

AGENDA
TOWN OF INDIALANTIC BOARD OF ADJUSTMENT
Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903
Monday, April 15, 2024 at 5:30 P.M.

A. Call to Order:

David A Justice	Chair
Stephen Baughn	Vice Chair
Safvat Kalaghchy	Member
Michael Hill	Member
Eileen Mullen	Member
Guy Newman	1 st Alternate
Jeff Jennings	2 nd Alternate

B. Approval of Prior Meeting Minutes:

Minutes – December 4, 2023

C. Variance Request:

Site address: 1517 S. Miramar Ave, Indialantic, FL, 32903; further described as S 12.5 FT of Lot 4, All Lot 5, & N 12.5 FT Lot 6 Block 100, Indialantic By-the-Sea Sec D; Parcel ID 28-38-06-25-100-4.

Applicant/Owner: Clayton Bennett, P.E., for owner Calvin and Nancy Marchell.

1. **Code Section 103-39: *Indialantic coastal construction code of 1987*** – Requesting a variance to construct an addition to an existing single-family residence 201.6 feet seaward of the Coastal Construction Control Line.

D. Adjournment:

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

Americans with Disabilities Act: Persons planning to attend the meeting who need special assistance must notify the office of the town clerk at 321-723-2242 no later than 48 hours prior to the meeting.

Meeting Minutes
TOWN OF INDIALANTIC BOARD OF ADJUSTMENT
Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903
Monday, December 4, 2023 AT 5:30 P.M.

A. Call to Order:

A regular meeting of the Board of Adjustment was called to order by Chair Justice at 5:30 p.m. followed by the Pledge of Allegiance. The following members were present:

David A Justice	Chairperson
Stephen Baughn	Vice Chairperson
Safvat Kalaghchy	Member
Michael Hill	Member
Eileen Mullen	Member

Absent:

Guy Newman	1st Alternate
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Also attending:

Clifford Stokes	Building Official
Paul Gougelman	Town Attorney
Mollie Carr	Town Clerk

The pledge of allegiance was led by Chairperson Justice.

B. Approval of Prior Meeting Minutes:

Minutes – October 30, 2023

Motion by Member Kalaghchy, seconded by Vice Chair Baughn to approve the October 30, 2023 meeting minutes.

Ayes: Justice, Baughn, Kalaghchy, Hill, Mullen

Motion carried unanimously, 5-0.

C. Variance Request:

Site address: 501 N. Miramar Ave, Indialantic, FL, 32903; further described as Lot 6; Block 66, Indialantic By-the-Sea; Parcel ID 27-38-31-EO-66-6.

Applicant/Owner: Clayton Bennett, P.E., for owner Madison Capital Fund LLC.

1. **Code Section 103-39: *Indianalantic coastal construction code of 1987*** – Requesting a variance to construct a detached pool bathroom building 216 feet seaward of the Coastal Construction Control Line.
2. **Code Section 113-337(5)b: *T-Tourist Districts, Lot Dimensions*** – Requesting a variance of 25 feet to the minimum lot width requirement of 100 feet to allow for a 75-foot-wide lot.

Chairman Justice read the requested variances.

Clayton Bennett, P.E., Bennett Engineering & Consulting, LLC, 4940 Ranchland Road, Melbourne- Mr. Bennett introduced himself and gave his qualifications. Mr. Bennett advised he submitted for two variances. The first variance is for the Coastal Construction Control Line which is a technical variance which requires three criteria be met; the development should not jeopardize the stability of the dune; the development shall not accelerate erosion and the development will not endanger adjacent properties or the property itself. A Coastal Construction Variance Report was submitted with the application. The project will meet all Florida Building codes and all other permits required by the State of Florida will be applied for. Mr. Bennett advises the variance complies with the required criteria. Regarding the second variance, Mr. Bennett advised it was his understanding that the parcel was split from a neighboring property, leaving it with a 75-foot lot width and it is possible a previous variance was obtained. He said the property in question has already been developed and has been in use for quite some time.

Cliff Stokes, the building official advised that he is unaware of any previous variances and the property has always been non-conforming during his 19-year tenure.

Attorney Gougelman moved to have the survey, Coastal Construction Control Line Report and all letters and emails of objections made part of the record. Attorney Gougelman advised the Board that the first variance for Coastal Construction Control Line does not require a hardship and the second variance does require a hardship or practical difficulty.

Discussion ensued and the following items were discussed:

- There is currently not an existing exterior bathroom.
- If the property were built today, it would be required to have a bathroom closer to the pool.
- The State Code requires a bathroom within 200 feet of a pool.
- The Accessibility Code also requires a bathroom closer than the existing one.
- Mr. Bennett feels the distance of the bathroom is a hardship.
- The Building Official advised all improvements have been properly permitted and approved.
- The Property Owner is currently operating within his rights.
- The property is a legal non-conforming property.
- The swimming pool is the original pool.

Public Comments-

Jim Sedon, 601 North Miramar Ave Unit #213, Indialantic- Mr. Sedon introduces himself as the President of the Homeowner's Association of the Indialantic One Condominiums. Mr. Sedon said he believes the owner is trying to convert the property to a nightclub. Mr. Sedon advised the Saturday before he had to tell the manager to turn the music down at 10:26 p.m. and this is a problem with the nearby properties. He advised that Brevard County has a new noise ordinance which makes any noise outside of 300 feet a violation. Mr. Sedon is opposed to the variance being approved and is asking the Board not to aid the business in creating more noise violations. Mr. Sedon advised the property has seating for 125 patrons and not enough parking. Mr. Sedon advised the Indialantic One Condominium is not the neighboring property and the noise disturbed his grandkids and kept them from sleeping. The Business created a hardship by building a bar where one should never have been. Chairperson Justice asked if patrons other than guests were there and Mr. Sedon replied, "Hundreds of them".

Robert Lowry, 601 North Miramar Ave Unit #112, Indialantic- Mr. Lowry said that he supports "what Jim said". Mr. Lowry advised that the Business started as a cute little bar, but it has grown into a situation. When he sits down on his patio in the evening, he can hear the music blasting.

Bonnie Kraska, 601 North Miramar Ave Unit #114, Indialantic- Ms. Kraska stated, "Jim said it pretty concisely". Ms. Kraska told the Board if they have not seen the property, they need to go see it. She advised that she lives on the opposite side of the condo, and it is really loud.

Discussion ensued and the following items were discussed:

- The property is Zone T-Tourist.
- Mr. Bennett advised the Board that the concerns raised are zoning issues and are not associated with the variance request.
- Mr. Bennett advised the Board that the bathroom is a health safety and public safety issue.
- The Property owner is not asking for a zoning variance.
- The current owner purchased the property approximately three years ago and has steadily improved the property during that time.
- The Building Official said the pool is a public pool.
- The property does not have a full kitchen, no cooktop or hood, just an area to heat prepared food.
- The Business has additional parking across the street.

Public Comments-

Jim Sedon, 601 North Miramar Ave Unit #213, Indialantic- Mr. Sedon advised he believes the pool is considered a commercial pool. He said the business has a pretty full menu at the

restaurant and the outdoor seating is against the code because it is not continuous from the restaurant to the seating. Mr. Sedon says he sees safety issues with expanding the business. Mr. Sedon feels that adding a bathroom is only going to increase the number of people there and the noise.

Bonnie Kraska, 601 North Miramar Ave Unit #114, Indialantic- Ms. Kraska advised that they live on a private beach and a bathroom will 100% attract people.

Chairperson Justice closed public comments.

Discussion ensued and the following items were discussed:

- Member Mullen said that with respect to the Town Charter and the variance in front of the Board, she does not have an issue with the bathroom. She feels there are other issue that need to be looked into separately.
- Member Hill feels this is not a hardship.
- Vice Chairperson Baughn does not see the practical difficulty since the Business is already operating without the bathroom.
- Member Kalaghchy said he fears for the residence regarding the noise levels and all the issues raised but he doesn't know how it relates to the Coastal Construction Control Line.
- Chairperson Justice said there are bathrooms in the rooms, the question is there an undue hardship. The business is inviting people that are not hotel guests.
- The Building Official advised the Board that they need to separate Code issues from the variance request.
- Attorney Gougelman advised the Board to vote on the two variances separately.

Motion by Member Hill, seconded by Member Mullen, to approve the first variance request regarding the Coastal Construction Control Line.

Ayes: Justice, Baughn, Kalaghchy, Hill, Mullen

Motion carried unanimously, 5-0.

Motion by Member Hill, seconded by Vice Chairperson Baughn, to disapprove the second variance request regarding the 75-foot property width.

Ayes: Justice, Baughn, Hill

Nayes: Kalaghchy, Mullen

Motion carried passed, 3-2.

Attorney Gougelman advised the Board that under state law they must disclose the reason for their disapproval.

The consensus of the Board was they did not find an undue hardship or practical difficulty.

Mr. Bennett addressed the Board, saying that the practical difficulty concerns the 75-foot lot width when the Code requires 100 feet. The practical difficulty is the lot is short 25 feet of the required 100 feet. He said there is no change for zoning use, only addressing the lot width. He said the bathroom location is not the issue, it is an issue of lot size.

D. Town Code Interpretation:

Site Address: 430 Watson Dr, Indialantic, FL, 32903; further described as Indialantic Heights; 1st Section, Lot 86; Parcel ID 27-37-36-01-*86.

Requestor/Owner: Jeffrey and Jennifer Jennings

1. **Code Section 113-236(b)(3):** *Parking, storage, and use of certain vehicles, storage, and use of RVs*- the homeowner, Jeffrey Jennings is appealing the Building Official/Code Enforcement Officer's interpretation of the definition of the "front structure line of the property" as it relates to a current code enforcement violation.

Chairman Justice read the requested code interpretation request.

Jeffrey Jennings, 430 Watson Drive, Indialantic- Mr. Jennings submitted a document titled "430 Watson Drive Indialantic, Indialantic Zoning Code Violation Appeal Hearing" to Chairperson Justice. Mr. Jennings provided the Board with copies of the document. Mr. Jennings advised he believes the geometry of the property is the issue with it being an "L" shaped house with a circular driveway. Mr. Jennings says the definition of the front structure line of the house is in question. Mr. Jennings explained the dimensions of the property in reference to the house on the property. Mr. Jennings advised he would have to remove fencing to push the RV back any further.

Attorney Gougelman explained to the Board that this is not a variance, the Building Official has already made a ruling and under the Code to reverse the Building Official it would take four votes. Attorney Gougelman advised the Board their interpretation could be used in future cases, unlike variances.

Mr. Jennings explained to the Board that the "L" shaped configuration of his house causes him to lose useful space in the front of his house and squander useful space on the side yards.

The Building Official explained to the board that the configuration of houses on lots is not the issue, it is an issue of definition, and the definition is clear.

The Building Official, Cliff Stokes submitted pictures of the property to the Board. Mr. Stokes read the definition and explained the diagram provided to the board. Mr. Stokes advised the Board that a variance cannot be granted for a prohibited use.

Mr. Jennings advised the code addressing RV's does not mention the front yard but rather the side and rear yard. He advised the Code also doesn't state that the entire RV must be parked in the side or rear yard.

The Building Official explained to the Board that the definition covers all aspects of the Code, not just parking recreational vehicles.

Public Comments- None

Motion by Member Mullen, seconded by Member Kalaghchy, to affirm and confirm the Building Official's interpretation of the code.

**Ayes: Justice, Baughn, Kalaghchy, Hill, Mullen
Motion carried unanimously, 5-0.**

Board Discussion- None

E. Adjournment:

There being no additional agenda items, the meeting adjourned at 6:47 p.m.

Dave Justice, Chair

Attested by:

Mollie Carr, Town Clerk



March 20, 2024

Mr. Clifford Stokes
Town of Indialantic
216 Fifth Avenue
Indialantic, FL 32903

**RE: Marchell Oceanfront
1517 S Miramar Ave, Indialantic, FL 32903
Site Plan Application Submittal
BEC No. 23.430**

Dear Mr. Stokes:

Enclosed for your review and processing are the following:

1. Twelve (12) copies of the variance application (1 original/11 copies).
2. Application fee of \$500.00
3. Owner authorization
4. Twelve (12) signed and sealed copies of the coastal construction variance reports.
5. Twelve (12) signed and sealed copies of Sheet C-1.
6. List of property owners within 200 feet of the subject site.

We trust this meets your needs to process the variance request. Should you have any questions, please contact our office.

Very truly yours,

Clayton A. Bennett, PE
Managing Member

cc: Client





Application for Zoning Variance

Chapter 113 ZONING. Article II, Div. 4. Sec. 113-117 Authority:

(a) The board of adjustment may grant variances in specific cases to vary or alter the strict application of any of the requirements of this chapter, whereby such application of a particular requirement would result in a practical difficulty or an unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved.

(b) To obtain a variance the applicant must demonstrate to the board of adjustment that:

- (1) A practical difficulty or an unnecessary hardship is caused by the literal application and enforcement of the zoning code provision from which a variance is sought;
- (2) The granting of the variance will not authorize a use prohibited, or result in a use variance, in the district in which the property is located;
- (3) The preponderance of evidence presented at the variance hearing does not demonstrate that the granting of the variance will seriously impair the use of adjacent property, or significantly reduce the value of adjacent property, regardless of the zoning district in which the adjacent property is located;
- (4) The need for the variance is made necessary by the unique character of the property;
- (5) The need for the variance is not caused in any way by the owner or occupant of the property upon which the variance is sought;
- (6) That the request for a variance is not solely based on an economic disadvantage to the owner or occupant of the property upon which the variance is sought, because an economic disadvantage to an applicant does not constitute a hardship or practical difficulty sufficient to warrant the granting of a variance; and
- (7) That the request for a variance is not solely based on a need or desire of the owner or occupant of the property upon which the variance is sought to be obtained to gain an economic benefit, because an economic advantage to an applicant does not constitute a hardship or practical difficulty sufficient to warrant the granting of a variance.

(c) In determining whether to grant a variance the board of adjustment may consider the goals, objectives and policies of the comprehensive plan.

(d) In granting a variance, the board of adjustment may prescribe any conditions that it deems necessary or desirable in the furtherance of the purpose of this chapter.

(e) If a variance is granted with the effect being that a building permit is required, the building permit must be obtained within twenty-four (24) months of the approval date, after that time, the variance is void. If a permit is issued and that permit expires then the variance is also terminated, or expires, with the permit. (Ord. No. 11-13, 3, 7-27-11; Ord. No. 17-08, 2, 4/12/17) CB applicant initial.

1. Applicant states that the property is located at:

Lot(s) S 12.5 FT Lot 4, Lot 5, & N 12.5 FT Lot 6 Block 100
Street Address 1517 S Miramar, Indialantic, FL 32903

2. Applicant's contact information:

Name: Bennett Engineering & Consulting, LLC, Clayton Bennett, PE Phone: (321) 622-4462

Address: 4940 Ranchland Rd. Melbourne, FL 32934Email: ClaytonABennett@gmail.com3. Property Owner (If other than applicant): Calvin & Nancy MarchellProperty Owner Address: 1517 S Miramar Ave

4. The relationship of the applicant to the property is:

OWNER: _____ ATTORNEY/AGENT*: X TENANT*: _____

*Owner authorization required.

5. The property is zoned (Circle one): R-1-A R-1-B; R-2; R-3; R-P; C; C-1; C-2; SC; CH; T

6. The requested variance(s) is for the following non-conformities of the Indialantic Code:

Code Section

a. 103-39

Explain Non-conformity (variance requested)

A variance of 201.6 feet is requested to construct an addition to an existing single-family residence

b. _____

Attach additional pages as necessary

7. Current Property Survey and Site Plan for proposed variance are attached to this application
CB _____ applicant initial

8. Site plans are the same as submitted to the Zoning Board, if applicable:

YES _____ NO _____ N/A Single-family Home9. Describe the Practical Difficulty or **Unnecessary Hardship** which will be imposed if the variance is not granted (see definitions, pg. 3). Attach additional pages as necessary:

The entire parcel is located seaward of the coastal construction control line. A coastal variance

is required to construct anywhere on the subject parcel.

Chapter 113 ZONING. Article I, Sec. 113-4 Definitions:

Practical difficulty.

In the case of a variance, a practical difficulty is a standard which is similar to but less rigorous than the unnecessary hardship standard. It is a non-self created characteristic of the property. The standard asks whether a literal enforcement of a zoning regulation will create a practical difficulty in the use of the parcel of land for the purpose or in the manner for which it is zoned. Some of the factors that may be considered in determining whether a practical difficulty exists include: (i) how substantial the variance is in relation to the requirement sought to be varied; (ii) whether a substantial change will be produced in the character of the neighborhood; (iii) whether the difficulty can be obviated by some method feasible for the applicant to pursue other than by a variance; and (iv) whether, in view of the manner in which the difficulty arose, the interest of justice will be served by allowing the variance. Finding that factors (i) (that the variance requested is not substantial); (ii) (that a substantial change in the character of the neighborhood will not occur if the variance is granted); (iii) (that the difficulty occurring can only be obviated by grant of the variance); and (iv) (that the interest of justice will be served by granting of the variance), are all factors in support of the variance.

Unnecessary hardship.

In the case of a variance, an unnecessary hardship is a standard which is similar to but much more rigorous than the practical difficulty standard. The unnecessary hardship standard is a very restrictive standard. It is a non-self created characteristic of the property in question which renders it virtually impossible to use the land for the purpose or in the manner for which it is zoned. The standard asks whether a literal enforcement of a zoning regulation will create an unnecessary hardship which makes it virtually impossible to use the land for the purpose for which it is zoned.

A nonrefundable fee of \$500.00 is required at the time the application is filed. Application does not guarantee variance will be granted.

I hereby agree to the payment of the fee as prescribed by the Indialantic Code of Ordinances. I hereby depose and say that all the above statements are true and correct to the best of my knowledge.

Signature of applicant [Signature] Date 2/22/2024

The foregoing instrument was sworn to (or affirmed), subscribed, and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22nd day of February, 2024, by Clayton Bennett, who is personally known to me or has produced FL Drivers License as identification.

NOTARY: Kristina A. Frost Commission expires: 08/03/2024



Kristina A. Frost
State of Florida
My Commission Expires 08/03/2024
Commission No. HH 27249

FOR OFFICE USE ONLY

Application checked and accepted by Building Official: _____

Date _____

ACTION BY BOARD OF ADJUSTMENT:

Approved _____ Disapproved _____ Date _____

Board of Adjustment Chairman

Board of Adjustment Secretary

OWNER AUTHORIZATION

Date: 2/8/2024

I, Nancy Marchell OR Calvin Marchell, owner of the following property:

Lot(s) S 12.5FT Lot 4 Block 100 Lot 5, Block 100 & N 12.5 FT Lot 6, Block 100

1505 S Miramar, Indialantic, Florida, 32903

do hereby authorize Bennett Engineering & Consulting, Clayton Bennett, PE to apply for a variance to Indialantic

Code Section 103-39 as my:

Agent ☒ Attorney ☐ Tenant ☐

Nancy Marchell
Signature

Nancy Marchell
Printed Name

State of Florida

Brevard County

The foregoing Owner Authorization was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 8th day of February, 2024, by Nancy Marchell, who is personally known to me and/or who has produced POC, as identification.

Notary Public: *Stephanie Scrima*

Notary Stamp:



COASTAL CONSTRUCTION CONTROL LINE VARIANCE REQUEST REPORT

TO THE

TOWN OF INDIALANTIC

FOR

Marchell Oceanfront
1517 S Miramar Ave
Indialantic, FLORIDA

OWNER

Calvin & Nancy Marchell
1517 S Miramar Ave
Indialantic, FL 32903

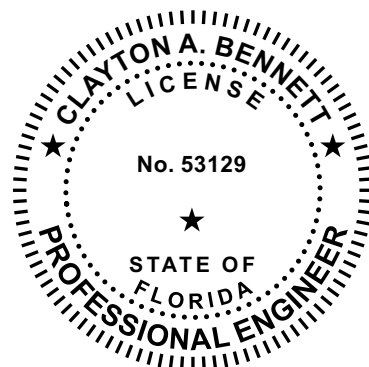
PREPARED BY

Bennett Engineering & Consulting, LLC.

Clayton A. Bennett, P.E.
Fla. No. 53129
4940 Ranchland Road
Melbourne, FL 32934
CA #28236

BEC No. 23.430

February 21, 2024



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

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

I PROJECT OVERVIEW

The proposed improvements for the referenced project include a proposed building addition to an existing single-family residence, ~~and a new detached garage structure which are~~ located at 1517 S Miramar Ave in the Town of Indialantic, Brevard County, Florida. According to Mr. Alex Mitz, with Mitz Design Group, LLC, the proposed improvements to the existing structure are to be designed to fall below the substantial improvement threshold.

The site is located seaward of the 1986 Coastal Construction Control Line (CCCL) and will thus subject to the Florida Department of Environmental Protection (FDEP) coastal construction permitting requirements. All construction shall be designed to comply with the Florida Building Code (FBC).

The Town of Indialantic requires a variance for all non-exempt major construction seaward of the Brevard County Coastal Construction Control Line (Section 103-39 Town Code). The owner of the property has applied for a variance in accordance with the Town variance procedures. The purpose of this report is to provide reasonable assurance that the development will not jeopardize the stability of the beach dune system, will not accelerate erosion, and will not endanger either adjacent or landward property or the property in question itself.

II VARIANCE JUSTIFICATION

Section 103-39 (c) (2) (a) of the Town Code states that the Board of Adjustment shall grant a variance only when the applicant has met his burden of proof by providing that construction of the major structures seaward of the Coastal Construction Control Line will not jeopardize the stability of the beach dune system, will not accelerate erosion, and will not endanger either adjacent or landward property or the property in question itself; it being in the public interest and prudent to preserve and protect the beaches of the Town of Indialantic from harm. The following will outline how this development meets the above criteria.

The development will not jeopardize the stability of the Beach Dune System.

- No work is proposed on the beach dune.
- The existing rear yard improvements will serve as a barrier between the proposed construction and the beach dune system.
- The existing native dune vegetation is to remain for beach dune stabilization.
- The proposed improvements are located within a previously disturbed area.

The project will not accelerate erosion.

- No land clearing or excavation is proposed on the dune.
- The proposed construction will be located approximately 50 feet landward of the top of dune.
- The proposed improvements are located within previously disturbed areas.

The project will not endanger either adjacent or landward property or the property in question itself.

The following steps have been taken to protect the proposed improvements and the adjoining properties:

1. The proposed building additions are located either on the existing single-family home footprint, or on the landward side of an existing single-family home.
2. The proposed improvements will be designed in accordance with the requirements of the Florida Building Code.
3. The proposed improvements will be subjected to the scrutiny of the State (Florida Department of Environmental Protection) during the Coastal Construction Permit application review process, thus providing reasonable assurance that the proposed development will comply with State Coastal and Environmental standards.

In considering the subject site along with the proposed design approach, reasonable steps have been taken to protect adjacent, landward, and onsite structures. Therefore, it is my professional opinion that the proposed improvements will not endanger adjacent or landward properties or the property in question.

III CONCLUSION

Based on the above information, the applicant requests that the Board of Adjustment grant the Construct Seaward of the Coastal Construction Control Line variance.

IV CERTIFICATION

The Coastal Construction Control Line Variance Request Report for the proposed improvements to the existing single-family residence located at 1517 S. Miramar Ave, Indialantic was prepared by me or under my direct supervision.

Clayton A. Bennett, PE
FLA P.E. No. 53129

Date

OWNER AUTHORIZATION

Date: 2/8/2024

I, Nancy Marchell OR Calvin Marchell, owner of the following property:

Lot(s) S 12.5FT Lot 4 Block 100 Lot 5, Block 100 & N 12.5 FT Lot 6, Block 100

1505 S Miramar, Indialantic, Florida, 32903

do hereby authorize Bennett Engineering & Consulting, Clayton Bennett, PE to apply for a variance to Indialantic

Code Section 103-39 as my:

Agent ☒ Attorney ☐ Tenant ☐

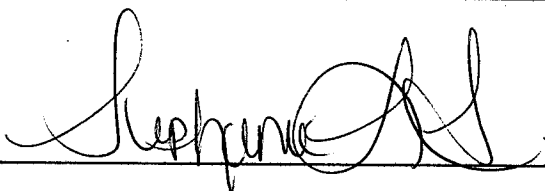

Signature

Nancy Marchell
Printed Name

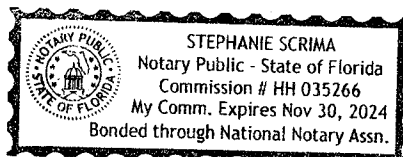
State of Florida

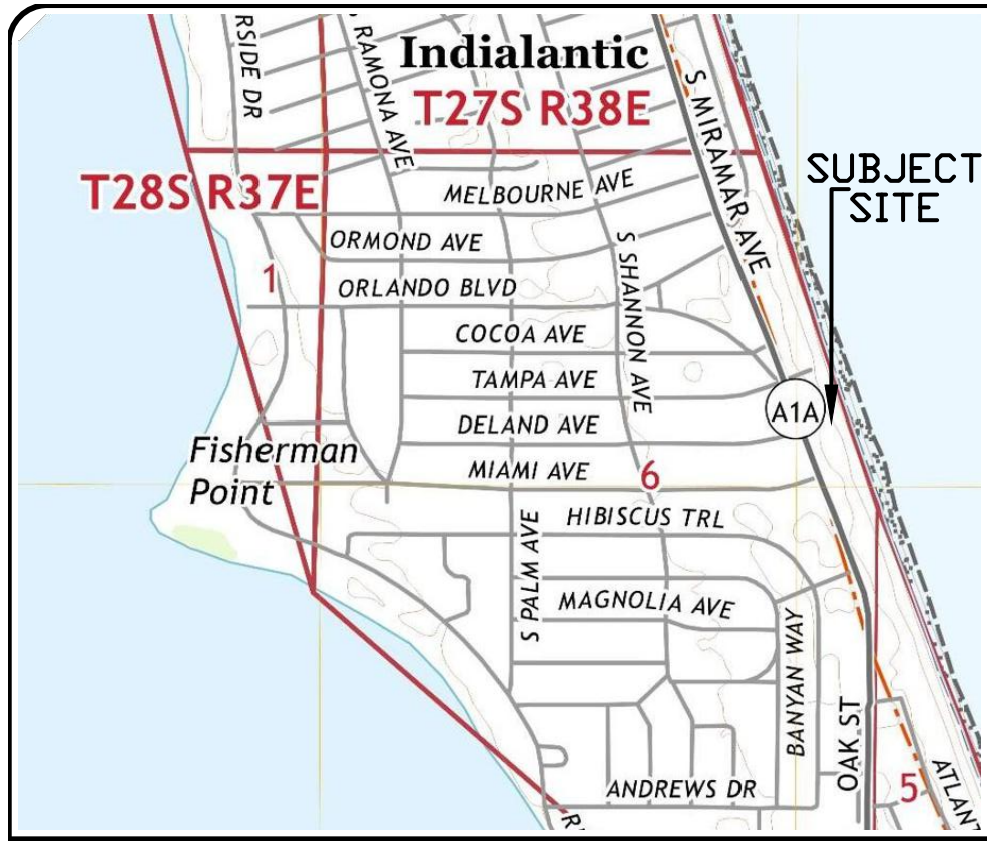
Brevard County

The foregoing Owner Authorization was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 8th day of February, 2024, by Nancy Marchell, who is personally known to me and/or who has produced POC, as identification.

Notary Public: 

Notary Stamp:





TOWNSHIP 28S, RANGE 38E, SECTION 6

VICINITY MAP

NTS

GENERAL STATEMENT:
THIS PLOT PLAN HAS BEEN PREPARED FOR THE GROUND FLOOR LANDWARD EXPANSION AND A 2ND FLOOR ADDITION TO THE EXISTING STRUCTURE ON THE SUBJECT LOT.

OWNER:
NANCY & CALVIN MARCHELL
1517 S MIRAMAR AVE
INDIALANTIC, FL 32903

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

SURVEYOR:
KANE SURVEYING, INC.
505 DISTRIBUTION DRIVE
MELBOURNE, FL 32904
(321) 676-0427

SITE ADDRESS:
1517 S MIRAMAR AVE
INDIALANTIC FL 32903

PARCEL ID:
28-38-06-25-100-4

ACCOUNT NO:
2846963

SITE AREA:
SITE AREA = ±0.62 AC (±27,007 SF)

ZONING: R-1-A



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

- GENERAL NOTES**
1. PROPOSED BUILDING ENVELOPE INDICATES MAXIMUM EXTERIOR WALL DIMENSIONS ONLY.
 2. BOUNDARY, TOPOGRAPHIC, & FLOOD PLAIN INFORMATION WAS PROVIDED BY KANE SURVEYING, INC., JOB NO. 43213, DATED APRIL 12/1/23.
 3. ELEVATIONS ARE BASED ON NAVD, 1988 DATUM.
 4. BEACH DUNE SYSTEM IS TO BE MAINTAINED AS SPECIFIED IN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT ISSUED FOR THIS PROJECT.
 5. CONTOURS ARE APPROXIMATE ONLY.
 6. THE SOLID WASTE WITHIN THE PROJECT SITE WILL BE PICKED UP BY CURBSIDE PICKUP.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED WITHIN ROAD AND DRAINAGE RIGHT-OF-WAY AS A DIRECT RESULT OF NEW CONSTRUCTION.
 8. FLOOD ZONE ELEVATIONS ARE REFERENCED TO NAVD 1988 PER THE FEMA FLOOD ZONE MAPS.
 9. THE CONTRACTOR SHALL CONTACT SUNSHINE ONE (1-800-432-4770) AND ALL CONCERNED UTILITIES AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION OPERATIONS.
 10. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND DOCUMENT THE ACTUAL LOCATION AND EXTENT OF ALL EXISTING UTILITIES WHICH MAY AFFECT CONSTRUCTION. EXISTING UTILITIES SHOWN ARE BASED UPON THE BEST AVAILABLE INFORMATION SUPPLIED TO THE OWNER/ENGINEER AND IS SHOWN FOR INFORMATIONAL PURPOSE ONLY. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE, TO THE SATISFACTION OF THE UTILITY OWNER.
 11. THERE SHALL BE NO STORAGE OF VEHICLES OR MATERIALS EAST OF THE COASTAL SETBACK LINE.

LEGAL DESCRIPTION: (BY SURVEYOR)
THE SOUTH 12.5 FEET OF LOT 4, ALL OF LOT 5 AND THE NORTH 12.5 FEET OF LOT 6, BLOCK 100, INDIALANTIC BY THE SEA, SECTION D, ACCORDING TO THE PLAT THERE OF, AS RECORDED IN PLAT BOOK 3, PAGE 93, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

NATIONAL FLOOD INSURANCE INFORMATION:
(AS PROVIDED ON THE SURVEY)
MAP NO. 12009C0608H
FIRM INDEX DATE: JANUARY 29, 2021
FLOOD ZONES: "X" & "VE"

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

TYPE "A" LOT DRAINAGE (REAR TO FRONT)

AREA OF ALTERATION = 0.1 ACRES

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

MEAN HIGH WATER LINE LOCATED 12/1/23
ELEV=0.7' NAVD 1988
(SEE NOTE 10)

APPROXIMATE SEASONAL HIGH WATER LINE (ELEV=5.7 FEET)

ATLANTIC OCEAN

1981 COASTAL CONSTRUCTION CONTROL LINE
SURVEY BOOK 2A, PAGES 15-28
RECORDED 10/6/1981

AREA OF REQUIRED REAR SETBACK ±2,011 SF

REMAINDER OF LOT 4

1 STORY BLDG
No. 1515
FF ELEV=14.32

EXIST. UTILITY SHED TO REMAIN 79 SF

EXIST. 2 STORY BLDG
No. 1517
FF ELEV=16.31

EXIST. STRUCTURES INTERCONNECTED

EXIST. DUNE CROSSOVER STRUCTURE TO REMAIN

EXIST. UTILITY SHED TO REMAIN (52 SF)

PROF. 2ND FLOOR ADDITION 24' X 58.84'

PROF. GROUND FLOOR ADDITION 24' X 24.67' (MATCH EXIST FFE)

EXIST. 1 STORY GARAGE
FFE=15.16

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