



TOWN OF MELBOURNE BEACH

BOARD OF ADJUSTMENT MEETING

AUGUST 15, 2024

AGENDA PACKET

Town of Melbourne Beach

PUBLIC NOTICE

BOARD OF ADJUSTMENT MEETING THURSDAY, AUGUST 15, 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
Alternate Travis Hunsucker
Alternate Tim Reed

Staff Members:

Town Manager Elizabeth Mascaro
Town Clerk Amber Brown
Town Attorney Ryan Knight
Town Planner Corey O’Gorman

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
 - A. January 18, 2024 draft minutes
4. PUBLIC HEARINGS
 - A. Coastal Construction Variance Application #PCCV24-0001, 1503 Atlantic Street Unit B
5. NEW BUSINESS
6. OLD BUSINESS
7. ADJOURNMENT

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, if an individual decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at this meeting, a verbatim transcript of the proceedings may be required and the individual may need to ensure that a verbatim transcript of the proceedings is made.

One or more Commission members may be present at this meeting.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting shall, at least 48 hours prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860.

Town of Melbourne Beach

**BOARD OF ADJUSTMENT MEETING
THURSDAY, JANUARY 18, 2024
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
Alternate Travis Hunsucker

Staff Members:

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

1. Call to Order

Chairman Robert Schaefer called the meeting to order at 6:03 p.m.

2. 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
Alternate Board Member Travis Hunsucker

Staff Present:

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

3. Approval of Minutes

A. November 14, 2023 draft minutes

James Simmons spoke about page 7 third paragraph has a typo that says Chairman Robert Chairman instead of Chairman Robert Schaefer.

Member James Simmons moved to approve the minutes from November 14, 2023; Vice Chair Xochitl Ross seconded; Motion carried 5-0.

4. Public Hearing

A. Coastal Construction Variance Application #PCCV23-0001, 315 Atlantic Street

Applicant Clayton Bennett spoke about being the engineer of record and provided an overview of the project. Small addition on the landward side of the structure. The addition will be a garage attached to the primary structure.

Chairman Robert Schaefer reviewed the application.

Clayton Bennett spoke about there being no changes or additions to the application.

Member James Simmons spoke about flood water concerns, pavers being very close to the lot lines, and the requirement for 30% permeable surfaces. Does this go to civil engineering to verify the water flow and pattern?

Building Official Robert Bitgood spoke about it not going to a civil engineer because that is for new construction. During plan review, he verifies that 30% of the property is permeable. Only new residential construction has to retain 8 inches of water for 24 hours so it does not apply to this property. To get a final inspection they have to provide a survey of the pavers.

Vice Chair Xochitl Ross asked about the crest of the dune on this site plan is about where the toe of the dune used to be.

Member Peter Peterson spoke about questioning that before, but the location of the dune will change often.

Member James Simmons moved to approve Town of Melbourne Beach development application number PCCV23-0001 for 315 Atlantic; Vice Chair Xochitl Ross seconded; Motion carried 5-0

5. New Business

A. Appointment of the 2024 Chairperson

Vice Chair Xochitl Ross nominated Robert Schaefer; Member Charles Cain seconded; Motion carried 5-0

6. Adjournment

Member James Simmons moved to adjourn; Member Charles Cain seconded; Motion carried 5-0.

The meeting adjourned at 6:18 p.m.

ATTEST:

Robert Schaefer, Chairman

Amber Brown, Town Clerk

PCCV24-0001

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**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 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: Townhomes east of Atlantic ST.

Address: 1503 B Atlantic St.

Parcel Number(s): 28-38-08-FY-26-2.01

Area (in acreage): 0.19 Area (in square feet): 8276.4

Current Zoning: SRMO Proposed Zoning: N/A

Current Future Land Use: N/A Proposed Future Land Use: N/A

Brief Description of Application: _____

Add fiberglass pool to back yard

Date of Mandatory Pre-Application Meeting (attach meeting minutes if applicable): 3/19/2024

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IV. APPLICANT INFORMATION:

Property Owner

Name: MAA Galway
Mike & Ann Costello

Phone: 321 693 4586

Address: 26150 1503-13 Atlantic

Fax: _____

Email: MCOSTELLO@morse.com.com

Applicant (if other than property owner)

Name: _____

Phone: _____

Address: _____

Fax: _____

Email: _____

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: [Signature]

Date: 19 MAR 24

Print Name: Michael Costello

Title: owner

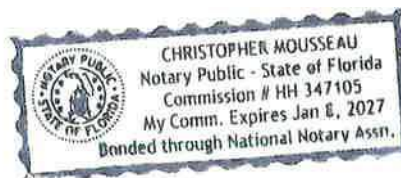
*Must sign in front of notary.

State of Florida

County of Brevard.

The foregoing application is acknowledged before me this 27 day of March, 2024, by Mike Costello who is /s/ personally known to me, or who has/have produced _____ as identification.

Signature of Notary Public, State of Florida



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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: 19 MAR 24

Print Name: Mike Costello

Title: OWNER

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 27 day of March, 2024, by Mike Costello, who is/are personally known to me, or who has/have produced _____ as identification.

Signature of Notary Public, State of Florida

[Handwritten Signature]



VII. PROJECT DESCRIPTION:

Describe Application: Install fiberglass pool in backyard

Provide attachment if more space is needed.

Describe Existing Conditions: N/A

Provide attachment if more space is needed.

Future Land Use Plan Amendment*

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed Amendment to the Future Land Use Plan is consistent with the Comprehensive Plan, and cite Comprehensive Plan Goals, Objectives and Policies in this analysis.

N/A

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed future land use plan amendment on public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire.

N/A

Provide attachment if more space is needed.

Environmental Impacts – the applicant must provide information on the impacts of the proposed future land use plan amendment on environmental resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

N/A

Provide attachment if more space is needed.

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.**

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Rezoning*

Justification – Provide a written justification of the proposed rezoning and the need for the change as proposed.

N/A

Provide attachment if more space is needed.

Effect – Provide a written narrative on the effect of the change, if any, on the particular property and on surrounding properties.

N/A

Provide attachment if more space is needed.

Undeveloped land – provide information on the amount of undeveloped land in the town having the same classification as that being requested.

N/A

Purpose and Intent – Provide a written description of the proposed change in relationship to the purpose and intent of the present zoning and zoning requested.

N/A

Provide attachment if more space is needed.

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.**

6

Amendment to the Land Development Code*

General Description of the proposed amendment to the Land Development Code – Provide a written description of the proposed change and explain why the amendment is necessary or appropriate.

N/A

Provide attachment if more space is needed.

The specific code section to be amended or adopted – Provide the specific wording of the proposed change.

N/A

Provide attachment if more space is needed.

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed amendment to the Land Development Code is consistent with the Comprehensive Plan.

N/A

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed amendment to the Land Development Code on the Town’s ability to provide adequate public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire and maintain the existing level of service as identified in the Comprehensive Pan, if the amendment is grated.

N/A

Provide attachment if more space is needed.

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Environmental/Natural/Historical Impacts – the applicant must provide information on the impacts of the proposed amendment to the Land Development Code on environmental/natural/historical resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

N/A

Provide attachment if more space is needed.

Public notification – Payment for all appropriate processing fees and charges will be made at the time of the application and at any other time as set forth by the Town Commission or Resolution.

Payment by the applicant shall include all costs necessary for giving of any public notice as required by state or local law.

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

Special Exception*

Site and architectural plans elevations of all faces of a building and an overhead view shall be submitted with all special exception applications that include a **new building(s), facade renovations, or substantial improvements to an existing building**. The drawings shall be submitted in color and at the minimum shall include:

- Sealed and signed survey of existing improvements. All elevations should be NGVD/NAVD or Comparable for FCMA reference. (Include LoL Dimensions, Square footage & Coverage Percentage)
- Architectural elevations showing:
 - Proposed architectural style.
 - Exterior construction material specifications.
 - Color charts.
- A site plan pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Refuse service area location.
- Mechanical outdoor equipment location.
- Master outdoor lighting plan.
- Screening devices.
- Master signage plan.
- Master landscaping and irrigation plan.
- Wall or fence details.
- Stormwater Management

Narrative – the applicant shall provide a narrative that explains how the use and the development will be compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, building size and setbacks, its relationship to land values and other factors that may be used to measure compatibility.

N/A

Provide attachment if more space is needed.

Special Exception Applications for space in an **existing building** must provide the following information:

- Survey of existing improvements.
- Architectural elevations showing:
 - Existing/proposed architectural style.
 - Existing/proposed exterior construction material specifications.
 - Existing/proposed exterior color.
- A site plan showing any proposed site improvements as described pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Existing/proposed refuse service area location.

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- Existing/proposed mechanical outdoor equipment location.
- Existing/proposed outdoor lighting layout.
- Existing/proposed screening and buffering.
- Existing/proposed signage.
- Existing/proposed landscaping and irrigation.
- Existing/proposed Wall or fence details.
- Stormwater Management

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 twelve (12) 11X17 copies of all supporting documentation.**

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Variations*

Variations are allowed only for area, size of structure, size of yards, and open spaces. All applications shall provide a written Justification Statement describing the existing conditions, the proposed improvements necessitating a variation, and shall address the following specific criteria:

Describe the special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district

N/A

Provide attachment if more space is needed.

Describe why the literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Land Development Code

N/A

Provide attachment if more space is needed.

Document that the special conditions and circumstances referred to above, do not result from the actions of the applicant.

N/A

Provide attachment if more space is needed.

NOTE: Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. Variations to maximum building heights are not authorized. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code.

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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.**

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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.

Install fiberglass pool in backyard.

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.

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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;

Attached

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

Attached

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.

Attached

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.**

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APPEAL*

1. Nature of Appeal – Please be specific in your narrative:

N/A

2. Provide any supporting drawings, information and documentation. All records and attachments shall be considered part of the application and will become part of the public record and will not be returned.

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.**



B.S.E. CONSULTANTS, INC.
Consulting ~ Engineering ~ Land Surveying

Scott M. Glaubitz, P.E., P.L.S.
President
Hassan Kamal, P.E.
Vice President

August 6, 2024

Via E-mail

Mr. Robert Bitgood
Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, FL 32951
E-mail address: building@melbournebeachfl.org

**Re: Site Plan Review – 1609 Atlantic Street
B.S.E. File #11440.100.32**

Dear Robert:

We have reviewed the Preliminary Site Plan for the above referenced project, Sheet Numbers C-1 – C-4 dated June 27, 2024, Stormwater Calculations dated July 2, 2024, prepared by Bennett Engineering & Consulting. Survey prepared by Kane Surveying, Inc dated June 17, 2024, and Transmittal prepared by Monarch Homes of Brevard, LLC dated July 2, 2024. We offer the following comments:

1. The Drainage Plan and Drainage Calculations as presented meet Town Code. We recommend approval of same.
2. The Drainage rational presented by the EOR was equally on point and accepted.

Should you have any questions, feel free to contact me.

Very truly yours,

Scott M. Glaubitz, P.E., P.L.S

Scott M. Glaubitz, P.E., P.L.S.
President
B.S.E. Consultants, Inc.

SMG/js
11440.100.32.town.corr.24-s5829.jul

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From: Corey OGorman <corey@placepd.com>
Sent: Tuesday, July 2, 2024 9:48 AM
To: Melbourne Beach Building Department <building@melbournebeachfl.org>
Subject: RE: 1503 Atlantic Pool

Hey Kim,

Thanks, that looks good ... they added beach area, so it looks like we can recommend approval. THANKS!

Corey W. O'Gorman AICP
Place Planning
 700 US Highway One, Suite C
 North Palm Beach, FL 33408
 561-863-2722 Phone
 561-801-2461 cell
www.placepd.com

From: Melbourne Beach Building Department <building@melbournebeachfl.org>
Sent: Tuesday, July 2, 2024 9:11 AM
To: Corey OGorman <corey@placepd.com>
Subject: 1503 Atlantic Pool

Attached are the requested documents for 1503 Atlantic for your review. This will be for the August 15th meeting if you approve.

Good morning,

Thank you,

Kim Kotsifas

Building Assistant

Town of Melbourne Beach

permitting@melbournebeachfl.org

507 Ocean Ave., Melbourne Beach, FL 32951-2523

(321) 724-5860 Fax (321) 984-8994

Direct (321) 396-5059

www.melbournebeachfl.org

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Melbourne Beach Building Department

From: Corey OGorman <corey@placepnd.com>
Sent: Tuesday, July 2, 2024 10:01 AM
To: Melbourne Beach Building Department
Subject: RE: 1503 Atlantic Pool

Great! Hope you have a great 4th also! Be safe!

Corey W. O'Gorman AICP
Place Planning
 700 US Highway One, Suite C
 North Palm Beach, FL 33408
 561-863-2722 Phone
 561 801 2161 ccell
www.placepnd.com

From: Melbourne Beach Building Department <building@melbournebeachfl.org>
Sent: Tuesday, July 2, 2024 9:50 AM
To: Corey OGorman <corey@placepnd.com>
Subject: RE: 1503 Atlantic Pool

He will be very happy, Thank you and happy 4th

Thank you,

Kim Katsifas
Building Assistant
 Town of Melbourne Beach
permitting@melbournebeachfl.org
 507 Ocean Ave., Melbourne Beach, FL 32951-2523
 (321) 724-5860 Fax (321) 984-8994
 Direct: (321) 396-5059

www.melbournebeachfl.org



Brevard County's Oldest Beach Community – Established 1883

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

CONFIDENTIALITY NOTICE This electronic transmission, including any attachments, may contain confidential information that is legally privileged and exempt from disclosure. The information is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or any employee/agent responsible for delivering the message to that recipient, you are hereby notified that any disclosure, dissemination, copying, distribution or the taking of any action in reliance on the contents of this confidential information is strictly prohibited. If you have received this communication in error, please destroy it and immediately notify me at permitting@melbournebeachfl.org or (321) 724-5860.

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PERMIT APPLICATION



TOWN OF MELBOURNE BEACH, FL

507 Ocean Avenue
 Melbourne Beach, FL 32951
 Phone: (321) 724-5860
 Email: building@melbournebeachfl.org
 Fax: (321) 984-8994

PLEASE PRINT LEGIBLY

For Office Use Only:

Permit # _____

Fee _____

DCA _____

DBPR _____

Local Ord. _____

Bldg. Plan Review _____

Site Plan Review _____

TOTAL _____

Zoning District: _____

Job Address: 1503 ATLANTIC ST UNIT B MELBOURNE BEACH FL 32951

Description of Work: installation of in-ground fiberglass swimming pool,
 spa, and deck

Value of Construction \$ 50,000 Total Area of Construction: 466.18 Sq. Ft.

Notice of Commencement is required for all work valued at \$2,500 or more. (\$7,500 for HVAC)

SUB _____ Block: 26 LOT: 2 COUNTY: BREVARD

Permit Type: RESIDENTIAL COMMERCIAL

Electric Mechanical** Plumbing Gas Building Addition

Window Door* Pool Spa # of Gallons: 9065.60

Shed Accessory Structure Fire Alarm Fire Sprinkler

Fence Roofing* Pitch: _____ Sign Type: _____ Sq. Ft: _____

***Florida Product Approvals and installation instructions required (2 copies)**

Contractor: Donald Glenn

Qualifier's Name: Donald Glenn License #: CPC1457140

Address: 541 Bablonica Dr, Orlando Zip Code: 32807

Phone #: 407-860-4748 Fax #: _____ Email: ciera@playwellpools.com

****Insurance and licensing information MUST be CURRENT with Brevard County****

Owners Name: Michael Costello Phone: 727-459-5264

Address: 1503 ATLANTIC ST UNIT B MELBOURNE BEACH FL 32951 Zip Code: _____

Architect/Engineer: _____ Phone #: _____

Address: _____ Zip Code: _____

STORMWATER MANAGEMENT

Pursuant to Town of Melbourne Beach Code of Ordinances 27-28, Illicit illegal discharges. No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the municipal separate storm sewer systems any pollutants or waters containing any pollutants, other than stormwater, whether such discharges occur through piping connections, runoff, exfiltration, infiltration, seepage or leaks. **Acknowledgement (Initial):** _____

PERMIT APPLICATION

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TOWN OF MELBOURNE BEACH, FL

Permit # _____

SUB-CONTRACTOR INFORMATION (Insurance and licensing information MUST be current with Brevard County):

Electrical:	Robert Truman	State Reg. Cert No.	FC 13006280
Address:	395 East Drive, Melbourne, FL 32904	Phone:	
Qualifier:		Signature:	
Plumbing:	Donald Glenn	State Reg. Cert No.	CPC 1457140
Address:	541 Bablonica Dr, Orlando, FL 32807	Phone:	4078604748
Qualifier:		Signature:	
Mechanical:		State Reg. Cert No.	
Address:		Phone:	
Qualifier:		Signature:	
Roofing:		State Reg. Cert No.	
Address:		Phone:	
Qualifier:		Signature:	
Other:		State Reg. Cert No.	
Address:		Phone:	
Qualifier:		Signature:	

APPLICANT'S AFFIDAVIT

Application is hereby made to obtain a permit to do work and installation as indicated by The Florida Building Code and Town Code in effect at the time of this application. I understand that all permits require inspections as indicated. This permit application is valid for 180 days from the date of submission.

I certify that NO work or installation has commenced prior to the issuance of a permit.

By signing, applicant affirms that all above is true and correct and that he/she is an authorized agent of the Contractor/Owner and has the authority to apply for this permit.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING THRICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

[Signature] 9 Dec 22
OWNER'S AGENT'S SIGNATURE and DATE

[Signature] 12/16/22
CONTRACTOR'S SIGNATURE and DATE

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence of online notarization on this 16 day of Dec 2022 by Michael Costello who is

STATE OF FLORIDA
COUNTY OF BREVARD

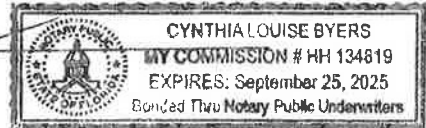
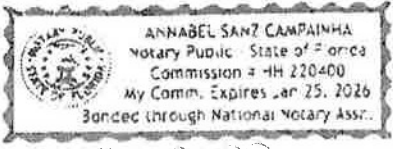
The foregoing instrument was acknowledged before me by means of physical presence of online notarization on this 16 day of Dec 2022 by Donald Glenn who is

Personally known to me, or has produced _____ as identification.

Personally known to me, or has produced _____ as identification.

[Signature]
Notary
Seal

[Signature]
Notary
Seal



12/16/2022

22

ANSI/APSP-7, 2006 Specifies three methods for determining the maximum system flow rate. The following simplified TDH calculation is one of the methods specified.

Simplified Total Dynamic Head (TDH) Calculation Worksheet

Determine Maximum System Flow Rate

Minimum Flow Rate Required: 35gpm per skimmer (required: 1 skimmer per 800 sq ft of surf. area)

1. Calculate Pool Volume $\frac{328.7}{\text{(Surface Area)}} \times \frac{4.6}{\text{(Avg Depth)}} \times 7.48 \text{ (gal./cubic foot)} = \frac{11,325}{\text{(Volume in Gallons)}}$
2. Determine preferred Turnover Time in Hours: $\frac{8}{\text{(Hours)}} \times 60 \text{ (min / hour)} = \frac{480}{\text{(Turnover in min)}}$
3. Determine Max Flow Rate $\frac{11,325}{\text{(Volume in Gallons)}} / \frac{480}{\text{(Turnover in Min)}} + \frac{60}{\text{(Pool Flow Rate)}} = \frac{83.59}{\text{(System Flow Rate)}}$
4. Spa Jets: _____ X _____ GPM per jet = _____ flow rate
(No of jets) (Jet Flow) (Total jet Flow Rate)

(For Single Pump pool/spa combo, use the higher of No. 3 or No. 4 in the following calculations for the pool & Spa)

Determine Pipe Sizes:

- Branch Piping to be 3 inch to keep velocity @ 6 fps max. at 1.8 gpm Maximum System Flow Rate
 Suction Piping to be 2 inch to keep velocity @ 8 fps max. at 83 gpm Maximum System Flow Rate
 Return Piping to be 2 inch to keep velocity @ 10 fps max. at 103 gpm Maximum System Flow Rate

Determine Simplified TDH:

1. Distance from pool, to pump in Ft: 50
2. Friction loss (in suction pipe) in 2 inch pipe per 1 t. @ gpm = _____ (from pipe flow/friction loss chart)
3. Friction loss (in return pipe) in 2 inch pipe per 1 t. @ gpm = _____ (from pipe flow/friction loss chart)
4. $\frac{50}{\text{(Length of Suction Pipe)}} \times \frac{0.06}{\text{(Ft of head/1 ft of Pipe)}} = \frac{3}{\text{(TDH Suction Pipe)}}$
5. $\frac{50}{\text{(Length of Suction Pipe)}} \times \frac{0.06}{\text{(Ft of head/1 ft of Pipe)}} = \frac{8}{\text{(TDH Suction Pipe)}}$

Flow and Friction Loss Per Foot

(Schedule 40 pvc Pipe)

Pipe Size	Velocity - Feet Per Second					
	6 FPS		8 FPS		10 FPS	
1.5"	37 gpm	0.08'	50 gpm	.14'	62 gpm	.21'
2"	62 gpm	0.06'	82 gpm	.10'	103 gpm	.16'
2.5"	88 gpm	0.05'	117 gpm	.08'	148 gpm	.13'
3"	136 gpm	0.04'	181 gpm	.07'	227 gpm	.10'

TDH in Piping 11
 Filter loss in TDH (from filter data sheet) 3
 Heater loss in TDH (from heater data sheet) _____
 Total all other loss _____
Total Dynamic Head (TDH) 14

Selected Pump and Main Drain Cover:

- Pump selection _____ using pump curve for TDH & System Flow Rate
(Pump model and size in HP)
- Main Drain Cover _____ (System Flow Rate must not exceed approved cover flow rates)
(Pump model and size in HP)

Notes: Minimum system flow based on minimum flow per skimmer of 35 gpm.

Determine the Number and Type of Required In-floor Suction Outlets:

(Check all that apply)

- ← 3' → _____ suction outlets @ _____ gpm max. flow (see note 2)
- _____ suction outlets @ _____ gpm max. flow (see note 3)
- _____ channel drain @ _____ gpm w/ _____ ports (see note 4)

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TDH Calculation Options

(For each Pump)

Check one

- Simplified Total Dynamic Head (STDH)**
Complete STDH Worksheet – Fill in all blanks
- Total Dynamic Head (TDH)**
Complete Program or other calcs. Fill in required blanks on worksheet & attach calculations
- Maximum Flow Capacity**
of the new or replacement pump

Notes:

1. If a variable speed pump is used, use the max pump low in calculations
2. For side wall drains, use appropriate side wall drain flow as published by manufacturer
3. Insert manufacturer's name and approved maximum flow
4. See installation instructions for number of ports to be used
5. In-Floor suction outlet cover/grate must conform to most recent edition of ASME/ANSI A112.19.8 and be embossed with that edition approval
6. Pump, Filter and Heater make and model cannot change, and equipment location cannot be move closer the pool without submitting a revised plan and TDH calculation worksheet for approval

Pipe Size	Velocity - Feet Per Second					
	6 FPS		8 FPS		10 FPS	
1.5"	37 gpm	0.08'	50 gpm	.14'	62 gpm	.21'
2"	62 gpm	0.05'	82 gpm	.10'	103 gpm	.16'
2.5"	88 gpm	0.05'	117 gpm	.08'	148 gpm	.13'
3"	136 gpm	0.04'	181 gpm	.07'	227 gpm	.10'
4"	234 gpm	0.03'	313 gpm	.05'	392 gpm	.07'
6"	534 gpm	0.02'	712 gpm	.03'		

_____ Date _____

_____ Contractors Signature _____

_____ Print Name _____

_____ Certification Number _____

_____ Telephone Number _____

ANSI/APSP/ICC Worksheet
Swimming Pool Energy Efficiency Compliance Information

Note: These Requirements Apply ONLY to the Filtration Pump

Maximum Filtration Flow Rate Calculations

Pool Water Volume 4483 ÷ 360 = 12,452 gpm = filtration flow rate

Is there an Auxiliary load on the filtration pump? Yes ___ NO ___

If so, what is the auxiliary flow rate _____ gpm

Maximum Flow Rate 12,452 gpm (maximum auxiliary pool loads or the filtration flow rate, whichever is greater.

The pool filtration flow rate shall not be greater than the rate needed to turn over the pool water volume in 6 hours or 36 gpm whichever is greater. This means that for pools of less than 13000 gallons, the pump shall be sized to have a flow rate of 36 gpm or less.

Suction Pipe size @ 6 fps 2 inch

Return Pipe size @ 8 FPS 2 inch

Filter Factors: (Cartridge .375) or (D/E 2) or (Sand 15)

12.45 ÷ 0.375 = 3,320
(flow rate) (filter factor) (minimum filter size)

Filter Make/Size CS 150 JEP

Backwash valve? Yes ___ No ___ (if yes, must be 2 inch min)

Pump Selection from APSP database on Curve A (less than 17000 gallons) or C (greater than 17000 gallons) (circle one)

Model VSFH 1165 JEP

Flow Rate (low speed) 55 gpm @ 170 rpm

Flow Rate (high speed) 120 gpm @ 8450 rpm (not required if no auxiliary load on filtration pump)

Pump Controls _____

Standard time clock / 2 speed time clock _____ or other _____

Heater Model _____

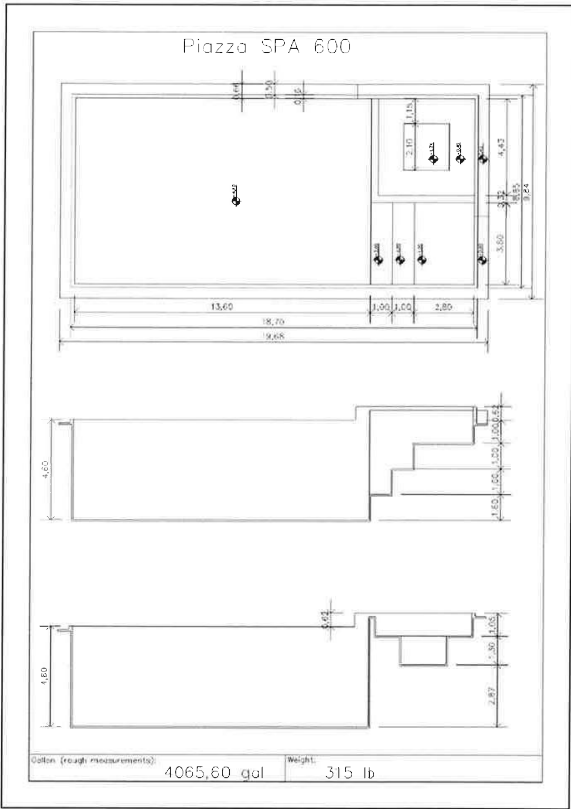
Notes: suction piping in front of pump inlet must be 4 pipe diameters in length. Must have 18" of straight pipe after the filter for solar.

Swimming Pool Specifications for:

owner: Michael Costello

Address 1503 Atlantic St, Unit B

City, State, Zip Melbourne Beach, FL
32951



PLAN AND PROFILE VIEW
NOT TO SCALE



MODEL: PIAZZA SPA 600
SIZE: 9.84' W x 19.68' L x DEPTH: 4.6'

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY LEONARDO V. QUITERO, P.E. ON THE DATE AND TIME THAT IS SHOWN BELOW. A DIGITAL SIGNATURE, PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED BY A THIRD PARTY. CONTACT: ALTHORITY ON ANY ELECTRONIC COPY. PAC 8107542004

POOL CONTRACTOR TO VERIFY ALL POOL DIMENSIONS, POOL LOCATION, AND SETBACKS PRIOR TO CONSTRUCTION.

NOTE: POOL CONTRACTOR TO VERIFY ALL PROPERTY LINES LOCATIONS AND POOL ELEVATION/DIMENSIONS, AND SETBACKS PRIOR TO CONSTRUCTION.

NOTE: PROVIDE WINDOW AND DOOR ALARMS ON ALL OPENINGS THAT LEAD ONTO POOL AREA PER CODE.

Leonardo Quitero

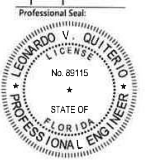
Digitally signed by Leonardo Quitero
DN: E=leonardo.quitero@consultus.com, O=Leonardo Quitero, CN=Director of Engineering, C=US
Reason: I am the author of this document
Date: 2022.10.17 20:16:10 EDT

Owner:
MICHAEL J. COSTELLO
ANNETTE COSTELLO

Project:
1503 ATLANTIC ST. - UNIT B, MELBOURNE BEACH, FL 32951

Revisions:

#	Date	Description



License: V. Quitero
License Number: 88115

Project No:
Designer: LVO
Drawn: MFF
Checked: LVO
Date:

Sheet Title:
POOL SECTION

Sheet No:
C-2

24



Owner:
MICHAEL J. COSTELLO
ANN-TIE COSTELLO

1503 ATLANTIC ST. - UNIT B, MELBOURNE BEACH, FL 32951

POOL DETAIL

Project:

Revisions:	
#	Description

Professional Seal:



License: V. Quiterio
License Number: 89115

Project No:

Designer: LVD
Drawn: MFF
Checked: LVD
Date:

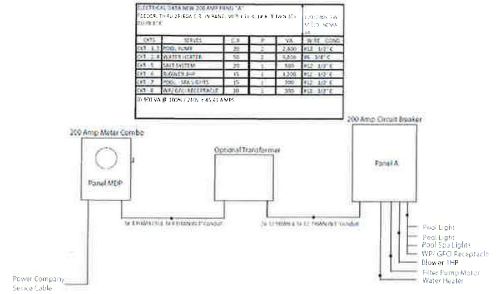
Sheet Title:

POOL DETAIL

Sheet No:

C-3

Typical Electrical Riser Diagram

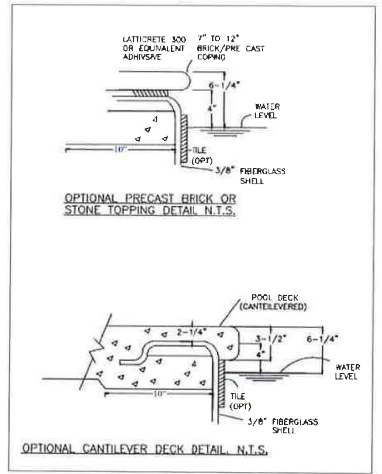


ELECTRICAL RISER DIAGRAM

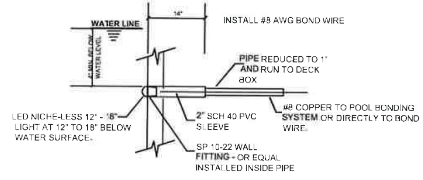
ELECTRICAL NOTES

1. ALL ELECTRICAL TO COMPLY WITH 2020 NATIONAL ELECTRIC CODE (NEC). ELECTRICAL CONTRACTOR TO VERIFY ADEQUATE CAPACITY AT POINT OF CONNECTION.
2. 3 #12 THHN CU WITHIN 2" MIN. CONDUIT FOR POOL LIGHT(S).
3. GROUND ALL BOXES, LIGHTS, MOTORS, ETC. W/#8 SOLID, BARE COPPER.
4. PROVIDE W.P.G.F.I. OUTLET 10" MIN - 20" MAX. FROM WATER'S EDGE.
5. ALL POOL PUMPS TO BE GFCI PROTECTED PER NEC 680.22(B).
6. AN INTENTIONAL POOL WATER BOND SHALL BE PROVIDED VIA 9 SQ. IN. METAL CONTACT WITH POOL WATER OR BONDING PRODUCT MEETING THE CURRENT EDITION OF THE NEC 680.26.
7. BONDING OF POOL STEEL AND LIGHT TO FOOTING STEEL SHALL BE CONTINUED TO AND INCLUDE ALL PUMPS AND HEATERS.
8. POOL ELECTRICAL WIRING, INSTALLATION, BONDING, AND GROUNDING SHALL COMPLY WITH CHAPTER 27, FBC, BUILDING, AND NFPA 70, 2017 EDITION) 84501.16
9. POOL ELECTRICAL WIRING, INSTALLATION, BONDING, AND GROUNDING SHALL COMPLY WITH CHAPTER 27, FBC, BUILDING, AND NFPA 70, 2017 EDITION) 84501.16
10. MUST COMPLY WITH ENERGY CONSUMPTION REQUIREMENTS PER SECTION 8403-10 (8403.10.1 - 8403.10.5, ENERGY CONSERVATION.

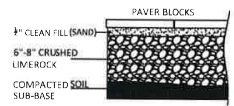
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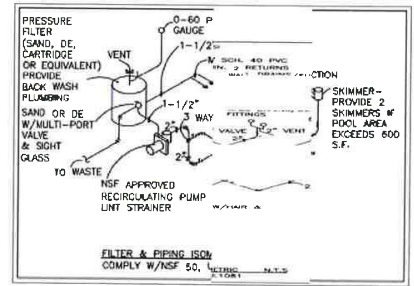
OPTIONAL DECK DETAIL



LED LIGHT DETAIL



BRICK PAVER DETAIL(OPTIONAL)



FILTER & PIPING ISOMETRIC

Digitally signed by Leonardo Quiterio
DN: E=leonardo.quiterio@consultus.com,
OU=Leonardo Quiterio, OU=Director of
Engineering, O=Sovereign Engineers,
Inc., U=Orlando, S=Florida, C=US
Reason: I am the author of this document
Date: 2022.10.27.22:34:08-0500

Leonardo Quiterio

January 23, 2024

KSM Job #: 2400160

27

KSM ID #:

CLIENT: Michael Costello
2940 Appaloosa Blvd
Mellbourne, FL 32934

Job Location: 1503 Unit B Atlantic Street
Melbourne Beach, Florida

To Whom it may concern,

KSM has been requested to conduct a beach sieve analysis for the above referenced project. The sieve analysis has been completed in accordance with ASTM C136/ D422 to evaluate the grain size distribution. Per engineer review, the results of the test may be found in the table below. For specific data, and additional information, please see the attached sheet.

Project Data			
Material Description	Very Dark Gray-Brown Sand	Sampled By	N.E
Station #	At Pool	Date Sampled	1/9/2024
Lab Location	Sebastian, FL	Tested By	David May
Sample ID:	N/A	Date Tested	1/11/2024

Test Results							
Munsel Color	Median Grain Size (mm)	Median Phi	Mean Grain Size (mm)	Mean Phi	Standard Deviation	Kurtosis	
10yr 3/2	0.32	1.63	0.32	1.64	0.74	1.229	

Sample Contents							
Gravel	Coarse Sand	Medium Sand	Fine Sand	Total Fines	Sift	Shell	Carbonate
0.64%	0.94%	39.79%	57.31%	1.31%	1.11%	0.00%	11.80%

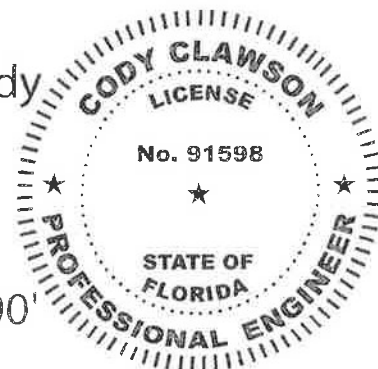
Should you have any question, please feel free to contact our office.

Respectfully Submitted,

This item has been electronically signed and sealed by Cody Clawson, P.E., FL Lic. 91598 on the date stated directly to the right using a digital signature.

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

Digitally
signed by Cody
C Clawson
Date:
2024.01.23
11:31:36 -05'00'



1/23/2024

Cody Clawson, P.E.

Florida Lic. No. 91598

Email To: mcostello@morsecom.com

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Sieve Results

Sieve Size	Diameter (mm)	Weight Retained (g)	Cumulative Weight Retained (g)	Percent Retained (%)	Cumulative Percent Retained (%)	Percent Passing (%)
3/4"	19.000	0.0	0	0.00	0.00	100.00
5/8"	16.000	0.0	0	0.00	0.00	100.00
7/16"	11.200	0.0	0	0.00	0.00	100.00
5/16"	8.000	0.0	0	0.00	0.00	100.00
No. 3.5	5.660	0.0	0	0.00	0.00	100.00
No. 4	4.750	2.6	2.6	0.64	0.64	99.36
No. 5	4.000	1.0	3.6	0.25	0.89	99.11
No. 7	2.830	1.3	4.9	0.32	1.21	98.79
No. 10	2.000	1.5	6.4	0.37	1.59	98.41
No. 14	1.410	2.7	9.1	0.67	2.25	97.75
No. 18	1.000	4.8	13.9	1.19	3.44	96.56
No. 25	0.710	11.3	25.2	2.80	6.24	93.76
No. 35	0.500	42.8	68	10.60	16.85	83.15
No. 45	0.350	99.0	167	24.53	41.38	58.62
No. 60	0.250	131.8	298.8	32.66	74.03	25.97
No. 80	0.180	60.8	359.6	15.06	89.10	10.90
No. 120	0.130	31.8	391.4	7.88	96.98	3.02
No. 170	0.090	5.4	396.8	1.34	98.32	1.68
No. 200	0.075	1.5	398.3	0.37	98.69	1.31
No. 230	0.060	0.8	399.1	0.20	98.89	1.11
Pan		0.9	400	0.22	99.11	0.89

200 Wash Results

Pre-wash weight (g)	Post-wash Weight (g)	Fines by Washing (g)	Fines by Sieving (g)	Total Fines (%)
403.6	400	3.6	1.7	1.31%

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January 23, 2024

KSM Job #: 2400160

29

KSM ID #:

CLIENT: Michael Costello
2940 Appaloosa Blvd
Melbourne, FL 32934

Job Location: 1503 Unit B Atlantic Street
Melbourne Beach, Florida

To Whom it may concern,

KSM has been requested to conduct a beach sieve analysis for the above referenced project. The sieve analysis has been completed in accordance with ASTM C136/ D422 to evaluate the grain size distribution. Per engineer review, the results of the test may be found in the table below. For specific data, and additional information, please see the attached sheet.

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Station #	At Pool	Date Sampled	1/9/2024
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Sample ID:	N/A	Date Tested	1/11/2024

Test Results							
Munsel Color	Median Grain Size (mm)	Median Phi	Mean Grain Size (mm)	Mean Phi	Standard Deviation	Kurtosis	
10yr 3/2	0.30	1.75	0.31	1.72	0.57	1.861	

Sample Contents							
Gravel	Coarse Sand	Medium Sand	Fine Sand	Total Fines	Silt	Shell	Carbonate
0.00%	0.13%	21.82%	77.34%	0.71%	0.63%	0.00%	13.00%

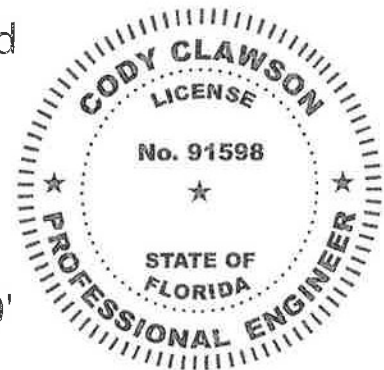
Should you have any question, please feel free to contact our office.

Respectfully Submitted,

This item has been electronically signed and sealed by Cody Clawson, P.E., FL Lic. 91598 on the date stated directly to the right using a digital signature.

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

Digitally signed
by Cody C
Clawson
Date:
2024.01.23
11:32:14 -05'00'



1/23/2024

Cody Clawson, P.E.

Florida Lic. No. 91598

Email To: mcostello@morsecom.com

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Sieve Results

Sieve Size	Diameter (mm)	Weight Retained (g)	Cumulative Weight Retained (g)	Percent Retained (%)	Cumulative Percent Retained (%)	Percent Passing (%)
3/4"	19.000	0.0	0	0.00	0.00	100.00
5/8"	16.000	0.0	0	0.00	0.00	100.00
7/16"	11.200	0.0	0	0.00	0.00	100.00
5/16"	8.000	0.0	0	0.00	0.00	100.00
No. 3.5	5.660	0.0	0	0.00	0.00	100.00
No. 4	4.750	0.0	0	0.00	0.00	100.00
No. 5	4.000	0.0	0	0.00	0.00	100.00
No. 7	2.830	0.3	0.3	0.06	0.06	99.94
No. 10	2.000	0.3	0.6	0.06	0.13	99.87
No. 14	1.410	1.5	2.1	0.32	0.44	99.56
No. 18	1.000	3.2	5.3	0.67	1.11	98.89
No. 25	0.710	9.7	15	2.04	3.15	96.85
No. 35	0.500	42.3	57.3	8.89	12.05	87.95
No. 45	0.350	47.1	104.4	9.90	21.95	78.05
No. 60	0.250	262.0	366.4	55.08	77.02	22.98
No. 80	0.180	77.8	444.2	16.35	93.38	6.62
No. 120	0.130	23.4	467.6	4.92	98.30	1.70
No. 170	0.090	3.8	471.4	0.80	99.10	0.90
No. 200	0.075	0.9	472.3	0.19	99.29	0.71
No. 230	0.060	0.4	472.7	0.08	99.37	0.63
Pan		0.3	473	0.06	99.43	0.57

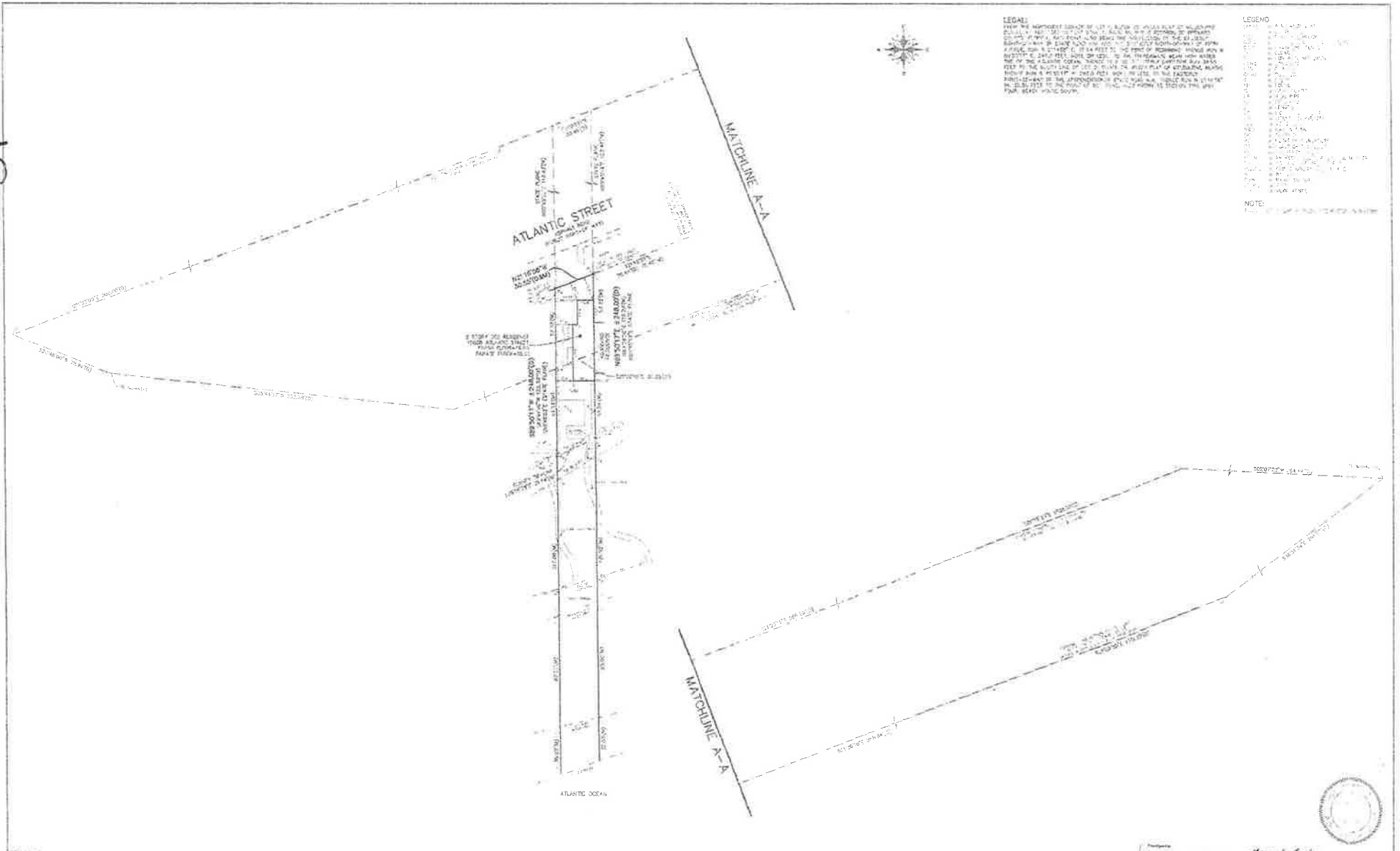
200 Wash Results

Pre-wash weight (g)	Post-wash Weight (g)	Fines by Washing (g)	Fines by Sieving (g)	Total Fines (%)
475.7	473	2.7	0.7	0.71%

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LEGALS:
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- LEGEND:**
- 1.00' BOUNDARY LINE
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 - 4.00' BOUNDARY LINE
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 - 48.00' BOUNDARY LINE
 - 49.00' BOUNDARY LINE
 - 50.00' BOUNDARY LINE

NOTE:
 THIS SURVEY IS A RESTATEMENT OF THE SURVEY OF THE LANDS OF THE STATE OF MASSACHUSETTS AS SHOWN ON THE MAPS AND RECORDS OF THE REGISTERED PROFESSIONAL SURVEYORS OF THE STATE OF MASSACHUSETTS.



BOUNDARY
12/15/2010
12/15/2010
SCALE: 1" = 20'
DATE: 06/20/12
PROJECT: 12101
F.S. NUMBER: 12101
TYPE OF SURVEY: BOUNDARY SURVEY
CADD FILE: 12101.DWG

BOUNDARY SURVEY

OFFICER TO: MICHAEL OGGIOLLO

PRECISION
 LAND SURVEYING, INC.
 1100 WASHINGTON STREET, SUITE 200
 WILMINGTON, MASSACHUSETTS 01973
 TEL: 508-653-1234 FAX: 508-653-1235
 WWW.PRECISIONSURVEYING.COM

Myron Barker, PLS 5065

MASSACHUSETTS PROFESSIONAL SURVEYORS BOARD
 STATE OF MASSACHUSETTS
 OFFICE OF REGISTERED PROFESSIONAL SURVEYORS

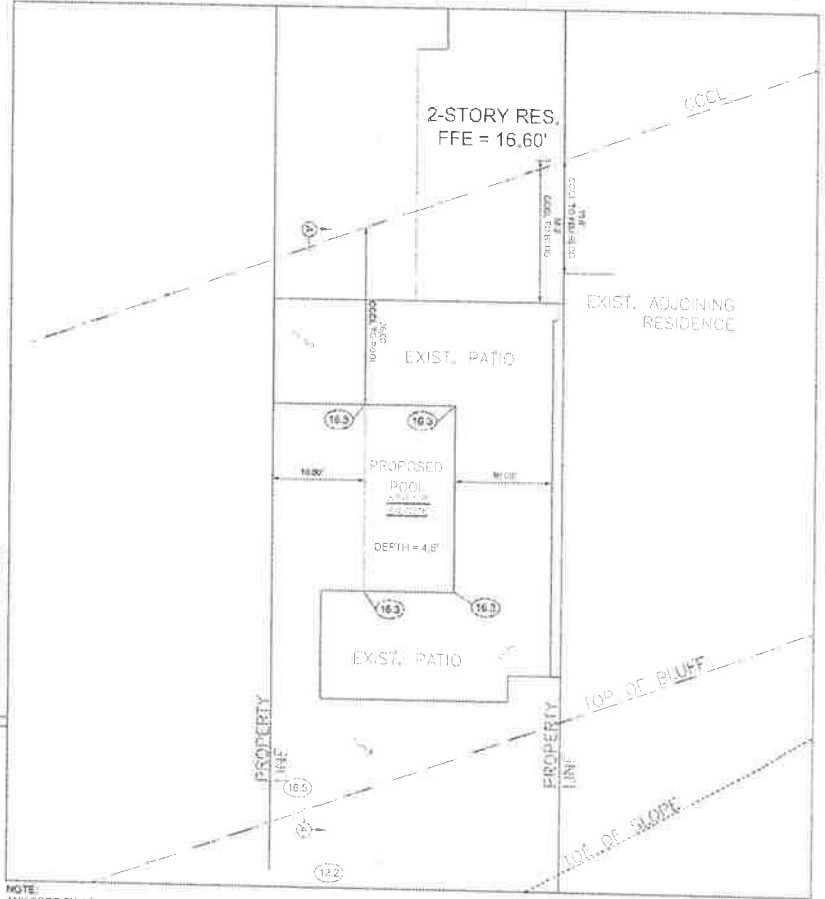
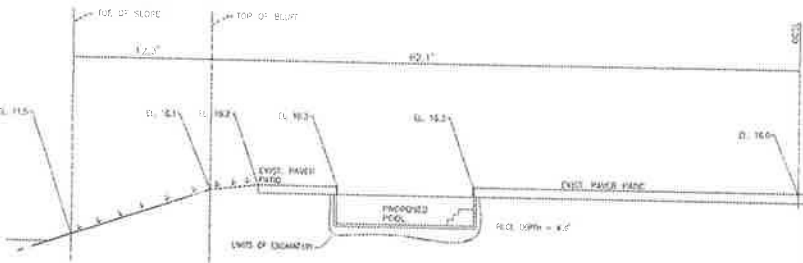
LEGEND	
	INDICATES FLOW
	INDICATES PROPOSED ELEVATION
	INDICATES EXISTING ELEVATION
ELEVATION	
ELEVATIONS (E) SHOWN HEREON ARE BASED ON THE FLORIDA INDEPENDENT REFERENCE NETWORK (FIRM 86)	
FLOOD ZONE	
FLOOD ZONE # 10-10 MAP DATE: 03/28/2018	



NOTE:
 DURING CONSTRUCTION, THE PROJECT SITE AND ALL ADJACENT AREAS SHALL BE MAINTAINED IN A NEAT AND CLEAN MANNER. SOON AFTER CLEAN UP, THE PROJECT SITE SHALL BE LEFT CLEAR OF ALL SURPLUS MATERIAL OR DEBRIS. THE FINED AREA SHALL BE SWEEP, BROOM FLAT.
 THE CONTRACTOR SHALL SECURE OR REMOVE, WHEN AND AS DIRECTED BY THE ENGINEER OR THE LOCAL MUNICIPALITY, ANY PUBLIC OR PRIVATE PROPERTY DAMAGED BY HIS WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIRS TO A STANDARD AT LEAST AS EQUAL TO THAT EXISTING. IMMEDIATELY PRIOR TO THE BEGINNING OF OPERATIONS, TO THE END OF THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY REPAIRS OF POWERLINE, SEWERAGE AND ENGINEERING WORK. SURFACE MATERIALS AND METHODS SHALL BE USED FOR SUCH RESTORATION.
 WHEN MATERIAL OR DEBRIS HAS WASHED OR FLOODED INTO THE SEWER COURSE, CURB, GUTTER, CATCH BASIN, OR DRAINAGE AS A RESULT OF THE CONTRACTOR'S OPERATIONS, SUCH MATERIAL OR DEBRIS SHALL BE REMOVED AND SATISFACTORILY DEPOSITED OR DURING PROGRESS OF THE WORK, AND THE AREA KEPT IN A CLEAN AND NEAT CONDITION.
 WHEN WORKING IN AND AROUND EXISTING DRAINAGE CANALS, APPROPRIATE SHIELD BARRIERS SHALL BE INSTALLED AS REQUIRED BY LOCAL WATER TOWNSHIP/DRAINAGE DISTRICT.



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NOTE:
 ANY PORTION OF PATIO DISTURBED WILL BE RESTORED TO EQUAL OR BETTER CONDITION. 52 CY OF FILL TO BE REMOVED (POOL).



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY JEFFREY M. SIMON, P.E. ON THE DATE SHOWN ON THE STAMP. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SITE PLAN

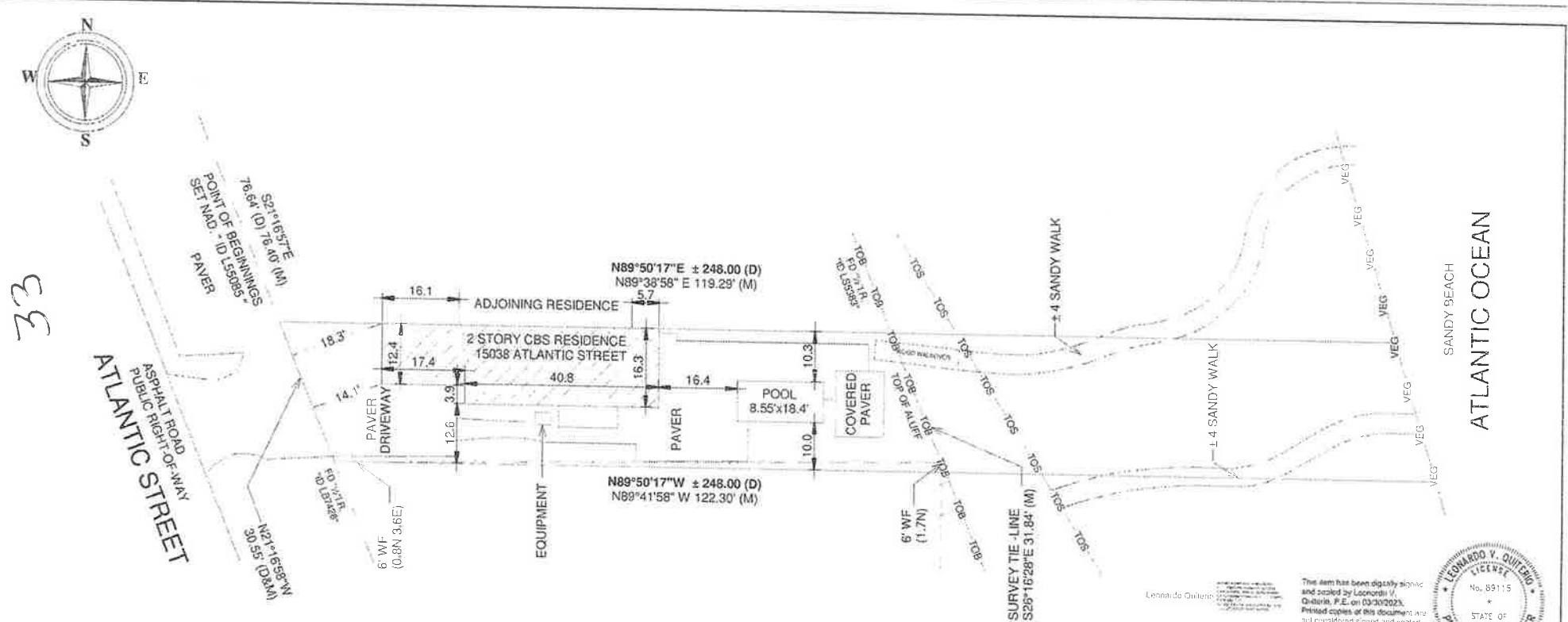
REVISION	BY

PREPARED FOR:
MICHAEL & ANNETTE COSTELLO
 1503B ATLANTIC ST.
 MELBOURNE BEACH, FL 32951

CAMBERLY LLC
 2745 Sunrise Drive
 Melbourne Beach, FL 32953
 Tel: 888-251-0001
 Fax: 888-251-0001
 Email: info@camberly.com

Digitally signed by Jeffrey M. Simon
 DN: cn=J. Simon, o=Professional Engineer, ou=Professional Engineer, email=jmsimon@floridaplanet.com, c=US

D-1



This document has been digitally signed and sealed by Leonardo V. Quiñero, P.E. on 03/30/2023. Printed copies of this document are not considered signed and sealed until the signing is verified on any electronic copies.

LEGAL

FROM THE NORTHWEST CORNER OF LOT 1, BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. SAID POINT ALSO BEING THE INTERSECTION OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF STATE ROAD A1A END THE SOUTHERLY RIGHT-OF-WAY OF FIFTH AVENUE, RUN S 21°16'58" E, 76.64 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 50'17"E, 258.0 FEET, MORE OR LESS, TO THE APPROXIMATE, MEAN HIGH WATER OF THE ATLANTIC OCEAN; THENCE IN A SOUTHEASTERLY DIRECTION RUN 30.55 FEET TO THE SOUTH LINE OF LOT 2; BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH; THENCE RUN S89°50'17" W, 248.0 FEET, MORE OR LESS, TO THE AFOREMENTIONED STATE ROAD A1A; THENCE RUN N21°16'58" IN, ALSO KNOWN AS SECTION TWO, UNIT FOUR, BEACH HOUSE SOUTH.

LEGEND

- (AKA) = ALSO KNOWN AS
- CL = CENTERLINE
- C.B. = CONCRETE BLOCK
- C.B.S. = CONCRETE BLOCK STRUCTURE
- C.L.F. = CHAIN LINK FENCE
- CLR. = CLEAR
- C.M. = CONCRETE MONUMENT
- CONC. = CONCRETE
- COR. = CORNER
- COVD = COVERED
- D = DELTA
- FD = FOUND
- ID = IDENTIFICATION
- I.P. = IRON PIPE
- I.R. = IRON ROD
- L = LENGTH
- LS = LICENSE BUSINESS
- LS = LICENSE SURVEYOR
- (M) = MEASURED
- N&D = NAIL & DISC
- (P) = PLATTED
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PL = PROPERTY LINE
- PSM = PROFESSIONAL SURVEYOR & MAPPER
- PRC = POINT OF REVERSE CURVE
- PU&D = PUBLIC UTILITY & DRAINAGE
- R = RADIUS
- R/W = RIGHT-OF-WAY
- (TYP) = TYPICAL

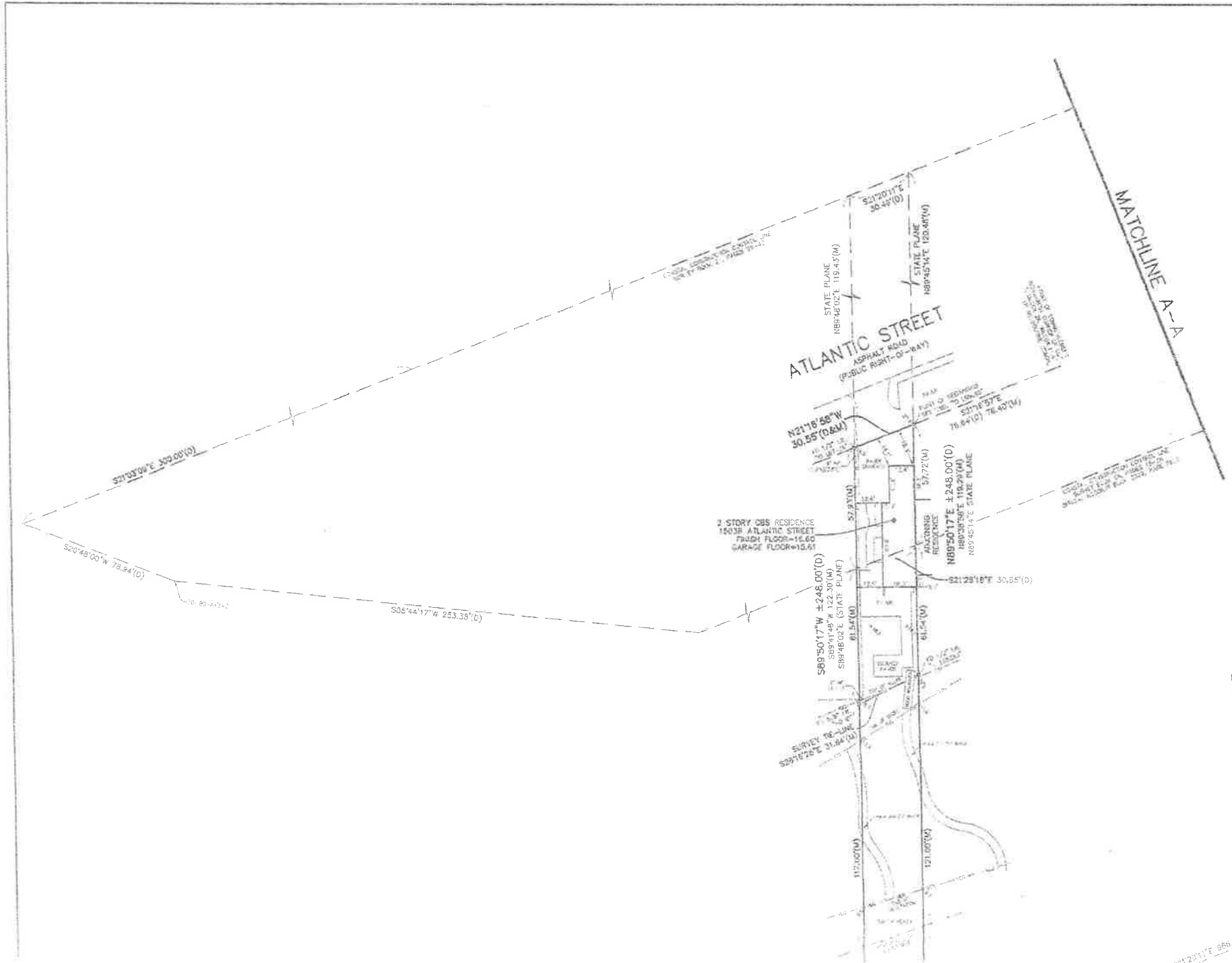
SURVEYOR NOTES

- 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N21°16'58"W, ALONG THE EAST RIGHT-OF-WAY LINE OF ATLANTIC STREET.
- 2) AS PER FLOOD INSURANCE RATE MAP NO. 12009C 0608H, INDEX DATED 01-29-2021, THE ABOVE DESCRIBED PROPERTY LIES IN ZONE X& VE.
- 3) THIS SURVEY WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR. THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THE PROPERTY.
- 4) UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
- 5) LANDS SHOWN HERON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHER THROUGH APPROPRIATE TITLE VERIFICATION.
- 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Scale	1" = 20' ± 0"
Writer	Taiane Dalcin
Date	03-29-2023
Address	



Date:
Leonardo V. Quiñero
Licence Number: 89115



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$S11^{\circ}20'11''E$ $96.25'(D)$



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STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of Resilience and Coastal Protection
 Coastal Construction Control Line Program
 2600 Blair Stone Road - Mail Station 3522
 Tallahassee, Florida 32399-2400
 (850) 245-8570

PERMIT NUMBER: BE001509

PERMITTEE

Michael Costello
 c/o Donald Glenn
 Playwell Pools, Inc.
 541 Bablonica Drive
 Orlando, Florida 32807

NOTICE TO PROCEED AND PERMIT FOR CONSTRUCTION OR OTHER ACTIVITIES
 PURSUANT TO SECTION 161.053, FLORIDA STATUTES

FINDINGS OF FACT: An application for authorization to conduct the activities seaward of the coastal construction control line that are indicated in the project description, was filed by the applicant/permittee named herein on March 30, 2023, and was determined to be complete pursuant to rule on January 25, 2024. The proposed project is to be located landward of the 30-year erosion projection and the line of construction established by existing major structures in the immediate area.

CONCLUSIONS OF LAW: After considering the merits of the proposal and any written objections from affected persons, the Department finds that upon compliance with the permit conditions, the activities indicated in the project description of this permit are of such a nature that they will result in no significant adverse impacts to the beach/dune areas or to adjacent properties; that the work is not expected to adversely impact nesting sea turtles, their hatchlings, or their habitat; that the work is expendable in nature and/or is appropriately designed in accordance with Section 62B-33.005, Florida Administrative Code. Based on the foregoing considerations, the Department approves the application; authorizes construction and/or activities at the location indicated below in strict accordance with the project description, the approved plans (if any) and the General Permit Conditions which are by this reference incorporated herein, and any additional conditions shown below, pursuant to Section 161.053(4), Florida Statutes.

EXPIRATION DATE: March 28, 2027

LOCATION: Between approximately 295 feet and 315 feet north of the Department of Environmental Protection's reference monument R-135, in Brevard County. Project address: 1503 Atlantic Street, Unit B, Melbourne Beach.

PROJECT DESCRIPTION:

Swimming Pool with Spa

1. Location relative to control line: A maximum of 44.7 feet seaward.
2. Exterior dimensions: 18.7 feet in the shore-normal direction by 8.5 feet in the shore-parallel direction.
3. Type of foundation: Pile.

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PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
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4. Top of swimming pool coping: +16.3 feet (NAVD).
5. Depth of swimming pool: 14.6 feet (NAVD).

Excavation/Fill

1. Total volume of excavation: Approximately 52 cubic yards.
2. Location of excavation: To an approximate distance of 45 feet seaward of the control line.
3. Maximum depth of excavation: To depth of pool installation.
4. Volume of fill to be placed: Approximately 52 cubic yards.
5. Location of fill to be placed: To an approximate distance of 45 feet seaward of the control line.

SPECIAL PERMIT CONDITIONS:

1. Prior to commencement of construction activity authorized by this permit, a preconstruction conference shall be held at the site among the contractor, the owner or authorized agent, and a staff representative of the Department to establish an understanding among the parties as to the items specified in the special and general conditions of the permit. The proposed locations of the structures shall be staked out for the conference. **Contact Melanie Cain at (386) 895-1958 or email at melanie.cain@FloridaDEP.gov to schedule a conference.**
2. All rubble and debris resulting from this construction shall be removed to a location landward of the coastal construction control line.
3. All excavated beach compatible sandy material excavated on the site shall remain within the immediate vicinity of the excavation. All imported fill material shall be obtained from a source landward of the control line and shall consist of sand which is similar to that already on the site in both grain size and coloration. This fill material shall be free of construction debris, rocks, or other foreign matter. A sample of the sand shall be provided to the staff representative during the preconstruction conference.
4. All lighting shall be installed and maintained as depicted in the approved lighting schematic. No additional permanent exterior lighting is authorized.
5. The Permittee shall submit compliance reports as specified in the Special and General Permit Conditions of this permit. General Permit Condition 1(r) pertains to a written report which must be submitted to the Department of Environmental Protection at the specified time. The form for the reports: 1(r) Final Certification (DEP Form 73-115B) is available at the website: <http://www.dep.state.fl.us/beaches/forms.htm#CCCL>. The form may be submitted electronically.

GENERAL PERMIT CONDITIONS:

(1) The following general permit conditions shall apply, unless waived by the Department or modified by the permit:

PERMITTEE: Michael Costello
PERMIT NUMBER: BE001509
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(a) The permittee shall carry out the construction or activity for which the permit was granted in accordance with the plans and specifications that were approved by the Department as part of the permit. Deviations therefrom, without written approval from the Department, shall be grounds for suspension of the work and revocation of the permit pursuant to section 120.60(7), F.S., and shall result in assessment of civil fines or issuance of an order to alter or remove the unauthorized work, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the notice to proceed shall be conspicuously displayed at the project site. Approved plans shall be made available for inspection by a Department representative.

(b) The permittee shall conduct the construction or activity authorized under the permit using extreme care to prevent any adverse impacts to the beach and dune system, marine turtles, their nests and habitat, or adjacent property and structures.

(c) The permittee shall allow any duly identified and authorized member of the Department to enter upon the premises associated with the project authorized by the permit for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department until all construction or activities authorized or required in the permit have been completed and all project performance reports, certifications, or other documents are received by the Department and determined to be consistent with the permit and approved plans.

(d) The permittee shall hold and save the State of Florida, the Department, and its officers and employees harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property that might result from the construction or activity authorized under the permit and from any and all claims and judgments resulting from such damage.

(e) The permittee shall allow the Department to use all records, notes, monitoring data, and other information relating to construction or any activity under the permit, which are submitted, for any purpose necessary except where such use is otherwise specifically forbidden by law.

(f) Construction traffic shall not occur and building materials shall not be stored on vegetated areas seaward of the control line unless specifically authorized by the permit. If the Department determines that this requirement is not being met, positive control measures, such as temporary fencing, designated access roads, adjustment of construction sequence, or other requirements, shall be provided by the permittee at the direction of the Department. Temporary construction fencing shall not be sited within marine turtle nesting habitats.

(g) The permittee shall not disturb existing beach and dune topography and vegetation except as expressly authorized in the permit. Before the project is considered complete, any disturbed topography or vegetation shall be restored as prescribed in the permit with suitable fill material or revegetated with appropriate beach and dune vegetation. When required for mitigation, dune vegetation will be considered successfully established if within 180 days of planting, a minimum of 80 percent of the planting units survive, a minimum of 80 percent of the planted area is covered with native species and the vegetation is continuous without gaps along the shoreline.

(h) All fill material placed seaward of the CCCL shall meet the requirements of subsection 62B-33.005(7), F.A.C. All such fill material shall be free of construction debris, rocks, clay, or other foreign matter; and shall be obtained from a source landward of the CCCL.

(i) If surplus sand fill results from any approved excavation seaward of the control line, such material shall be distributed seaward of the control line on the site, as directed by the Department, unless otherwise specifically authorized by the permit. Sand fill placed seaward of the frontal dune, bluff or coastal armoring in marine turtle nesting habitat shall be configured such that it does not interfere with marine turtle nesting.

(j) Any native salt-tolerant vegetation destroyed during construction shall be replaced with plants of the same species or, by authorization of the Department, with other native salt-tolerant vegetation suitable for beach and dune stabilization. Unless otherwise specifically authorized by the Department, all plants installed in beach and coastal areas – whether to replace vegetation displaced, damaged, or destroyed during construction or otherwise – shall be of species indigenous to Florida beaches and dunes, such as sea oats, sea grape, saw palmetto, panic grass, saltmeadow hay cordgrass, seashore saltgrass, and railroad vine, and grown from stock indigenous to the region in which the project is located.

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PERMITTEE: Michael Costello
PERMIT NUMBER: BE001509
PAGE 4

(k) All topographic restoration and revegetation work is subject to approval by the Department, and the status of restoration shall be reported as part of the final certification of the actual work performed.

(l) If not specifically authorized elsewhere in the permit, no operation, transportation, or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure during the marine turtle nesting season. The marine turtle nesting season is May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31.

(m) If not specifically authorized elsewhere in the permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season and no additional permanent exterior lighting is authorized.

(n) All non-opaque walls, balcony railings, deck railings, windows and doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45 percent or less through the use of tinted glass or window film.

(o) The permit has been issued to a specified property owner and is not valid for any other person unless formally transferred. An applicant requesting transfer of the permit shall sign the permit transfer agreement form, agreeing to comply with all terms and conditions of the permit, and return it to the Department. The transfer request shall be provided on the form entitled "Permit Transfer Agreement" – DEP Form 73-103 (Revised 1/04), which is hereby adopted and incorporated by reference. No work shall proceed under the permit until the new owner has received a copy of the transfer agreement approved by the Department. A copy of the transfer agreement shall be displayed on the construction site along with the permit. An expired permit shall not be transferred. Copies of the "Permit Transfer Agreement" form are available at the following website: <http://www.dep.state.fl.us/beaches/forms.htm#CCCL>

(p) The permittee shall immediately inform the Department of any change of mailing address of the permittee and any authorized agent until all requirements of the permit are met.

(q) For permits involving habitable major structures, all construction on the permitted structure shall stop when the foundation pilings have been installed. At that time the foundation location form shall be submitted to and accepted by the Department prior to proceeding with further vertical construction above the foundation. The form shall be signed by a professional surveyor, licensed pursuant to chapter 472, F.S., and shall be based upon such surveys performed in accordance with chapter 472, F.S., as are necessary to determine the actual configuration and dimensioned relationship of the installed pilings to the control line. The information shall be provided to the Department using the form entitled "Foundation Location Certification" – DEP Form 73-114B (Revised 9/05), which is hereby adopted and incorporated by reference. Phasing of foundation certifications is acceptable. The Department shall notify the permittee of approval or rejection of the form within seven (7) working days after staff receipt of the form. All survey information upon which the form is based shall be made available to the Department upon request. Permits for repairs or additions to existing structures with nonconforming foundations are exempt from this condition.

(r) For permits involving major structures and exterior lighting on major structures, the permittee shall provide the Department with a report by a registered professional within 30 days following completion of the work. For permits involving armoring or other rigid coastal structures, the permittee shall provide the Department with a report by an engineer licensed in the State of Florida within 30 days following completion of the work. The report shall state that all locations specified by the permit have been verified and that other construction and activities authorized by the permit, including exterior lighting, have been performed in compliance with the plans and project description approved as a part of the permit and all conditions of the permit; or shall describe any deviations from the approved plans, project description, or permit conditions, and any work not performed. Such report shall not relieve the permittee of the provisions of paragraph 62B-33.0155(1)(a), F.A.C. If none of the permitted work is performed, the permittee shall inform the Department in writing no later than 30 days following expiration of the permit. The report shall be provided on the form entitled "Final Certification" DEP Form 73-115B (Revised 9/05), which is hereby adopted and incorporated by reference. Copies of the "Final Certification" form are available at the following website:

PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
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<http://www.dep.state.fl.us/beaches/forms.htm#CCCL>

(s) Authorization for construction of armoring or other rigid coastal structures is based on an engineering review and assessment of the design and anticipated performance and impact of the structure as a complete unit. Construction of any less than the complete structure as approved by the Department is not authorized and shall result in the assessment of an administrative fine and the issuance of an order to remove the partially constructed structure. Modifications to the project size, location, or structural design shall be authorized by the Department in accordance with rule 62B-33.013, F.A.C.

(2) The permittee shall not commence any excavation, construction, or other physical activity on or encroaching on the sovereignty land of Florida seaward of the mean high water line or, if established, the erosion control line until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The permittee shall obtain any applicable licenses or permits required by Federal, state, county, or municipal law.

(4) This permit does not authorize trespass onto other property.

(5) In the event of a conflict between a general permit condition and a special permit condition, the special permit condition shall prevail.

(6) Copies of any forms referenced above can be obtained by contacting the Department of Environmental Protection, 2600 Blair Stone Road, MS 3522, Tallahassee, Florida 32399-2400, at <http://www.dep.state.fl.us/beaches/forms.htm#CCCL> or by telephoning (850) 245-8570.

Approved plans are incorporated into this permit by reference.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
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The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under [Sections 120.569](#) and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Celora Douse Jackson, Environmental Administrator
 Coastal Construction Control Line Program
 Office of Resilience and Coastal Protection

PERMITTEE: Michael Costello
PERMIT NUMBER: BE001509
PAGE 7

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CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Michael Costello, Property Owner, Mcostello@morsecom.com
Donald Glenn, Agent, ciera@playwellpools.com
Melanie Cain, Field Inspector, melanie.cain@floridadep.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Jordan Merrill
Clerk

3/28/2024
Date

LEGEND:

	INDICATES FLOW
	INDICATES PROPOSED ELEVATION
	INDICATES EXISTING ELEVATION

ELEVATION
ELEVATIONS (F) SHOWN HEREON ARE BASED ON THE FLORIDA PERMANENT REFERENCE NETWORK (NAVD) 86.

FLOOD ZONE
FLOOD ZONE X & VI
MAP DATE: 07/22/2021



LOCATION MAP



AERIAL VIEW

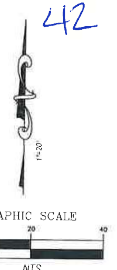
NOTES:

DURING CONSTRUCTION, THE PROJECT SITE AND ALL ADJACENT AREAS SHALL BE MAINTAINED IN A NEAT AND CLEAN MANNER. UPON FINAL CLEAN UP, THE PROJECT SITE SHALL BE LEFT CLEAR OF ALL SURPLUS MATERIAL OR TRASH. THE PAVED AREAS SHALL BE SWEEP, BROOM CLEAN.

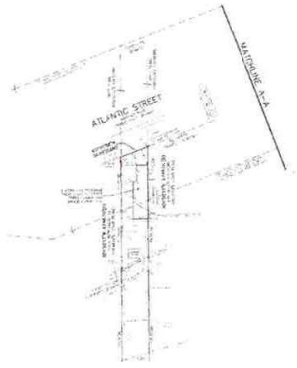
THE CONTRACTOR SHALL RESTORE OR REPLACE, WHEN AND AS DIRECTED BY THE ENGINEER OR THE LOCAL MUNICIPALITY, ANY PUBLIC OR PRIVATE PROPERTY DAMAGED BY HIS WORK, EQUIPMENT, EMPLOYEES OR THOSE OF HIS SUBCONTRACTORS TO A CONDITION AT LEAST EQUAL TO THAT EXISTING IMMEDIATELY PRIOR TO THE BEGINNING OF OPERATIONS. TO THIS END, THE CONTRACTOR SHALL DO AS REQUIRED, ALL NECESSARY HIGHWAY OR DRIVEWAY, SIDEWALK AND LANDSCAPING WORK. SUITABLE MATERIALS AND METHODS SHALL BE USED FOR SUCH RESTORATION.

WHERE MATERIAL OR DEBRIS HAS WASHED OR FLOWED INTO OR BEEN PLACED IN WATER COURSES, GRAVITY SEWER, DITCHES, DRAINS, CATCH BASINS, OR ELSEWHERE AS A RESULT OF THE CONTRACTOR'S OPERATIONS, SUCH MATERIAL OR DEBRIS SHALL BE REMOVED AND SATISFACTORILY DISPOSED OF DURING PROGRESS OF THE WORK, AND THE AREA KEPT IN A CLEAN AND NEAT CONDITION.

WHEN WORKING IN AND AROUND EXISTING DRAINAGE CANALS, APPROPRIATE SILT BARRIERS SHALL BE INSTALLED AS REQUIRED BY LOCAL WATER CONTROL/DRAINAGE DISTRICT.



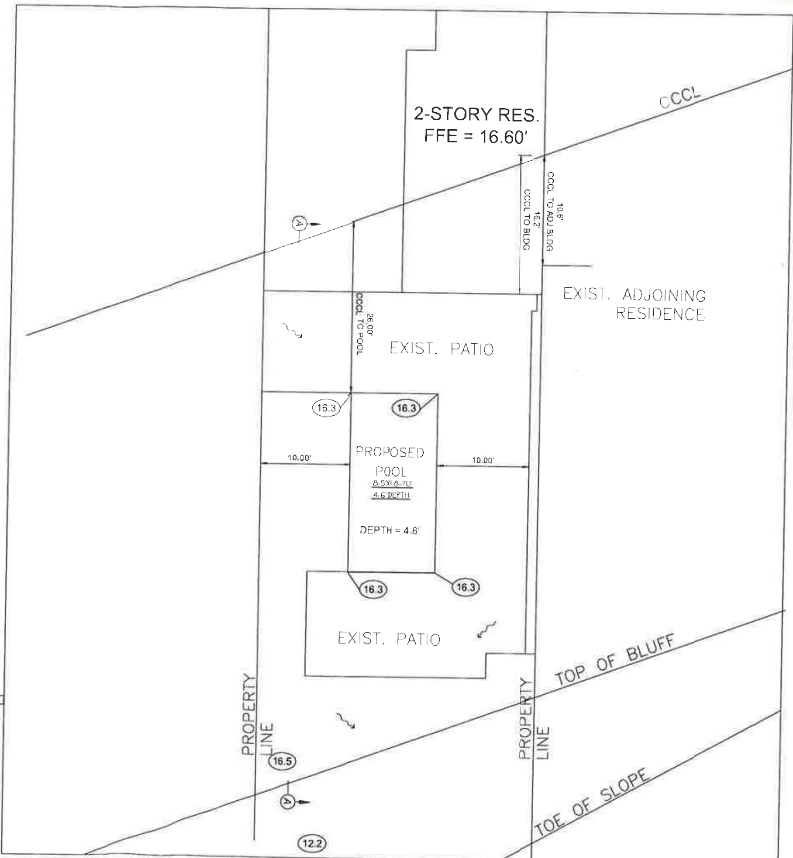
RECEIVED
January 25, 2024
OFFICE OF RESILIENCE
AND COASTAL PROTECTION
BE-1509



PLAN VIEW
(SCALE: 1/8"=1'-0")

APPROVED PLAN AS PERMITTED
BY THE OFFICE OF RESILIENCE AND COASTAL PROTECTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
APPROVED CONSTRUCTION AND/OR OTHER ACTIVITIES SUBJECT
COMPLY WITH ALL CONDITIONS OF THE PERMIT. CONSTRUCTION AND
ACTIVITIES ARE LIMITED TO THOSE WITHIN THE BOUNDARIES OF APPROVED
PLANS AND LISTED IN ITS PERMIT DESCRIPTION. THIS PLAN IS VALID
PURSUANT TO CHAPTER 62C AND OTHER PERMITS MAY BE REQUIRED.

DATE: 01/25/2024
BY: [Signature]



NOTE:
ANY PORTION OF PATIO DISTURBED WILL BE RESTORED TO EQUAL OR BETTER CONDITION.
52 CY OF FILL TO BE REMOVED/POOL.

Digitally signed by Jeffrey M. Sanon
RES. NO. 7044
CERT. OF REG. NO. 34650

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY
JEFFREY M. SANON, P.E. ON THE DATE SHOWN ON THE
STAMP. PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SIGNED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SITE PLAN
NTS

REVISED	BY

PREPARED FOR:
MICHAEL & ANNETTE COSTELLO
1503B ATLANTIC ST.
MELBOURNE BEACH, FL 32951



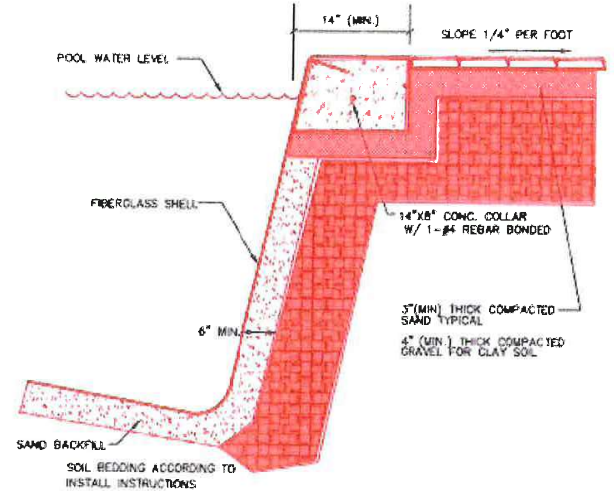
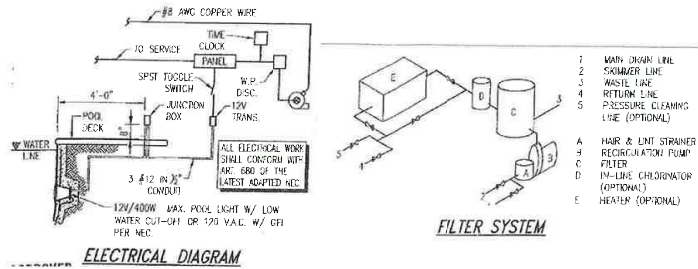
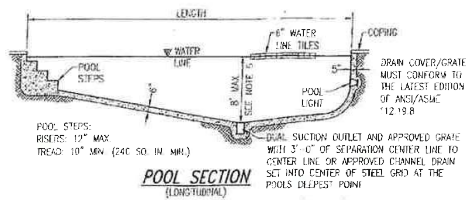
RES. NO. 7044
CERT. OF REG. NO. 34650

CAMREY, LLC
7743 JUNIPER DRIVE
MELBOURNE BEACH, FL 33437
TEL: 561-410-9690
EMAIL: JMS@CAMREY.COM
DATE: 08/11/23
JOB NO. C05T 001

SHEET
D-1
OF 1 SHEET

ALUMINUM SCREEN DESIGN

43



APPROVED PLAN AS PERMITTED
BY THE OFFICE OF RESILIENCE AND COASTAL PROTECTION
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 APPROVED CONSTRUCTION AND ANY OTHER AUTHORIZED ACTIVITIES MUST COMPLY WITH ALL CONDITIONS OF THE PERMIT. CONSTRUCTION AND ACTIVITIES ARE STRICTLY LIMITED TO THOSE BOTH SHOWN ON THE APPROVED PLANS AND LISTED IN THE PROJECT DESCRIPTION. THIS PERMIT IS ISSUED PURSUANT TO CH. 161, F.S. AND OTHER PERMITS MAY BE REQUIRED.

[Signature]
 Reviewed by _____ Date March 28, 2024

RECEIVED
 AUGUST 15, 2023
 OFFICE OF RESILIENCE
 AND COASTAL PROTECTION
 BE-1509

ALUMINUMSCREENDESIGN.COM
 ALUMINUMSCREENDESIGN
 @YAHOO.COM
 PHONE: 407-747-1470
 FAX: 407-734-1790

DESIGN STATEMENT

THIS POOL PLAN IS DESIGNED FOR A MAXIMUM POOL DECK OF 1000 SF AND IS CONSIDERED NULL IN VOID IN EXCESS OF THIS REQUIREMENT

RAIN WATER IS TO BE DIVERTED AWAY FROM HOME

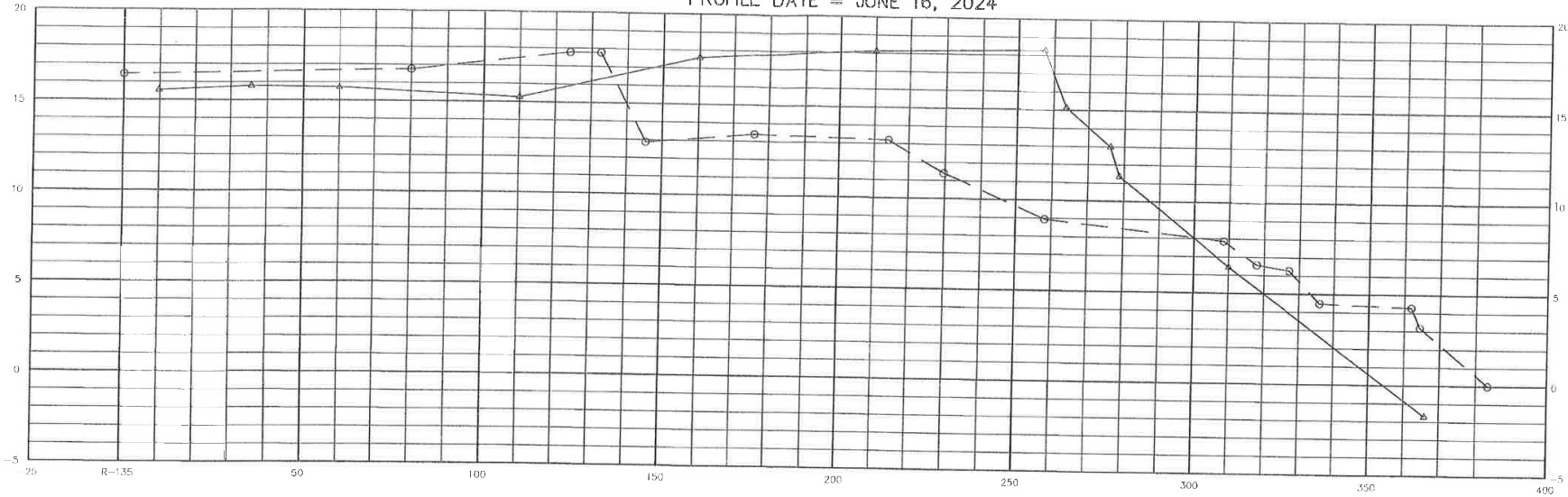


Digitally signed by MICHAEL THOMPSON
 Reason: This item has been signed & sealed by Michael A. Thompson on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
 Date: 2023.08.07 12:21:14 -0400

MICHAEL THOMPSON
 4401 VINELAND ROAD
 SUITE A6
 ORLANDO, FL 32811
 P.E. # 47509
 CA#30930

44

PROFILE DATE = JUNE 16, 2024



HORIZONTAL SCALE = 1" = 30'
VERTICAL SCALE = 1" = 10'

▲ NOVEMBER 8, 1972 PROFILE
○ JUNE 13, 2024 PROFILE

TYPE OF SURVEY:
SPECIAL PURPOSE SURVEY

PROJECT:
22-2029

SCALE: **1" = 30'**
DATE: **06/16/2024**
CAD FILE: **22-2029_Sketch**
F.B. NUMBER:
REVISION:

PRECISION
LAND SURVEYING, INC.

2900 LAKE WASHINGTON ROAD, SUITE 1
MELBOURNE, FLORIDA 32935
PHONE: 321-259-4600
EMAIL: PRECISIONSURVEYING1993@GMAIL.COM

SURVEYOR'S NOTES:

- 1) SOLE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE EXISTING BEACH PROFILE FROM DEPARTMENT OF NATURAL RESOURCES MONUMENT R-135 NORTHEASTERLY TO THE 0 FOOT CONTOUR LINE ALONG A LINE N69° FROM R-135.
- 2) ELEVATIONS BASED ON NAVD1929 AND NATURAL RESOURCES MONUMENT R-130 BEING AT ELEVATION 15.71 FEET NAVD 1929.
- 3) R-135 = NORTHING 1355680.15, EASTING OF 799816.84 NORTH AMERICAN DATUM 1927.
- 4) R-130 WAS RECOVERED AND WAS FOUND IN GOOD CONDITION.
- 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DocuSigned by:
Myron Barker, PLS 5085
F3A398E3C3764FF

PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE
MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085
CERTIFICATE OF AUTHORIZATION LB. 6586





TOWN OF MELBOURNE BEACH

Board of Adjustment

Staff Report – Board of Adjustment Public Hearing- 8.15.2024

1. PETITION DESCRIPTION

APPLICANT: Michael Costello

OWNER: M & P Getaway, LLC

ADDRESS: 1503 Atlantic Street, Unit B, Melbourne Beach, Florida

PARCEL I.D. NO: 28-38-08-FY-26-2.01

ZONING DISTRICT: 5RMO

REQUEST: The applicant is requesting a Coastal Construction Control Line (CCCL) Variance for construction of an in-ground fiberglass pool for an existing single-family residence, from the Town of Melbourne Beach Code Section 5A-4 "Certain Structures Prohibited" as generally described in the Application in **Exhibit "A"**. The applicant is requesting an approximate variance of approximately 242 feet into the CCCL. This code section prohibits construction of any major structures or excavation of any material seaward of the coast construction setback line. The proposed construction will excavate sediments in the proposed area, install the proposed in-ground fiberglass pool and associated plumbing and electrical.

2. BACKGROUND

The "Site Plan" prepared by Camrey LLC (Sheet D-1) and the Plot Plan/Survey prepared by Leonardo Quitero (see **Exhibit "B"**) show the existing building and structures and the proposed swimming pool to be set into the existing patio area seaward of the existing structure. The proposed swimming pool is approximately 242 feet seaward of the CCCL. The special purpose survey, prepared by Precision Land Surveying, and dated 06/16/24 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.

3. STAFF ANALYSIS.

The subject request includes a Town of Melbourne Beach application for a Coastal Construction Variance, and includes supporting information including a plot plan, description of proposed variance, and a special purpose survey.

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 Precision Land Surveying, dated 06/16/2024, 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 installation of the proposed in-ground swimming pool 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 /A-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 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: Townhomes east of Atlantic St.

Address: 1503 B Atlantic St.

Parcel Number(s): 28-38-08-FY-26-2.01

Area (in acreage): .19 Area (in square feet): 8276.4

Current Zoning: SRMO Proposed Zoning: N/A

Current Future Land Use: N/A Proposed Future Land Use: N/A

Brief Description of Application: _____

Add fiberglass pool to back yard

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

IV. APPLICANT INFORMATION:

Property Owner

Name: MMA Gateway
Mike & Annette Costello

Phone: 321 693 4586

Address: 26150 1503-B Atlantic

Fax: _____

Email: MCOSTELLO@MORSECOM.COM

Applicant (if other than property owner)

Name: _____

Phone: _____

Address: _____

Fax: _____

Email: _____

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: [Handwritten Signature]

Date: 19 MAR 24

Print Name: Michael Costello

Title: Owner

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me
this 27 day of March, 2024, by Mike Costello
who is/are personally known to me, or who has/have produced _____
as identification.

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: 19 MAR 24
Print Name: Mike Costello Title: OWNER

*Must sign in front of notary.

State of Florida
County of Brevard.

The foregoing application is acknowledged before me this 27 day of March, 2024, by MIKE COSTELLO who is/are personally known to me, or who has/have produced as identification.

Signature of Notary Public, State of Florida



VII. PROJECT DESCRIPTION:

Describe Application: Install fiberglass pool in backyard

Provide attachment if more space is needed.

Describe Existing Conditions:

Provide attachment if more space is needed.

Future Land Use Plan Amendment*

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed Amendment to the Future Land Use Plan is consistent with the Comprehensive Plan, and cite Comprehensive Plan Goals, Objectives and Policies in this analysis.

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed future land use plan amendment on public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire.

Provide attachment if more space is needed.

Environmental Impacts – the applicant must provide information on the impacts of the proposed future land use plan amendment on environmental resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

Provide attachment if more space is needed.

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.**

Rezoning*

Justification – Provide a written justification of the proposed rezoning and the need for the change as proposed.

Provide attachment if more space is needed.

Effect – Provide a written narrative on the effect of the change, if any, on the particular property and on surrounding properties.

Provide attachment if more space is needed.

Undeveloped land – provide information on the amount of undeveloped land in the town having the same classification as that being requested.

Purpose and Intent – Provide a written description of the proposed change in relationship to the purpose and intent of the present zoning and zoning requested.

Provide attachment if more space is needed.

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.**

Amendment to the Land Development Code*

General Description of the proposed amendment to the Land Development Code – Provide a written description of the proposed change and explain why the amendment is necessary or appropriate.

Provide attachment if more space is needed.

The specific code section to be amended or adopted – Provide the specific wording of the proposed change.

Provide attachment if more space is needed.

Consistency with the Comprehensive Plan – Provide a written summary of how the proposed amendment to the Land Development Code is consistent with the Comprehensive Plan.

Provide attachment if more space is needed.

Impact of Public Facilities – the applicant must provide information on the impact of the proposed amendment to the Land Development Code on the Town’s ability to provide adequate public facilities including, but not limited to parks and open space, traffic, public utilities, police and fire and maintain the existing level of service as identified in the Comprehensive Pan, if the amendment is grated.

Provide attachment if more space is needed.

Environmental/Natural/Historical Impacts – the applicant must provide information on the impacts of the proposed amendment to the Land Development Code on environmental/natural/historical resources including but not limited to wetlands, soils posing severe limitations to development, unique habitat, endangered wildlife and/or plant species, flood prone areas, and coastal zones/dune systems.

Provide attachment if more space is needed.

Public notification – Payment for all appropriate processing fees and charges will be made at the time of the application and at any other time as set forth by the Town Commission or Resolution. Payment by the applicant shall include all costs necessary for giving of any public notice as required by state or local law.

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

Special Exception*

Site and architectural plans elevations of all faces of a building and an overhead view shall be submitted with all special exception applications that include a **new building(s), facade renovations, or substantial improvements to an existing building**. The drawings shall be submitted in color and at the minimum shall include:

- Sealed and signed survey of existing improvements. All elevations should be NGVD/NAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage Percentage)
- Architectural elevations showing:
 - Proposed architectural style.
 - Exterior construction material specifications.
 - Color charts.
- A site plan pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Refuse service area location.
- Mechanical outdoor equipment location.
- Master outdoor lighting plan.
- Screening devices.
- Master signage plan.
- Master landscaping and irrigation plan.
- Wall or fence details.
- Stormwater Management

Narrative – the applicant shall provide a narrative that explains how the use and the development will be compatible with surrounding uses in its function, its hours of operation, the type and amount of traffic to be generated, building size and setbacks, its relationship to land values and other factors that may be used to measure compatibility.

Provide attachment if more space is needed.

Special Exception Applications for space in an **existing building** must provide the following information:

- Survey of existing improvements.
- Architectural elevations showing:
 - Existing/proposed architectural style.
 - Existing/proposed exterior construction material specifications.
 - Existing/proposed exterior color.
- A site plan showing any proposed site improvements as described pursuant to the requirements of Section 7A-51/7A-51.1.
- Structure dimensions and setbacks from all property lines.
- Existing/proposed refuse service area location.

- Existing/proposed mechanical outdoor equipment location.
- Existing/proposed outdoor lighting layout.
- Existing/proposed screening and buffering.
- Existing/proposed signage.
- Existing/proposed landscaping and irrigation.
- Existing/proposed Wall or fence details.
- Stormwater Management

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 twelve (12) 11X17 copies of all supporting documentation.**

Variances*

Variances are allowed only for area, size of structure, size of yards, and open spaces. All applications shall provide a written **Justification Statement** describing the existing conditions, the proposed improvements necessitating a variance, and shall address the following specific criteria:

Describe the special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the same district

Provide attachment if more space is needed.

Describe why the literal interpretation of the provisions of this Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Land Development Code

Provide attachment if more space is needed.

Document that the special conditions and circumstances referred to above, do not result from the actions of the applicant.

Provide attachment if more space is needed.

NOTE: Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district. Variances to maximum building heights are not authorized. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by special exception permitted in the district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code.

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.**

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.

Install Fiberglass pool in backyard.

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.

60

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;

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

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.

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.**

61



TOWN OF MELBOURNE BEACH

Board of Adjustment

EXHIBIT "B"

Plot Plan

LEGEND	
	INDICATES FLOW
	INDICATES PROPOSED ELEVATION
	INDICATES EXISTING ELEVATION
ELEVATION	
ELEVATIONS (F) SHOWN HEREON ARE BASED ON THE FLORIDA PERMANENT REFERENCE NETWORK (NAVD 88).	
FLOOD ZONE	
FLOOD ZONE X & VE MAP DATE 01/25/2021	



LOCATION MAP



AERIAL VIEW

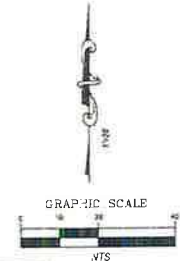
NOTES

DURING CONSTRUCTION, THE PROJECT SITE AND ALL ADJACENT AREAS SHALL BE MAINTAINED IN A NEAT AND CLEAN MANNER. UPON FINAL CLEAN UP, THE PROJECT SITE SHALL BE LEFT CLEAR OF ALL SURPLUS MATERIAL OR TRASH. THE PAVED AREAS SHALL BE SWEEPED THOROUGHLY.

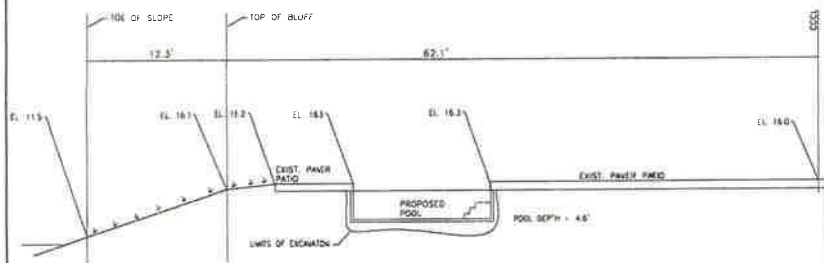
THE CONTRACTOR SHALL RESTORE OR REPLACE, WHEN AND AS DIRECTED BY THE ENGINEER OR THE LOCAL MUNICIPALITY, ANY PUBLIC OR PRIVATE PROPERTY DAMAGED BY HIS WORK, EQUIPMENT, EMPLOYEES OR THOSE OF HIS SUBCONTRACTORS TO A CONDITION AT LEAST EQUAL TO THAT EXISTING IMMEDIATELY PRIOR TO THE BEGINNING OF OPERATIONS. TO THIS END, THE CONTRACTOR SHALL DO AS REQUIRED ALL NECESSARY HIGHWAY OR DRIVEWAY, SIDEWALK AND LANDSCAPING WORK. SUITABLE MATERIALS AND METHODS SHALL BE USED FOR SUCH RESTORATION.

WHERE MATERIAL OR DEBRIS HAS WASHED OR FLOWED INTO OR BEEN PLACED IN WATER COURSES, DRAINAGE SEWER, DITCHES, DRAINS, CATCH BASINS, OR ELSEWHERE AS A RESULT OF THE CONTRACTOR'S OPERATIONS, SUCH MATERIAL OR DEBRIS SHALL BE REMOVED AND SATISFACTORILY DISPOSED OF DURING PROGRESS OF THE WORK, AND THE AREA KEPT IN A CLEAR AND NEAT CONDITION.

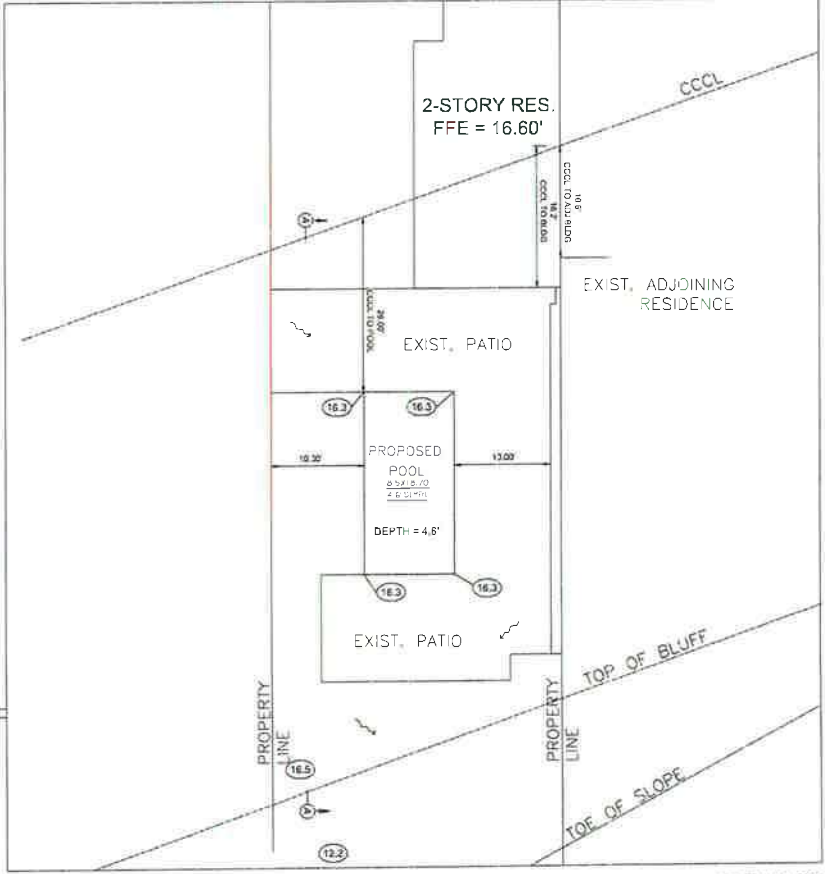
WHEN WORKING IN AND AROUND EXISTING DRAINAGE CANALS, APPROPRIATE SILT BARRIERS SHALL BE INSTALLED AS REQUIRED BY LOCAL WATER CONTROL/DRAINAGE DISTRICT.



PLAN VIEW
(TAKEN FROM SURVEY)



SECTION "A-A"
N.T.S.



NOTE:
ANY PORTION OF PATIO DISTURBED WILL BE RESTORED TO EQUAL OR BETTER CONDITION 32 CY OF FILL TO BE REMOVED (POOL).

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY
JEFFREY M. SANDOZ, P.E. ON THE DATE SHOWN ON THE
STAMP. PRINTED COPIES OF THIS DOCUMENT ARE NOT
CONSIDERED SEALED AND SEALED AND THE SIGNATURE
MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

SITE PLAN
NTS

REVISIONS	BY

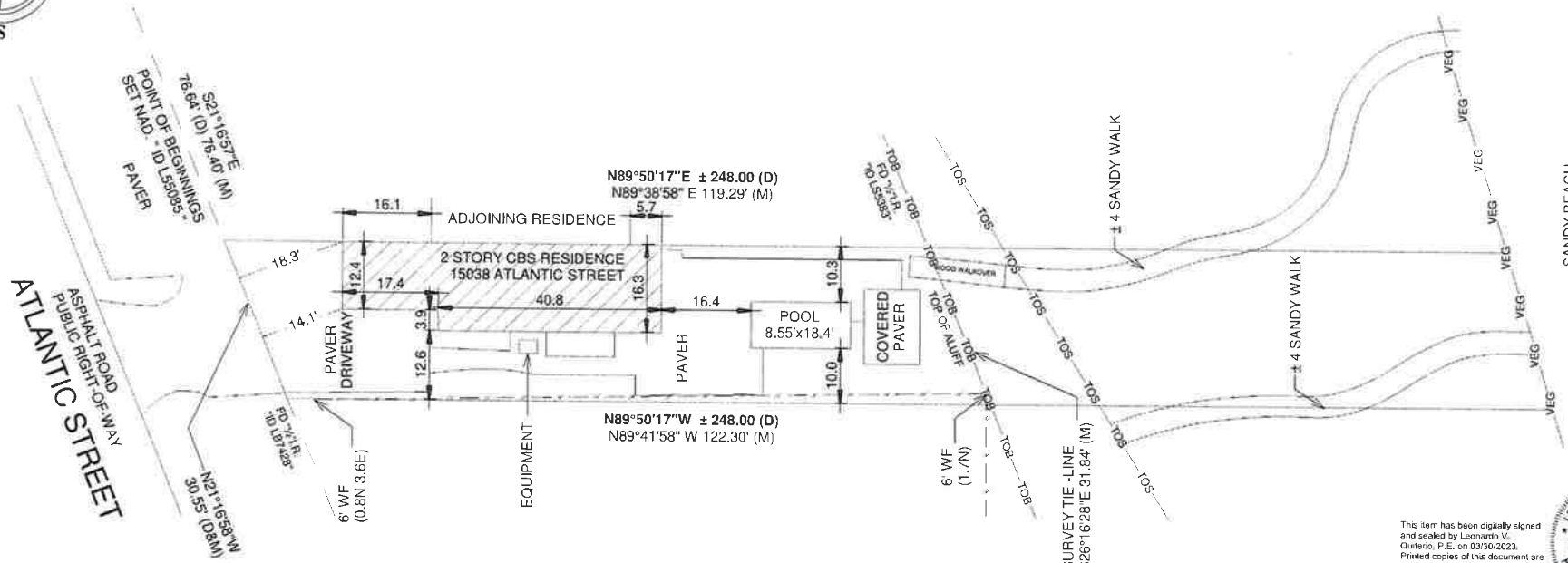
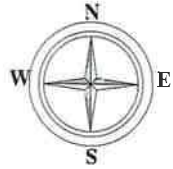
PREPARED FOR:
MICHAEL & ANNETTE COSTELLO
1503B ATLANTIC ST.
MELBOURNE BEACH, FL 32951



REG. NO. 22848
EXPIRES 07/31/2024
LAMARCA, LLC
2711 SINGER DRIVE
MELBOURNE BEACH, FL 32951
TEL: 321-438-0880
WWW.LAMARCA.COM
DESIGNED BY: JMS
DATE: 08/11/23
NTS
SCALE: COST 001

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D-1



SANDY BEACH
ATLANTIC OCEAN

This item has been digitally signed and sealed by Leonardo V. Quintero, P.E. on 03/29/2023. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



<p>LEGAL</p> <p>FROM THE NORTHWEST CORNER OF LOT 1, BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. SAID POINT ALSO BEING THE INTERSECTION OF THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OS STATE READ A1A END THE SOUTHERLY RIGHT -OF-WAY OF FIFTH AVENUE, RUN S 21°16'58" E, 76.64 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 50'17"E, 258.0 FEET, MORE OR LESS, TO THE APROXIMATE, MEAN HIGH WATER THE OF THE ATLANTIC OCEAN; THENCE IN A SOUTHEASTERLY DIRECTION RUN 30.55 FEET TO THE SOUTH LINE OF LOT 2; BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH; THENCE RUN S89°50'17" W, 248.0 FEET, MORE OR LESS, TO THE AFOREMENTIONED STATE TOAD ALA; THENCE RUN N21°16'58" IN, ALSO KNOWN AS SECTION TWO, UNIT FOUR, BEACH HOUSE SOUTH.</p>	<p>LEGEND</p> <table border="0"> <tr> <td>(AKA)</td> <td>=ALSO KNOWN AS</td> <td>L</td> <td>=LENGTH</td> </tr> <tr> <td>¢</td> <td>=CENTERLINE</td> <td>LB</td> <td>=LICENSE BUSINESS</td> </tr> <tr> <td>C.B.</td> <td>=CONCRETE BLOCK</td> <td>LS</td> <td>=LICENSE SURVEYOR</td> </tr> <tr> <td>C.B.S</td> <td>=CONCRETE BLOCK STRUCTURE</td> <td>(M)</td> <td>= MEASURED</td> </tr> <tr> <td>C.L.F.</td> <td>=CHAIN LINK FENCE</td> <td>N&D</td> <td>=NAIL & DISC</td> </tr> <tr> <td>CLR.</td> <td>=CLEAR</td> <td>(P)</td> <td>=PLATTED</td> </tr> <tr> <td>C.M.</td> <td>=CONCRETE MONUMENT</td> <td>PC</td> <td>=POINT OF CURVATURE</td> </tr> <tr> <td>CONC.</td> <td>=CONCRETE</td> <td>PT</td> <td>=POINT OF TANGENCY</td> </tr> <tr> <td>COR.</td> <td>=CORNER</td> <td>PL</td> <td>=PROPERTY LINE</td> </tr> <tr> <td>COVD</td> <td>=COVERED</td> <td>PSM</td> <td>=PROFESSIONAL SURVEYOR & MAPPER</td> </tr> <tr> <td>D</td> <td>=DELTA</td> <td>PRC</td> <td>=POINT OF REVERSE CURVE</td> </tr> <tr> <td>FD</td> <td>=FOUND</td> <td>PU&D</td> <td>=PUBLIC UTILITY & DRAINAGE</td> </tr> <tr> <td>ID</td> <td>=IDENTIFICATION</td> <td>R</td> <td>=RADIUS</td> </tr> <tr> <td>I.P.</td> <td>=IRON PIPE</td> <td>R/W</td> <td>=RIGHT - OF -WAY</td> </tr> <tr> <td>I.R.</td> <td>=IRON ROO</td> <td>(TYP)</td> <td>=TYPICAL</td> </tr> </table>	(AKA)	=ALSO KNOWN AS	L	=LENGTH	¢	=CENTERLINE	LB	=LICENSE BUSINESS	C.B.	=CONCRETE BLOCK	LS	=LICENSE SURVEYOR	C.B.S	=CONCRETE BLOCK STRUCTURE	(M)	= MEASURED	C.L.F.	=CHAIN LINK FENCE	N&D	=NAIL & DISC	CLR.	=CLEAR	(P)	=PLATTED	C.M.	=CONCRETE MONUMENT	PC	=POINT OF CURVATURE	CONC.	=CONCRETE	PT	=POINT OF TANGENCY	COR.	=CORNER	PL	=PROPERTY LINE	COVD	=COVERED	PSM	=PROFESSIONAL SURVEYOR & MAPPER	D	=DELTA	PRC	=POINT OF REVERSE CURVE	FD	=FOUND	PU&D	=PUBLIC UTILITY & DRAINAGE	ID	=IDENTIFICATION	R	=RADIUS	I.P.	=IRON PIPE	R/W	=RIGHT - OF -WAY	I.R.	=IRON ROO	(TYP)	=TYPICAL	<p>SURVEYOR NOTES</p> <ol style="list-style-type: none"> 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N21°16'58"W, ALONG THE EAST RIGHT-OF-WAY LINE OF ATLANTIC STREET. 2) AS PER FLOOD INSURANCE RATE MAP NO. 12009C 0608H, INDEX DATED 01-29-2021, THE ABOVE DESCRIBED PROPERTY LIES IN ZONE X& VE. 3) THIS SURVEY WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR. THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THE PROPERTY. 4) UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN. 5) LANDS SHOWN HERON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHER THROUGH APPROPRIATE TITLE VERIFICATION. 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICEMSED SURVEYOR AND MAPPER.
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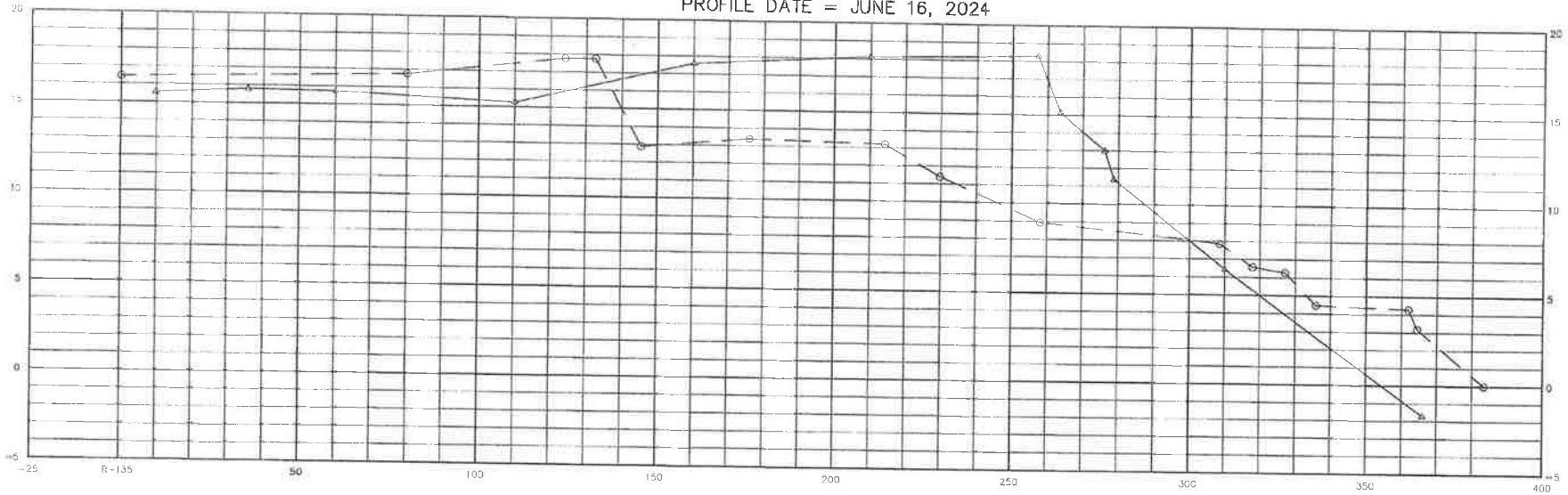
TOWN OF MELBOURNE BEACH

Board of Adjustment

EXHIBIT "C"

Special Purpose Survey

PROFILE DATE = JUNE 16, 2024



HORIZONTAL SCALE = 1"=30'
VERTICAL SCALE = 1"=10'

—●— NOVEMBER 8, 1972 PROFILE
- - -○- - - JUNE 13, 2024 PROFILE

TYPE OF SURVEY:
SPECIAL PURPOSE SURVEY

PROJECT:
22-2029

SCALE: **1" = 30'**
DATE: **06/16/2024**
CAD FILE: **22-2029_Sketch**
F.B. NUMBER:
REVISION:

PRECISION
LAND SURVEYING, INC.
2900 LAKE WASHINGTON ROAD, SUITE 1
MELBOURNE, FLORIDA 32935
PHONE: 321-259-4600
EMAIL: PRECISIONSURVEYING1993@GMAIL.COM

SURVEYOR'S NOTES:

- 1) SOLE PURPOSE OF THIS SURVEY IS TO DOCUMENT THE EXISTING BEACH PROFILE FROM DEPARTMENT OF NATURAL RESOURCES MONUMENT R-135 NORTHEASTERLY TO THE 0 FOOT CONTOUR LINE ALONG A LINE N69° FROM R-135.
- 2) ELEVATIONS BASED ON NGVD1929 AND NATURAL RESOURCES MONUMENT R-130 BEING AT ELEVATION 15.71 FEET NGVD 1929.
- 3) R-135 = NORTHING 1355680.05, EASTING OF 799818.84 NORTH AMERICAN DATUM 1927.
- 4) R-130 WAS RECOVERED AND WAS FOUND IN GOOD CONDITION.
- 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DocuSigned by:
Myron Barker, PLS 5085

F3A298E3C3704FF

Myron E. Barker

PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE
MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085
CERTIFICATE OF AUTHORIZATION LB. 6586



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This instrument was prepared by -
Record and Return To.

E
Ganon J. Studenberg, Esq.
Studenberg Law
1119 Palmetto Avenue
Melbourne, FL 32901

Property Appraiser's
Property Identification No. 28-38-08-FY-26-2.01

WARRANTY DEED (STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture, made this 16th day of December, 2022, between **MICHAEL J. COSTELLO** and **ANNETTE COSTELLO**, husband and wife, and **COSTELLO FAMILY HOLDINGS, LLC**, a Florida limited liability company, whose post office address is 2940 Appaloosa Blvd., Melbourne, Florida 32934, Grantors, and **M&A GETAWAY, LLC**, a Florida Limited Liability Company, whose post office address is 2940 Appaloosa Blvd., Melbourne, Florida 32934, Grantee.

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Brevard County, Florida, to-wit:

From the Northwest corner of Lot 1, Block 26, WILCOX PLAT OF MELBOURNE BEACH, as recorded in Plat Book 1, Page 58, Public Records of Brevard County, Florida, said point also being the intersection of the Easterly right-of-way of State Road A1A and the Southerly right-of-way of Fifth Avenue, run S 21°16'58" E, 76.64 feet to the Point of Beginning; thence run N 89°50'17" E, 248.0 feet, more or less, to the approximate mean high water line of the Atlantic Ocean; thence in a Southeasterly direction run 30.55 feet to the South line of Lot 2, Block 26, WILCOX PLAT OF MELBOURNE BEACH; thence run S 89°50'17" W, 248.0 feet, more or less, to the Easterly right-of-way of the aforementioned State Road A1A; thence run N 21°16'58" W, 30.55 feet to the Point of Beginning, also known as Section Two, Unit Four, BEACH HOUSE SOUTH.

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PARCEL ID NO.: 28-38-08-FY-26-2.01

THIS IS NOT THE HOMESTEAD OF THE GRANTOR OR GRANTEE.

SUBJECT TO:

- (1) Zoning and/or restrictions and prohibitions imposed by governmental authority.
- (2) Restrictions, easements, and other matters common to the Plat thereof.
- (3) Taxes for the year 2022 and subsequent years.

GRANTOR does hereby fully warrant the title to said real property and will defend the same against the lawful claims of all persons whomsoever.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

This deed was prepared without a review or examination of the title to the above-described property and no opinions or representations are being made either expressly or impliedly by Ganon J. Studenberg, Esquire, or GANON J. STUDENBERG, P.A.

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

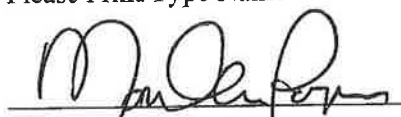
Signed, sealed and delivered in our presence:



Witness
DARLEEN R. RIVERA
Please Print/Type Name



MICHAEL J. COSTELLO, Grantor



Witness
MARLENE M. PAPPAS
Please Print/Type Name



ANNETTE COSTELLO, Grantor

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COSTELLO FAMILY HOLDINGS, LLC

Darleen R. Rivera
Witness
DARLEEN R. RIVERA
Please Print/Type Name

Michael J. Costello
MICHAEL J. COSTELLO, Manager

Marlene M. Pappas
Witness
MARLENE M. PAPPAS
Please Print/Type Name

Annette Costello
ANNETTE COSTELLO, Manager

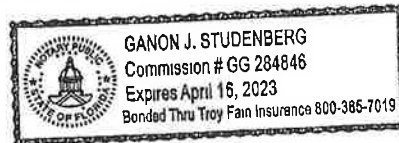
STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 16th day of December 2022, by means of physical presence or online notarization, by MICHAEL J. COSTELLO and ANNETTE COSTELLO, as individuals, and MICHAEL J. COSTELLO and ANNETTE COSTELLO, as Managers of COSTELLO FAMILY HOLDINGS, LLC, who are personally known to me.

My Commission Expires:

Ganon J. Studenberg

Notary Public, State of Florida, at Large
Ganon J. Studenberg
Print, Type, or Stamp Name





STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of Resilience and Coastal Protection
Coastal Construction Control Line Program
2600 Blair Stone Road - Mail Station 3522
Tallahassee, Florida 32399-2400
(850) 245-8570

PERMIT NUMBER: BE001509

PERMITTEE

Michael Costello
c/o Donald Glenn
Playwell Pools, Inc.
541 Bablonica Drive
Orlando, Florida 32807

NOTICE TO PROCEED AND PERMIT FOR CONSTRUCTION OR OTHER ACTIVITIES
PURSUANT TO SECTION 161.053, FLORIDA STATUTES

FINDINGS OF FACT: An application for authorization to conduct the activities seaward of the coastal construction control line that are indicated in the project description, was filed by the applicant/permittee named herein on March 30, 2023, and was determined to be complete pursuant to rule on January 25, 2024. The proposed project is to be located landward of the 30-year erosion projection and the line of construction established by existing major structures in the immediate area.

CONCLUSIONS OF LAW: After considering the merits of the proposal and any written objections from affected persons, the Department finds that upon compliance with the permit conditions, the activities indicated in the project description of this permit are of such a nature that they will result in no significant adverse impacts to the beach/dune areas or to adjacent properties; that the work is not expected to adversely impact nesting sea turtles, their hatchlings, or their habitat; that the work is expendable in nature and/or is appropriately designed in accordance with Section 62B-33.005, Florida Administrative Code. Based on the foregoing considerations, the Department approves the application; authorizes construction and/or activities at the location indicated below in strict accordance with the project description, the approved plans (if any) and the General Permit Conditions which are by this reference incorporated herein, and any additional conditions shown below, pursuant to Section 161.053(4), Florida Statutes.

EXPIRATION DATE: March 28, 2027

LOCATION: Between approximately 295 feet and 315 feet north of the Department of Environmental Protection's reference monument R-135, in Brevard County. Project address: 1503 Atlantic Street, Unit B, Melbourne Beach.

PROJECT DESCRIPTION:

Swimming Pool with Spa

1. Location relative to control line: A maximum of 44.7 feet seaward.
2. Exterior dimensions: 18.7 feet in the shore-normal direction by 8.5 feet in the shore-parallel direction.
3. Type of foundation: Pile.

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 PERMIT NUMBER: BE001509
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4. Top of swimming pool coping: +16.3 feet (NAVD).
5. Depth of swimming pool: +4.6 feet (NAVD).

Excavation/Fill

1. Total volume of excavation: Approximately 52 cubic yards.
2. Location of excavation: To an approximate distance of 45 feet seaward of the control line.
3. Maximum depth of excavation: To depth of pool installation.
4. Volume of fill to be placed: Approximately 52 cubic yards.
5. Location of fill to be placed: To an approximate distance of 45 feet seaward of the control line.

SPECIAL PERMIT CONDITIONS:

1. Prior to commencement of construction activity authorized by this permit, a preconstruction conference shall be held at the site among the contractor, the owner or authorized agent, and a staff representative of the Department to establish an understanding among the parties as to the items specified in the special and general conditions of the permit. The proposed locations of the structures shall be staked out for the conference. **Contact Melanie Cain at (386) 895-1958 or email at melanie.cain@FloridaDEP.gov to schedule a conference.**
2. All rubble and debris resulting from this construction shall be removed to a location landward of the coastal construction control line.
3. All excavated beach compatible sandy material excavated on the site shall remain within the immediate vicinity of the excavation. All imported fill material shall be obtained from a source landward of the control line and shall consist of sand which is similar to that already on the site in both grain size and coloration. This fill material shall be free of construction debris, rocks, or other foreign matter. A sample of the sand shall be provided to the staff representative during the preconstruction conference.
4. All lighting shall be installed and maintained as depicted in the approved lighting schematic. No additional permanent exterior lighting is authorized.
5. The Permittee shall submit compliance reports as specified in the Special and General Permit Conditions of this permit. General Permit Condition 1(r) pertains to a written report which must be submitted to the Department of Environmental Protection at the specified time. The form for the reports: 1(r) Final Certification (DEP Form 73-115B) is available at the website: <http://www.dep.state.fl.us/beaches/forms.htm#CCCL>. The form may be submitted electronically.

GENERAL PERMIT CONDITIONS:

- (1) The following general permit conditions shall apply, unless waived by the Department or modified by the permit:

PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
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(a) The permittee shall carry out the construction or activity for which the permit was granted in accordance with the plans and specifications that were approved by the Department as part of the permit. Deviations therefrom, without written approval from the Department, shall be grounds for suspension of the work and revocation of the permit pursuant to section 120.60(7), F.S., and shall result in assessment of civil fines or issuance of an order to alter or remove the unauthorized work, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the notice to proceed shall be conspicuously displayed at the project site. Approved plans shall be made available for inspection by a Department representative.

(b) The permittee shall conduct the construction or activity authorized under the permit using extreme care to prevent any adverse impacts to the beach and dune system, marine turtles, their nests and habitat, or adjacent property and structures.

(c) The permittee shall allow any duly identified and authorized member of the Department to enter upon the premises associated with the project authorized by the permit for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department until all construction or activities authorized or required in the permit have been completed and all project performance reports, certifications, or other documents are received by the Department and determined to be consistent with the permit and approved plans.

(d) The permittee shall hold and save the State of Florida, the Department, and its officers and employees harmless from any damage, no matter how occasioned and no matter what the amount, to persons or property that might result from the construction or activity authorized under the permit and from any and all claims and judgments resulting from such damage.

(e) The permittee shall allow the Department to use all records, notes, monitoring data, and other information relating to construction or any activity under the permit, which are submitted, for any purpose necessary except where such use is otherwise specifically forbidden by law.

(f) Construction traffic shall not occur and building materials shall not be stored on vegetated areas seaward of the control line unless specifically authorized by the permit. If the Department determines that this requirement is not being met, positive control measures, such as temporary fencing, designated access roads, adjustment of construction sequence, or other requirements, shall be provided by the permittee at the direction of the Department. Temporary construction fencing shall not be sited within marine turtle nesting habitats.

(g) The permittee shall not disturb existing beach and dune topography and vegetation except as expressly authorized in the permit. Before the project is considered complete, any disturbed topography or vegetation shall be restored as prescribed in the permit with suitable fill material or revegetated with appropriate beach and dune vegetation. When required for mitigation, dune vegetation will be considered successfully established if within 180 days of planting, a minimum of 80 percent of the planting units survive, a minimum of 80 percent of the planted area is covered with native species and the vegetation is continuous without gaps along the shoreline.

(h) All fill material placed seaward of the CCCL shall meet the requirements of subsection 62B-33.005(7), F.A.C. All such fill material shall be free of construction debris, rocks, clay, or other foreign matter; and shall be obtained from a source landward of the CCCL.

(i) If surplus sand fill results from any approved excavation seaward of the control line, such material shall be distributed seaward of the control line on the site, as directed by the Department, unless otherwise specifically authorized by the permit. Sand fill placed seaward of the frontal dune, bluff or coastal armoring in marine turtle nesting habitat shall be configured such that it does not interfere with marine turtle nesting.

(j) Any native salt-tolerant vegetation destroyed during construction shall be replaced with plants of the same species or, by authorization of the Department, with other native salt-tolerant vegetation suitable for beach and dune stabilization. Unless otherwise specifically authorized by the Department, all plants installed in beach and coastal areas – whether to replace vegetation displaced, damaged, or destroyed during construction or otherwise – shall be of species indigenous to Florida beaches and dunes, such as sea oats, sea grape, saw palmetto, panic grass, saltmeadow hay cordgrass, seashore saltgrass, and railroad vine, and grown from stock indigenous to the region in which the project is located.

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PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
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(k) All topographic restoration and revegetation work is subject to approval by the Department, and the status of restoration shall be reported as part of the final certification of the actual work performed.

(l) If not specifically authorized elsewhere in the permit, no operation, transportation, or storage of equipment or materials is authorized seaward of the dune crest or rigid coastal structure during the marine turtle nesting season. The marine turtle nesting season is May 1 through October 31 in all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward counties where leatherback turtle nesting occurs during the period of March 1 through October 31.

(m) If not specifically authorized elsewhere in the permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season and no additional permanent exterior lighting is authorized.

(n) All non-opaque walls, balcony railings, deck railings, windows and doors visible from any point on the beach must be tinted to a transmittance value (light transmission from inside to outside) of 45 percent or less through the use of tinted glass or window film.

(o) The permit has been issued to a specified property owner and is not valid for any other person unless formally transferred. An applicant requesting transfer of the permit shall sign the permit transfer agreement form, agreeing to comply with all terms and conditions of the permit, and return it to the Department. The transfer request shall be provided on the form entitled "Permit Transfer Agreement" – DEP Form 73-103 (Revised 1/04), which is hereby adopted and incorporated by reference. No work shall proceed under the permit until the new owner has received a copy of the transfer agreement approved by the Department. A copy of the transfer agreement shall be displayed on the construction site along with the permit. An expired permit shall not be transferred. Copies of the "Permit Transfer Agreement" form are available at the following website: <http://www.dep.state.fl.us/beaches/forms.htm#CCCL>

(p) The permittee shall immediately inform the Department of any change of mailing address of the permittee and any authorized agent until all requirements of the permit are met.

(q) For permits involving habitable major structures, all construction on the permitted structure shall stop when the foundation pilings have been installed. At that time the foundation location form shall be submitted to and accepted by the Department prior to proceeding with further vertical construction above the foundation. The form shall be signed by a professional surveyor, licensed pursuant to chapter 472, F.S., and shall be based upon such surveys performed in accordance with chapter 472, F.S., as are necessary to determine the actual configuration and dimensioned relationship of the installed pilings to the control line. The information shall be provided to the Department using the form entitled "Foundation Location Certification" – DEP Form 73-114B (Revised 9/05), which is hereby adopted and incorporated by reference. Phasing of foundation certifications is acceptable. The Department shall notify the permittee of approval or rejection of the form within seven (7) working days after staff receipt of the form. All survey information upon which the form is based shall be made available to the Department upon request. Permits for repairs or additions to existing structures with nonconforming foundations are exempt from this condition.

(r) For permits involving major structures and exterior lighting on major structures, the permittee shall provide the Department with a report by a registered professional within 30 days following completion of the work. For permits involving armoring or other rigid coastal structures, the permittee shall provide the Department with a report by an engineer licensed in the State of Florida within 30 days following completion of the work. The report shall state that all locations specified by the permit have been verified and that other construction and activities authorized by the permit, including exterior lighting, have been performed in compliance with the plans and project description approved as a part of the permit and all conditions of the permit; or shall describe any deviations from the approved plans, project description, or permit conditions, and any work not performed. Such report shall not relieve the permittee of the provisions of paragraph 62B-33.0155(1)(a), F.A.C. If none of the permitted work is performed, the permittee shall inform the Department in writing no later than 30 days following expiration of the permit. The report shall be provided on the form entitled "Final Certification" DEP Form 73-115B (Revised 9/05), which is hereby adopted and incorporated by reference. Copies of the "Final Certification" form are available at the following website:

PERMITTEE: Michael Costello
PERMIT NUMBER: BE001509
PAGE 5

<http://www.dep.state.fl.us/beaches/forms.htm#CCCL>

(s) Authorization for construction of armoring or other rigid coastal structures is based on an engineering review and assessment of the design and anticipated performance and impact of the structure as a complete unit. Construction of any less than the complete structure as approved by the Department is not authorized and shall result in the assessment of an administrative fine and the issuance of an order to remove the partially constructed structure. Modifications to the project size, location, or structural design shall be authorized by the Department in accordance with rule 62B-33.013, F.A.C.

(2) The permittee shall not commence any excavation, construction, or other physical activity on or encroaching on the sovereignty land of Florida seaward of the mean high water line or, if established, the erosion control line until the permittee has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The permittee shall obtain any applicable licenses or permits required by Federal, state, county, or municipal law.

(4) This permit does not authorize trespass onto other property.

(5) In the event of a conflict between a general permit condition and a special permit condition, the special permit condition shall prevail.

(6) Copies of any forms referenced above can be obtained by contacting the Department of Environmental Protection, 2600 Blair Stone Road, MS 3522, Tallahassee, Florida 32399-2400, at <http://www.dep.state.fl.us/beaches/forms.htm#CCCL> or by telephoning (850) 245-8570.

Approved plans are incorporated into this permit by reference.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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PERMITTEE: Michael Costello
 PERMIT NUMBER: BE001509
 PAGE 6

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under [Sections 120.569](#) and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Celora Douse Jackson, Environmental Administrator
 Coastal Construction Control Line Program
 Office of Resilience and Coastal Protection

PERMITTEE: Michael Costello
PERMIT NUMBER: BE001509
PAGE 7

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

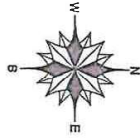
Michael Costello, Property Owner, Mcostello@morsecom.com
Donald Glenn, Agent, ciera@playwellpools.com
Melanie Cain, Field Inspector, melanie.cain@floridadep.gov

FILING AND ACKNOWLEDGMENT

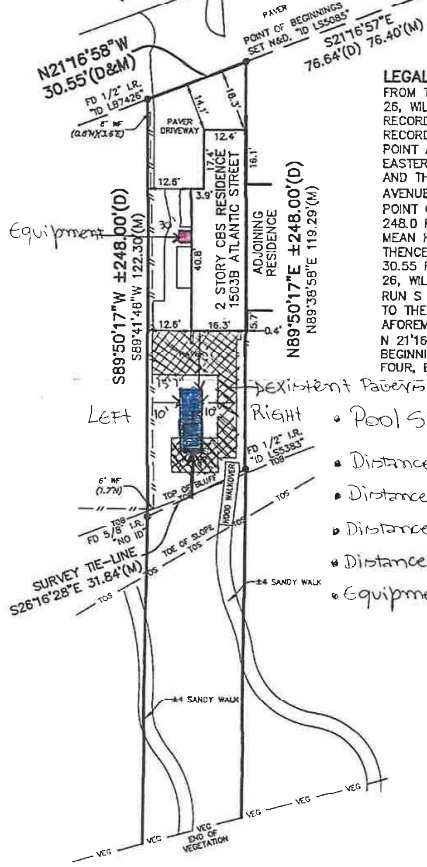
FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Jordan Merrill
Clerk

3/28/2024
Date



ATLANTIC STREET
ASPHALT ROAD
(PUBLIC RIGHT-OF-WAY)



LEGAL:
FROM THE NORTHWEST CORNER OF LOT 1, BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT ALSO BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF STATE ROAD A1A AND THE SOUTHERLY RIGHT-OF-WAY OF FIFTH AVENUE, RUN S 21°16'58\"/>

- Pool Size: 8'5" x 19'7" x 4'6" (depth)
- Distance from house to Pool: 15'7"
- Distance from left side to pool: 10'ft
- Distance from right side to pool: 10'ft
- Distance from pool to front property line: 12'
- Equipment distance: 30'ft



Designed by:
Myron Barker, PLS 5085
F3A38E3C376AFF

Myron E. Barker

PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE
MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085
CERTIFICATE OF AUTHORIZATION LB. 6586

LEGEND

(AKA)	= ALSO KNOWN AS
C	= CENTERLINE
C.B.	= CONCRETE BLOCK
C.B.S.	= CONCRETE BLOCK STRUCTURE
C.L.F.	= CHAIN LINK FENCE
C.L.	= CLEAR
C.M.	= CONCRETE MONUMENT
C.C.M.	= CONCRETE
C.C.R.	= CORNER
C.C.V.	= COVERED
D	= FOUND
I.D.	= IDENTIFICATION
I.P.	= IRON PIPE
I.R.	= IRON ROD
L	= LENGTH
L.B.	= LICENSE BUSINESS
L.S.	= LICENSE SURVEYOR
M	= MEASURED
N&D	= NAIL & DISK
P	= PLATTED
P.C.	= POINT OF CURVATURE
P.T.	= POINT OF TANGENCY
P.S.M.	= PROFESSIONAL SURVEYOR & MAPPER
P.R.C.	= POINT OF REVERSE CURVE
P.M.D.	= PUBLIC UTILITY & DRAINAGE
R	= RADIUS
R.O.W.	= RIGHT-OF-WAY
(TYP.)	= TYPICAL

SURVEYOR'S NOTES:

- 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON AN ASSUMED BEARING OF N.21°16'58"W., ALONG THE EAST RIGHT-OF-WAY LINE OF ATLANTIC STREET.
- 2) AS PER FLOOD INSURANCE RATE MAP N012009C 0500 H, INDEX DATED 01-29-2021, THE ABOVE DESCRIBED PROPERTY LIES IN ZONE X & VE.
- 3) THIS SURVEY WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR. THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THE PROPERTY.
- 4) UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
- 5) LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHER THROUGH APPROPRIATE TITLE VERIFICATION.
- 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PRECISION
LAND SURVEYING, INC.
2900 LAKE WASHINGTON ROAD, SUITE 1
MELBOURNE, FLORIDA 32935
PHONE: 321-259-4600

TYPE OF SURVEY:
BOUNDARY SURVEY

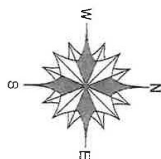
PROJECT:
22-2029

SCALE: **1" = 30'**
DATE: **09/01/2022**
CAD FILE: **22-2029.DWG**
F.B. NUMBER:
REVISION:

CERTIFIED TO:
MICHAEL COSTELLO

*NTS Pool drawing

BOUNDARY SURVEY

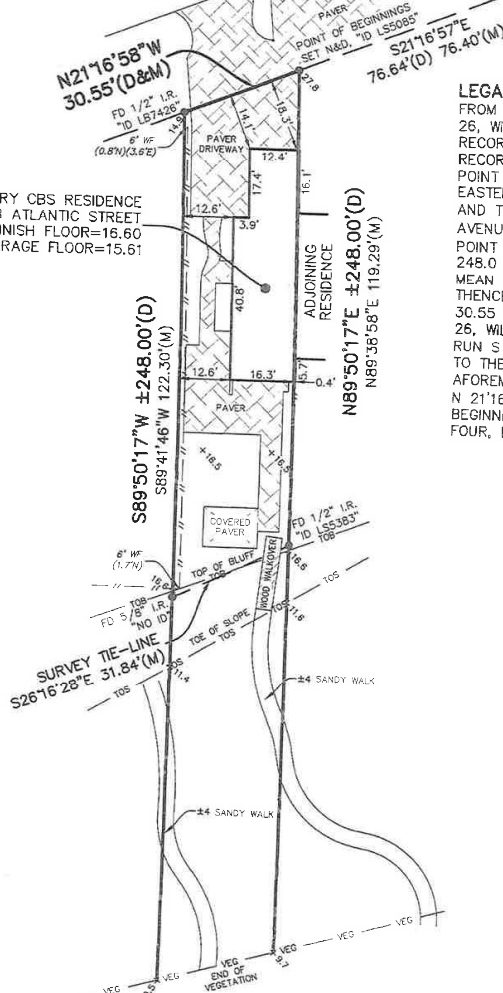


ATLANTIC STREET
ASPHALT ROAD
(PUBLIC RIGHT-OF-WAY)

POINT OF COMMENCEMENT
NORTHWEST CORNER OF PLAT
1, BLOCK 26, WILCOX PLAT
MELBOURNE BEACH, FL.

2 STORY CBS RESIDENCE
1503B ATLANTIC STREET
FINISH FLOOR=16.60
GARAGE FLOOR=15.61

LEGAL:
FROM THE NORTHWEST CORNER OF LOT 1, BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH, AS RECORDED IN PLAT BOOK 1, PAGE 58, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT ALSO BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF STATE ROAD A1A AND THE SOUTHERLY RIGHT-OF-WAY OF FIFTH AVENUE, RUN S 21°16'58" E, 76.64 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89°50'17" E, 248.0 FEET, MORE OR LESS, TO THE APPROXIMATE MEAN HIGH WATER THE OF THE ATLANTIC OCEAN; THENCE IN A SOUTHEASTERLY DIRECTION RUN 30.55 FEET TO THE SOUTH LINE OF LOT 2; BLOCK 26, WILCOX PLAT OF MELBOURNE BEACH; THENCE RUN S 89°50'17" W, 248.0 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY OF THE AFOREMENTIONED STATE ROAD A1A; THENCE RUN N 21°16'58" IN, 30.55 FEET TO THE POINT OF BEGINNING, ALSO KNOWN AS SECTION TWO, UNIT FOUR, BEACH HOUSE SOUTH.



ATLANTIC OCEAN



NOTE:
ELEVATIONS SHOWN HEREON ARE BASED ON NAVD83

DocuSigned by:
Myron Barker, PLS 5085
F3A988E1C3784FF

Myron E. Barker
PROFESSIONAL SURVEYOR & MAPPER IN RESPONSIBLE CHARGE
MYRON E. BARKER - FLORIDA CERTIFICATE NO. 5085
CERTIFICATE OF AUTHORIZATION LB. 6586

LEGEND	
(AKA)	= ALSO KNOWN AS
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C.L.F.	= CHAIN LINK FENCE
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C.M.	= CONCRETE
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COVD	= COVERED
D	= DELTA
FD	= FINDING
FD ID	= IDENTIFICATION
FD L.R.	= IRON PIPE
FD L.R.	= IRON ROD
L	= LENGTH
LB	= LICENSE BUSINESS
LS	= LICENSE SURVEYOR
M&D	= MEASUREMENT
M	= NAIL & DISK
PC	= PLATTED
PT	= POINT OF CURVATURE
PT	= POINT OF TANGENCY
PL	= PROPERTY LINE
P.S.M.	= PROFESSIONAL SURVEYOR & MAPPER
PRC	= POINT OF REVERSE CURVE
P.U.&D.	= PUBLIC UTILITY & DRAINAGE
R/W	= RADIUS
(TYP)	= RIGHT-OF-WAY
WF	= TYPICAL
	= WOOD FENCE

SURVEYOR'S NOTES:

- 1) THE BEARING SYSTEM SHOWN HEREON IS BASED ON A ASSUMED BEARING OF N.21°16'58"W., ALONG THE EAST RIGHT-OF-WAY LINE OF ATLANTIC STREET.
- 2) AS PER FLOOD INSURANCE RATE MAP NO.12D09C 0608 H, INDEX DATED 01-29-2021, THE ABOVE DESCRIBED PROPERTY LIES IN ZONE X & VE.
- 3) THIS SURVEY WAS PREPARED FROM TITLE INFORMATION PROVIDED TO THE SURVEYOR. THERE MAY BE ADDITIONAL RESTRICTIONS OR EASEMENTS THAT AFFECT THE PROPERTY.
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- 5) LANDS SHOWN HERON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, RESERVATION, AGREEMENT AND/OR EASEMENTS OF RECORD, SUCH INFORMATION IF DESIRED, SHOULD BE OBTAINED AND CONFIRMED BY OTHER THROUGH APPROPRIATE TITLE VERIFICATION.
- 6) NOT VALID WITHOUT A SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

TYPE OF SURVEY:
BOUNDARY SURVEY

PROJECT:
22-2458
SCALE: 1" = 30'
DATE: 09/01/2022
CAD FILE: 22-2029.DWG
F.B. NUMBER:
REVISION:
11/03/22-ADDED TOPO

PRECISION
LAND SURVEYING, INC.
2900 LAKE WASHINGTON ROAD, SUITE 1
MELBOURNE, FLORIDA 32935
PHONE: 321-259-4600
EMAIL: PRECISIONSURVEYING1993@GMAIL.COM

CERTIFIED TO:
MICHAEL COSTELLO

ST

**Town of Melbourne Beach
Board of Adjustment
Notice of Public Hearing**

July 19, 2024

The Board of Adjustment will hold public hearings on **Thursday, August 15, 2024, at 6:00 p.m.** or as soon thereafter as may be convenient to the Board, in the Community Center, at 509 Ocean Avenue, Melbourne Beach, FL, 32951, to hear interested persons in regard to the requested variance applications:

Coastal Variance Application: 1503 Atlantic Street Unit B

Coastal Variance Application #PCCV24-0001: This is a request for a Coastal Construction Variance for the construction of a pool from the Town of Melbourne Beach Code Section 5A-4 “certain structures prohibited as follows:

This code section prohibits the 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 coastal construction variance to construct a fiberglass pool on the seaward side of the residential structure.

Property Description: The property is legally described by the Brevard County Property Appraiser as:

Parcel ID: 28-38-08-FY-26-2.01

Legal Description: WILCOX MELBOURNE BEACH PART OF LOT 2 BLK 26 AS DES IN ORB 1897
PG 358 KNOWN AS UNIT 4 SECTION 2 OF BEACH HOSUE SOUTH

The application was submitted by Michael Costello

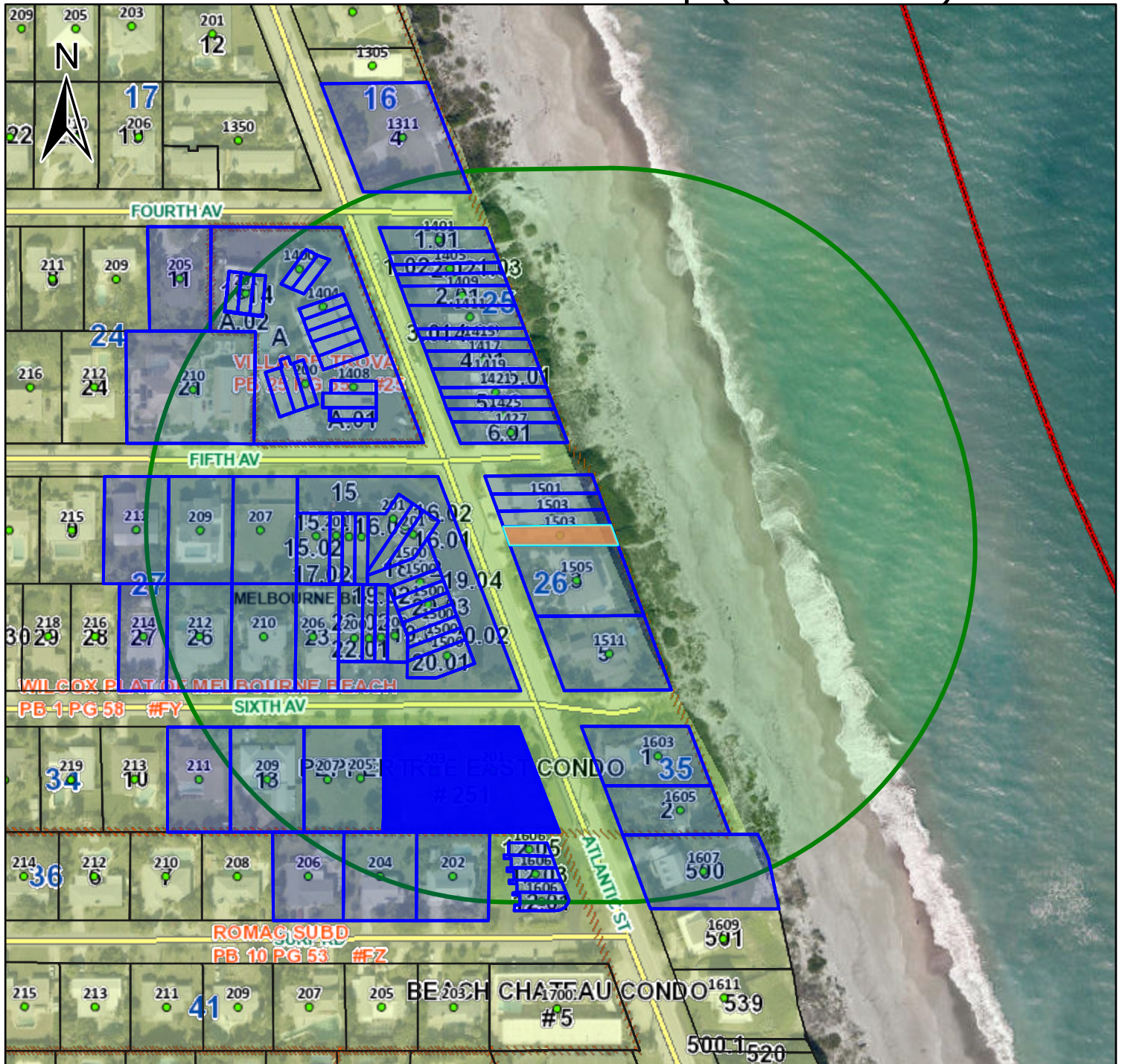
Applications may be reviewed during normal business hours 8:30 am to 4:30 pm in the Town Clerk’s Office, 507 Ocean Avenue, Melbourne Beach, FL. Interested parties may be heard at the public hearing or may submit written comments to the Town Clerk’s Office. This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Board of Adjustment on this topic to properly noticed public hearings or to written communication to the Town Clerk’s Office.

Pursuant to Section 286.0105, Florida Statutes, the Town hereby advises the public that if a person decides to appeal any decision made by this Board with respect to this or any matter considered at its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Town for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

The needs of a hearing or visually impaired person shall be met if the Town of Melbourne Beach is notified at least 48 hours prior to the public hearing by any person wishing assistance.

Amber Brown, Town Clerk
Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, Florida 32951
Phone 321-724-5860 Fax 321-984-8994

Public Notification Radius Map (Buffer 500ft)



Parcel Property Layer180

Block Text

Address Point Layer

- Address Points

Parcel Information Layers

Parcel Property

Parcels

Subdivisions

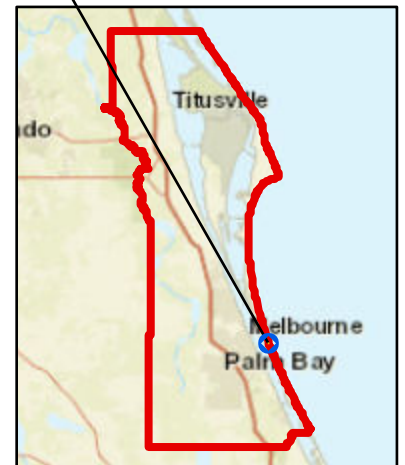
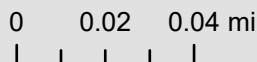
Buffer Boundary in GREEN

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



Print Time: 8/5/2024 4:22 PM

Tax Account ID: 2848087 LYNCH, LAWRENCE J 304 RUNNING STONE WAY CHESAPEAKE, VA 23323	Tax Account ID: 2857348 HOCKIN, GARRETT 1408 ATLANTIC ST, APT C MELBOURNE BEACH, FL 32951	Tax Account ID: 2848374 BURKE, JOHN BURKE, CARIANN 1404 ATLANTIC ST, APT C MELBOURNE BEACH, FL 32951
Tax Account ID: 2848089 WILLINGHAM, CHARLES M PO BOX 510212 MELBOURNE BCH, FL 32951	Tax Account ID: 2848369 HOCKIN, GARRETT 1408 ATLANTIC ST, APT C MELBOURNE BEACH, FL 32951	Tax Account ID: 2857349 POTTALA, JAMES V 337 N WRIGHT ST NAPERVILLE, IL 60540
Tax Account ID: 2848090 LYNCH, EDNA M TRUSTEE PO BOX 510575 MELBOURNE BCH, FL 32951	Tax Account ID: 2848370 CAPIZZI, JEANNE 511 RADO DR, UNIT C GRAND JUNCTION, CO 81507	Tax Account ID: 2848375 NEFF, WILLIAM A NEFF, PAMELA A 1404 ATLANTIC ST B MELBOURNE BCH, FL 32951
Tax Account ID: 2848091 BONTAC ASSOCIATES LLC 1310 MAIN ST, # 1 PECKVILLE, PA 18452	Tax Account ID: 2848371 CAPIZZI, JEANNE 511 RADO DR, UNIT C GRAND JCT, CO 81507	Tax Account ID: 2848376 SIEREDZKI, RICHARD JACOB-SIEREDZKI, PATRICIA S 1404 A ATLANTIC ST MELBOURNE BCH, FL 32951
Tax Account ID: 2848088 WESTRICH, JULIE FRANCES 15111 SW 69TH CT PALMETTO BAY, FL 33158	Tax Account ID: 2848366 GREEN, LESLIE R 200 5TH AVE, APT C MELBOURNE BEACH, FL 32951	Tax Account ID: 2848379 BOZA, JOSE M 201 4TH AVE, APT A MELBOURNE BEACH, FL 32951
Tax Account ID: 2848084 DE GASPERIS, PIERLUIGI DE GASPERIS, MARIA 13475 CREDITVIEW ROAD CALEDON ON L7C 3G3,	Tax Account ID: 2848368 BALTER, BRUCE J BALTER, RENEE L PO BOX 26642 TAMARAC, FL 33320	Tax Account ID: 2848380 DAVIDSON, LISA ELSA 201 4TH AVE MELBOURNE BEACH, FL 32951
Tax Account ID: 2848083 PRESTI, ANTHONY PRESTI, MYRIAM TRUSTEES 206 SURF DR MELBOURNE BCH, FL 32951	Tax Account ID: 2848367 SHANNON, ROBERTA ROMEO 200 5TH AVE, APT B MELBOURNE BEACH, FL 32951	Tax Account ID: 2848381 MC CUDDEN, SCOTT 1017 TEQUESTA ST FT LAUDERDALE, FL 33312
Tax Account ID: 2848060 WILLIAMS, LOREN N 2955 MCCLURE RD WINCHESTER, KY 40391	Tax Account ID: 2848372 SUTHERLAND, BRUCE M 1404 ATLANTIC ST, # E MELBOURNE BEACH, FL 32951	Tax Account ID: 2848377 DEBCZAK, JOHN K DEBCZAK, ANNE 34 KENTNER HILL RD UPPER BLACK EDDY, PA 18972
Tax Account ID: 2848059 EPTING, DAVID R EPTING, MICHELLE C 209 6TH AVE MELBOURNE BEACH, FL 32951	Tax Account ID: 2847954 ENTSMINGER, JOHN ENTSMINGER, DONNA CLINE 210 FIFTH AVENUE MELBOURNE BCH, FL 32951	Tax Account ID: 2848378 WEISSBACH, THOMAS C WEISSBACH, CONNIE J 503 FLOYD BENNETT DR MELBOURNE, FL 32901
Tax Account ID: 2848058 SOUCY, RICHARD P SOUCY, JEANETTE L 211 6TH AVE MELBOURNE BEACH, FL 32951	Tax Account ID: 2848373 CUSHING, LAURIE A 6 INDRIO BLVD INDIAN HARBOUR BEACH, FL 32937	Tax Account ID: 2848365 VILLA DE TROVA OWNERS ASSOC INC AIKIA ATLANTIC PLACE HOA INC 1680 HIGHWAY A1A, STE 1 C/O DEPENDABLE PROPERTY MANAGEMENT SATELLITE BEACH, FL 32937

<p>Tax Account ID: 2847953 FRANKLIN, MIKKY G HAER, TIMOTHY 205 4TH AVE MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847979 SILVERMAN, ROBERT J SILVERMAN, YVONNE M 1501 ATLANTIC ST, # A MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847968 TURTLE MOUND VENTURES LLC 5323 S BELLA VISTA DR VERADALE, WA 99037</p>
<p>Tax Account ID: 2848178 BOSINGER, DANIEL J BOSINGER, SONIA A 1607 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847977 BONNARDEL, NEIL STEVEN BONNARDEL, EDYVI ANNE 18981 SW 32ND ST MIRAMAR, FL 33029</p>	<p>Tax Account ID: 2847969 DASEN, LAUREN E 7721 SW 69TH AVE MIAMI, FL 33143</p>
<p>Tax Account ID: 2848085 SURF202 LLC 202 SURF RD MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847976 PETRUZZIELLO, JOSEPH R PETRUZZIELLO, SUZANNE 1425 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847967 NORRIS, MARYJANE O HAMM, JEFFREY B 1405 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2848074 BRINGHURST, WILLIAM G TRUSTEE PO BOX 510181 MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847975 STIGER, CHRISTIAN HARTER TRUSTEE 1423 ATLANTIC ST MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847966 EARLY, JOHN J EARLY, CYNTHIA I 73 MYRTLE ST SHELTON, CT 06484</p>
<p>Tax Account ID: 2848073 ROBERT M STROZIER II TRUST CAROLYN M MERLO TRUST 1603 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847974 FLINT, CHRISTOPHER JOHN EDWARDS, REGAN LYNN 1421 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847965 EARLY, JOHN JOSEPH, JR EARLY, CYNTHIA IRENE 1401 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2847983 AMY, BEVERLY M TRUSTEE 1511 ATLANTIC ST MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847964 PATTERSON, STUART D PATTERSON, SANDRA S 6545 HIGHLANDS IN THE WOODS ST LAKELAND, FL 33813</p>	<p>Tax Account ID: 2847882 REOLA, MICHAEL 12025 4TH E ST E TREASURE ISLAND, FL 33706</p>
<p>Tax Account ID: 2847982 MEYERS, JUSTIN MEYERS, TRACEY 1505 ATLANTIC ST MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847972 AGNEW, PALMER W TRUSTEE 68 WEDGEWOOD DRIVE ITHACA, NY 13827</p>	<p>Tax Account ID: 2854301 N/A - CONDO COMMON AREA ,</p>
<p>Tax Account ID: 2847981 M & A GETAWAY LLC 2940 APPALOOSA BLVD MELBOURNE, FL 32934</p>	<p>Tax Account ID: 2847973 HEMA BOYS LLC 421 W RIVERSIDE AVE, STE 461 SPOKANE, WA 99201</p>	<p>Tax Account ID: 2848009 GRALTON, MICHELLE 84 CONISTON RD AMHERST, NY 14226</p>
<p>Tax Account ID: 2847980 1503A ATLANTIC STREET LLC PO BOX 9 ROUND MOUNTAIN, TX 78663</p>	<p>Tax Account ID: 2847971 WEST CHENEY BOYS LLC 1270 N WICKHAM RD, STE 13 UNIT 1007 MELBOURNE, FL 32935</p>	<p>Tax Account ID: 2848010 RAHN PROPERTIES LLC 10 TEAL CT FRANKLINVILLE, NJ 08322</p>
<p>Tax Account ID: 2847978 1501 ATLANTIC LLC 250 BEVERLY CT MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847970 WILCOX, DWIGHT L TRUSTEE PO BOX 459 ASHTON, MD 20861</p>	<p>Tax Account ID: 2848011 BAND, SAMUEL BAND, AMANDA 15201 SW 46TH CT MIRAMAR, FL 33027</p>

<p>Tax Account ID: 2848006 MAKI, SCOTT 1500 ATLANTIC ST APT D MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2848007 ELIZONDO, JOSE CARRERO, AIXA 4584 YORKSHIRE LN KISSIMMEE, FL 34758</p>	<p>Tax Account ID: 2847991 GIMLIN, DARRELL R 211 FIFTH AVE MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2848008 MAIMON, RAHAMIM MAIMON, GAIL 1500 ATLANTIC ST, # 8-C MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848002 GARY SHAFER & LINDA SHAFER JOINT TENANCY TRUST PO BOX 51 CARBONDALE, IL 62903</p>	<p>Tax Account ID: 2847992 PANOUSES, KURT D PANOUSES, TRACY L PO BOX 033148 INDIALANTIC, FL 32903</p>
<p>Tax Account ID: 2848004 BURR, MICHAEL J BURR, PAULA K 200 6TH AVE MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848003 MELBS OCEAN SURF LLC 1150 NW 72ND AVE MIAMI, FL 33126</p>	<p>Tax Account ID: 2847993 PANOUSES, KURT D PO BOX 33148 INDIALANTIC, FL 32903</p>
<p>Tax Account ID: 2848005 WILLIAMS, GILBERT R,III WILLIAMS, CHRISTINE 200 6TH AVE MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848000 ATUL LELE TRUST LAURA ROSE LELE TRUST 21 BEACHSIDE CMN WESTPORT, CT 06880</p>	<p>Tax Account ID: 2847994 OCEAN SURF OWNERS ASSOC INC PO BOX 510785 MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2848012 HOBGOOD, CLIFTON J HOBGOOD, CORTNEY 200 6TH AVE, APT B MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848001 200B SIXTH AVE LLC 21 BEACHSIDE CMN WESTPORT, CT 06880</p>	<p>Tax Account ID: 2848061 WRY, TREVOR A,LIFE ESTATE CABALLERO, URSULA ANDREA,LIFE ESTATE 201 6TH AVE, APT A MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2848013 DOYLE, ROBERT,SR T GRODOVICH, LORRAINE M 200 6TH AVE, UNIT C MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847995 BRODERICK, KATHRYN A 201 5TH AVE, # 2-A MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848062 WATSON, KARREN 201 SIXTH AVE UNIT B MELBOURNE BCH, FL 32951</p>
<p>Tax Account ID: 2848017 MC MEEKIN, WILLIAM D MC MEEKIN, JUDITH G 214 SIXTH AVE MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847996 BATES, JOHN F 1084 HAVENDALE BLVD BURLINGTON ON L7P 3E3,</p>	<p>Tax Account ID: 2848063 COOK, PAUL D THOMPSON-COOK, DEBI 416 S MAIN ST BERLIN, MD 21811</p>
<p>Tax Account ID: 2848016 BUTCHER, MICHAEL R BUTCHER, LESLIE M 212 SIXTH AVE MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2847997 RHODES, JENNINGS L 201 5TH AVE, UNIT 3B MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2848064 THEOPHILOPOULOS, GERASIMOS THEOPHILOPOULOS, CHRISTINE 201 6TH AVE, APT D MELBOURNE BEACH, FL 32951</p>
<p>Tax Account ID: 2848015 BOBBITT, WENDY MAZADE, BARRY THOMAS 210 6TH AVE MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847998 DALLAS, ELIZABETH JO NASH, LAURA 897 RITA DR PITTSBURGH, PA 15221</p>	<p>Tax Account ID: 2848065 TRACY'S TREASURES LLC 167 COYOTE CIR FEEDING HILLS, MA 01030</p>
<p>Tax Account ID: 2848014 DEBCZAK, JOHN K DEBCZAK, ANNE 1400 ATLANTIC ST, APT A MELBOURNE BEACH, FL 32951</p>	<p>Tax Account ID: 2847999 JOHNSON, MICHAEL N 201 FIFTH AVENUE #1-B MELBOURNE BCH, FL 32951</p>	<p>Tax Account ID: 2848066 MITCHELL, CYNTHIA K 198 SEAVIEW ST MELBOURNE BEACH, FL 32951</p>

Tax Account ID: 2848067
EVANS, KATHLEEN S
203 SIXTH AVE #7
MELBOURNE BCH, FL 32951

Tax Account ID: 2848068
CIMPELLO, DAVID ALLEN, JAIME
9 VALERIE ST
OTTAWA K2S 1L2, ON

Tax Account ID: 2848069
KRISTEN KRUSELL TRUST
1441 BAY SHORE DR
COCOA BEACH, FL 32931

Tax Account ID: 2848070
ROBINSON, JENNIFER ANN ROBINSON, ALBERT BRADLEY
722 SANDY GREEN CT
FORT MILL, SC 29715

Tax Account ID: 2848071
SPAGNOLIA, TONY
203 6TH AVE, # B
MELBOURNE BEACH, FL 32951

Tax Account ID: 2848072
FOCARAZZO, MICHAEL
10110 HARBOURTOWN CT
BOCA RATON, FL 33498

**Town of Melbourne Beach
Board of Adjustment
Notice of Public Hearing**

July 19, 2024

The Board of Adjustment will hold public hearings on **Thursday, August 15, 2024, at 6:00 p.m.** or as soon thereafter as may be convenient to the Board, in the Community Center, at 509 Ocean Avenue, Melbourne Beach, FL, 32951, to hear interested persons in regard to the requested variance applications:

Coastal Variance Application: 1503 Atlantic Street Unit B

Coastal Variance Application #PCCV24-0001: This is a request for a Coastal Construction Variance for the construction of a pool from the Town of Melbourne Beach Code Section 5A-4 "certain structures prohibited as follows:

This code section prohibits the 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 coastal construction variance to construct a fiberglass pool on the seaward side of the residential structure.

Property Description: The property is legally described by the Brevard County Property Appraiser as:
Parcel ID: 28-38-08-FY-26-2.01

Legal Description: WILCOX MELBOURNE BEACH PART OF LOT 2 BLK 26 AS DES IN ORB 1897
PG 358 KNOWN AS UNIT 4 SECTION 2 OF BEACH HOSUE SOUTH

The application was submitted by Michael Costello

Applications may be reviewed during normal business hours 8:30 am to 4:30 pm in the Town Clerk's Office, 507 Ocean Avenue, Melbourne Beach, FL. Interested parties may be heard at the public hearing or may submit written comments to the Town Clerk's Office. This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Board of Adjustment on this topic to properly noticed public hearings or to written communication to the Town Clerk's Office.

Pursuant to Section 286.0105, Florida Statutes, the Town hereby advises the public that if a person decides to appeal any decision made by this Board with respect to this or any matter considered at its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Town for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

The needs of a hearing or visually impaired person shall be met if the Town of Melbourne Beach is notified at least 48 hours prior to the public hearing by any person wishing assistance.

Amber Brown, Town Clerk
Town of Melbourne Beach
507 Ocean Avenue
Melbourne Beach, Florida 32951
Phone 321-724-5860 Fax 321-984-8994

1 Tax Account ID: 2847969
DASEN, LAUREN E
7721 SW 69TH AVE
MIAMI, FL 33143

Due to medical reasons
I am unable to attend.
I hereby object to
ANY VARIANCE affecting the
COASTAL construction line.
THANK YOU. Lauren E Daseen 8/2/24