

# **TOWN OF MELBOURNE BEACH**

# PLANNING & ZONING BOARD MEETING

**TUESDAY, MAY 6, 2025** 

AGENDA PACKET

## **Town of Melbourne Beach**

## **PUBLIC NOTICE**

## AGENDA

## PLANNING & ZONING BOARD MEETING TUESDAY, MAY 6, 2025 @ 6:30 PM COMMUNITY CENTER – 509 OCEAN AVENUE

#### **Board Members:**

Chairman David Campbell Vice-Chairman Kurt Belsten Member April Evans Member Dan Harper Member Gabor Kishegyi Alternate Board Members Alternate Todd Albert Alternate Jason Judge

### Staff Members:

Town Manager Elizabeth Mascaro Town Clerk Amber Brown Building Official Robert Bitgood

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. APPROVAL OF MINUTES
  - A. April 8, 2025 minutes
- A. Site plan approval for 394 Riverview Lane New single family home
- 5. PUBLIC HEARINGS
- 6. OLD BUSINESS
- 7. PUBLIC COMMENT Please limit comments to items that are not on the agenda
- 8. REPORTS: TOWN MANAGER AND TOWN ATTORNEY
  - A. Update regarding courts (tennis, pickleball, etc.)
- 9. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

### **10. ADJOURNMENT**

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so. In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

## **Town of Melbourne Beach**

## **MINUTES**

## PLANNING & ZONING BOARD MEETING TUESDAY, APRIL 8, 2025 @ 6:30 PM COMMUNITY CENTER – 509 OCEAN AVENUE

#### **Board Members:**

Chairman David Campbell Vice Chairman Kurt Belsten Member April Evans Member Dan Harper Member Gabor Kishegyi Alternate Board Members Alternate Todd Albert Alternate Jason Judge <u>Staff Members:</u> Town Manager Elizabeth Mascaro Town Clerk Amber Brown Building Official Robert Bitgood

### 1. CALL TO ORDER

Chairman David Campbell called the meeting to order at 6:30 p.m.

### 2. ROLL CALL

Town Clerk Amber Brown conducted the roll call.

### Present:

Chairman David Campbell Vice Chairman Kurt Belsten Member April Evans Member Dan Harper Member Gabor Kishegyi Alternate Todd Albert - Late

### **Staff Present:**

Town Manager Elizabeth Mascaro Building Official Robert Bitgood Deputy Town Clerk Cyd Cardwell Town Clerk Amber Brown

### Absent:

Alternate Jason Judge

### 3. APPROVAL OF MINUTES

A. February 4, 2025 minutes

### <u>Vice Chairman Kurt Belsten made a motion to approve; Member April Evans seconded; Motion</u> <u>carried 5-0.</u>

B. March 4, 2025 minutes

### <u>Member April Evans made a motion to approve; Member Gabor Kishegyi seconded; Motion carried</u> <u>5-0.</u>

### 4. NEW BUSINESS

A. Discussion on restrictions and requirements for pickleball – Town Commission

Chairman David Campbell spoke about an easy fix is to not allow pickleball courts in 1RS, 2RS, and 3RS.

Member April Evans asked if there is an ordinance for tennis courts.

Town Manager Elizabeth Mascaro spoke about the code references tennis courts in a few places, however, it does not say that it is precluded.

Building Official Robert Bitgood spoke about a site plan that was approved included a pickleball court.

Member April Evans spoke about a property on Atlantic Street that wanted to put a tennis court on it, and it was denied. If there is nothing prohibiting tennis courts, why was it turned down?

Town Manager Elizabeth Mascaro spoke about not knowing the details as to why it was denied.

Member April Evans spoke about wanting the details from that situation.

Member Dan Harper spoke about meeting with the complainant, and the issue is the noise. It might be valuable to get feedback from the other neighbors before deciding to prohibit it.

Vice Chairman Kurt Belsten spoke about not being familiar with pickleball, but asked what the difference is between the pickleball noise and a bunch of kids screaming in the pool next door.

Member April Evans spoke about how years ago, Catalyst had a ramp, and it was loud when she worked from home. Maybe look into addressing the times of day.

Member Gabor Kishegyi spoke about why the tennis court was denied and if that sets a precedent. Another thing to address is lighting.

Member Dan Harper asked about the Town's new noise ordinance, and if that is being violated. Get more public input.

Member April Evans spoke about getting public input, but it would be inappropriate for Board Members to approach members of the public.

Vice Chairman Kurt Belsten spoke about how this issue is partially solved by the pervious/impervious requirement.

Member April Evans spoke about how any changes to the Code would affect the entire Town. Asked about the Town being able to measure decibels.

Town Manager Elizabeth Mascaro spoke about how the Town has purchased equipment to measure decibels, and the noise ordinance says 65 decibels. If the reader were in this room right now, we would be in violation. Outside, it is a little better.

Member Dan Harper spoke about the possibility of regulating the times.

Town Manager Elizabeth Mascaro spoke about if you regulate this, you would have to include basketball as well.

Member April Evans spoke about having to include all outdoor activities that create any noise.

Town Clerk Amber Brown read a summary from the Zoning Official as to why the tennis court was denied in 2016. The proposal creates nonconformities with respect to applicable zoning regulations, does not comply with the Code under the accessory use provisions, and, as a separate parcel, the tennis court becomes a principal use, which is not allowed within the zoning district. Additionally, the Comprehensive Plan states that the character of the residential neighborhoods must be preserved, and inasmuch as to no other single-family homes which include a tennis court as an accessory use on the same lot as the principal use or not, this proposal would violate the Comprehensive Plan provision.

Member Dan Harper spoke about how pickleball is louder than a tennis court.

Member Gabor Kishegyi confirmed the court would factor in the percentage of pervious and impervious.

Member April Evans spoke about one way to address it is by the noise.

Building Official Robert Bitgood spoke about the noise ordinance is new, so it's possible that it will address the issue.

Member April Evans spoke about the next step would be for the neighbors to file a noise complaint.

<u>Member April Evans made a motion to have the Town Manager reach out to the Town Planner</u> <u>Corey O'Gorman to see if he has any background on this issue that he can share; Member Dan</u> Harper seconded; Motion carried 5-0.

### 5. PUBLIC HEARINGS

### 6. OLD BUSINESS

A. Discussion on accessory structure definitions for "other" incidental structures such as cabanas

Member April Evans spoke about the agreed size for accessory structures is 400 square feet, and it was brought up to define what structures are limited to that size, and exclude things like cabanas and outdoor kitchens. Structures that have an open end so that it is not fully enclosed.

Member Dan Harper spoke about the Accessory Structure Code 7A-57, which has a section on sheds, so you could add a section there to address those structures.

Member April Evans spoke about her intent when she proposed this item was to exclude pavilion-like structures.

Alternate Todd Albert arrived at 6:57 pm

Building Official Robert Bitgood spoke about structures without a solid roof are not considered an accessory structure, and he has not seen any of those structures that have been over 400 square feet.

Member Gabor Kishegyi asked if you are limited to one accessory structure.

Building Official Robert Bitgood spoke about how you would be limited by the pervious/impervious percentage.

The Board agreed that no additional changes are needed.

### 7. PUBLIC COMMENT

### 8. REPORTS: TOWN MANAGER AND TOWN ATTORNEY

Town Manager Elizabeth Mascaro spoke about there is a new noise ordinance for residents and short-term rentals. The noise ordinance and building height ordinance have been passed.

### 9. ITEMS TO BE ADDED TO THE AGENDA FOR FUTURE MEETINGS

Member Dan Harper spoke about the presentation to the Town Commission on the recommendations for the landscaping and tree ordinance. The Commission is siding more with the Environmental Advisory Board recommendations. They also discussed taking away the landscaping approval portion from the PNZ and giving it to EAB.

Town Manager Elizabeth Mascaro spoke about if it went to EAB, that would extend the approval process to 2 months because of when their meetings are.

Alternate Todd Albert spoke about how one proposal might be too much, and one might not be involved enough. Someone needs to put the 2 plans together and determine what really makes sense. Can the landscaping approval be done by PNZ? Yes. Should the Town contact an arborist if the Building Official cannot identify a tree?

Building Official Robert Bitgood spoke about being comfortable with what the trees are, but what the Mayor is suggesting is having him take pictures of people's backyards. If the Commission wants to enforce a strict code and have an arborist look at it, then it should be done like the Town Engineer does drainage. They review and approve it prior to it going to the Building Department, or it will become very labor-intensive.

Town Manager Elizabeth Mascaro spoke about how they also want a 3-year look-back inspection.

Alternate Todd Albert confirmed that the Police are in place to measure and enforce the noise ordinance.

### **10. ADJOURNMENT**

### <u>Vice Chairman Kurt Belsten motioned to adjourn; Member Gabor Kishegyi seconded; Motion</u> <u>carried 5-0.</u>

The meeting adjourned at 7:05 p.m.

ATTEST:

David Campbell Chairman Amber Brown, CMC Town Clerk



BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

Site Plan Review

Applicable Codes Town of Melbourne Beach Land Development Code Current Florida Building Code

Date: 4-25-25 Owner: Jason Walden Owner Address: P.O. Box 120093 Melbourne Fl 32912 Site Address 394 Riverview Ln. M.B. Fl. 32951 Parcel ID: 28-38-08-jv-66 Zoning:2RS Zoning District

Project: New Single family home on vacant lot with existing variance to build on.

Reference: Town of Melbourne Beach Code of Ordinances: 7A-32.

Request: Approval by the Planning and Zoning Board and the Town Commission for:

Staff Review:

- 1).New project is: New Single Family Home on vacant lot with no Oak trees. And it has an existing variance to build on.
- 2). The Building Lot Zoning District requirements of min. lot area, width and depth. Lot area is 10,740 sq. ft. (min. 11,250 sq. ft.) Lot width is 85' (min. 90 ft.) Lot depth is 127.68' (min. 100 ft.)
- 3). Lot coverage has a maximum of 30% for principle structure. Lot coverage per plan is: 29.89 Footprint of Primary Structure is 3,167 sq. ft. with the addition. Max allowed for Primary Structure is 3,188 sq. ft. for Lot Area of 10,740
  sq. ft. Minimum pervious area per lot is 30%. Pervious area is 48.62 %
- 4). Structure maximum height for zoning district is 28 ft. The proposed height provided is 27.1 from FFE. Flood Zone :\_\_AE-X\_\_\_

5). Zoning District Setback requirements	
Proposed Primary Structure Rear Setback 25.70	(min. 25 ft.)
Proposed Primary Structure Front Setback is 25	(min. 25 ft.)
Proposed Primary Structure North Side Setback 15.21	(min. 15 ft.)
Proposed Primary Structure South Side Setback 15.43	(min. 15 ft.)

- 6). Sediment and erosion control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 7). On-site stormwater retention control measures shall be met and approved by the Building Official in accordance with the Town of Melbourne Beach's Code of Ordinances, Chapter 27 Stormwater and the current Florida Building Code.
- 8). Town Engineer will submit a review of the drainage plan per Ordinance 2019-06. The Town Engineer will require a final inspection before a Certificate of Occupancy will be issued. This applies to new home construction and construction values greater than 50% of the existing structure. Minimum landscaping standards will be met.

Based on the above review, I find the proposed site plan for the referenced property is in compliance with The Town of Melbourne Beach Code of Ordinances.

MAN

Robert Bitgood Building Official

### 394 Riverview Ln. M.B. Fl.

IMPERVIOUS		PERVIOUS	
Primary Structure	3,176	Shed space	0
Pool	316	Open areas	5,167
Decks	890	Other	
Driveway	1,020		
Accessory Bldg			
Concrete areas	9	<b>TOTAL PERVIOUS</b>	5,167
Pavers areas			
Other			
TOTAL IMPERVIOUS	51. <b>38%</b>		
		Lot Total Sq Footage	10,740
		<b>TOTAL % PERVIOUS</b>	49%

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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.

#### Н. **REQUEST:**

- Land Use Plan Amendment
- □ Special Exception
- □ Variance
- Site Plan Review Single Family (1RS, 2RS, 3RS) 🛛 Site Plan Review Multifamily (4RM, 5RMO) ×
- Site Plan Review Commercial (6B, 7C, 8B, 9I)
- □ Rezoning
- Coastal Construction Variance
- □ Appeal (Application must be filed within 30 days)
- Amendment to the Land Development Code
- Other (specify)

#### HI. **PROPERTY INFORMATION:**

General Location: \_\_\_\_\_ Harbor East Sec 3 Amended part of lot 66 and 67

Address: 394 River view Ln, Melbourne Be	each, FL 32951
Parcel Number(s):	Parcel ID: 28-38-08-JV-*-66
Area (in acreage):0.37	Area (in square feet):10,627
Current Zoning: 2-RS	Proposed Zoning:
Current Future Land Use: Single Family	Proposed Future Land Use: <u>n/a</u>
Brief Description of Application: construct ne	w single family residence

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

ρg. 1 03-2023

### IV. APPLICANT INFORMATION:

Property Owner	
Name:	Phone: 321-626-8000
Address: PO BOX 120093	Fax:
Melbourne, FL 32912	Email: jwmelb@gmail.com
Applicant (if other than property owner)	
Name: Lifestyle Homes Builders, Inc/Jordan Luhn	Phone:321-727-8188 ext. 305
Address: 3453 W. New Haven Ave	Fax:
Melbourne, FL 32904	Email:_lifestylepermits@buildingalifestyle.com
application. 2. That I/we have read and understands the entir 3. That I/we have appointed the Applicant to repre- any and all conditions of approval imposed by the signature:	esent the application, and empowers the Applicant to acce the Town of Melbourne Beach. Date: 2222 Title: <u>Owner</u>
is identification.	NATASHA V. PETRIE

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### VI. <u>APPLICANT CERTIFICATION:\*</u>

03-2023

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.

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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	fur	Date: 2/210/25
Print Name:	Jordan Luhn	Title:CEO/President
*Must sign i	n front of notary.	
this 20 <sup>w</sup> da who is/are r as identifica	revard. ng application is acknowledged be ny of <u>Contract</u> , 2022, by <u>Jo</u> personally known to me, or who h	vdan Luhn.
	ECT DESCRIPTION: lication: new single family res	idence
0		
Provide attacl	hment if more space is needed.	
Describe Exist	ing Conditions:vacant lot-land	
Provide attach	nment if more space is needed.	
Future Land U	Jse Plan Amendment*	
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<u>Consistency with the Comprehensive Plan</u> – 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.

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n/a

Provide attachment if more space is needed.

<u>Impact of Public Facilities</u> – 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.

<u>Environmental Impacts</u> – 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.

<u>Public notification</u> – 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\*

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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.

<u>Effect</u> – 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.

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

n/a

<u>Purpose and Intent</u> – 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.

<u>Public notification</u> – 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\* <u>General Description of the proposed amendment to the Land Development Code</u> – Provide a written description of the proposed change and explain why the amendment is necessary or appropriate.

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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.

<u>Consistency with the Comprehensive Plan</u> – 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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<u>Environmental/Natural/Historical Impacts</u> – 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.

<u>Public notification</u> – 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.

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### 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)

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- 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

<u>Narrative</u> – 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.
- 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

<u>Public notification</u> – 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\*

pg. 9 03-2023 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

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. 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.

<u>Public notification</u> – 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

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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\*

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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.

n/a

Provide attachment if more space is needed.

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

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

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

The Applicant must provide documentation and narrative demonstrating the following:

That the subject property experienced less than 25 feet of beach-dune erosion since September, 1972. The erosion will be measured by determining the extent of horizontal recession from the toe of the dune as it exists at the time

2.5

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;

n/a

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

n/a

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.

n/a

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.

<u>Public notification</u> – 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. APPEAL\*

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

n/a	
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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.

<u>Public notification</u> – 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.

### Site Plan for Single Family Development

A site plan must be reviewed and evaluated by the Town Engineer, Building Official and or Zoning Official and Planning and Zoning Board and approved by the Town Commission. The applicant shall provide the following in support of their application for site plan approval of a single family home:

- 1. Narrative description of proposed improvements and demolitions.
- 2. Two (2) Sealed Surveys of the existing conditions prepared by a professional surveyor. All elevations should be NGVD/DAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage Percentage)
  - a. All existing structures (including but not limited to outbuildings, sheds, pools, etc), major features, trees and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and property or lot lines.
- 3. Two (2) Professionally prepared plans in compliance with Ordinance 2019-06 showing the following:
  - a. Name, location, owner, and designer of the proposed development and the intended use
  - b. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties
  - c. Date, north arrow, and graphic scale (not less than one inch equals 20 feet)
  - d. Location of all property lines, existing streets adjacent to the subject property, easements, as well as proposed driveways and general lot layout
  - e. All existing and/or proposed structures, major features, and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines
  - f. Site data providing all information needed to confirm compliance with zoning regulations including "required" and "provided" information:
    - i. Proposed principal use and/or any proposed accessory uses
    - ii. Lot size and dimensions
    - iii. Lot coverage
    - iv. Proposed living area square footage (e.g., square footage under air), and square footage of any other spaces including garage, covered entries, covered porches, screen rooms, etc.
    - v. Number of enclosed parking spaces
    - vi. Setbacks from all property lines
    - vii. Number of stories
    - viii. Height of structure
    - ix. Floor plan a fully dimensioned floor plan shall be provided depicting all existing and/or proposed spaces corresponding to the square footages on the site data breakdown above.
    - x. Architectural elevations of each building façade professionally prepared plan drawn to scale and depicting the height dimension of the proposed structure, construction, or expansion or redevelopment thereof.
    - xi. Landscaping & irrigation plan
- 4. Drainage Site Plan showing flow paths and retention areas to meet certification requirements. (3A-80 & 7A-51.1)
- 5. Ten (10) 11X17 Complete sets of plans (all information as outlined in item 3 above) including a copy of the survey both existing and proposed and the Drainage Site Plan.

Site Plan for duplex, multi-family, and/or commercial

A site plan must be reviewed and evaluated by the Town Engineer, Building Official and or Zoning Official and Planning and Zoning Board and approved by the Town Commission. The applicant shall

### provide the following in support of their application for site plan approval of a single family home:

- 1. Narrative description of proposed improvements and demolitions.
- 2. Survey of the existing conditions prepared by a professional surveyor. All elevations should be NGVD/NAVD or Comparable for FEMA reference. (Include Lot Dimensions, Square footage & Coverage)
  - a. All existing structures (including but not limited to outbuildings, sheds, pools, etc), major features, trees and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines.
- 3. Two (2) Professionally prepared plans in compliance with Ordinance 2019-06 showing the following:
  - a. Name, location, owner, and designer of the proposed development and the intended use
  - b. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties
  - c. Date, north arrow, and graphic scale (not less than one inch equals 20 feet)
  - d. Location of all property lines, existing streets adjacent to the subject property, easements, as well as proposed driveways and general lot layout
  - e. All existing and/or proposed structures, major features, and fences shall be fully dimensioned, including the height of all structures and the distance between principal and accessory structures on site and the distance between structures and driveways, and property or lot lines
  - f. Site data providing all information needed to confirm compliance with zoning regulations including "required" and "provided" information:
    - i. Proposed principal use and/or any proposed accessory uses
    - ii. Lot size and dimensions
    - iii. Lot coverage
    - iv. Proposed living area square footage (e.g., square footage under air), and square footage of any other spaces including garage, covered entries, covered porches, screen rooms, etc.
    - v. Number of enclosed parking spaces
    - vi. Setbacks from all property lines
    - vii. Number of stories
    - viii. Height of structure
    - ix. Floor plan a fully dimensioned floor plan shall be provided depicting all existing and/or proposed spaces corresponding to the square footages on the site data breakdown above.
    - x. Architectural elevations of each building façade professionally prepared plan drawn to scale and depicting the height dimension of the proposed structure, construction, or expansion or redevelopment thereof.
    - xi. Landscaping and irrigation plan
- 4. Drainage Site Plan showing flow paths and retention areas to meet certification requirements. (3A-80 & 7A-51.1)
- 5. Ten (10) 11X17 Complete sets of plans (all information as outlined in item 3 above) including a copy of the survey both existing and proposed and the Drainage Site Plan.



April 17, 2025

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 – 394 River View Lane B.S.E. File #11440.100.33

Dear Robert:

We have reviewed the Preliminary Site Plan for the above referenced project, Sheet Number 1 and Stormwater Report, prepared by Rob & Taylor Engineering Solutions, Inc, dated April 15, 2025.We offer the following comments:

1. We recommend approval of the drainage system as submitted.

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

Very truly yours,

### Scott M. Glaubítz, P.E., P.L.S

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

SMG/js 11440.100.33.town.corr.25-s5962.apr

### Melbourne Beach Building Department

From:	Corey OGorman <corey@placepnd.com></corey@placepnd.com>
Sent:	Tuesday, April 8, 2025 6:23 AM
To:	Melbourne Beach Building Department
Cc:	Maria
Subject:	RE: Attached Image (204 River View
Attachments:	RE: Attached Image / 394 River View 3156_001.pdf; ordinance-2025-01-building-elevation-ordinance-executed (1).pdf

Good morning Kim,

Sorry for taking so long to get back to you!

I reviewed the proposal and both surveys, along with the code language and offer the following:

- Most of the site is outside a flood zone but a portion is AE-4, so the minimum per the FEMA requirement base flood plus 1' and in this case the minimum FFE is 5.0'.
- The crown of the adjoining road is 5.95 (at the approximate midpoint of the road adjacent to the parcel), and the town's requirement is 18" (or 1.5') above the crown of the road, and in this case the minimum FFE is 7.45'.
- So, in this case "greatest of the minimum elevations" would be the town's at 7.45'.
- The proposed is 7.53' which is 0.08' higher than the town's minimum elevation.

Based on the code requirements, this proposal complies with the town code. I hope this helps! Please let me know if you have any questions. 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.placepnd.com

From: Melbourne Beach Building Department <building@melbournebeachfl.org> Sent: Friday, April 4, 2025 4:06 PM To: Corey OGorman <corey@placepnd.com> Subject: FW: Attached Image

Corey,

Attached is are 2 surveys for 394 River View Melbourne Beach. Robert Bitgood is looking for a second set of eyes to determine is this will meet the new height requirements for P&Z. He feels it will but would like your confirmation.

Thank you,

*Kim Kotsifas* **Building Assistant** Town of Melbourne Beach SINGLE FAMILY RESIDENCE 394 River View Lane Town of Melbourne Beach

# SURFACE WATER MANAGEMENT PLAN

Date Prepared: April 15, 2025



Digitally signed by Robert F Robb Date: 2025.04.15 15:03:42 -04'00'

Prepared by:



<u>**ROBB & TAYLOR**</u> Engineering Solutions, Inc.

> Robert F. Robb, P.E. Lic.# 55645

### STORMWATER REPORT Walden Residence <u>4/15/25</u>

## I. Purpose

The purpose of this report is to provide the Town of Melbourne Beach with documentation which demonstrates the proposed parcel complies with Ordinance 2019-06.

#### **II.** Proposed System

The proposed project includes the construction of a new single family home. Rainfall from a 10 year 24 hour storm event will be analyzed to determine the volume of runoff and the required storage volume.

	Site Data Parcel A				10	,627 sf	0.244 ac	
	Roof To Patio, Po		Drive			3,176 sf 2,284 sf		
	Impervio Pervious					5,460 sf 5,167 sf	= 0.125 acre = 0.119 acre	
Weighte	ed Curve	Numbe		Imperv Lawn,	Go		on, hyd.soil group	A
Basin 2	= 4,086 s = 4,343 = 2,198 s	sf	CN - ((	J.J 14)(9	,0)	+ (0.480 <u>)</u> (35	- 09.5	
Pond 1	Volume							
El		Area		Vol.				
5.5		60		0 cf				
6.4		920		441 cf				
Pond 2	Volume							
El		Area		Vol.				
5.5		201		0 cf				
6.3		855		422 cf				
Pond 3	Volume							
El		Area		Vol.				
2.75		118	1	0 cf				
3.67		427		251 cf				

#### **III. Geotechnical Data:**

Boring B-5Hc v = 32.5 in/hr = 65 ft/dayF.S. 2 = 32 ft/dayHc h = 38.1 in/hr = 76.2 ft/dayF.S. 2 = 38 ft/day

SHTW = 1.5ft above found WT = 3.4 - 3.4 =Existing grade at B-5 = 3.4 ft WT = 3.4ft - 4.9ft = E1. -1.5 Aquif Base: 3.4ft - 13ft = -9.6 ft

#### **IV. Recovery**

The storage volume recovers immediately, all volumes are below the pond bottom. (See Modret Analysis). The project retains the 8 inch storm event with no discharge.

#### V. Conclusion

As demonstrated by the above calculations, the proposed stormwater system provides full storage of the 8" of rainfall produced by the 10Yr/24Hr Storm. The peak stage during the 10yr-24hr storm event does not exceed the proposed on-site swale area. No runoff is discharged off-site during the 10year, 24 hour storm event.

## ICPR CALCULATIONS POST-DEVELOPMENT INPUT PARAMETERS

Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Basin Summary 4/15/25

Basin Name: Post Dev 1 Group Name: BASE Simulation: 10YR/24HR Node Name: pond 1 Basin Type: SCS Unit Hydrograph Unit Hydrograph: Uh484 Peaking Fator: 484.0 Spec Time Inc (min): 1.33 Comp Time Inc (min): 1.33 Rainfall File: Flmod Rainfall Amount (in): 8.000 Storm Duration (hrs): 24.00 Status: Onsite Time of Conc (min): 10.00 Time Shift (hrs): 0.00 Area (ac): 0.090 Vol of Unit Hyd (in): 1.000 Curve Number: 69.300 DCIA (%): 0.000 Time Max (hrs): 12.02 Flow Max (cfs): 0.354 Runoff Volume (in): 4.378 Runoff Volume (ft3): 1430.337

Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Input Data 4/15/25

Basins ===================================			
Name: POST BASIN 2 Group: BASE	Node: POND 2 Type: SCS Unit Hydrograph	Status:	Onsite
Unit Hydrograph: Uh484 Rainfall File: Rainfall Amount(in): 0.000 Area(ac): 0.100 Curve Number: 69.30 DCIA(%): 0.00	Peaking Factor: Storm Duration(hrs): Time of Conc(min): Time Shift(hrs): Max Allowable Q(cfs):	0.00 10.00 0.00	
Name: Post Dev 1 Group: BASE	Node: pond 1 Type: SCS Unit Hydrograph	Status:	Onsite
Unit Hydrograph: Hh484 Rainfall File: Rainfall Amount(in): 0.000 Area(ac): 0.090 Curve Number: 69.30 DCIA(%): 0.00	Peaking Factor: Storm Duration(hrs): Time of Conc(min): Time Shift(hrs): Max Allowable Q(cfs):	0.00 10.00 0.00	
Name: POSWT BASIN 3 Group: BASE	Node: POND 3 Type: SCS Unit Hydrograph	Status:	Onsite
Unit Hydrograph: Uh484 Rainfall File: Rainfall Amount(in): 0.000 Area(ac): 0.050 Curve Number: 69.30 DCIA(%): 0.00	Peaking Factor: Storm Duration(hrs): Time of Conc(min): Time Shift(hrs): Max Allowable Q(cfs):	0.00 10.00 0.00	
Nodes ====================================			
Name: Bndry Group: BASE Type: Time/Stage		it Stage(ft rn Stage(ft	
Time(hrs) Stage(ft)			
0.00 10.500			

Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Input Data 4/15/25

12.00 10.600 24.00 10.500 ------Name: GW Init Stage(ft): -1.500 Base Flow(cfs): 0.000 Group: BASE Warn Stage(ft): 0.000 Type: Time/Stage Time(hrs) Stage(ft) ------0.00 -1.500 12.00 -1.000 24.00 0.000 Name: POND 1Base Flow(cfs): 0.000Group: BASE Init Stage(ft): 5.500 Warn Stage(ft): 6.400 Type: Stage/Area Stage(ft) Area(ac) -----5.500 0.0014 6.400 0.0210 Name: POND 2Base Flow(cfs): 0.000Init Stage(ft): 5.500 Group: BASE Warn Stage(ft): 6.300 Type: Stage/Area Stage(ft) Area(ac) 5.5000.02006.3000.0200 Name: POND 3Base Flow(cfs): 0.000Init Stage(ft): 2.750 Group: BASE Warn Stage(ft): 3.670 Type: Stage/Area Stage(ft) Area(ac) 2.750 0.0030 3.670 0.0100 

Interconnected Channel and Pond Routing Model (ICPR) ©2002 Streamline Technologies, Inc.

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Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Input Data 4/15/25

Name: Pond Perc 1 Group: BASE Type: Rating Curve Function: US Stage vs. Discharge US Stage(ft) Discharge(cfs) \_\_\_\_\_ 5.600 0.07 0.12 6.300 \_\_\_\_\_ Group: BASE Name: POND PERC 2 Type: Rating Curve Function: US Stage vs. Discharge US Stage(ft) Discharge(cfs) 5.6300.076.3000.12 Name: POND PERC 3 Group: BASE Type: Rating Curve Function: US Stage vs. Discharge US Stage(ft) Discharge(cfs) \_\_\_\_\_ 2.750 0.04 3.500 0.04 \_\_\_\_\_\_\_ \_\_\_\_\_\_ From Node: pond 1 Count: 1 Name: Perc 1 Flow: Both To Node: GW Group: BASE 
 TABLE
 ELEV ON(ft)
 ELEV OFF(ft)

 #1: Pond Perc 1
 5.510
 5.500

 #2:
 0.000
 0.000
 0.000 0.000 0.000 0.000 #3: 0.000 #4: \_\_\_\_\_ Name: PERC 2 From Node: POND 2 Count: 1 Flow: Both To Node: GW Group: BASE 
 TABLE
 ELEV ON(ft)
 ELEV OFF(ft)

 #1: POND PERC 2
 5.610
 5.600

Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Input Data 4/15/25

#:	2:	0.000	0.000	
	3: 4:	0.000	0.000	
#	4:	0.000	0.000	
	e: PERC 3	From Noc		Count: 1
Grou	p: BASE	To Noc	le: GW	Flow: Both
· 11	TABLE	ELEV ON(ft)	ELEV OFF(ft)	
	1: POND PERC 3 2:	2.751	2.750 0.000	
	3:	0.000	0.000	
# ·	4:	0.000	0.000	
	- 68 - 218 - 21 - 21 - 21 - 21 - 21 - 21 -			
=== Hydrolog	gy Simulations ==			
	e: 10YR/24HR			
Filename	e: C:\Users\Robne	wdell\Document	s\BUSINESS\Project	Management\10YR-24HR.R32
Overrio	de Defaults: Yes			
	ration(hrs): 24.0			
	infall File: Flmc Amount(in): 8.00			
1me(hrs) 	Print Inc(min	.)		
4.000	10.00			
2				
Name	e: 10YR/24HR	Hvdrolog	y Sim: 10YR/24HR	
Filename	e: C:\Users\Robne			Management\10YR-24HR.I32
Execute		start: No	Patch: No	
Alternative	e: NO			
	)elta Z(ft): 1.00 > Optimizer: 10.0		Delta Z Fact	cor: 0.00500
	Time(hrs): 0.00		End Time(hr	rs): 24.00
	Time(sec): 0.25	00	Max Calc Time(se	
Bound	lary Stages:		Boundary Flo	DWS:
ime(hrs)	Print Inc(min	)		
4.000	10.000			
	10.000			

### ICPR CALCULATIONS POST-DEVELOPMENT PEAK CONDITIONS 10YR / 24 HR STORM

Single Family Residence 394 Neptune Dr. ICPR Storm Calculations Post Development Peak Stage 4/15/25

Max Outflow cfs	0.000 0.000 0.120 0.126 0.039
Max Time Outflow hrs	0.00 0.00 12.40 12.47 7.45
Max Inflow cfs	0.000 0.265 0.349 0.388 0.388
Max Time Inflow hrs	0.00 12.44 12.00 12.00
Max Surf Area ft2	0 0 871 418
Max Delta Stage ft	0.0001 0.0009 -0.0050 0.0031 0.0050
Warning M Stage ft	10.750 0.000 6.400 6.300 3.670
Max Stage ft	10.600 0.000 6.263 6.098 3.616
Max Time Stage hrs	12.00 24.00 12.40 12.58
Simulation	10YR/24HR 10YR/24HR 10YR/24HR 10YR/24HR 10YR/24HR
Group	BASE BASE BASE BASE BASE
Name	Bndry GW POND 1 POND 2 POND 3
4	

Interconnected Channel and Pond Routing Model (ICPR) @2002 Streamline Technologies, Inc.

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### MODRET RECOVERY ANALYSIS POND 1, POND 2, and POND 3

### **SUMMARY OF UNSATURATED & SATURATED INPUT PARAMETERS**

### PROJECT NAME : WALDEN POND 1 RECOVERY POLLUTION VOLUME RUNOFF DATA USED UNSATURATED ANALYSIS EXCLUDED

Pond Bottom Area	60.00 ft <sup>2</sup>
Pond Volume between Bottom & DHWL	441.00 ft <sup>3</sup>
Pond Length to Width Ratio (L/W)	9.70
Elevation of Effective Aquifer Base	-7.11 ft
Elevation of Seasonal High Groundwater Table	0.00 ft
Elevation of Starting Water Level	5.50 ft
Elevation of Pond Bottom	5.50 ft
Design High Water Level Elevation	6.40 ft
Avg. Effective Storage Coefficient of Soil for Unsaturated Analysis	0.25
Unsaturated Vertical Hydraulic Conductivity	32.00 ft/d
Factor of Safety	2.00
Saturated Horizontal Hydraulic Conductivity	38.00 ft/d
Avg. Effective Storage Coefficient of Soil for Saturated Analysis	0.25
Avg. Effective Storage Coefficient of Pond/Exfiltration Trench	1.00
Hydraulic Control Features:	

	Тор	Bottom	Left	Right
Groundwater Control Features - Y/N	N	N	N	N
Distance to Edge of Pond	0.00	0.00	0.00	0.00
Elevation of Water Level	0.00	0.00	0.00	0.00
Impervious Barrier - Y/N	N	N	N	N
Elevation of Barrier Bottom	0.00	0.00	0.00	0.00

### **TIME - RUNOFF INPUT DATA**

### PROJECT NAME: WALDEN POND 1 RECOVERY

STRESS PERIOD NUMBER	INCREMENT OF TIME (hrs)	VOLUME OF RUNOFF (ft³)
Unsat	0.00	0.00
1	1.00	441.00
2	2.88	0.00
3	2.88	0.00
4	2.88	0.00
5	2.88	0.00
6	2.88	0.00
7	2.88	0.00
8	2.88	0.00
9	2.88	0.00

### SUMMARY OF RESULTS

### PROJECT NAME : WALDEN POND 1

CUMULATIVE TIME (hrs)	WATER ELEVATION (feet)	INSTANTANEOUS INFILTRATION RATE (cfs)	AVERAGE INFILTRATION RATE (cfs)	CUMULATIVE OVERFLOW (ft <sup>3</sup> )
00.00 - 0.00	0.000	0.000 *		
			0.00000	
0.00	0.000	0.11131		
			0.09074	
1.00	5.733	0.07017		0.00
			0.01105	
3.88	5.500	0.00552		0.00
			0.00000	
6.75	5.500	0.00000		0.00
			0.00000	
9.63	5.500	0.00000		0.00
			0.00000	
12.50	5.500	0.00000		0.00
			0.00000	
15.38	5.500	0.00000		0.00
			0.00000	
18.25	5.500	0.00000		0.00
			0.00000	
21.13	5.500	0.00000		0.00
			0.00000	
24.00	5.500			0.00

Maximum Water Elevation: 5.733 feet @ 1.00 hours \* Time increment when there is no runoff Maximum Infiltration Rate: 16.000 ft/day

Recovery @ 15.375 hours

### SUMMARY OF UNSATURATED & SATURATED INPUT PARAMETERS

### PROJECT NAME : WALDEN POND 2 RECOVERY POLLUTION VOLUME RUNOFF DATA USED UNSATURATED ANALYSIS EXCLUDED

Pond Bottom Area	201.00 ft <sup>2</sup>
Pond Volume between Bottom & DHWL	422.00 ft <sup>3</sup>
Pond Length to Width Ratio (L/W)	9.00
Elevation of Effective Aquifer Base	-9.60 ft
Elevation of Seasonal High Groundwater Table	0.00 ft
Elevation of Starting Water Level	5.50 ft
Elevation of Pond Bottom	5.50 ft
Design High Water Level Elevation	6.30 ft
Avg. Effective Storage Coefficient of Soil for Unsaturated Analysis	0.25
Unsaturated Vertical Hydraulic Conductivity	32.00 ft/d
Factor of Safety	2.00
Saturated Horizontal Hydraulic Conductivity	38.00 ft/d
Avg. Effective Storage Coefficient of Soil for Saturated Analysis	0.25
Avg. Effective Storage Coefficient of Pond/Exfiltration Trench	1.00
Hydraulic Control Features:	

	Тор	Bottom	Left	Right
Groundwater Control Features - Y/N	N	N	N	N
Distance to Edge of Pond	0.00	0.00	0.00	0.00
Elevation of Water Level	0.00	0.00	0.00	0.00
Impervious Barrier - Y/N	N	N	N	N
Elevation of Barrier Bottom	0.00	0.00	0.00	0.00

### **TIME - RUNOFF INPUT DATA**

### **PROJECT NAME: WALDEN POND 2 RECOVERY**

STRESS PERIOD NUMBER	INCREMENT OF TIME (hrs)	VOLUME OF RUNOFF (ft <sup>3</sup> )
Unsat	0.00	0.00
1	1.00	422.00
2	2.88	0.00
3	2.88	0.00
4	2.88	0.00
5	2.88	0.00
6	2.88	0.00
7	2.88	0.00
8	2.88	0.00
9	2.88	0.00

### SUMMARY OF RESULTS

### PROJECT NAME : WALDEN POND 2 RECOVERY

CUMULATIVE TIME (hrs)	WATER ELEVATION (feet)	INSTANTANEOUS INFILTRATION RATE (cfs)	AVERAGE INFILTRATION RATE (cfs)	CUMULATIVE OVERFLOW (ft <sup>3</sup> )
00.00 - 0.00	0.000	0.000 *		
			0.00000	
0.00	0.000	0.12114		
			0.09769	
1.00	5.633	0.07423		0.00
			0.00680	
3.88	5.500	0.00340		0.00
			0.00000	
6.75	5.500	0.00000		0.00
			0.00000	
9.63	5.500	0.00000		0.00
			0.00000	
12.50	5.500	0.00000		0.00
			0.00000	
15.38	5.500	0.00000		0.00
			0.00000	
18.25	5.500	0.00000		0.00
			0.00000	
21.13	5.500	0.00000		0.00
			0.00000	
24.00	5.500			0.00
		_		

Maximum Water Elevation: 5.633 feet @ 1.00 hours \* Time increment when there is no runoff Maximum Infiltration Rate: 16.000 ft/day Recovery @ 15.375 hours

### **SUMMARY OF UNSATURATED & SATURATED INPUT PARAMETERS**

### PROJECT NAME : WALDEN POND 3 RECOVERY POLLUTION VOLUME RUNOFF DATA USED UNSATURATED ANALYSIS INCLUDED

Pond Bottom Area	118.00 ft <sup>2</sup>
Pond Volume between Bottom & DHWL	251.00 ft <sup>3</sup>
Pond Length to Width Ratio (L/W)	9.00
Elevation of Effective Aquifer Base	-9.60 ft
Elevation of Seasonal High Groundwater Table	0.00 ft
Elevation of Starting Water Level	2.75 ft
Elevation of Pond Bottom	2.75 ft
Design High Water Level Elevation	3.67 ft
Avg. Effective Storage Coefficient of Soil for Unsaturated Analysis	0.25
Unsaturated Vertical Hydraulic Conductivity	32.00 ft/d
Factor of Safety	2.00
Saturated Horizontal Hydraulic Conductivity	38.00 ft/d
Avg. Effective Storage Coefficient of Soil for Saturated Analysis	0.25
Avg. Effective Storage Coefficient of Pond/Exfiltration Trench	1.00
Hydraulic Control Features:	

	Тор	Bottom	Left	Right
Groundwater Control Features - Y/N	N	N	N	N
Distance to Edge of Pond	0.00	0.00	0.00	0.00
Elevation of Water Level	0.00	0.00	0.00	0.00
Impervious Barrier - Y/N	N	N	N	N
Elevation of Barrier Bottom	0.00	0.00	0.00	0.00

### **TIME - RUNOFF INPUT DATA**

### PROJECT NAME: WALDEN POND 3 RECOVERY

STRESS PERIOD NUMBER	INCREMENT OF TIME (hrs)	VOLUME OF RUNOFF (ft <sup>3</sup> )
Unsat	1.03	81.13
1	1.00	169.88
2	2.75	0.00
3	2.75	0.00
4	2.75	0.00
5	2.75	0.00
6	2.75	0.00
7	2.75	0.00
8	2.75	0.00
9	2.75	0.00

### SUMMARY OF RESULTS

### **PROJECT NAME : WALDEN POND 3 RECOVERY**

CUMULATIVE TIME (hrs)	WATER ELEVATION (feet)	INSTANTANEOUS INFILTRATION RATE (cfs)	AVERAGE INFILTRATION RATE (cfs)	CUMULATIVE OVERFLOW (ft <sup>3</sup> )
00.00 - 0.00	0.000	0.000 *		
<u>.</u>			0.00000	
0.00	0.000	0.02918		
			0.03432	
2.03	2.750	0.03947		0.00
			0.04642	[
4.78	2.750	0.02774		0.00
			0.00906	
7.52	2.750	0.00699		0.00
			0.00492	
10.27	2.750	0.00400		0.00
			0.00308	
13.02	2.750	0.00259		0.00
			0.00210	
15.76	2.750	0.00181		0.00
			0.00152	
18.51	2.750	0.00133		0.00
			0.00114	
21.25	2.750	0.00102		0.00
24.00	0.045		0.00089	
24.00	0.245			0.00
	1			
				2
				ió.

Maximum Water Elevation: 2.750 feet @ 2.03 hours \* Time increment when there is no runoff Maximum Infiltration Rate: 14.701 ft/day

Recovery @ 1.459 hours

### **GEOTECHNICAL REPORT**

Headquarters 11345 U.S. Highway 1 Sebastian, FL. 32958 Orlando 723 Progress Way Sanford, FL. 32771



Mailing P.O. Box 78-1377 Sebastian, FL. 32978 Phone: 772-589-0712 C.A. # 5693 KSMengineering.net

June 23, 2022

David Drake 318 Banyan Way Melbourne Beach, FL 32951

### Re: 394 Riverview Lane Melbourne, Florida KSM Project #: 2205405-b

Dear Mr. Drake:

As requested, KSM Engineering & Testing has performed a subsurface investigation at the referenced site. Presentation of the data gathered during the investigation, together with our geotechnical related opinions, are included in this report.

### Site Description:

At the time of drilling, the waterfront site was fairly flat and generally cleared of organic surface debris, with small pieces of construction debris scattered around the site.

### Project Description:

It is our understanding that a two-story, single-family residence and pool are planned to be constructed on the site. Although our office has not been furnished with structural loading conditions or a foundation plan, for our geotechnical analysis we have assumed that loads from the structure will be transferred to the ground by conventional shallow footings and we estimate the maximum loads will be less than 2,500 pounds per linear foot along the wall foundations.

Based on the existing site grades at the time of the investigation, we estimate that approximately 2 feet or less of site fill will be required to reach the desired grades in the building and pavement areas.

### The scope of our study consisted of the following:

- 1. Performed Standard Penetration Test (SPT) borings in the proposed construction areas to estimate the subsoil relative density.
- 2. Measured the groundwater level at each boring.
- 3. Evaluated the discovered subsurface conditions with respect to the proposed construction and provided recommendations for site preparation and foundation design.
- 4. Prepared this report to document our findings.



### Site Investigation:

The site investigation program consisted of performing five (5) SPT borings, in the proposed construction area. The SPT borings were terminated at approximate depths of 10 to 15 feet below existing grade. The locations of the borings are indicated on the attached location plan.

The SPT borings were completed in general accordance with procedures described in ASTM D-1586. Also, the groundwater table was allowed to stabilize, and the depth of the groundwater elevation recorded from existing grade.

The records of the soils encountered, the penetration resistances, and groundwater level are shown on the attached logs.

### Engineering Evaluation and Conclusions:

Based on the information obtained from this site investigation, we are pleased to offer the following evaluation:

<u>Subsurface Conditions Summary</u> - The boring logs indicate the subsurface soils discovered and the SPT "N" values recorded during the boring process in the proposed project area consist mostly of the following:

• Deposits of loose to medium-dense fine-grained sand, fine-grained sand with traces of shell fragments, and fine-grained cemented sand with shell were discovered from the existing ground surface to an approximate depth of 15 feet below existing grade.

Please refer to the attached soil boring logs for specific information relative to the soil description and the SPT resistance record.

<u>Observed Groundwater Table</u> - The observed water table was encountered at approximate depths ranging from 4.9 to 5.8 feet below existing grade. We anticipate that the water table will rise approximately 1 to 2 feet during the wet season.

<u>Foundation Evaluation</u> - Based on the existing soil conditions, it is our professional opinion that the proposed structure can be supported on a shallow foundation system provided that the site is properly prepared.

The following sections provide recommendations for the site preparation and foundation design.



### Site Preparation:

<u>Site Subgrade Preparation</u> – Due to the near surface very loose and loose soils, KSM recommends that the building site subgrade be prepared for construction of the foundations and floor slab-on-grade by improving the in-place density of the soil that will support the structure within the zone where the stress from the structure will be primarily distributed. KSM has assumed that the proposed finished floor of the structure will lie at or above the discovered land surface level. The following earthwork procedure is recommended.

- 1. The proposed construction area, plus a minimum margin of five feet beyond the proposed limit of construction, should initially be prepared by removing any construction debris and organic materials including roots and surface vegetation.
- 2. The exposed surface, created in step 1 above, should be graded level and proofrolled to compact the subgrade. Sufficient passes of the roller should be made to produce an in-place dry density that equals or exceeds 95 percent of the Modified Proctor (ASTM D-1557) maximum dry density to a depth of 2 feet below the proofrolled surface.
- 3. Upon completion of the proofrolling operation, the exposed surface should be filled to produce the desired line and grades of the building pad. Fill should consist of sandy soil containing less than 10% material passing through the U.S. Standard no. 200 sieve and is free of debris and organics. The fill should be placed in level lifts not more than 12-inches of loose thickness, moisture conditioned, and compacted to attain an in- place dry density that equals or exceeds 95 percent of the Modified Proctor (ASTM D- 1557) maximum dry density.
- 4. Excavate the compacted pad to the proposed foundation subgrade elevation. The exposed footing subgrade should then be compacted to attain an in-place dry density that equals or exceeds 95 percent of the Modified Proctor (ASTM D-1557) maximum dry density, to depth of 24 inches below the footing subgrade surface. This can be achieved by making several passes with a "Jumping Jack" impact type compactor. Testing should be done to confirm that the specified level of compaction has been achieved.
- 5. Following the successful completion of the preparation of the foundation subgrade, foundation forms (if used) and steel reinforcement should be placed, and the foundation concrete should be cast, as necessary. Any backfill that is placed adjacent to the foundations, as well as backfill placed in utility trench excavations within the building pad, should be likewise compacted to attain or exceed 95 percent of the Modified Proctor (ASTM D-1557) maximum dry density.

<u>Compaction Equipment</u> - KSM does not recommend using heavy vibratory equipment on this site, due to the proximity of the neighboring structures and the potential that ground vibrations created by the compaction machinery might be transmitted and cause damage to the nearby structures. Accordingly, non-vibratory compaction methods are preferred to perform the recommended earthwork delineated above.



<u>Compaction Testing</u> - In-place density of the compacted soil can be verified using a nuclear density gauge or any other ASTM approved method to determine percent compaction. It is our recommendation that compaction tests in the excavated footings should be conducted prior to placement of any steel or concrete and conducted at every column footing and once for every 100 linear feet of footing trench.

Subgrade and each lift (12-inch max loose thickness) of fill should be tested for compaction at a frequency of no less than one test per 2,500 sf of building area, per lift and one test per 10,000 sf of pavement area, per lift with a minimum of 4 tests in each area prepared. The placement and frequency of testing can be modified at the discretion of the site contractor and the onsite soils technician based on the requirements of the project as stated by the Engineer of Record.

### Foundation:

Provided that our recommendations for site preparation are followed, the proposed structure may be supported on conventional concrete, steel reinforced footings designed for an allowable soil bearing pressure of 2,500 pounds per square foot, or less.

With the foundation properly designed and the site properly prepared, we anticipate total settlement on the order of <sup>3</sup>/<sub>4</sub> of an inch or less and differential settlement of less than <sup>1</sup>/<sub>4</sub> of an inch over 40 feet of wall. The majority of the settlement should occur during construction. This is based on the assumed loading conditions stated in the "project description" section of this report and a minimum continuous footer width of 18 inches with a minimum embedment of 18 inches. The settlement estimates have assumed that the maximum footing width is 2.5 feet for continuous footings. The Structural engineer of record should notify our office if the design loading or foundations differ from our assumptions so that we may review our settlement calculations and perform additional analysis, if necessary.

### Floor Slabs:

A conventional slab-on-grade can be used in the "at grade" portion of the buildings. We recommend the disturbed subgrade below the floor slab be re-compacted to 95 percent of the modified Proctor maximum dry density (ASTM D 1557) prior to placement of the concrete. We recommend that control joints be incorporated in the slab at frequent intervals to control shrinkage cracks.

A moisture barrier is recommended beneath the floor slab to prevent moisture migration from the underlying soil resulting in dampness of the slab.

### Pool:

Based on the existing soil conditions, the proposed pool can be designed and constructed using an allowable soil bearing pressure of 2,500 pounds per square foot.

When excavating the pool, if any organic soil or soft material is encountered, these materials/soils should be removed and replaced with <sup>3</sup>/<sub>4</sub>" stones so the subgrade becomes firm below the pool bottom. Please note, after placing stone in the bottom of the excavation, granular soil should never be placed on top of the stone.



Backfill material behind the pool shell shall consist of clean granular sand with less than 10 percent "fines" passing the U.S. No. 200 sieve. Backfill material around the pool should be placed in loose lifts not to exceed 12 inches in thickness and compacted, per lift, to no less than 95 percent of its modified dry Proctor value (ASTM D 1557).

Based on the groundwater levels observed at the site and the estimated seasonal wet groundwater conditions, temporary dewatering may be required. Groundwater should be kept below the lowest working area to facilitate proper material placement and compaction is in accordance with this report. Dewatering operations should not be turned off until there is a sufficient amount of load applied to resist buoyancy forces.

Based on the boring performed within the limits of the pool, the discovered soils being excavated from the pool appear suitable for use at fill material.

### Closure:

Based upon our subsurface investigation at the above-mentioned project location, the reliance of the recommendations presented within this signed and sealed report is predicated on KSM representative's involvement to verify that not only have the soils been prepared following the indicated recommendations, but the foundations are installed in compliance within the parameters indicated. The Structural Engineer of Record is responsible for confirming that the estimated capacities provided are adequate for the anticipated loading. If additional capacity is required, KSM is to be notified so that our recommendations can be amended as required.

This report has been prepared in accordance with generally accepted soil and foundation engineering practices based on the results of the test borings and the assumed loading conditions. No warranties, either expressed or implied, are intended or made. This report does not reflect any variations which may occur between the borings. If variations appear evident during the course of construction, it would be necessary to re-evaluate the recommendations of this project.

Environmental conditions, wetland delineation, karst activity, water quality, and municipal requirements are not a part of this report.

We are pleased to be of assistance to you on this phase of your project. When we may be of further service to you or should you have any questions, please feel free to contact the office.

Respectfully,

Robert Maxwell

Robert T. Maxwell, E.I. Geotechnical Engineer Florida E.I. No. 1100024249

CCC/cv/RTM Email to: david@donatesmarter.com Cody C. Clawson, P.E. Geotechnical Engineer Florida Lic. No. 91598

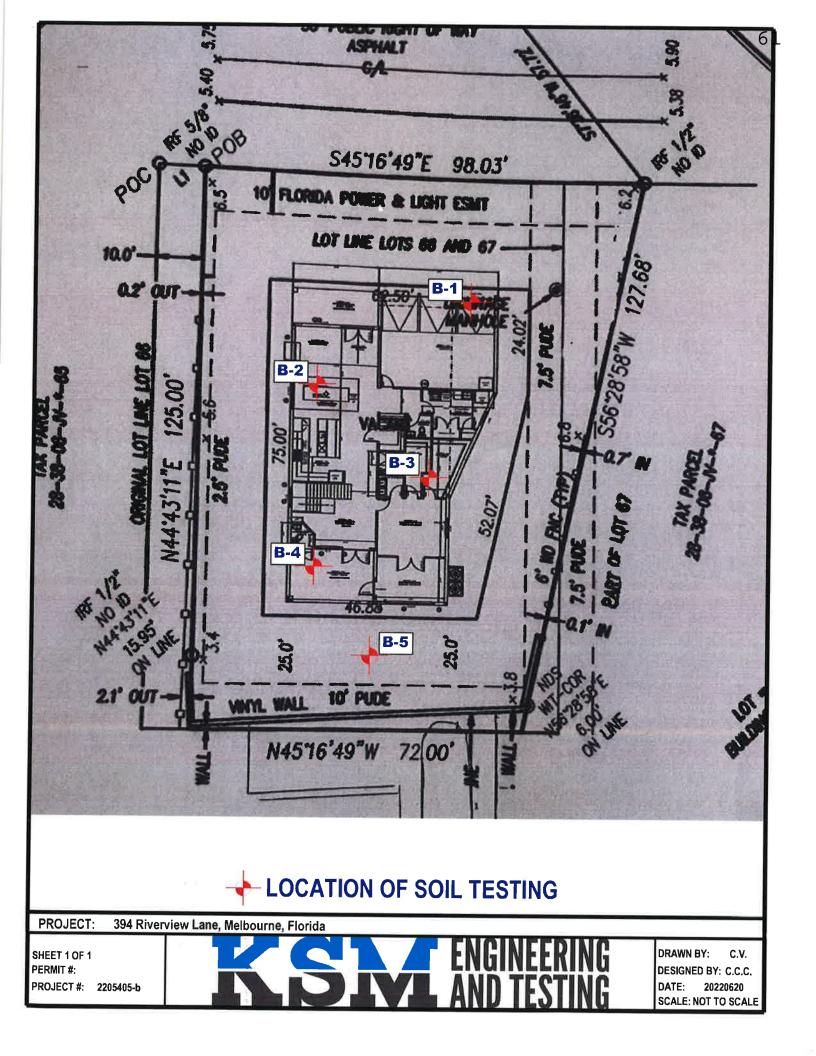
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PROJECT NUMBER 22				Melbourne,	-		
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KSM Engineering & Testing P.O. Box 78-1377 Sebastian, FL 32978 Tel: (772)-589-0712 Fax: (772)-589-6469	BORING NUMBER B-2 PAGE 1 OF 1
CLIENT David Drake	PROJECT NAME _ 394 Riverview Lane
PROJECT NUMBER 2205405-b	PROJECT LOCATION Melbourne, Florida
DATE STARTED _6/16/22 COMPLETED _6/16/22	GROUND ELEVATION HOLE SIZEinches
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Bottom of borehole at 10.0 feet.	SS 5-7-7 (14)

KSM Engineering & Testing P.O. Box 78-1377 Sebastian, FL 32978 Tel: (772)-589-0712 Fax: (772)-589-6469	BORING NUMBER B-3 PAGE 1 OF 1			
CLIENT David Drake	PROJECT NAME 394 Riverview Lane			
PROJECT NUMBER 2205405-b	PROJECT LOCATION _Melbourne, Florida			
DATE STARTED 6/16/22 COMPLETED 6/16/22	GROUND ELEVATION HOLE SIZE _ inches			
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DRILLING METHOD _Split Spoon Sample				
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		KS	KSM Engineering & Testing P.O. Box 78-1377 Sebastian, FL 32978 Tel: (772)-589-0712 Fax: (772)-589-6469				BO	RIN	IG NUMBER B-5 PAGE 1 OF 1
CLI	CLIENT David Drake			PROJECT NAME _ 394 Riverview Lane					
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Prepared by: Jennifer Hodl, an employee of: State Title Partners LLP 300 West Fee Avenue Suite B Melbourne, Florida 32901 File Number: STP-34637

### **Special Warranty Deed**

Made this June 14, 2024 A.D. By David Gregory Drake and Jacqueline Blanche Llinas, husband and wife, Individually, and as Co-Trustees U/A/D January 18, 2023 F/B/O The Llinas Drake Revocable Living Trust dated January 18, 2023, hereinafter called the grantor, to Jason Walden, whose post office address is: PO Box 120093, Melbourne, Florida 32912, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$635,000.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

### See Exhibit "A" attached hereto and made a part hereof.

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

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

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the premises are free from all encumbrances made by Grantor; and Grantor will warrant and defend against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

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Signed, sealed and delivered in our presence.

Witness Signature Emily Smith Witness Printed Name

300 H. Fee Ave, Melbourne, FL 32401

(Seal) David Gregory Drake

Address: 318 Banyan Way, Melbourne Beach, Florida 32951

David Gregory Drake, Co-Trustee U/A/D January 18,

(Seal)

(Seal)

(Seal)

2023 F/B/O The Llinas Drake Revocable Living Trust Witness Signatur Witness Printed Nam 0

32901

dated January 18, 2023 Address: 318 Banyan Way, Melbourne Beach, Florida 32951

Jacqueline Blanche Llinas

Address: 318 Banyan Way, Melbourne Beach, Florida 32951

Jacqueline-Blanche Llinas, Co-Trustee U/A/D January 18, 2023 F/B/O The Llinas Drake Revocable Living Trust dated January 18, 2023 Address: 318 Banyan Way, Melbourne Beach, Florida 32951

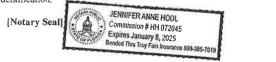
State of Florida County of Brevard

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this June 14, 2024, by David Gregory Drake and Jacqueline Blanche Llinas, Individually, and as Co-Trustees U/A/D January 18, 2023 F/B/O The Llinas Drake Revocable Living Trust dated January 18, 2023, [] who are personally known to me prix who has produced driver's licenses as identification.

Notary Public Sign:

My Commission Expires:

Print Name:



DEED - SWD with Legal on Exhibit "A" Closers' Choice

### Exhibit "A"

A part of Lot 66, less the North 10 feet, and part of Lot 67, Harbor East Section Three -Amended, according to plat thereof, as recorded in Plat Book 23, Page 35, of the Public Records of Brevard County, Florida, more particularly described as follows:

Commence at the Northeasterly Corner of said Lot 66 and go thence South 45 degrees 16'49" East, along the Northeasterly line of said Lot 66 a distance of 10 feet to the Point of Beginning of the herein described parcel; thence continue South 45 degrees 16'49" East, along the Northeasterly line of said Lots 66 and 67 a distance of 98.03 feet; thence South 56 degrees 28'58" West, a distance of 127.68 feet to the Southwesterly line of said Lot 66; thence North 45 degrees 16'49" West, along the said Southwesterly line a distance of 72.00 feet; thence North 44 degrees 43'11" East, along a line parallel with and 10 feet Southeasterly of the Northwesterly line of said Lot 66, a distance of 125.00 feet to the Point of Beginning.

### BOARD OF ADJUSTMENT OF TOWN OF MELBOURNE BEACH, FLORIDA

	)
	)
In Re:	)
394 Riverview Lane Melbourne Beach, FL 32951 Applicant: Aaron Anderson	<ul> <li>Variance Application</li> <li>#2020-01-V</li> </ul>
	)
394 Riverview Lane Melbourne Beach, FL 32951 Applicant:	,

### FINAL ORDER

On July 16, 2020, the Town of Melbourne Beach, Board of Adjustment (hereinafter, "Board") considered the instant Variance. The Board finds as follows:

1. Aaron Anderson, Applicant, is the owner of the Subject property. The Subject Property is located at 394 Riverview Lane, Melbourne Beach, FL 32951. The Subject Property is legally described as:

A part of Lot 66, less the North 10 feet, and part of Lot 67, HARBOR EAST SECTION THREE-AMENDED, according to the plat thereof, as recorded in Plat Book 23, Page(s) 35, of the Public Records of Brevard County, Florida, more particularly described as follows:

Commence at the Northeasterly Corner of said Lot 66 and go thence S. 45 degrees 16'49" East along the Northeasterly line of said Lot 66 a distance of 10 feet to the Point of Beginning of the herein described parcel; thence continue S. 45 degrees 16'49" East along the Northeasterly line of said Lots 66 and 67 a distance of 98.03 feet; thence S. 56 degrees 28' 58" W., a distance of 127.68 feet to the Southwesterly line of Lot 66; thence N. 45 degrees 16' 49" West along the said Southwesterly line a distance of 72.00 feet; thence N. 44 degrees 43'11" East along a line parallel with and 10 feet Southeasterly of the Northwesterly line of said Lot 66, a distance of 125.00 feet to the Point of Beginning.

Parcel Id # 28-38-08-JV-\*-66 (hereinafter "Subject Property").

2. The Applicant proposes the following variance:

A variance of 623.1 square feet from the minimum lot size requirement in the 2-RS zoning district of 11,250 square feet provided for in Section 7A-32 (f) (1) of Appendix

"A" to the Town Code of Ordinances of Melbourne Beach, the Land Development Code, to allow for the construction of a single family home on a lot of 10,626.9 square feet.

3. The Board finds that the evidence and testimony presented by the Applicant, Town Staff, and members of the public during the public hearing demonstrates that the granting of the variance will be consistent with the requirements of Sections 7A-152(d)(1) through 7A-152(d)(5), Appendix "A," to the Town Code of Ordinances of Melbourne Beach, the Land Development Code. The evidence presented was in the form of the Staff Report for the July 16, 2020 Public Hearing, which included the full Application Package, including, but not limited to, a Map of Boundary Survey of the Subject Property prepared by All Points Surveying & Mapping, Inc., Job # 12-054, with a survey date of 09/26/2012.

NOW THEREFORE, based on the findings set forth above, the Board hereby finds that the requested variance is GRANTED.

DONE AND ORDERED, this 16th day of July, 2020.

ROBERT SCHAEFER, Chairman; DAVID WILDMAN and CHARLES CAIN, Members, Concur.

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ROBERT SCHAEFER, 4 Chairman

A signed copy of this Order was filed in the records of the Clerk to the Board of Adjustment on the <u>3<sup>r</sup></u> day of <u>August</u>, 2020, and a copy of the Order was mailed by regular, first class mail to: Aaron Anderson, 602 Jasmine Drive, Melbourne Beach, FL 32951 on the <u>3<sup>r</sup></u> day of <u>August</u>, 2020.

r Torres Clerk/ Secretary, Jennif

Board of Adjustment



Departments

Home Boards

Commission

Hurricane Preparedness Local Info

Stormwater Sustainabi

Contact Us Search

## rehensive Plan for Melbourne Beach

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P&Z BOA Schedule

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Home >> Zoning Official

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# districts? What are the setbacks for town-specific zoning

District	Front	Side Interior	Side	Rear
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+-RS	25	10	N	្រា
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ςņ Γ	80 9	None (provided access to rear for waste removal and fire services)Min 15' on one side	20	20° or 25° from abutting residential or 15° from alley
7-0	25	None (provided access to rear for waste removal and fire services)Min 13' on one side	-02	20 or 25 from abutting residentiat or 15 from alley
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Melbourne Beach Code of Ordinances

For more complete information see the link below for the Land Development Code in the Town of

https://codelibrary.amlegal.com/codes/melbournebeach/latest/overview





### TOWN OF MELBOURNE BEACH

### **Board of Adjustment**

Staff Report -- Board of Adjustment Hearing Date July 16, 2020

### 1. PETITION DESCRIPTION

APPLICANT: Aaron Anderson

OWNER: Aaron Anderson

ADDRESS: 394 Riverview Lane

ZONING

DISTRICT: 2-RS Single Family Residential District

REQUEST: The applicant is requesting a variance of 623.1 square feet from the minimum lot size requirement in a 2-RS district of 11,250 in the Town of Melbourne Beach Code Section 7A-32 to allow for the construction of a single family home on a lot of 10,626.9 square feet.

### 2. BACKGROUND

The applicant proposes the construction of a single family home at 394 Riverview Lane. The property is located in a 2-RS zoning district which requires a minimum lot size of 11,250 square feet. As described in the application (See Exhibit "A"), the existing conditions provide for a lot size of 10,626.9 square feet instead of the required 11,250 square feet. The application goes on to state that the legal description of the lot was created in 1981 and does not meet the required minimum lot size.

Section 7A-81, Lots of Record, states that a single-family dwelling may be erected on any single platted lot that is of record on September 26, 1972, the original date of adoption of this provision. Section 1A-3 defines a Lot of Record as a lot whose existence, location and dimension have been legally recorded or registered in a deed or on a plat prior to September 26, 1972. The application states that the current legal description was created in 1981 and includes the following back-up documentation:

- Plat for Harbor East Section Three Amended. This was recorded in 1970 and shows the original platted lot (Lot 66) dimensioned at 90'x 135' and conforming with the Town Code requirement for 11,250 SF (See Exhibit B).
- Deed recorded in OR 1777 PG 180 in 1977. This deed describes Lot 66 less the north 10' and the south 10', dimensioned at 70' x 135' and 9,450 square feet.
- Deed recorded in OR 2286 PG 2455 in 1981. This deed describes Lot 66 less just the north 10' plus a portion of lot 67, with a metes and bounds description.
- The most recent deed in OR 6723 PG 1824 recorded in 2012 and which conveyed the property to the applicant. The deed describes Lot 66 less the north 10' plus a portion of lot 67, with a metes and bounds description consistent with the 1981 deed.
- Survey prepared by All Points Surveying & Mapping, Inc., dated 09/26/2012 with the same legal description as is contained in the 2012 and 1981 deeds.

Although the original lot was platted in 1970 there is no deed or legally recorded instrument provided by the applicant dated prior to September 26, 1972 which includes the property as legally described in the 2012 deed or survey. Consequently, the code does not consider the existing lot a "Lot of Record" and a variance to the minimum lot size requirement is necessary for construction of a single-family home.

### 3. STAFF ANALYSIS.

The Variance Application form requires the applicants to address specific questions. These questions and the applicant's responses are provided in the application in Exhibit "A". The subject application includes supporting background information including a completed application form, description of variances requested, plat book, the lot survey, and the deeds to the property.

Following is the staff analysis of the application in relationship to the standards in Section 7A-152(d) (1) through 7A-152(d) (5):

1. When granted. A variance from the terms of Chapter 7A may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these regulations would result in unnecessary and undue hardship; provided specifically, however, that financial or self-imposed reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance;

The existing property has a lot size of 10,626.9 square feet. Literal enforcement of the lot size requirement would prevent any construction from taking place on the property.

2. A variance is authorized only for area, size of structure, size of yards, and open spaces. 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;

The subject request is for a variance to the lot size requirement of the property. The request is not to allow a use otherwise prohibited. This is not a request to vary the height of any building.

3. 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.

This is not a request to grant a variance to permit a use not permitted.

4. No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance

This variance request is not based on nonconforming uses of other lands, structures or buildings.

- 5. Conditions governing applications. A variance shall not be considered by the Board of Adjustment unless and until a written application for a variance is submitted demonstrating:
  - a. That 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;

The special condition is that the lot was reconfigured after platting and does not meet the minimum requirement of 11,250 square feet for the construction of a single-family home.

b. That 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; and

Literal interpretation of the code would prevent the applicant from constructing any structure which otherwise complies with Town Zoning Code requirements. Other properties in the same zoning district which comply with Town Zoning Code requirements are able to construct single-family homes.

c. That the special conditions and circumstances referred to in division (5)a. above, do not result from the actions of the applicant

The special circumstances result from the configuration of land in deeds prior to acquisition by the applicant, not from any actions on the part of the applicant.

d. If a variance is granted with regard to a condition relating to a structure, the variance shall terminate when the structure is razed.

The variance request is not related to a building.

In addition to the above, Section 7A states that the Board of Adjustment shall make findings as to whether the requirements of division (5) above have been met by the applicant for a variance. The Board of Adjustment shall determine whether the reasons set forth in the application justify the granting of the variance and whether the variance is the minimum variance that will make possible the reasonable use of the land, building or structure. The Board of Adjustment shall further determine whether the granting of the variance will be in harmony with the general cure and intent of this Land Development Code, will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In no case shall the Board of Adjustment grant a variance which will result in a change of land use as set forth in the Comprehensive Plan that would not be permitted in the applicable land use classification.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards which will be in conformity with this Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable as provided by this Land Development Code. 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 this Land Development Code in that district.



### TOWN OF MELBOURNE BEACH

**Board of Adjustment** 

EXHIBIT "A"

Application

70

Town of Melbourne Beach - Board of Adjustment Variance 394 Riverview Lane



### TOWN OF MELBOURNE BEACH **DEVELOPMENT APPLICATION**

### L 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.

### 11. **REQUEST:**

	Land	Use	Plan	Amendment
--	------	-----	------	-----------

- □ Special Exception
- Variance
- □ Site Plan Review Single Family (1RS, 2RS, 3RS) □ Site Plan Review Multifamily (4RM, 5RMO)
- □ Site Plan Review Commercial (6B, 7C, 8B, 9I)
- □ Rezoning
- Coastal Construction Variance
- Appeal (Application must be filed within 30 days)
- - Amendment to the Land Development Code Other (specify)\_\_\_\_\_

### 111. PROPERTY INFORMATION:

General Location: Ha-b- East
Address: 399 Riverview Ln.
Parcel Number(s): 2848151
Area (in acreage): 0.24 Area (in square feet): 10,626.9
Current Zoning: 2RS Proposed Zoning: 2RS
Current Future Land Use: Proposed Future Land Use:
Brief Description of Application: The legal description of the lot was created
in 1981. It does not meet the lot size to conform with 71-81.
Data of Mandatam, Dur A. H. M. M. H.

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

- 47 + 7 '20 ex 1.542

pg. 1 01-2020 Town of Melbourne Beach - Development Application

### IV. **APPLICANT INFORMATION:**

Property Owner	
Name: Haron Anderson	Phone:
Address: 602 Jasmine Dr.	Fax: 321-723 - 8232
Melhourno Beach, FL 32151	Email: Aaron @ Cia - developers.com
Applicant (if other than property owner)	
Name:	Phone:
Address:	Fax:
	Email:

### ٧. **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.

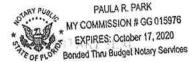
Signature: Haderson Haron Title:\_\_\_\_\_ Print Name:

Date: 4/21/2020

\*Must sign in front of notary.

State of Florida County of Brevard. The foregoing application is acknowledged before me, this 22 day of April, 2020, by Aaron Anderson who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

Signature of Notary Public, State of Florida



pg. 2 01-2020 Town of Melbourne Beach – Development Application

## 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:	1 al	Date: 4/21/2020	
Print Name:	Aaron Anderson	Title:	
*Must sign in f	ront of notary.		
this <u>Ad</u> day of who is/are per as identification	ard. application is acknowledged bef of <u>April</u> , 20 <u>20</u> , by <u>Acco</u> sonally known to me, or who ha	PAULA R. PARK MY COMMISSION # GG 015976 EXPIRES: October 17, 2020	_
VII. <u>PROJEC</u>	T DESCRIPTION:	FOFFLOR Bonded Thru Budgel Notary Services	
Describe Applica	ition:		
Provide attachm	ent if more space is needed.		
Describe Existing	Conditions:	1	
			2
Provide attachme	ent if more space is needed.		
#AY 12 70 PHI:	88		
pg. 3 01-2020	Town of Melbourne Beach – Deve	lopment Application	

## 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

lot size does not meet the minimum to conform with A variance would be needed to put The lot is detricient 423

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

Variance to allow a single family structure to be constructed Utilizing the existing town set inc Slem 1251

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. legal description was created in 1981. The applicant parchased the property in 2012.

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.

+## 12 '20 ex ) 185

pg. 10 Town of Melbourne Beach – Development Application 01-2020

<u>Public notification</u> – 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.

响到2位的中心的

pg. 11 01-2020 Town of Melbourne Beach - Development Application

This Instrument Prepared by: Lyone Martin Alliance Title Insurance Agency Inc 10 S. Harbor City Boulevard Melbourne, Florida 32901 as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s): 28-38-08-JV-00000.0-0066.00 Grantee(s) S.S.#(s): File No.:112080171

## PERSONAL REPRESENTATIVE'S DEED

This Indenture, executed the 22nd day of October, 2012, between Frederick M. Jolowski, Personal Representative of the Estate of Patricia M. Jolowski, party of the first part, and

Aaron R. Anderson, parties of the second part, whose address is: 6 Colonial Way, Indian Harbour Beach, Florida 32937,

### WITNESSETH:

The party of the first part, pursuant to the Probate No. 05-2012 CP 24858 recorded in the Circuit Court of Brevard County, Florida, and in consideration of the sum of \$212,000.00 and other good and valuable consideration in band paid, grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the parties of the second part, their heirs and assigns forever, the real property in Brevard County, Florida, described as follows:

A part of Lot 66, less the North 10 feet, and part of Lot 67, HARBOR EAST SECTION THREE - AMENDED, according to plat thereof, as recorded in Plat Book 23, Page(s) 35, of the Public Records of Brevard County, Florida, more particularly described as follows:

Commence at the Northeasterly Corner of said Lot 66 and go thence S. 45 degrees 16' 49" East along the Northeasterly line of said Lot 66 a distance of 10 feet to the Point of. Beginning of the herein described parcel; thence continue S. 45 degrees 16' 49" East along the' Northeasterly line of said Lots 66 and 67 a distance of 98.03 feet; thence S. 56 degrees 28' 58" W., a distance of 127.68 feet to the Southwesterly line of said Lot 66; thence N. 45 degrees 16' 49" West along the said Southwesterly line a distance of 72.00 feet; thence N. 44 degrees 43' 11" East along a line parallel with and 10 feet Southeasterly of the Northwesterly line of said Lot 66, a distance of 125.00 feet to the Point of Beginning.

TOGETHER with all and singular tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining to the real property.

To Have and to Hold the same to the parties of the second part, their heirs and assigns, in fee simple forever.

And the party of the first part does covenant to and with the parties of the second part, their heirs and assigns, that in all things preliminary to and in and about the sale and this conveyance the orders of the above name Court and the Laws of Florida have been followed and complied with in all respects.

In Witness Whereof, the party of the first part, Frederick M. Jolowski, has set his hand and seal on the day and year first above written.

Signed, sealed and delivered in our presence Witness Signature: Witness Printed Name 2 Ben c.sell

Witness Signature: \_\_\_\_\_\_ Witness Printed Name:

Frederick M. Joldwski Personal Representative

STATE OF FLORIDA COUNTY OF Brewer

The foregoing instrument was acknowledged before me this 22 day of \_\_\_\_\_, 12, by Frederick M. Jolowski, Personal Representative of the Estate of Patricia M. Jolowski

who is personally known to me or who has produced driver license(s) as identification.

~NOTARY SEAL

LIZABETH A. CASSELLA MY COMMISSION # EE 055399 EXPIRES: May 7, 2015 nded Thru Budget

Notary Signature

Notary Signature My Commission Expires:

而 N 83 to Electro RECORDED AND VERFED E#149134 EB1777 .... 180 R low **操作,常若近,行用**1 This Warranty Beed Mode the I CI day of A 1) 1977 by June O. W. HUDSON. Trustee under that certain trust agreement with the National City Bank of Cleveland and Harris Intertype Corporation, dated 26 March 1973. hereinafter called the granter in FRANK E. CAMPBELL and CARLEENE CAMPBELL, his wife where protothie address is 2446 Pepper Avenue, Melbourne, Florida 32901 homospher called the granter . Whatepart which be entited to the transmission of the second of the second states but the contradient and the second se Winessein: That the granter for nul in consuleration of the sum of \$19,00 and other valuable consulerations receipt a here of a characteristic here by grouts bargains sells aliens, re-mary releases, concess and consistent the arastee all that ection hand stants in Countr-Florada ....--Lot by, except the Northwesterly 10 feet thereof, said Northwesterly 10 feet being perpendicular to and parallel to the lot line between 1 ots 15 and 56, and except the Southeasterly 10 feet thereof, said Southeasterly 10 feet being perpendicular to ind parallel to the lot line between Lots 46 and 67, of HARBOR EAST SECTION THREE -AMENDED, according to the plat thereof, as recorded in Plat Book 24, Page 15, Fuhlin Records of Brevard County, Florida. ST.MINTAN E 17.10 Together with all the tenements hereditaments and appointenances there is belonging or in anyurise appertaining To Blace and to Hold, the same in the simple lover of The grantor hereby corresponds with said granter that the grantor is lawfully reised of said land in fer simple; that the granter has pood right and lawful authority to sell and convey said land, that the granior hereby fully warrants she title to sold land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encuestrances, except taxes according subsequent SUR 102 to December 31, 1970. 101 PE 10 14 Ĩ. In Witness Whereof, the sold granter has signed and souled these presents the day and year Frustee Under Trust Agreement with The National City Bank of Cleveland and Harrison list above written Signed, waled and delivered in our presence. Betty 2. Logournes The hour Tracket SPACE SELON FOR PECORDERS UNA FLORIDA STATE OF COUNTY OF BREVARD I HEREBY CERTIFY that on this day, before me, an offsee dub authorized in the State aforeway and in the County aforehard to take arknowledgments, presonally appeared 十三日十日二年十二日 E O. W. HUDSON more to be the person determined in and who exercised the instrument and he schnewiedged before me that he WITNESS my band and affirial seal in the County and 12 C1. day of A. D. 1977. . State last storesaid this June Vettys, Undirmater This Instrument prepared by: My and asta by set and George Lans, Attorney at Law Address F. O. Box 37 32901 N-lbourne, Pl

FRANK E. CAMPBELL, a single man first party, to CARLENE CAMPBELL whose postollice address is Route 6, Box 25, Beaumont, Texas 77705 second party: Inderseer used herein the terms "first party" and "second party" shall include singular and pland, here, legal experimetations, and anight of individuals, and the surcensor and anight of terparticus, wherease the coduct Witnesseth, That the said first party, for and in consideration of the sum of s 10.00 In hand paid by the sold second party. the receipt whereof is hereby acknowledged, does hereby remise, release and quit-cloim unto the said second party forever, all the right, title, interest, cloim and demand which the sold first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Brevard State of Florida , lowit: A part of Lot 66 less the North 10 feet and part of Lot 67 Harbor East, Section, Amended, a Subdivision as recorded in Plat Book 23, Page 66 of the Public Records of Brevard County, Florida more particularly described as follows: Commence at the Northeasterly corner of said Lot 66 and go thence S 45 degrees 16'49" Bast along the Northeasterly line of said Lot 66 a distance of 10 feet to the Point of Beginning of the herein described parcel; thence continue S 45 degrees 16\*49" East along the Northeasterly line of said Lots 66 and 67 a distance of 99.03 feet; thence S 56 degrees Said Lots 66 and 67 a distance of 95.03 reet; thence 5 56 degrees 28'58" W a distance of 127.68 feet to the Southwesterly line of said Lot 66; thence N 45 degrees 16'49" West along the said South-westerly line a distance of 72.00 feet; thence N 44 degrees 43' 11" East along a line parallel with and 10 feet Southeasterly of the Northwesterly line of said Lot 66, a distance of 125.00 feet to the Point of Beginning; Containing 0.24 acres of land more or less. دينا in This instrument prepared by: Charles M. Harris P.O. Box 669 NP. Titusville, FL 32780 - $\Xi 0 0.40$ To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywhite appertaining, and all the estate, right, title, interest, lien, equity and claim whatsource of the s id first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever. In Wilness Whereof, The said first party has signed and sealed these presents the day and year 5 first above written. 2 led and delivered in presence of Signed, se e Jen STATE OF FLORIDA. COUNTY OF Brevard I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take schoowledgments, personally appeared Frank E. Campbell, a single man to the known to be the person described in and who executed the foregoing instrument and the acknowledged before me that the executed the same. WITNESS my band and official seal in the County and State Last afterestid this D. 314 day of Jahren A. D. 1981. A Jucieu Joyla Notary Public / State of Plorida d' Lucieu at Large . My Commission Expires: 4/23/1 3 17 <u>\_\_\_\_</u> OFF. REC. This Instainent prepared by: PAGE Address 2286 2455

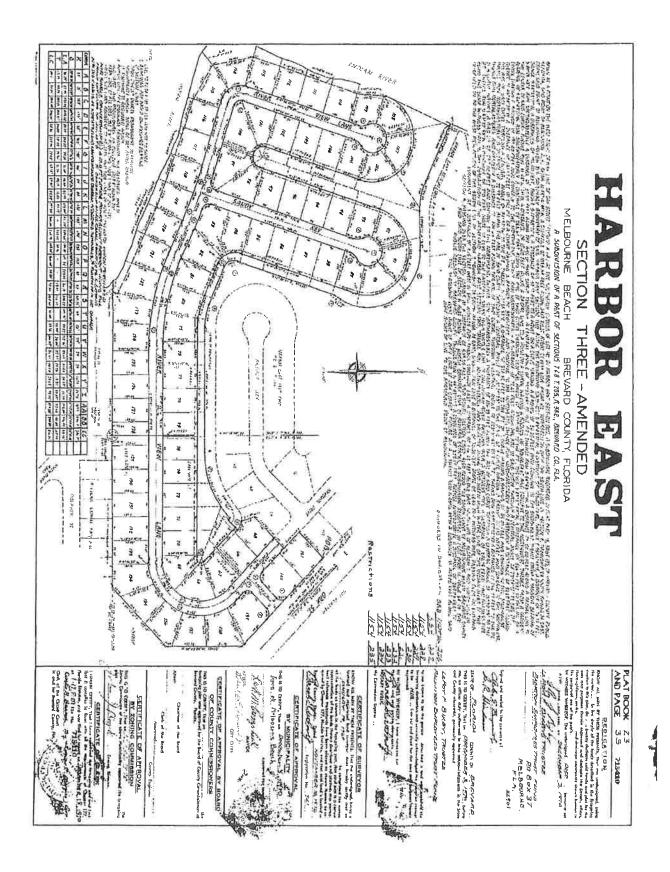
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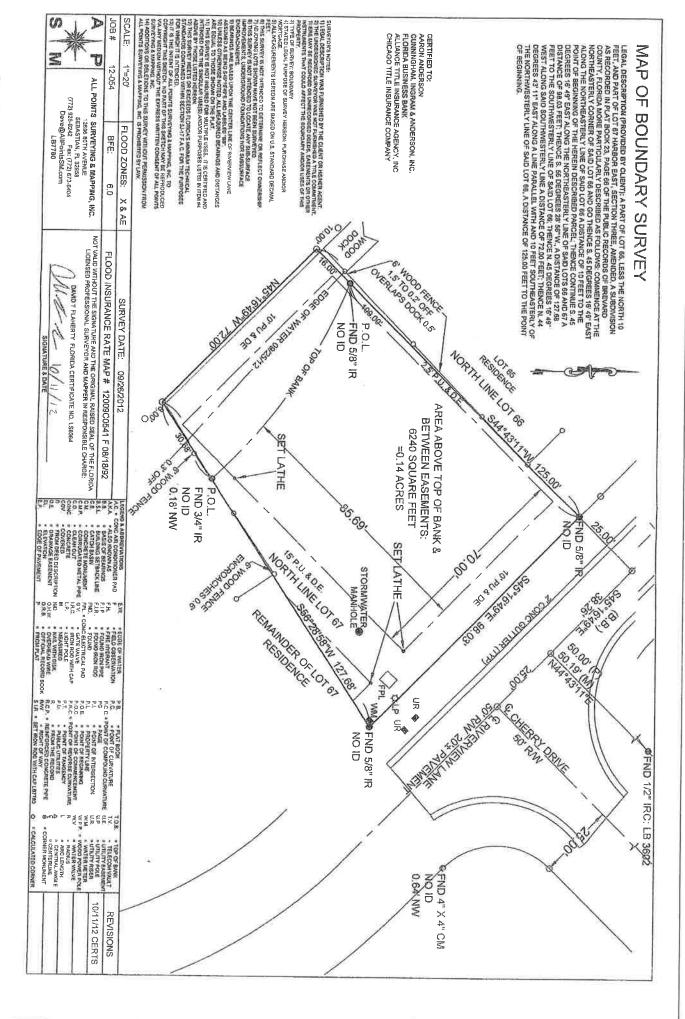
This Quit-Claim Deed, Executed this ; 3 day of February , A. D. 1981, by

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GUIT-RLAIM DEED

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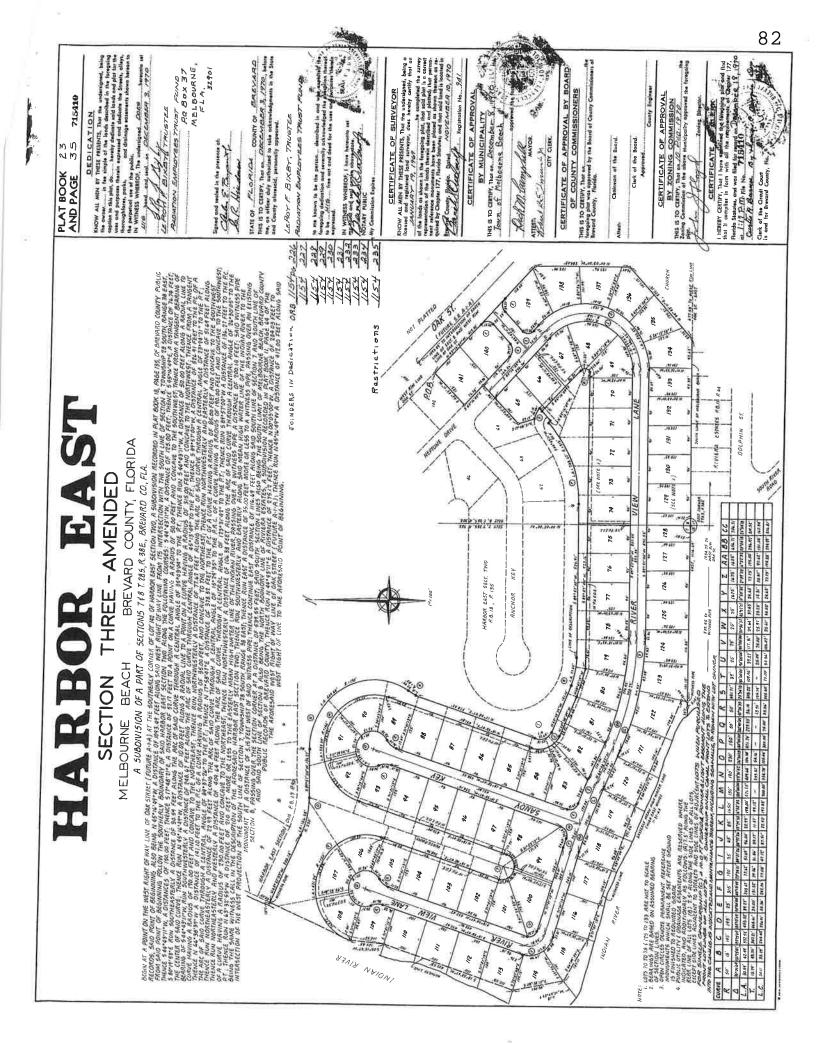
## TOWN OF MELBOURNE BEACH

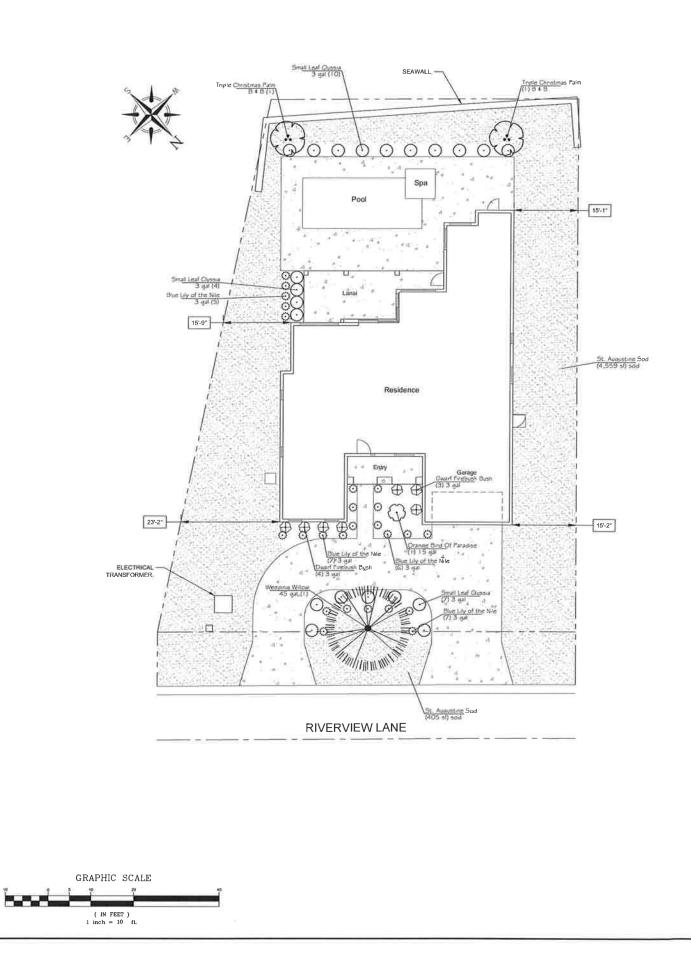
**Board of Adjustment** 

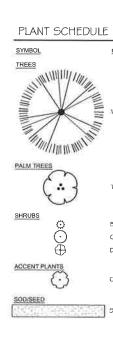
EXHIBIT "B"

Plat

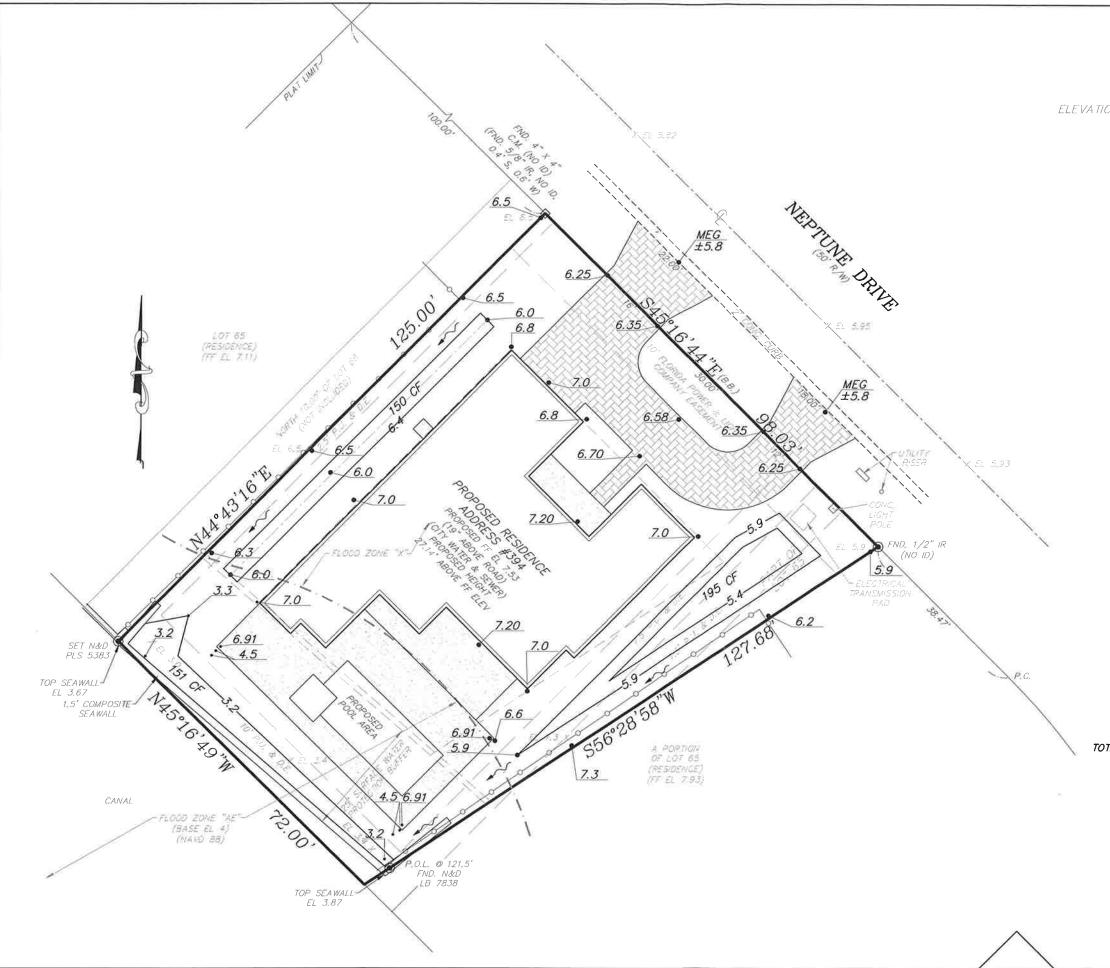
Town of Melbourne Beach – Board of Adjustment Variance 394 Riverview Lane



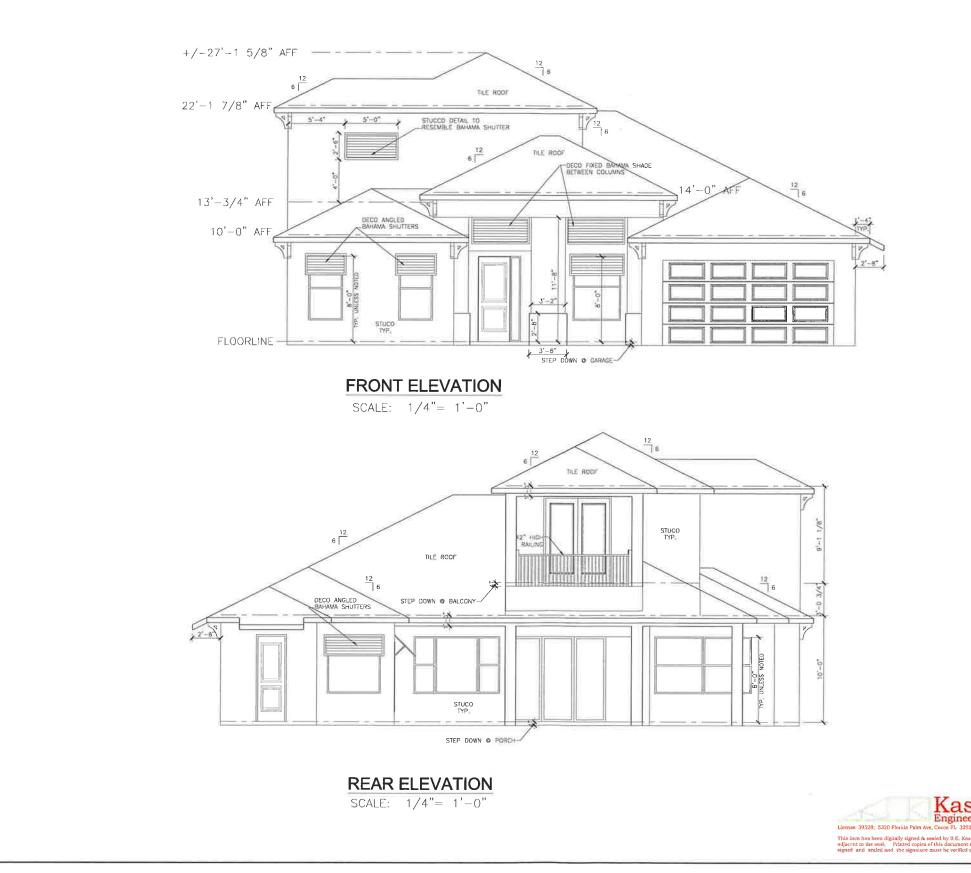




# Environmental Design Services U.S. Lawns 374 Commerce Pkwy, Rockledge Phone: (321) 636-0655 Landscape and Irrigation Design and Consulting Phone: (321) 288-6143 COMMON NAME <u>QTY</u> U.S.LA Weeping Willow By BKA Triple Christmas Palm 2 Blue Lily of the Nile 25 Clussia 21 Dwarf Firebush Bush 7 Č Orange Bird Of Paradise St. Augustine Sod 4,964 sf REVISIONS: No. Date 1. This Drawing and The Designs Represented Herein are The Exclusive Property of US Lawns, and May Not Be Reproduc Used, or Disseminated Without Written Permission. 394 Riverview Lane Melbourne Beach, Fl. Landscape Plan DATE: 3-15-25 SCALE: 1"=10' FNGLA Certified SHEET: 1 of 1 Landscope Designer Brlan K. Alderfer D24936 Certification valid through 9/30/2027 SHEET NO .: L-1



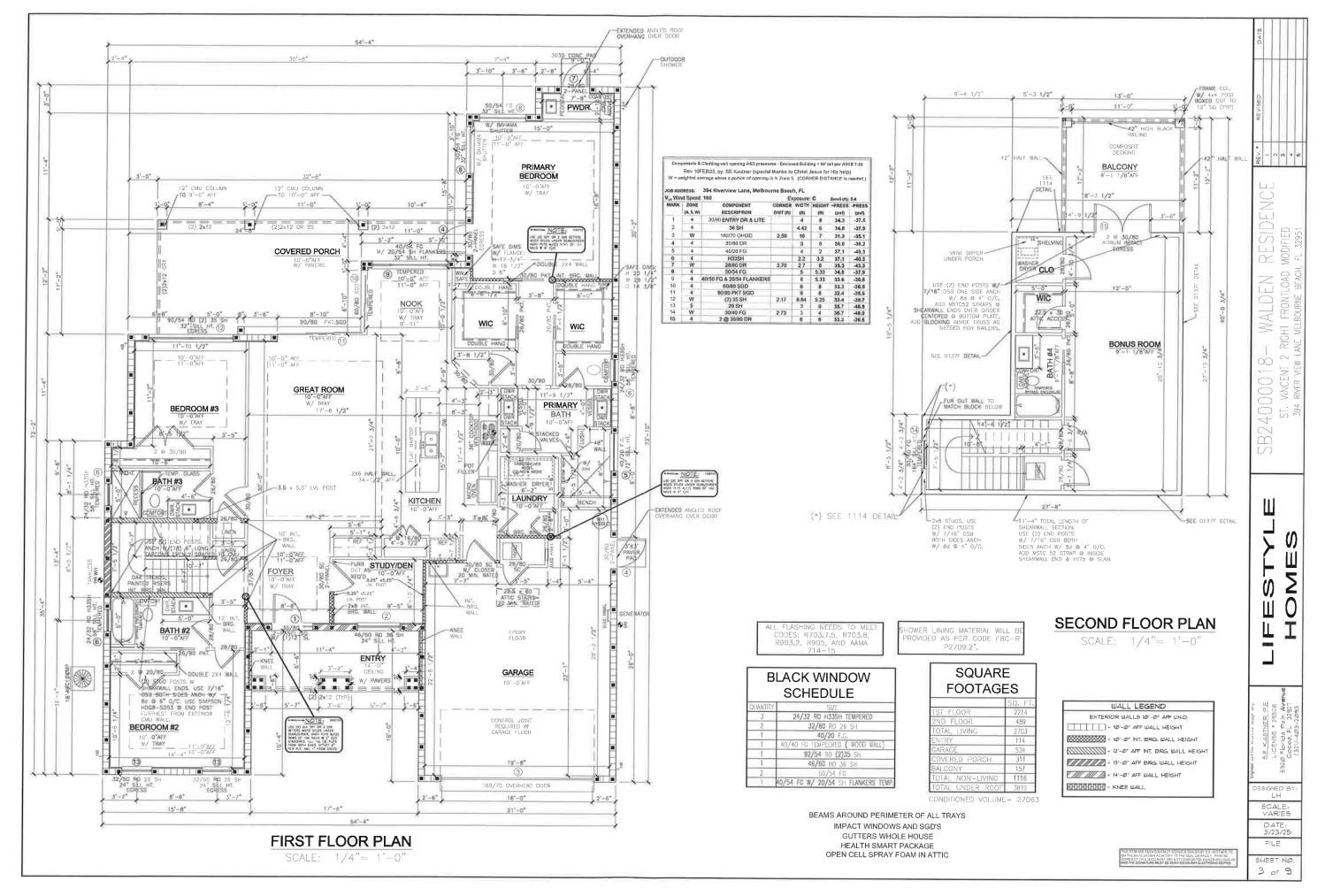
84 **GRADING PLAN** ELEVATIONS ARE BASED ON THE NAVD OF 1988 ACCORDING TO F.I.R.M. #12009C 0616 H, DATED JANUARY 29, 2021, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONES X & AE. 20, (NAVD 88) 3cale PROJECT BENCHMARK BREVARD COUNTY BENCHAMRK K8A06 WALDEN RESIDENCE 394 NEPTUNE DRIVE, MELBOURNE BEACH 3" ALUMINUM BCS&M BENCH MARK DISK IN CONCRETE SIDEWALK EL 9.83 (NAVD 88) EL 11.26 (NGVD 29) SECTION 08, TOWNSHIP 28 SOUTH, RANGE 38 EAST Robe Digitally signed by Robert F Robb rt F Date: 2025.03.03 Robb 16:48:48 -05'00' WATER QUALITY CALCULATIONS: Ingineer of Reco Robert F. Robb P.E. # 55645 LOT AREA = 10,627 SF PROPOSED IMPERVIOUS AREA = 5,514 SF 3/3/2 WATER QUALITY = 1" OF RUNOFF FROM ALL IMPERVIOUS SURFACES  $REQUIRED = 1" \times (1/12) \times 5,514sf = 460 cf$ TOTAL VOLUME PROVIDED = 195cf + 151cf + 150cf = 496cf & TAYLOR ng Solutions, Inc. FLORED PLACE 5022333 ACCORDING TO KSM ENGINEERING REPORT: SHWT= EL. -0.1 AQUIF. BASE = EL. -9.6 Hc = 65 FT/DAYBB0. C L 69  $\boldsymbol{\alpha}$ of AUTH.# 2830 CER

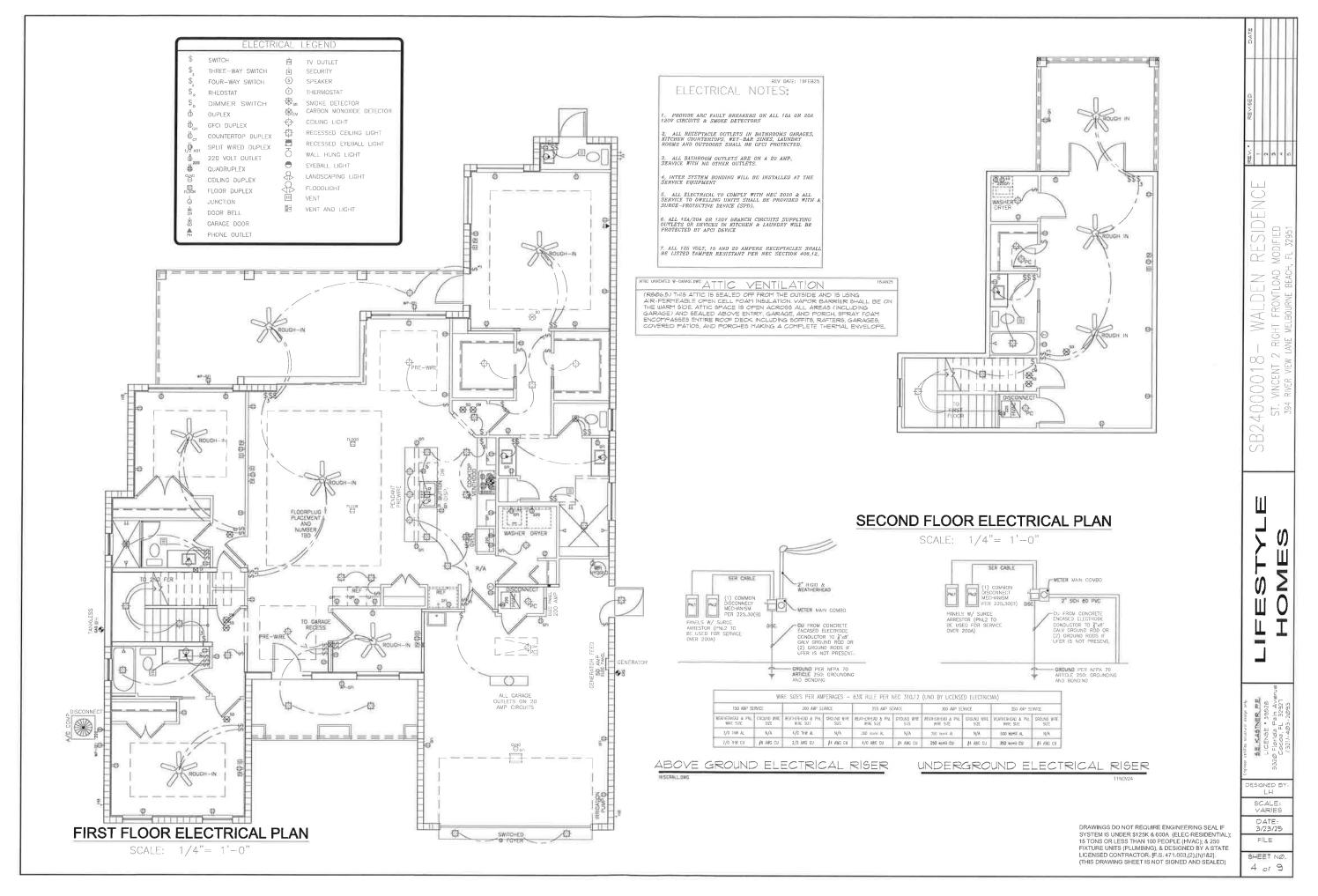


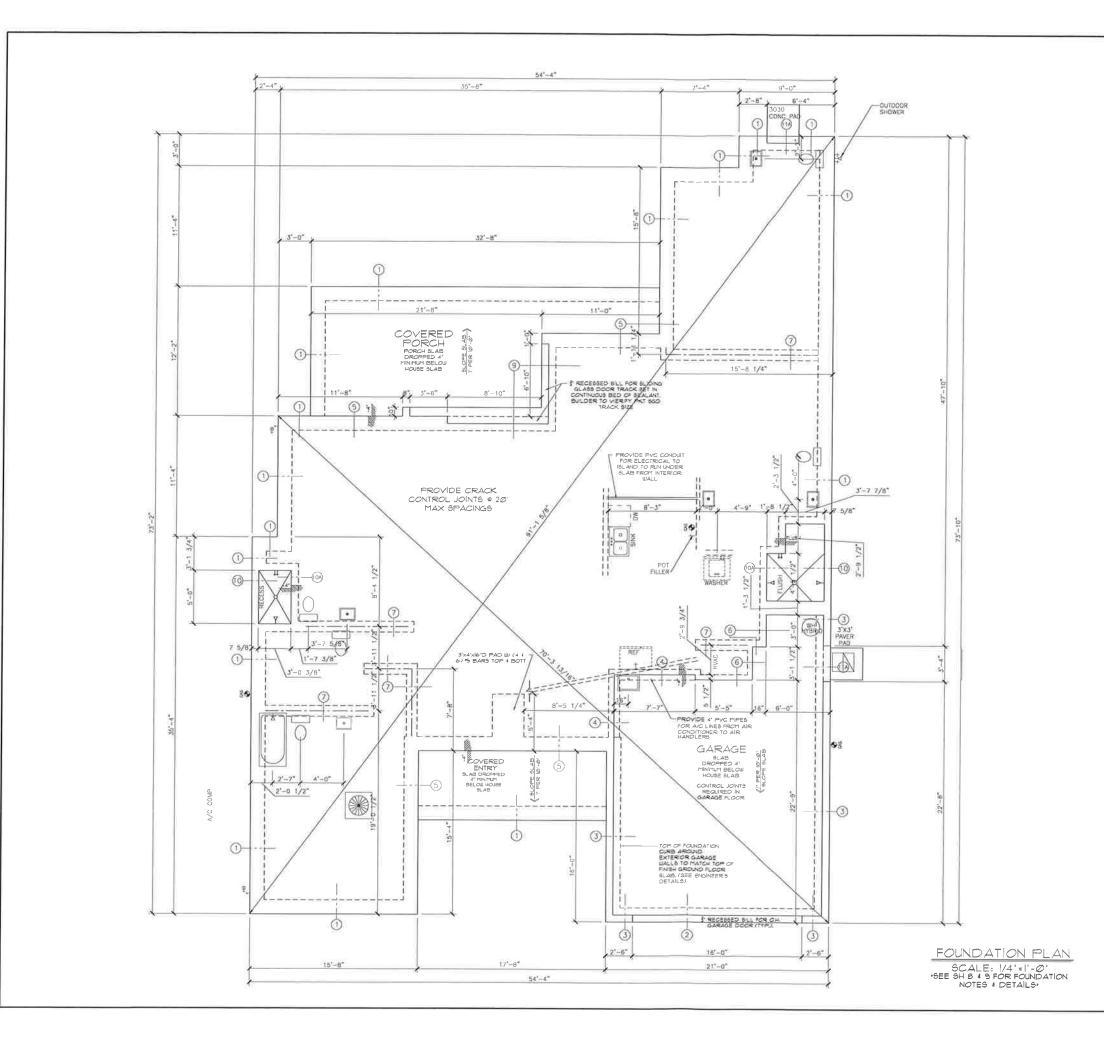
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	urran Willia	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0			LIFESTYLE HOMES
Kastneering, LI Cocoa FL 3027 (2014) Cocoa FL 3027 (2014) La do by S.E. Kawa (1007) La do by S.E	<sup>93</sup> date 13	25.0 :15:4	3.23 4 -04'0	0'	



THE OUT MALL TO MICH BLOCK BELOW	SB2400018- WALDEN RESIDENCE Rev. Revised Date ST. VINCENT 2 RIGHT FRONTLOAD MODIFIED 394 RIVER VIEW LANE MELBOURNE BEACH, FL 32951
<b>ECTION @ STAIRS</b> TOP  of  FF = 13'-3/4'' 21  RISERS #  7'-7/16'' 20  TREADS AT 10'' (+1'' NOSING) TOP OF LANDING = 67-3/16''	LIFESTYLE HOMES
INST THIS INST HER ISOSTIUM REASON SEXUATIONS I NOTING, VE INST ME AND SERVICE WARRANT TO THE SALIDATION I NOTING, VE THERE OT THIS DOCUMENT AN UNT OF CONSISTED SALIDATION OF THE NOT THE SEARTINE WAT BE VERYING ON ANY ELECTRONIC CIPIES	DESIGNED BY: LH SCALES DATE: 3/23/25 FILE SHEET NØ. 2 of 9

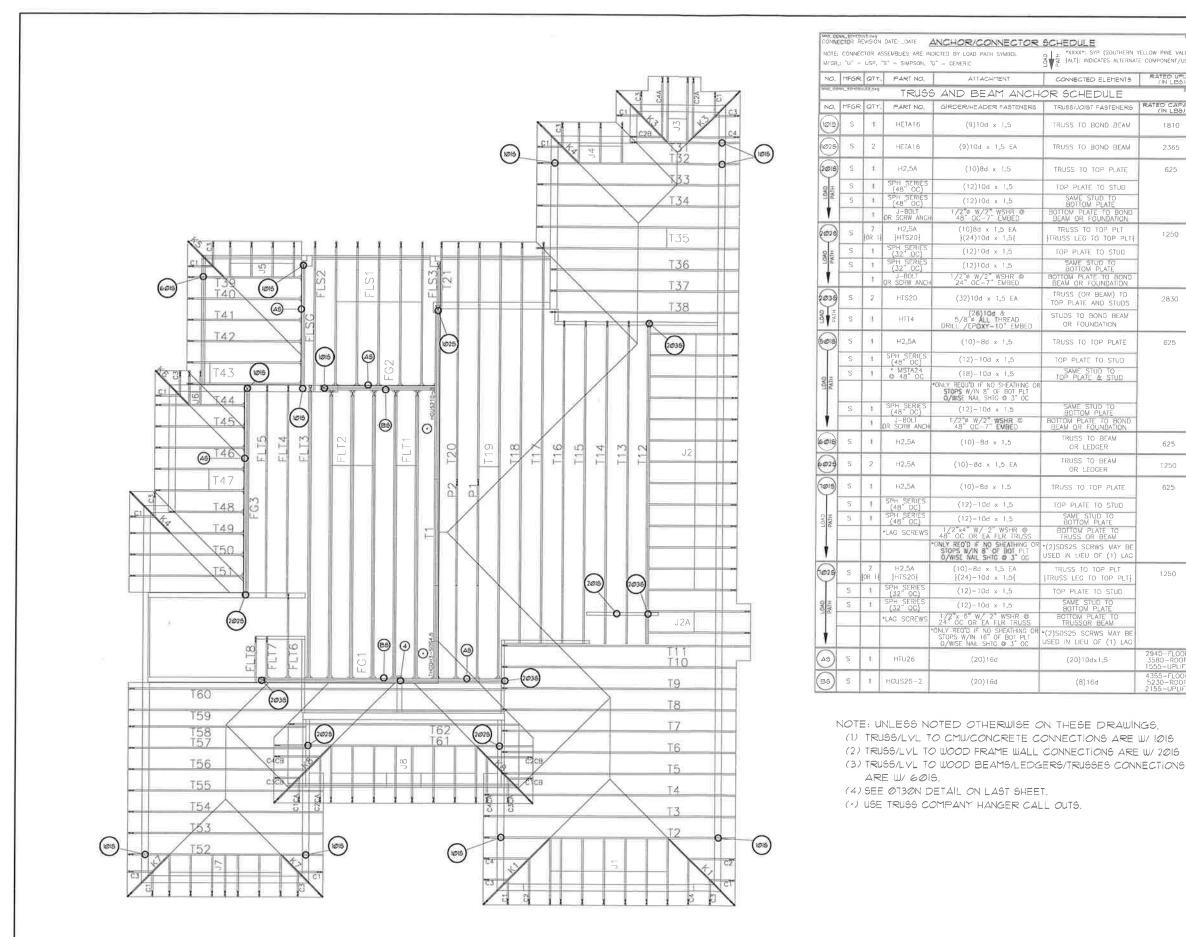




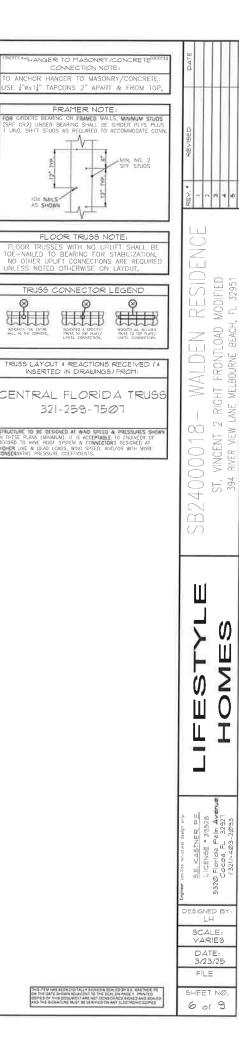


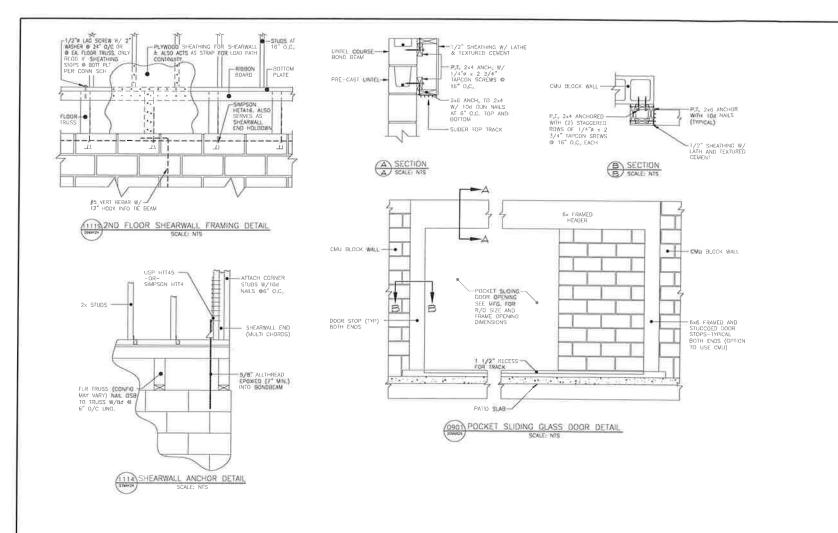
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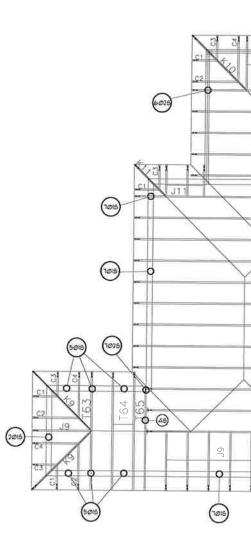
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# FLOOR PLAN NOTES: HENT 1/1/24 ALL FIXED GLASS AND WINDOWS ABOVE AND AROUND SHOWERS AND TUBS WHERE BOTTOM OF GLASS IS LESS THAN 60" AFF TO BE TEMP, GLASS, PLUMBER TO V.I.F. TUB DRAIN LOCATION. PROVIDE 2X FRAMING FOR TUB DECKS AS REO, D. SET TUB DECK LIP OVER SHWR RECESS 1 $1/2^{\prime\prime}$ TO ALLOW FOR CEMENT BOARD AND TILE. PROVIDE 1/2" GYP, BOARD ON 1X2 P,T, FURRING $\circledast$ 16" o.C. W/ FI-FOIL INSULATION (R-4,1) AT ALL CONDITIONED INTERIOR BLOCK WALL CONDITIONS, THIS ASSEMBLY HAS A R-5.7 RATING PER FBC ENERGY CONSERVATION SECTION 303 ALL INTERIOR GYP, CEIL, BRD IS $J^{*}$ SAG RESISTANT, & IS SCREWED @ 12" O/C, USE $J^{*}$ TYPE X ACROSE FRANING, SCREWED & O/C, @ GARAGE CEILING UNDER HABITABLE SPACE USE $J^{*}$ GYP, BRD, (MIN,) ON GARAGE FRAME WALLS, USE 20 MIN, RATED DOOR & FRAME (W/ CLOSER) TO GARAGE PROVIDE R-19 INSULATION FOR 2X6 ,2X8 AND R-13 FOR 2X4 EXTERIOR WOOD FRAME WALLS PER FBC ENERGY CONSERVATION SECTION 303 ENCLOSED ACCESSIBLE SPACE UNDER STAIRS SHALL HAVE WALLS, UNDER STAIR SURFACE AND ANY SOFFITS COVERED W/ $1/2^{\prime\prime}$ GVP\_ BOARD, ALL DRYER VENTS AND RANGE HOODS/MICRO, S TO BE VENTED THROUGH NEAREST EXTERIOR WALL OR ROOF BY HVAC CONTRACTOR, BUILD SOFFIT/PAD OUT WALL/CLG, AS REO'D. ATTIC ACCESS TO BE 30"x22" MIN., ATTIC ACCESS W/ STAIRS TO BE 54"x22", MATCH TRUSS ORIENT PER FBC R807,1 DOOR BETWEEN GARAGE AND CONDITIONED SPACE SHALL BE 1 3/8" MIN, SOLID WOOD, HONEYCOMB, OR 20 MIN, FIRE RATED & EQUIPPED WITH SELF CLOSING DEVICE PER FBC R302,5,1 ALL INTERIOR NONBEARING FRAMING TO BE 2X4'S @ 1'-4" O.C. WITH A SINGLE TP/BP. T IS ALWAYS OUR INTENT TO PLACE THE COMPRESSOR IN A DISCRETE LOCATION, HOWEVER SOMETIMES THE BUILDING CODE FORCES IT O BE PLACE AT THE REAR OR NEAR A WINDOW.

2 FOR MECHANICAL INSTALLATION, ALL TAPES, CONNECTORS, AND MASTIC SHALL BE UL LISTED.

3. ALL KITCHEN WALLS CONTAINING WALL CABINETS SHALL BE FRAMED @ 16" 0/C.

4 ALL PANTRY AND LINEN CLOSETS TO HAVE (5) WIRE SHELVES INSTALLED

5. ALL PRE-FA9. GUARD RAILING TO BE 36" MIN. HIGH AND TO BE INSTALLED PER MANUF. SPEC.'S. AND COMPLY WITH R312.1 OF THE FBC-R.

6, PROVIDE LOUVERED DOOR(S) WHEN A/C DOES NOT HAVE A DUCTED RETURN, STANDS TO BE METAL AND WRAPPED WITH DUCT BOARD WHEN A DUCTED RETURN IS REQUIRED,

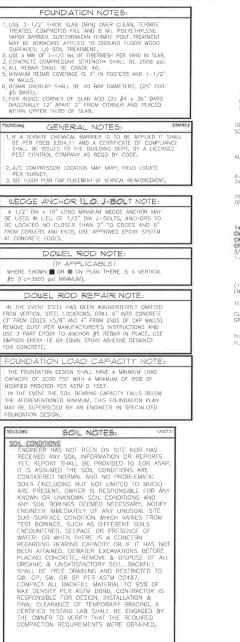
FIREBLOCKING TO COMPLY WITH FBC SECTION 718.2, FBC R602.8

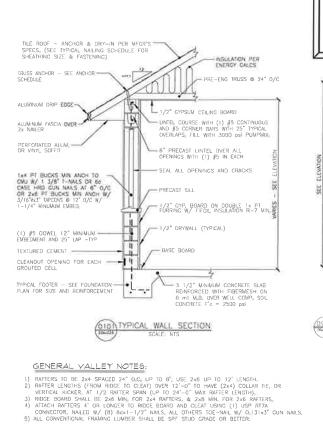
B. ALL FRAMING IN CONTACT WITH THE SLAB TO BE PRESSURE TREATED.

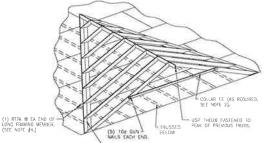
BATHROOM NOTE:

ALL BATHROOM WALLS REQUIRE REINFORCEMENT FOR GRAB BARS AT TOILETS, TUBS, AND SHOWERS AS PER F.H.A.

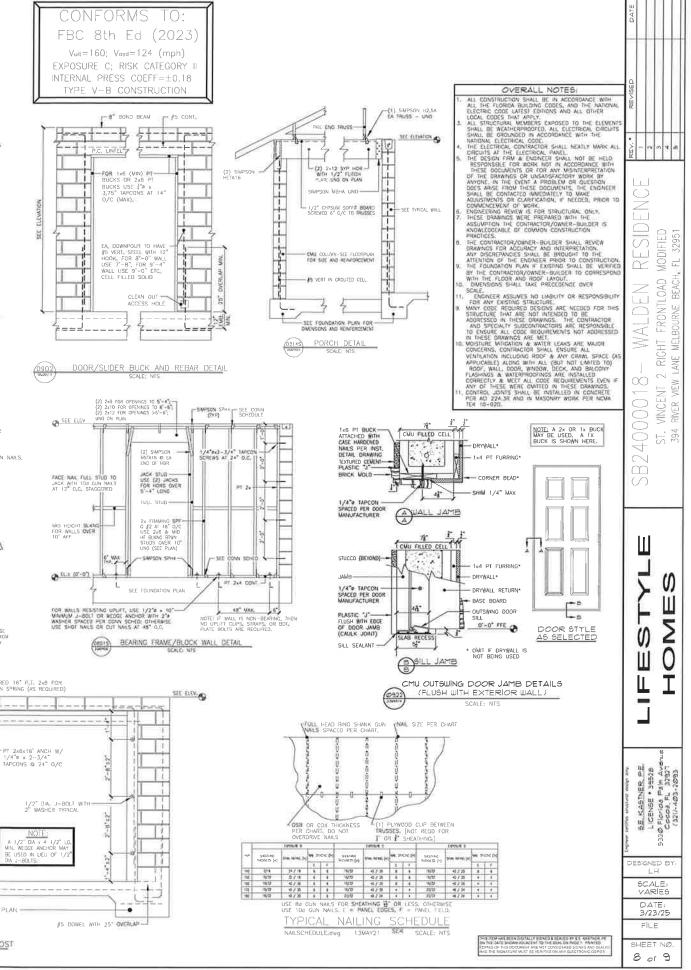
WINDOW PROTECTION NOTE: 3400 WINDOWS SHALL EITHER BE IMPACT RESISTANT ECTED BY APPROVED EXTERIOR SHUTTERS, P/ OTHER DEVICES

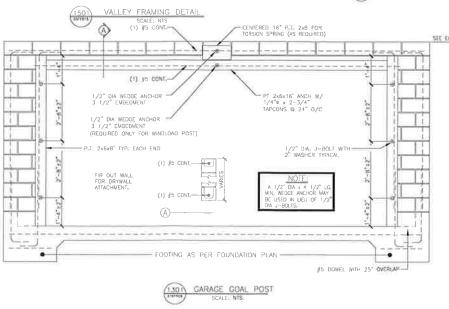


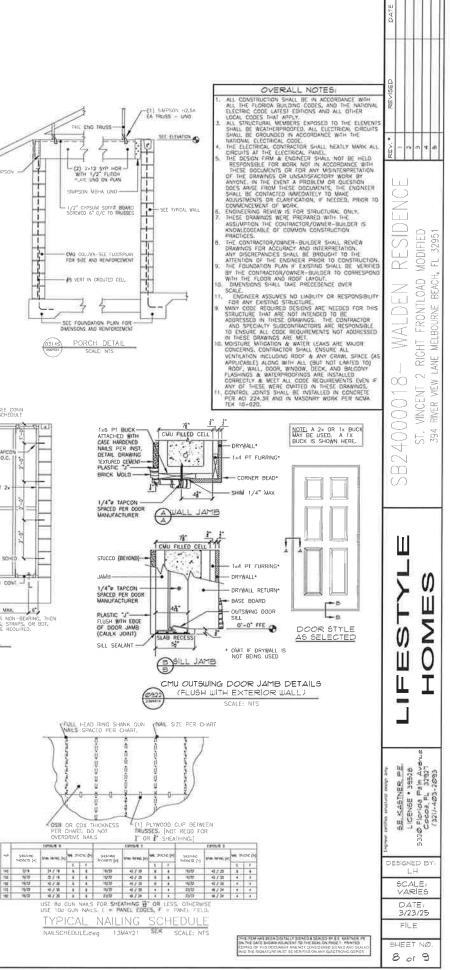


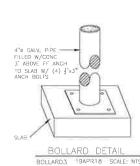


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FOUNDATION PLAN SCALE: 1/4"=1'-0" SEE SH 1 & 8 FOR FOUNDATION NOTES & DETAILS.

