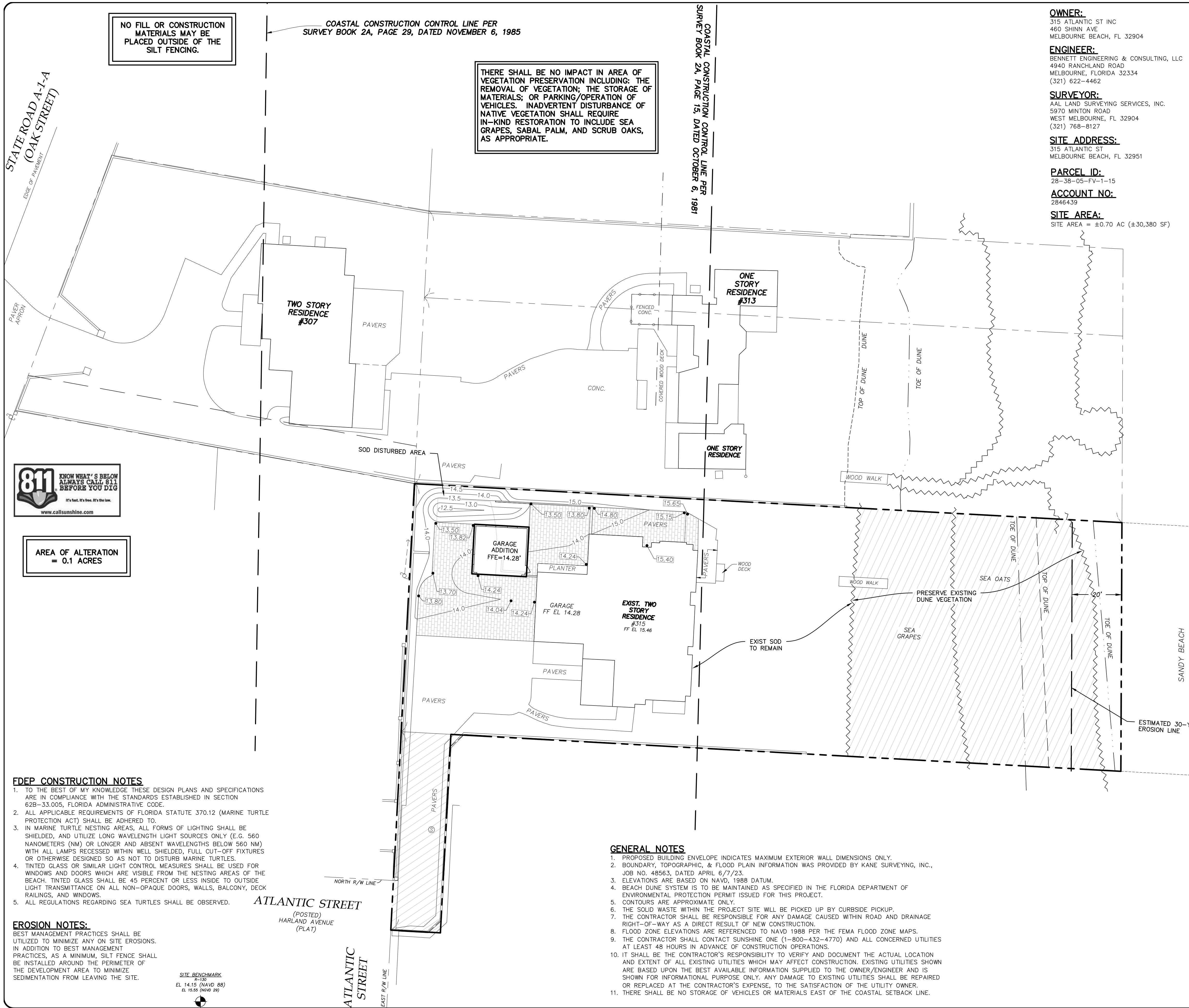
DATE _____

DESIGNED: CAB	DATE 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

SITE SECTION AND DETAILS

C-2

SHEET 2 OF 2



NO FILL OR CONSTRUCTION MATERIALS MAY BE PLACED OUTSIDE OF THE SILT FENCING.

THERE SHALL BE NO IMPACT IN AREA OF VEGETATION PRESERVATION INCLUDING THE REMOVAL OF VEGETATION; THE STORAGE OF MATERIALS; OR PARKING/OPERATION OF VEHICLES. INADVERTENT DISTURBANCE OF NATIVE VEGETATION SHALL REQUIRE IN-KIND RESTORATION TO INCLUDE SEA GRAPES, SABAL PALM, AND SCRUB OAKS, AS APPROPRIATE.



AREA OF ALTERATION = 0.1 ACRES

- FDEP CONSTRUCTION NOTES**
- TO THE BEST OF MY KNOWLEDGE THESE DESIGN PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE STANDARDS ESTABLISHED IN SECTION 62B-33.005, FLORIDA ADMINISTRATIVE CODE.
 - ALL APPLICABLE REQUIREMENTS OF FLORIDA STATUTE 370.12 (MARINE TURTLE PROTECTION ACT) SHALL BE ADHERED TO.
 - IN MARINE TURTLE NESTING AREAS, ALL FORMS OF LIGHTING SHALL BE SHIELDED, AND UTILIZE LONG WAVELENGTH LIGHT SOURCES ONLY (E.G. 560 NANOMETERS (NM) OR LONGER AND ABSENT WAVELENGTHS BELOW 560 NM) WITH ALL LAMPS RECESSED WITHIN WELL SHIELDED, FULL CUT-OFF FIXTURES OR OTHERWISE DESIGNED SO AS NOT TO DISTURB MARINE TURTLES.
 - TINTED GLASS OR SIMILAR LIGHT CONTROL MEASURES SHALL BE USED FOR WINDOWS AND DOORS WHICH ARE VISIBLE FROM THE NESTING AREAS OF THE BEACH. TINTED GLASS SHALL BE 45 PERCENT OR LESS INSIDE TO OUTSIDE LIGHT TRANSMITTANCE ON ALL NON-OPAQUE DOORS, WALLS, BALCONY, DECK RAILINGS, AND WINDOWS.
 - ALL REGULATIONS REGARDING SEA TURTLES SHALL BE OBSERVED.

EROSION NOTES:
BEST MANAGEMENT PRACTICES SHALL BE UTILIZED TO MINIMIZE ANY ON SITE EROSIONS. IN ADDITION TO BEST MANAGEMENT PRACTICES, AS A MINIMUM, SILT FENCE SHALL BE INSTALLED AROUND THE PERIMETER OF THE DEVELOPMENT AREA TO MINIMIZE SEDIMENTATION FROM LEAVING THE SITE.

SITE BENCHMARK
#232
EL. 14.15 (NAVD 88)
EL. 15.55 (NGVD 29)

OWNER:
315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32904

ENGINEER:
BENNETT ENGINEERING & CONSULTING, LLC
4940 RANCLAND ROAD
MELBOURNE, FLORIDA 32334
(321) 622-4462

SURVEYOR:
AAL LAND SURVEYING SERVICES, INC.
5970 MINTON ROAD
WEST MELBOURNE, FL 32904
(321) 768-8127

SITE ADDRESS:
315 ATLANTIC ST
MELBOURNE BEACH, FL 32951

PARCEL ID:
28-38-05-FV-1-15

ACCOUNT NO:
2846439

SITE AREA:
SITE AREA = ±0.70 AC (±30,380 SF)



GENERAL STATEMENT:
THIS LANDSCAPE PLAN HAS BEEN PREPARED FOR THE PROPOSED ADDITION TO THE EXISTING SINGLE-FAMILY RESIDENCE ON THE SUBJECT LOT.

- LANDSCAPE NOTES:**
- ANY NEW LANDSCAPING SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWN OF MELBOURNE BEACH LANDSCAPE REGULATIONS.
 - SOD ALL DISTURBED AREAS.

- GENERAL NOTES**
- PROPOSED BUILDING ENVELOPE INDICATES MAXIMUM EXTERIOR WALL DIMENSIONS ONLY.
 - BOUNDARY, TOPOGRAPHIC, & FLOOD PLAIN INFORMATION WAS PROVIDED BY KANE SURVEYING, INC., JOB NO. 48563, DATED APRIL 6/7/23.
 - ELEVATIONS ARE BASED ON NAVD, 1988 DATUM.
 - BEACH DUNE SYSTEM IS TO BE MAINTAINED AS SPECIFIED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT ISSUED FOR THIS PROJECT.
 - CONTOURS ARE APPROXIMATE ONLY.
 - THE SOLID WASTE WITHIN THE PROJECT SITE WILL BE PICKED UP BY CURBSIDE PICKUP.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED WITHIN ROAD AND DRAINAGE RIGHT-OF-WAY AS A DIRECT RESULT OF NEW CONSTRUCTION.
 - FLOOD ZONE ELEVATIONS ARE REFERENCED TO NAVD 1988 PER THE FEMA FLOOD ZONE MAPS.
 - THE CONTRACTOR SHALL CONTACT SUNSHINE ONE (1-800-432-4770) AND ALL CONCERNED UTILITIES AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.
 - IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND DOCUMENT THE ACTUAL LOCATION AND EXTENT OF ALL EXISTING UTILITIES WHICH MAY AFFECT CONSTRUCTION. EXISTING UTILITIES SHOWN ARE BASED UPON THE BEST AVAILABLE INFORMATION SUPPLIED TO THE OWNER/ENGINEER AND IS SHOWN FOR INFORMATIONAL PURPOSE ONLY. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE UTILITY OWNER.
 - THERE SHALL BE NO STORAGE OF VEHICLES OR MATERIALS EAST OF THE COASTAL SETBACK LINE.

NORTH

SCALE: 1"=20'

315 ATLANTIC ST INC
460 SHINN AVE
MELBOURNE BEACH, FL 32951

315 ATLANTIC ST RESIDENCE

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1		
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MELBOURNE, FL 32934
(321) 622-4462
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CLAYTON A. BENNETT
P.E. NO. 53129

DATE _____

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DATE _____

DESIGNED BY: CAB	DATE: 09/09/23
DRAWN BY: CAB	09/09/23
CHECKED:	
APPROVED:	
ACAD CODE: 23250M01.DWG	
PROJECT NO: 23.250	

LANDSCAPE PLAN

L-1

SHEET 1 OF 1



TOWN OF MELBOURNE BEACH

Board of Adjustment

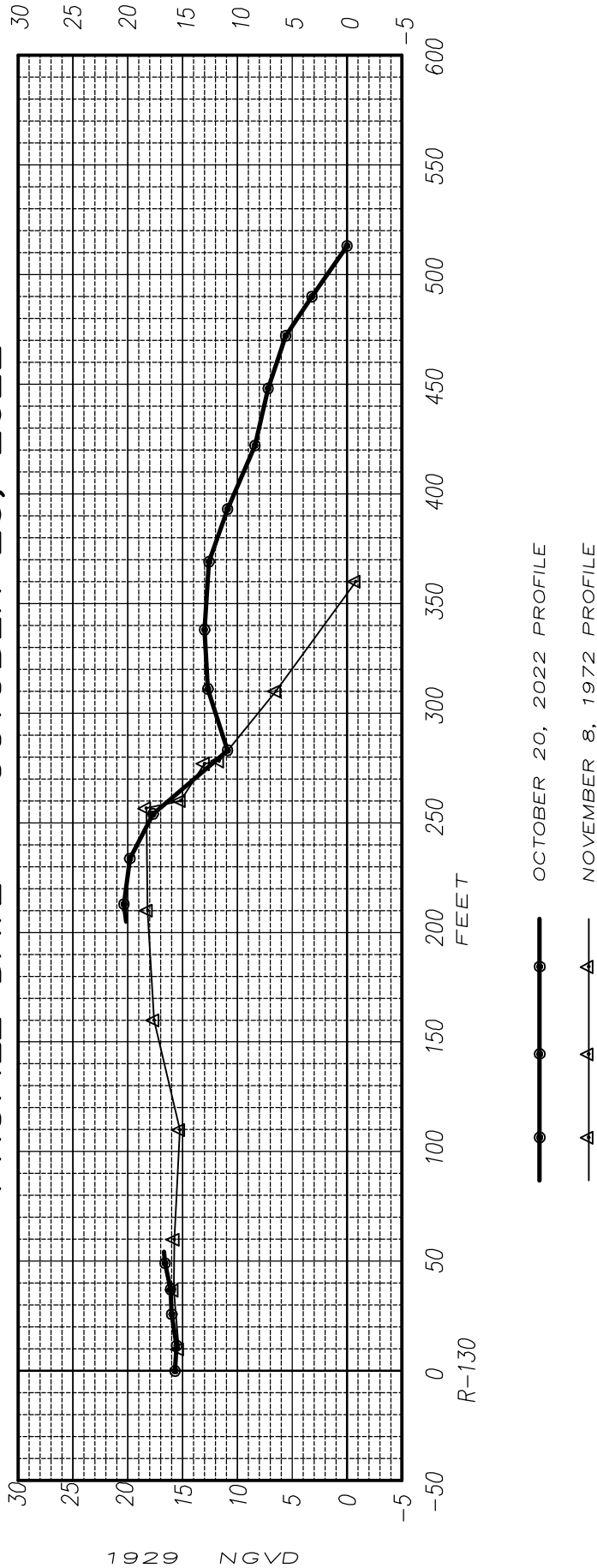
EXHIBIT "C"

Special Purpose Survey

SPECIAL PURPOSE SURVEY

BREVARD RANGE MONUMENT R-130

PROFILE DATE = OCTOBER 20, 2022



- NOTES:**
- SOLE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE EXISTING BEACH PROFILE FROM DEPARTMENT OF NATURAL RESOURCES MONUMENT R-130 NORTHEASTERLY TO THE 0 FOOT CONTOUR LINE ALONG A LINE N80°E FROM R-130
 - ELEVATIONS BASED ON NGVD 1929 AND NATURAL RESOURCES MONUMENT R-130 BEING AT AN ELEVATION OF 15.71 FEET NGVD 1929.
 - NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - R-130 = N-1359936.85/E-641762.49 NORTH AMERICAN DATUM 1927
 - R-130 WAS RECOVERED AND WAS FOUND IN GOOD CONDITION



10/26/2022 | 8:56 AM PDT

SPECIAL PURPOSE SURVEY	DATE: 10/20/22	JOB No. 42320
		PROFILE/R130

CERTIFICATION:

I HEREBY CERTIFY: THAT THE ATTACHED SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Joel Seymour

DATE: 10/25/22

JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA NO. LS 6133

LEGEND

NGVD = NATIONAL GEODETIC VERTICAL DATUM

Kane Surveying, Inc.

FLORIDA LICENSED BUSINESS No. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427 FAX (321) 984-1448

DRAWN BY: JED

SCALE 1 INCH = 30 FEET